

**THE CORPORATION OF THE CITY OF GRAND FORKS  
AGENDA – REGULAR MEETING**

**Monday, May 25th, 2015, 7:00 pm  
7217 - 4th Street, City Hall**

<b><u>ITEM</u></b>	<b><u>SUBJECT MATTER</u></b>	<b><u>RECOMMENDATION</u></b>
1. <b><u>CALL TO ORDER</u></b>		
2. <b><u>ADOPTION OF AGENDA</u></b>		
a) Adopt agenda	May 25th, 2015, Regular Meeting agenda	THAT Council adopt the May 25th, 2015, Regular Meeting agenda as presented.
3. <b><u>MINUTES</u></b>		
a) Adopt minutes <a href="#">May 4, 2015, COTW Meeting Minutes.pdf</a>	May 4th, 2015, COTW Meeting minutes	THAT Council adopt the May 4th, 2015, COTW Meeting minutes as presented.
b) Adopt minutes <a href="#">May 4, 2015, Public Hearing Meeting Minutes.pdf</a>	May 4th, 2015, Public Hearing minutes	THAT Council adopt the May 4th, 2015, Public Hearing minutes as presented.
c) Adopt minutes <a href="#">May 4, 2015, Regular Meeting Minutes.pdf</a>	May 4th, 2015, Regular Meeting minutes	THAT Council adopt the May 4th, 2015, Regular Meeting minutes as presented.
d) Adopt minutes <a href="#">May 7, 2015, Special Meeting to go In-Camera Minutes.pdf</a>	May 7th, 2015, Special Meeting to go In-Camera minutes	THAT Council adopt the May 7th, 2015, Special Meeting to go In-Camera minutes as presented.
e) Adopt minutes <a href="#">May 7, 2015, Special Meeting Minutes.pdf</a>	May 7th, 2015, Special Meeting minutes	THAT Council adopt the May 7th, 2015, Special Meeting minutes as presented.
4. <b><u>REGISTERED PETITIONS AND DELEGATIONS</u></b>		
5. <b><u>UNFINISHED BUSINESS</u></b>		
6. <b><u>REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL</u></b>		
a) Corporate Officer's Report <a href="#">RFD - Proc. Bylaw-CAO - Rpts., Questions, &amp; Inquiries from Council.pdf</a> <a href="#">Councillor Butler's Report.pdf</a> <a href="#">Councillor Thompson's Report.pdf</a> <a href="#">Councillor Ross's Report.pdf</a>	Written reports from members of Council	THAT all written reports from members of Council, be received.

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

- a) Corporate Officer's Report  
[RFD - Proc. Bylaw-Council - RDKB  
Council's Rep..pdf](#)

Verbal reports from Council's representative to the Regional District of Kootenay Boundary

THAT Councillor Krog's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting, be received.

8. **RECOMMENDATIONS FROM STAFF FOR  
DECISIONS**

- a) Corporate Services  
[RFD - Corporate Services - Proposed  
Council Technology Allowance  
Policy.pdf](#)

Proposed Council Technology Allowance Policy

THAT Council determines to adopt the policy known as "Council Technology Allowance Policy No. 115", as presented.

- b) Manager of Development & Engineering Services  
[RFD - Mgr. Dev. & Eng. - GF  
Proposal for Steering Committee.pdf](#)

Proposal to set up a Steering Committee regarding transitional housing

THAT Council authorize staff to proceed with setting up a Transition Housing Project Steering Committee (THPSC); and THAT the THPSC provide assistance and recommendations to Council regarding steps necessary to facilitate the development of transition housing in the community.

- c) Manager of Development and Engineering Services  
[RFD - Mgr. Dev. & Eng. -  
Pickleball.pdf](#)

Pickleball in Grand Forks: converting one tennis court at Barbara Ann Park into four pickleball courts

THAT Council select one of the listed options.

- d) Manager of Development and Engineering  
[RFD - Mgr. Dev. & Eng. - Lot 5  
Sagamore Rd - Land Disposal.pdf](#)

Disposition of Lot 5, Plan KAP86416, DL 534, SDYD, PID #027-468-216 to Argosy Construction Group Inc.

THAT Council direct staff to proceed with the disposition of Lot 5, Plan KAP86416, DL 534, SDYD, PID #027-468-216 to Argosy Construction Group Inc. for the amount of \$120,000 plus GST.

- e) Corporate Services/Administration  
[RFD - Corporate Services - Proposed  
Budget Amendment for Additional  
Staff Support.pdf](#)

Proposed budget amendment for additional staff support

THAT Council determines to authorize the budget amendment in 2015 for additional administration staff support in the amount of up to \$20,000 to accommodate additional work required through Freedom of Information requests and the Ombudsperson request.

9. **REQUESTS ARISING FROM  
CORRESPONDENCE**

10. **INFORMATION ITEMS**

a)	UBCM <a href="#">SOII - Asset Mgmt. Planning Program - Grant Approvals &amp; Terms and Conditions.pdf</a>	2015 Asset Management Planning Program - grant approval and terms & conditions	THAT Council receive for information.
b)	BETHS & Whispers of Hope <a href="#">SOII - BETHS &amp; Whispers of Hope - Transfer of Current Lease on MAAP.pdf</a>	Transfer of current lease on Multi Agency Accommodation Project (MAAP)	THAT Council receive for discussion and consideration to transfer existing lease from HFHSEBC to BETHS and Whispers of Hope in the event that HFHSEBC were to give notice to withdraw from the lease.
c)	Boundary Peace Initiative <a href="#">SOII - Boundary Peace Initiative Invitation to Conference - May 30th.pdf</a>	Invitation to spring conference on May 30th, 2015, at the Slavonic Senior Citizens Center	THAT Council receive for information. Members of Council are invited to attend.
d)	Canada Day Committee <a href="#">SOII - Invitation to Participate in Canada Day July 1 Opening Ceremonies.pdf</a>	Invitation to participate in the Opening Ceremonies for the Canada Day Celebrations, July 1st, 2015	THAT Council receive for information. Mayor to advise if he is able to Emcee and be entertainment Co-Chair for the Canada Day Celebrations from 11:00 am-2:30 pm. FURTHER THAT two Council members are requested to assist at the cutting of the cake at 12:30 pm.
e)	Jack Koochin <a href="#">SOII - Koochin, Jack re Solution to Water System-District Metering.pdf</a>	Letter regarding solution for Grand Forks water system: district metering	THAT Council receive for information.
f)	Nadine Heiberg <a href="#">SOII - Heiberg, Nadine - Reply to City Letter of Unsightly Premises.pdf</a>	Letter of reply to City letter issued for unsightly premises	THAT Council receive for information. Referred to staff.
g)	Gloria Koch <a href="#">SOII - Koch, Gloria re Dialogue &amp; Participation from Community.pdf</a>	Letter regarding dialogue and participation from community	THAT Council receive for information.
h)	Frank Triveri <a href="#">SOII - Triveri, Frank re Administrative Compensation.pdf</a>	Communication regarding administrative compensation	THAT Council receive for information.

11. **BYLAWS**

- |  |   |   |
|--|---|---|
| a) Manager of Development and Engineering Services<br><a href="#">Bylaw - RFD-Mgr. Dev. &amp; Eng. - 1606-A3 Wagner Rezoning.pdf</a> | To amend the current Zoning Bylaw by rezoning property located at 832 - 64th Avenue from the current R-1 (Single and Two-Family Residential) Zone to R-4 (Rural Residential) Zone | THAT Council give third and final readings to the "City of Grand Forks Zoning Bylaw Amendment No. 1606-A3, 2015". |
| b) Manager of Operations<br><a href="#">Bylaw - RFD-Mgr. of Operations - Electrical Utility Regulatory Amendment Bylaw 2015.pdf</a>  | Electrical Utility Regulatory Amendment Bylaw 2015  | THAT Council give first three readings to Bylaw 2015 - Electrical Utility Regulatory Amendment Bylaw.             |

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, May 4th, 2015**

NOT ADOPTED  
SUBJECT TO CHANGE

**PRESENT:** MAYOR FRANK KONRAD  
COUNCILLOR JULIA BUTLER  
COUNCILLOR CHRIS HAMMETT  
COUNCILLOR CHRISTINE THOMPSON  
COUNCILLOR MICHAEL WIRISCHAGIN  
  
CHIEF ADMINISTRATIVE OFFICER  
CORPORATE OFFICER  
CHIEF FINANCIAL OFFICER  
DEPUTY CORPORATE OFFICER  
CORPORATE ADMINISTRATIVE ASSISTANT  
MANAGER OF DEVELOPMENT  
AND ENGINEERING  
MANAGER OF BUILDING  
AND BYLAW SERVICES  
MANAGER OF OPERATIONS  
FIRE CHIEF  
DEPUTY FIRE CHIEF

D. Allin  
D. Heinrich  
R. Shepherd  
S. Winton  
D. Popoff

S. Bird

W. Kopan  
D. Reid  
D. Heriot  
K. McKinnon

GALLERY

**ABSENT:** COUNCILLOR COLLEEN ROSS  
COUNCILLOR NEIL KROG

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**CALL TO ORDER**

The Mayor called the meeting to order at 9:01 am

CARRIED.

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**COMMITTEE OF THE WHOLE AGENDA**

Adopt agenda  
May 4th, 2015, COTW

MOTION: BUTLER

**RESOLVED THAT the COTW adopt the May 4th, 2015, COTW agenda as presented.**

CARRIED.

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## **REGISTERED PETITIONS AND DELEGATIONS**

NOT ADOPTED  
SUBJECT TO CHANGE

### Grand Forks Dog Park

Request for consideration of expansion and improvements to the current Grand Forks Dog Park

#### Overview:

- benefits of a Dog Park
- proposal - expansion, gazebo, parking area, seasonal porta potty, memorial plaque program
- expansion - double-gated area with two different areas, shelter, stairs from parking
- on-going financial support - memorial plaques

#### Discussion:

- Gary Smith - security improvement
- Nigel James - potential other site for a Dog Park location
- surrounding neighborhood support, liability for installing stairs, insurance
- asking City to do the labor for the gate installation
- Phoenix Foundation
- testing for Cemetery site area

MOTION: THOMPSON

**RESOLVED THAT the COTW recommends to Council to receive for information and discussion the request from Kathy Novokshonoff of the Grand Forks Dog Park, requesting expansion and improvements to the current Grand Forks Dog Park.**

CARRIED.

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### Grand Forks Deer Committee

Verbal report and presentation providing information on the deer collaring program

#### Overview:

- 166 deer last count, two counts done per year (Spring and Fall), monitoring since 2007
- Collaring Project - nine GPS collars and team established, included two vets from University of Calgary, ear tags, biopsy, hair samples, fecal samples, collars rot off in approx. two years
- between Rock Creek and Christina Lake one of the highest collision rates in the province

#### Discussion:

- will the deer with the chaffing neck be more prone to bug bites? Biologist monitors this
- when deer sedated, are they in good health? Yes, only takes approx. 10 mins.
- Donna Semenoff - stats - why did population of deer go down? A lot of variables such as food, collisions, etc.
- Frank Triveri - how close are we to solution of the problem? In progress

- Beverly Tripp - what will happen with information compiled?
- fines for deer feeding, timelines for a cull
- CAO - Council should present data captured and meet with Minister at the UBCM
- Donna Semenoff - how can public attend and know when Deer Meetings are on?
- CAO - Deer Committee Meetings will be posted on the board at City Hall. Minutes should be submitted to Corporate Services and distributed as a Summary of Information Item
- what to continue to do about natural migration & habitat, work together with Area D

MOTION: WIRISCHAGIN

**RESOLVED THAT the COTW recommends to Council to receive for information the presentation from Gary Smith of the Grand Forks Deer Committee.**

CARRIED.

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### **PRESENTATIONS FROM STAFF**

Fire Chief  
Fire truck questions

Overview:

- current truck has expired and run its course
- suggestion made to replace truck by Fire Underwriters criteria
- overview of timeline for truck purchase proposal
- Fleet Replacement Plan
- Fire Underwriters Survey apparatus service schedule
- performance expectations have increased
- Public Fire Protection Classification grades, currently rated 6 (1-10 scale, 1 being the best)
- residential rating of 2
- financing

Discussion:

- thank you to the Fire Dept.
- James Hamilton - truck size, previous parking proposal discussion, residential insurance rate
- Nigel James - commercial vs residential insurance rates, training cost of firefighters on new vehicle

MOTION: WIRISCHAGIN

**RESOLVED THAT the COTW recommends to Council to receive the presentation by the Fire Chief regarding the new ladder truck.**

CARRIED.

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

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Discussion:

- clarity of fence location at farmland near hospital
- watering time restrictions
- deer feeding complaints, household visits to violators in question regarding Bylaw

MOTION: WIRISCHAGIN

**RESOLVED THAT the COTW recommends to Council to receive the monthly activity reports from department managers.**

CARRIED.

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The Mayor recessed the COTW Meeting at 10:25 am  
The Mayor reconvened the COTW Meeting at 10:37 am

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**REPORTS AND DISCUSSION**

Corporate Services  
March 23rd Report of the Community Engagement Session

Overview and Discussion:

- strategic planning
- Sylvia Treptow - when Strategic Plan available to public? First draft being compiled, approx. two weeks
- Gloria Koch - will public be able to input more into the Plan soon or in the near future? Received public input already from many suggestions - now compiled
- draft at COTW Meeting for more collaboration
- James Hamilton - good ideas from report and public input from Community Engagement Session

MOTION: WIRISCHAGIN

**RESOLVED THAT the COTW recommends to Council to receive the report regarding the March 23rd, 2015, Community Engagement Session.**

CARRIED.

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Corporate Services  
Proposed Council Technology Allowance Policy

Overview and Discussion:

- computer technology allowance for Council at \$500 per year for their own systems
- CAO - Council would own their own computers, fits in with Asset Management Policy of not owning more assets
- if in excess of allowance, at own cost
- compatible software will be purchased and installed to be able to work on City business, only hardware will be owned by Council

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- City will not have this in inventory, IT Dept. will maintain security, software related to City business
  - CAO - once Policy adopted, Council members will provide their own computers. If a Council member does not have their own computer initially, they would be provided one from inventory and would be able to opt in or out of this policy
  - Councillor Hammett - can the \$500 go towards the current computers that Council has from the City? CAO - will look into this
  - Councillor Thompson - if Council opted out, they would not receive the \$500 allowance? CAO - correct

MOTION: THOMPSON

**RESOLVED THAT the COTW recommends to Council to receive the report from the Corporate Officer with regard to a proposed Council Technology Allowance Policy, and refers the policy to the May 25th, 2015, Regular Meeting of Council for consideration to adopt.**

Councillor Butler advised she would like to amend the motion.

MOTION: BUTLER

RESOLVED THAT the COTW recommends to Council that should a new Council member not be able to provide a computer from the \$500 allowance, they should be able to use an old City computer until such time they can secure their own.

Councillor Wirischagin advised that he would be against the amended motion.

Discussion:

- Councillor Butler - new Council should be allowed a City computer
- Councillor Hammett - when a Council member leaves the City, how are they guaranteed that information is gone from the computer? CAO - cannot guarantee, Council works under Oath of Office, Council member liable, City protected by law

Councillor Butler advised that she would like to remove her amended motion.

Councillor Butler advised she would like to amend the motion.

MOTION: BUTLER

RESOLVED THAT the COTW recommends to Council a proposal for an opt out clause instead.

CARRIED.

AMENDED MOTION

MOTION: THOMPSON

RESOLVED THAT the COTW recommends to Council to receive the report from the Corporate Officer with regard to a proposed Council Technology Allowance Policy, and refers the policy to the May 25th, 2015, Regular Meeting of Council for

consideration to adopt with the consideration of the amended motion for members of Council to opt out of the yearly allowance and to include this option in the policy for consideration.

CARRIED.

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Manager of Operations  
Universal Water Meter Program

MOTION: THOMPSON

**RESOLVED THAT the COTW recommends to Council to defer this presentation to the next meeting when all members of Council are present.**

Councillor Butler opposed the motion.

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**PROPOSED BYLAWS FOR DISCUSSION**

Manager of Operations  
Bylaw 2015 - Electrical Utility Regulatory Bylaw

Discussion:

- Councillor Butler - Photo Voltaic Services should be corrected (one location says Residential), originally passed with an amendment at the January 26th Regular Meeting.
- CAO - an adjustment will be made before it comes to Council for the May 25th Regular Meeting

MOTION: WIRISCHAGIN

**RESOLVED THAT the COTW recommends to Council to give first three readings to Bylaw 2015 - Electrical Utility Regulatory Bylaw to be referred to the May 25th, 2015, Regular Meeting of Council.**

CARRIED.

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**INFORMATION ITEMS**

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**CORRESPONDENCE ITEMS**

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**LATE ITEMS**

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

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## QUESTION PERIOD FROM THE PUBLIC

Donna Semenoff

- spoke about the Electrical Bylaw amendment, Penticton opting out of wireless - less expensive - could City research wireless, non-emitting meters and manual reads.

Discussion regarding meter replacement and meter read procedures.

CAO

- spoke in regard to the opportunity for a different meter and compatibility, costs, operation, staff time.

Shaylene Campbell

- spoke about the possibility of having both readings with one visit for both electrical and water meters, will City be responsible for health risks of water meters, why City of Grand Forks has double the employees compared to Trail.

CAO

- replied that the Electrical & Water departments are two different departments. Water bills are read for industrial/commercial users at different times than the Electrical department reads electric meters. Water rates for residential are flat rates. Municipality of Grand Forks owns its own electrical utility. Each department is totally different - water, sewer, parks, roads, fire. Municipality is run with efficient staff level. A digital touch pad can be installed in the home with no emissions or a pit meter.

Karin Bagn

- spoke in regards to the Urban Systems report, water meters, and the full disclosure of the CAO. She stated that she is not a lawyer in Canada.

Councillor Thompson

- personnel issues are discussed in an In-Camera meeting.

Frank Triveri

- asked if his letter to Mayor and Council was received? Stated that his letter was not regarding a personnel issue. He would like his letter made as a public record.

CAO

- Mr. Triveri's letter has been received. Council agendas are a business of the City and the public does not set an agenda. In the Community Charter under Section 90, it deals with personnel issues and is protected for that purpose. If dealing with personnel issues, a member of the public does not have the privilege of discussing in a public forum. All salaries over \$75,000 are public knowledge. If a letter is dealing with the corporation, it is a different process. Information is always available to the public, components of personal issues are not ever available.

Councillor Butler

- personnel issues are at the discretion of those speaking under Section 90 in the Community Charter. She further advised that the new contract of the CAO has gone to the public through the FOI process already. She would like to encourage Council to

release all In-Camera minutes, does not have an issue for Mr. Triveri's letter to appear on an agenda.

Councillor Thompson

- Mr. Triveri's letter has been circulated and read, answers will be provided, at this meeting it is not appropriate, time is required for Council to process.

Sylvia Treptow

- inquired about her letter submitted asking information about water meter insurance, answers received from the City were not processed in a timely manner. The Mayor apologized to Ms. Treptow.

Les Johnson

- spoke in regards to the cost of reading meters and the negative perception that City staff is just driving by.

Nigel James

- spoke in regards to electrical meters (pay as you go) to perhaps solve the payment of electrical bills.

James Hamilton

- spoke in regards to the \$500 Council technology allowance and electrical power cutoff request from a landlord.

Gloria Keogh

- spoke positively to Mr. Kopan's request for a Development Variance Permit for an accessory building on his property, as she advised that she received a letter from the City as a neighbour close to the property.

Donna Semenov

- stated that electrical/water meters to be read at the same time would be more efficient and spoke of not enough room for the public to attend meetings currently in Council Chambers.

CAO

- responded that rental of another space to hold Council meetings may be a consideration; however, the building would have to have availability of equipment, internet, communication devices, etc.

Fire Chief

- 47 people is the occupancy load in Council Chambers.

Ms. Hamilton

- grateful to Les Johnson for broadcasts of Council meetings; however, they are not the same as live meetings
- allowance for public input near door would help for larger crowds. Fire Chief stated that the Exit corridor cannot be blocked.

Councillor Butler

- how much did the report cost from Urban Systems regarding the Water Meter options that was deferred? CAO advised that it was between \$5-7,000.



James Hamilton

- spoke in accordance to his letter sent to the City with insurance issues re Bylaw 1973. He would like a reply.

Bob Smith

- would like the City to be responsible for outstanding bills and collection of overdue amounts.

CAO

- responded that electricity is tied to the property and the responsibility is with the landlord.

Councillor Hammett

- City does not have the responsibility to approve/disapprove when a landlord chooses and signs on a tenant.

Councillor Thompson

- both tenant and landlord sign the application for electricity, both receive bills, City provides service to landlord.

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## **ADJOURNMENT**

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MOTION: THOMPSON

The Mayor adjourned the meeting at 12:33 pm

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## **CERTIFIED CORRECT:**

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MAYOR FRANK KONRAD

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CORPORATE ADMINISTRATIVE  
ASSISTANT – DAPHNE POPOFF



**THE CORPORATION OF THE CITY OF GRAND FORKS**  
**Monday, May 4, 2015 – 6:00 PM**  
**7217 4th Street, City Hall**

NOT ADOPTED  
SUBJECT TO CHANGE

**PUBLIC HEARING MEETING OF COUNCIL**

**PRESENT:**

MAYOR FRANK KONRAD  
COUNCILLOR JULIA BUTLER  
COUNCILLOR CHRIS HAMMETT  
COUNCILLOR CHRISTINE THOMPSON  
COUNCILLOR MICHAEL WIRISCHAGIN

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

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

GALLERY

**ABSENT:**

COUNCILLOR NEIL KROG  
COUNCILLOR COLLEEN ROSS

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**ADOPTION OF AGENDA**

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**CALL TO ORDER**

The Mayor called the Public Meeting to order at 6:05 PM

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**MINUTES**

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**REGISTERED PETITIONS AND DELEGATIONS**

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**UNFINISHED BUSINESS**

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

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**RECOMMENDATIONS FROM STAFF FOR DECISIONS**

a) Manager of Development & Engineering

To amend the current Zoning Bylaw by rezoning the property legally described as Lot D, District Lot 534, SDYD, Plan KAP 9707 from the current R-1 (Single & Two Family Residential) Zone, to the R-4 (Rural Residential) Zone.

The Mayor declared the public hearing open at 6:05 PM, and advised that this Public Hearing was being convened pursuant to Section 890 of the Local Government Act to consider Bylaw No. 1606-A3, "City of Grand Forks Zoning Bylaw Amendment No. 1606-A3, 2015". He advised that the bylaw is intended to amend the City of Grand Forks' Zoning Bylaw No. 1606, 1999, by rezoning the property located at 832-64th Avenue, legally described as Lot D, District Lot 534, SDYD, Plan KAP 9707 from the current R-1 (Single & Two Family Residential) Zone, to the R-4 (Rural Residential) Zone.

He commented that at this Hearing, any person present who believes that his or her interest in properties within the boundaries of the City are affected by the proposed bylaw, shall be given the opportunity to be heard on matters contained in the bylaw. Further, he stated that it is important that all who speak at this Hearing restrict their remarks to matters contained in the bylaw and it is the Mayor's responsibility as Chair of the meeting, to ensure that all remarks are so restricted.

He advised that those persons who wish to speak concerning the proposed bylaw should, at the appropriate time, commence their address to the Council and the meeting by clearly stating their name and address, and then they may give Council the benefits of their views concerning the proposed bylaw.

Members of Council, may, if they so wish, ask questions of speakers following their presentation; but added that is it the main function of council members at this Hearing, to listen to the views of the public. Further the Mayor added that it is not the function of Council, at this hearing, to debate the merits of the proposed bylaw with individual citizens, or with each other.

The Mayor added that everyone who deems his or her interest in the property to be affected by the bylaw shall be given the opportunity to be heard at this Hearing, and that no one will be, or should feel discouraged or prevented from making their views known.

After this Hearing is concluded, the Council may, without further notice, give whatever effect council deems proper to the representations made at this Hearing.

The Mayor commented that during the course of a Public Hearing, people sometimes tend to become too enthusiastic or emotional. Regardless of whether they are in favour or oppose any particular application or argument, and to please refrain from applause or other expressions of emotion. Restraint enables other whose views may or may not coincide with your own, to exercise their right to express their views and enables all views expressed to be heard in as impartial a forum as possible.

The Mayor thanked those present, for their patience and cooperation, and advised that the Hearing would proceed.

The Mayor asked if anyone here wished to speak;

Tim Bleiler, who resides at 829 - 64th Avenue, advised that he moved to Grand Forks for the peace and quiet. He commented that the intentions of the property owner could create more noise with an almost commercialized environment as a result of the proposed zoning change where Mr. Wagner plans to run a market and raise chickens. Mr. Bleiler advised that he is opposed for the application.

The Manager of Development and Engineering advised that she received an email from a property owner named Gregg Cherrington-Kelly who currently lives in Richmond, but owns 820 - 64th Avenue by Mr. Wagner, and advised via correspondence, that he opposes the zone change application.

Ryan Galloway, who resides at 6270 Como Street - advised that he is not opposed to the zone change.

After hearing from the public, the Mayor declared the Public Hearing Closed at 6:38 pm

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**ADJOURNMENT**

Public Hearing was adjourned at 6:38 pm

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**CERTIFIED CORRECT:**

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MAYOR FRANK KONRAD

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CORPORATE OFFICER - DIANE HEINRICH



**THE CORPORATION OF THE CITY OF GRAND FORKS**

NOT ADOPTED  
SUBJECT TO CHANGE

**REGULAR MEETING OF COUNCIL**  
**MONDAY, MAY 4, 2015**

**PRESENT:**

MAYOR FRANK KONRAD  
COUNCILLOR JULIA BUTLER  
COUNCILLOR CHRIS HAMMETT  
COUNCILLOR CHRISTINE THOMPSON  
COUNCILLOR MICHAEL WIRISCHAGIN

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

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

GALLERY

**ABSENT:**

COUNCILLOR NEIL KROG  
COUNCILLOR COLLEEN ROSS

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**CALL TO ORDER**

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**ADOPTION OF AGENDA**

- a) Adopt agenda  
May 4th, 2015, Regular Meeting agenda

MOTION: THOMPSON / BUTLER

**RESOLVED THAT Council adopt the May 4th, 2015, Regular Meeting agenda as presented.**

CARRIED.

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**MINUTES**

- a) Adopt minutes  
April 20th, 2015, Special Meeting to go In-Camera minutes

MOTION: WIRISCHAGIN / THOMPSON

NOT ADOPTED  
SUBJECT TO CHANGE

**RESOLVED THAT Council adopt the April 20th, 2015, Special Meeting to go In-Camera minutes as presented.**

CARRIED.

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- b) Adopt minutes  
April 20th, 2015, Public Hearing Meeting minutes

MOTION: BUTLER / WIRISCHAGIN

**RESOLVED THAT Council adopt the April 20th, 2015, Public Hearing Meeting minutes as presented.**

CARRIED.

- 
- c) Adopt minutes  
April 20th, 2015, Regular Meeting minutes

MOTION: BUTLER / THOMPSON

**RESOLVED THAT Council adopt the April 20th, 2015, Regular Meeting minutes as presented.**

CARRIED.

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#### **REGISTERED PETITIONS AND DELEGATIONS**

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#### **UNFINISHED BUSINESS**

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#### **REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL**

- a) Corporate Officer's Report  
Written reports from members of Council

Councillor Butler spoke with regard to her report and clarified that the legal fees of \$230,000 included the purchase of 7212 Riverside Drive which was held in trust at the lawyers during the purchasing process in 2013.

MOTION: WIRISCHAGIN / HAMMETT

**RESOLVED THAT all written reports from members of Council, be received.**

CARRIED.



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

- a) Corporate Officer's Report  
Verbal report from Council's representative to the Regional District of Kootenay Boundary  
Councillor Krog was absent at the meeting; there was no report for this evening.
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**RECOMMENDATIONS FROM STAFF FOR DECISIONS**

- a) Manager of Development & Engineering Services  
Approval to proceed with the remediation of the City's Gravel Pit and amend the 2015 Financial Plan

The Manager of Development and Engineering spoke with regard to the process for the remediation, and advised that the cost would be around \$175,000 to perform the remediation.

MOTION: WIRISCHAGIN / THOMPSON

**RESOLVED THAT Council approves staff to proceed with the remediation of the City's Gravel Pit and amend the 2015 Financial Plan utilizing surplus to fund the remediation up to a maximum of \$175,000.**

CARRIED.

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- b) Manager of Development & Engineering Services  
Application for a Development Variance Permit to construct an accessory building on the property located at 7580 - 16th Street

MOTION: WIRISCHAGIN / THOMPSON

**RESOLVED THAT Council considers the following proposal with regard to property known as 7580 - 16th Street, and determines to approve the Development Variance Permit application to:**

- 1) allowing an interior setback variance from 5 feet to 2 feet,
- 2) allowing a variance of the ratio of principle building to accessory building to increase from 50% to 93%, and
- 3) the structure being of similar colour and form and character of the existing buildings and neighbourhood.

CARRIED.

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- c) Manager of Building Inspection & Bylaw Services  
To provide property owner and/or tenant the opportunity to be heard  
The Manager of Building Inspection & Bylaw Services advised that the property owner was not in attendance at the meeting.

NOT ADOPTED  
SUBJECT TO CHANGE

MOTION: BUTLER / HAMMETT

**RESOLVED THAT Council receive the report from the Manager of Building Inspection and Bylaw Services regarding the property known as 7433 Riverside Drive, and that property's violation of the City's Unsightly Premises Bylaw.**

CARRIED.

MOTION: WIRISCHAGIN / THOMPSON

**RESOLVED THAT Council provide the owner and/or tenant of the property an opportunity to explain their plans to clean-up the property known as 7433 Riverside Drive, so that it is no longer a nuisance and the time frame within which to bring the property in compliance with the bylaw. If Council is not satisfied with the proposed actions of the owner or the owner fails to appear before Council, the following resolution is in order.**

**FURTHER RESOLVED THAT Council authorize staff to proceed with the third and final notice after the extension has expired on June 9, 2015.**

CARRIED.

- 
- d) Manager of Building Inspection & Bylaw Services  
To proceed with the demolition of the fire damaged property at 721 - 65th Avenue

MOTION: WIRISCHAGIN / BUTLER

**RESOLVED THAT Council authorize the expenditure of up to \$15,000.00 and proceed with the demolition and clean up of 721 - 65th Avenue, and that this will be expensed in 2015 with an offsetting revenue this year and will not affect general taxation.**

CARRIED.

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#### **REQUESTS ARISING FROM CORRESPONDENCE**

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#### **INFORMATION ITEMS**

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#### **BYLAWS**

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- a) Manager of Development & Engineering  
To amend the current Zoning Bylaw by adding the permitted use of tool and equipment rental facilities to the I-2 (General Industrial) Zone

MOTION: BUTLER / WIRISCHAGIN

**RESOLVED THAT Council give final reading to Zoning Amendment Bylaw No. 1606-A2, 2015.**

CARRIED.

- 
- b) Manager of Development & Engineering  
To amend the current Zoning Bylaw by rezoning property located at 832 - 64th Avenue from the current R-1 (Single and Two-Family Residential) Zone to R-4 (Rural Residential) Zone

MOTION: WIRISCHAGIN / BUTLER

**RESOLVED THAT the rezoning application regarding the property known as 832-64th Avenue, be referred to the May 25th, 2015 Regular Meeting for consideration.**

CARRIED.

- 
- c) Chief Financial Officer  
2015 Tax Rates Bylaw 2012

MOTION: THOMPSON / WIRISCHAGIN

**RESOLVED THAT Council give final reading to 2015 Tax Rates Bylaw 2012.**

CARRIED.

COUNCILLOR BUTLER OPPOSED THE MOTION.

- 
- d) Chief Financial Officer  
2015 Waste Water Rates Amendment

MOTION: THOMPSON / WIRISCHAGIN

**RESOLVED THAT Council give final reading to Bylaw 2013 Sewer Regulations Amendment 2015.**

CARRIED.

- 
- e) Chief Financial Officer  
2015 Water Rates Amendment

MOTION: WIRISCHAGIN / THOMPSON

**RESOLVED THAT Council give final reading to Bylaw 2014 Water Regulation Amendment 2015.**

CARRIED.

COUNCILLOR BUTLER OPPOSED THE MOTION.

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### LATE ITEMS

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**QUESTIONS FROM THE PUBLIC AND THE MEDIA**

NOT ADOPTED  
SUBJECT TO CHANGE

Les Johnson - spoke with regard to the gravel pit remediation  
James Hamilton - spoke with regard to the gravel pit remediation

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**ADJOURNMENT**

The Mayor adjourned the meeting at 7:26 PM

MOTION: WIRISCHAGIN

**RESOLVED THAT THE MEETING BE ADJOURNED AT 7:26 PM**

CARRIED.

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**CERTIFIED CORRECT:**

\_\_\_\_\_  
MAYOR FRANK KONRAD

\_\_\_\_\_  
CORPORATE OFFICER - DIANE HEINRICH

**THE CORPORATION OF THE CITY OF GRAND FORKS**

NOT ADOPTED  
SUBJECT TO CHANGE

**SPECIAL MEETING TO GO IN-CAMERA**  
**THURSDAY, MAY 7, 2015**

**PRESENT:**

MAYOR FRANK KONRAD  
COUNCILLOR JULIA BUTLER  
COUNCILLOR CHRIS HAMMETT  
COUNCILLOR CHRISTINE THOMPSON

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

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

GALLERY

**ABSENT:**

COUNCILLOR NEIL KROG  
COUNCILLOR COLLEEN ROSS  
COUNCILLOR MICHAEL WIRISCHAGIN

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**CALL TO ORDER**

The Mayor advised that Council will be amending the Agenda to include Section 90 (1) (a) as it pertains to personnel.

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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: THOMPSON / HAMMETT

**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) (I), DISCUSSIONS WITH MUNICIPAL OFFICERS AND EMPLOYEES RESPECTING MUNICIPAL OBJECTIVES, MEASURES AND PROGRESS REPORTS FOR THE PURPOSES OF PREPARING AN ANNUAL REPORT UNDER SECTION 98 (ANNUAL MUNICIPAL REPORT); AND SECTION 90 (1) (e), ACQUISITION, DISPOSITION OF EXPROPRIATION OF LAND AND 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 WHO COUNCIL MAY DEEM NECESSARY TO CONDUCT CITY BUSINESS, WILL BE EXCLUDED FROM THE IN-CAMERA MEETING.**

CARRIED.

MAY 7, 2015

SPECIAL MEETING TO GO IN-CAMERA  
MEETING

Page 1 of 2

MOTION: THOMPSON / BUTLER

**RESOLVED THAT the Special Meeting to go In-Camera for May 7th, 2015, be amended to include Section 90 (1) (a) as it relates to personal information regarding City personnel.**

CARRIED.

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**LATE ITEMS**

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**ADJOURNMENT**

The meeting was adjourned at 9:05 am.

MOTION: THOMPSON

**RESOLVED THAT the Special Meeting to go In-Camera be adjourned at 9:05 am.**

CARRIED.

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**CERTIFIED CORRECT:**

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MAYOR FRANK KONRAD

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CORPORATE OFFICER - DIANE HEINRICH

**THE CORPORATION OF THE CITY OF GRAND FORKS**

NOT ADOPTED  
SUBJECT TO CHANGE

**SPECIAL MEETING OF COUNCIL**

**Thursday, May 7, 2015**

**PRESENT:**

MAYOR FRANK KONRAD  
COUNCILLOR JULIA BUTLER  
COUNCILLOR CHRIS HAMMETT  
COUNCILLOR CHRISTINE THOMPSON  
COUNCILLOR MICHAEL WIRISCHAGIN

CHIEF ADMINISTRATIVE OFFICER  
CORPORATE OFFICER  
CHIEF FINANCIAL OFFICER  
DEPUTY CORPORATE OFFICER

D. Allin  
D. Heinrich  
R. Shepherd  
S. Winton

GALLERY

**ABSENT:**

COUNCILLOR NEIL KROG  
COUNCILLOR COLLEEN ROSS

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**CALL TO ORDER**

The Mayor called the meeting to order at 11:00 AM

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**ADOPTION OF MEETING AGENDA**

- a) Adopt agenda  
May 7th, 2015, Special Meeting agenda

MOTION: BUTLER / WIRISCHAGIN

**RESOLVED THAT Council adopt the May 7th, 2015, Special Meeting agenda as presented.**

CARRIED.

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**REGISTERED PETITIONS AND DELEGATIONS**

- a) Chief Financial Officer  
External Auditor presentation of Financial Statement

MOTION: WIRISCHAGIN / THOMPSON

**RESOLVED THAT Council receive the presentation made by Berg, Lehmann Chartered Accountants with regard to the 2014 audited financial statements and further approves and accepts the 2014 audited financial statements as required under the Community Charter.**

CARRIED.

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**UNFINISHED BUSINESS**

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**RECOMMENDATIONS FROM STAFF FOR DECISIONS**

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**REQUESTS ARISING FROM CORRESPONDENCE**

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**BYLAWS**

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**LATE ITEMS**

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**ADJOURNMENT**

Meeting adjourned at 11:02 AM

MOTION: THOMPSON

**RESOLVED THAT the meeting be adjourned at 11:02 am**

CARRIED.

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**CERTIFIED CORRECT:**

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MAYOR FRANK KONRAD

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CORPORATE OFFICER - DIANE HEINRICH



# REQUEST FOR DECISION

— REGULAR MEETING —



**To:** Mayor and Council  
**From:** Procedure Bylaw / Chief Administrative Officer  
**Date:** May 25<sup>th</sup>, 2015  
**Subject:** Reports, Questions and Inquiries from the Members of Council  
**Recommendation:** **RESOLVED THAT ALL WRITTEN REPORTS SUBMITTED BY MEMBERS OF COUNCIL, BE RECEIVED.**

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**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.

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**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.

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**Recommendation:** **RESOLVED THAT ALL WRITTEN REPORTS SUBMITTED BY MEMBERS OF COUNCIL, BE RECEIVED.**

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- OPTIONS:**
- 1. RESOLVED THAT ALL WRITTEN REPORTS SUBMITTED BY MEMBERS OF COUNCIL, BE RECEIVED**
  - 2. RESOLVED THAT COUNCIL DOES NOT RECEIVE THE REPORTS FROM MEMBERS OF COUNCIL.**

	
Department Head or CAO	Chief Administrative Officer



May 25, 2015

Council Report

Julia Butler

On May 5<sup>th</sup> I attended the RDKB planning session for their Official Community Plan. Director Roly Russell did a great job engaging the public and encouraging feedback on the draft proposal.

Council enjoyed a tour of Roxul on May 6<sup>th</sup>. I was impressed by their organization and efficiency, re-melting their scraps so that nothing goes into the dump. The amount of money invested for an afterburner to clean up the discharge into the atmosphere, was above and beyond what is required by the Ministry of Environment.

An in Camera meeting was held on May 7<sup>th</sup> to receive the 2014 Audited financial statements. These have now been released to the public.

On May 11 Lieutenant Governor Judith Guichon was in town and enjoyed a tour of city hall and a luncheon at Gallery 2. "Her Honor" is the Queen's representative in BC and is currently touring the province.

May 14<sup>th</sup> was the Rec Commission Meeting. Tom Sprado advised that the new UV system for the pool is on its way and is scheduled to be installed during this year's shut down. George Longden gave the committee an update on the Learning Garden and the Perepolkin Bench installation.

It has come to my attention, via concerned residents and in my discussions with the Principal of Hutton Elementary, that there are questions and concerns regarding the spraying of unknown substances on the fields bordering the hospital and school playground. In the interests of protecting the health and safety of the children and patients, I brought this issue to the attention of staff last week. I would like to now follow up on that by making a motion to receive further information on the subject. Specifically the people would like to know what is being sprayed, the time of day the spraying is taking place, if playground equipment needs to be wiped down after the spraying, if notification can be given to surrounding properties before spraying occurs and any residue detected in well water tests.

Motion:

WHEREAS the Community Charter Section 8 (3)(i) and 64 (c) gives council the authority to regulate public health and the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes, or other effluvia that is liable to foul or contaminate the atmosphere,

THEREFORE BE IT RESOLVED that council direct staff to investigate if there is any risk to school children, hospital patients or the city well in relation to conventional farming practices (including the spraying of herbicides and pesticides) that have recently commenced on the boarder of the school playground and hospital AND that staff advise council as to any remedial action that may be undertaken.



## REPORT TO COUNCIL

TO: Mayor and Council  
FROM: Councillor Christine Thompson  
DATE: May 25, 2015  
SUBJECT: Report to Council

May 6<sup>th</sup>, Roxul West invited Council to tour their rock wool insulation plant. I last toured the plant six years ago during my first term on Council. At that time, we were taken up to the cupola and allowed to see just how hot it was. They no longer use a cupola but an electric melter that has substantially reduced the emissions from the plant.

I attended the Drinking Water Week Open House on May 7<sup>th</sup>. When I arrived Dean Chapman was explaining how we get water to our homes to a group of elementary school children. Once that explanation was finished, he took small groups of them into the pump house and showed them the equipment and monitoring equipment there. The children were then offered some cakes, cookies, juice or water before they left. I must compliment Dean on the delivery of his message as I could see the interest on the children's faces and in the questions they asked.

Monday, May 11<sup>th</sup> Lieutenant Governor Judith Guichon visited our City. Her Honour toured City Hall, and then joined us in walking to Gallery 2 where The Wooden Spoon catered a most delicious lunch. I was privileged to sit next to her during lunch, and found her to be a most interesting person to talk with.

The DARE graduation ceremony was held at Hutton Elementary School on May 20<sup>th</sup>. Also on May 20<sup>th</sup>, Council members were given tours of the Fire Hall and Public Works facilities.

May is a month for Celebrations of Life for people who have made a difference in our City. May 2<sup>nd</sup>, I attended the celebration for Bev Porter, a City employee who had retired shortly before her passing. May 17<sup>th</sup> was a celebration for Peter Perepelkin, a local businessman who passed away in Detroit, Michigan in November. May 30<sup>th</sup> I will be attending the celebration for Alice Glanville, who was a school teacher, school trustee, local historian and author (along with her late husband Jim) who wrote several books on the history of the Boundary area.

Respectfully,

Councillor Christine Thompson



Colleen Ross

Councillor Report for May 25<sup>th</sup> 2015

**Activities:**

- Celebrations of local talent was showcased in the annual **Boundary Region Arts and Culture Week** in late April. I attended on behalf of the city, welcoming arts enthusiasts to the local talent show at the high school, and the music/art celebration at Gallery 2. Both events were well attended, with expressed enthusiasm for local dance, music and visual arts. The city will continue to support these events and I see the positive impact these expressions of humanity has on community and individuals.
- The Lieutenant Governor of BC, Judith Guichon, visited our region on May 11<sup>th</sup>. Her message included an initiative for youth through the LG Priority Program. Through her website there are opportunities for educators to apply for funding on activities that focus on her priorities; Sustainable Solutions, Music and Art, Leadership and Literacy. Her initiatives parallel many of the priority areas of the City of Grand Forks.

*Stewards of the Future*

*Her Honour will promote the concept of a holistic approach to our endeavours based on respect for the land, positive relationships among its people, and the responsibility we share for the success of future generations. Each citizen is a steward of the future and through healthy land, healthy people and healthy communities, we can ensure the best quality of life for future generations in British Columbia.*

- **The Grand Forks Trail Society AGM:** Attended this excellent and informative meeting on May 19<sup>th</sup> at Selkirk College. Chris Moslin presided over the meeting as Chair and was acclaimed as Chair for another term. Many people accepted the position of Director, while the Treasurer position remained unfilled at this time. A new Secretary has taken over after years of service by Leslie Matthews. This is another example hard work and dedication to our landscape and local treasures by a relatively small group of individuals. The city of GF was thanked for their support for the memorial bench to be placed on Observation Mountain in honour of Peter Perepelkin.

See: <http://www.gftrails.ca/Site/Home.html>

**Communication:** Thank you to GFTV for making it possible for me to tune in to the last Regular and COTW meeting. I was away visiting family, but was able to watch both meetings.

A plethora of letters and emails are sent to Council and staff which I have both the pleasure and pain of reading. Many of the letters come from the same citizens and tend to be repetitive in topic, insulting, sarcastic and accusatory. I have personally been offended at accusations of backroom dealings, non-transparency and lack of intelligence. As a long-time activist, naturalist, and social justice advocate these claims and constant attacks suck the joy, life, love and imagination from those of us who endeavour to work in solidarity with each other, and our community members, for the betterment and healing of our land and our community.

Generally, and certainly historically, and in my personal experience in this realm, social movements do not fail because our common enemies are victorious over us. Rather, social movements collapse because a few individuals inside the social movements practice cannibalism (otherwise known as shooting in the trenches). Corporate lobbyists and their political supporters enjoy watching intelligent, well meaning, otherwise organized civil society movements collapse due to internal attacks, false accusations, paranoia, selfish grandstanding, unnecessary criticisms, betrayal, and overinflated egos attached to personal insecurities and mental health issues.

Other: As I review the files and discuss the future of the Environment Committee I am looking for well meaning, *peaceful* individuals who will work in peace and solidarity for our world and for one another. I have already begun to meet with a few women in the region who have extensive experience in environmental causes in the region.

Area D Draft OCP can be viewed here:

<http://www.rdkb.com/Services/Planning/AreaDOCPReview.aspx>

I was sorry to have to miss the last Area D meeting where this was unveiled but will review the document in its entirety and support the forward thinking initiatives, vision and goals.



# REQUEST FOR DECISION

— REGULAR MEETING —



**To:** Mayor and Council

**From:** Procedure Bylaw / Council

**Date:** May 25<sup>th</sup>, 2015

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

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

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**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.

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**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.

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

**OPTIONS:**

- 1. RESOLVED THAT COUNCILLOR KROG'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**

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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:** Corporate Services  
**Date:** May 14<sup>th</sup>, 2015  
**Subject:** Proposed Council Technology Allowance Policy  
**Recommendation:** **RESOLVED THAT Council determines to adopt the policy known as "Council Technology Allowance Policy No. 115", as presented.**

---

**BACKGROUND:** In the past, members of Council were given laptop devices that have been virtually handed down from past Council members until the computer is no longer viable and is replaced. By providing Council members with an allowance, gives the member the freedom to choose their own appliance which they would be comfortable in using (contingent on compatibility with the City software and applications), as well as reducing City owned-assets within the organization's Asset Management Plan. A yearly allowance of \$500.00 would provide the Council member to maintain or upgrade their device as they see fit during the course of their term.

At the May 4<sup>th</sup>, 2015, Committee of the Whole Meeting, Council was presented with a proposed policy that addressed the allowance. The Committee of the Whole recommended to Council to add "opt out" language that would allow Council members an option of choosing an existing computer owned by the City instead of the allowance program. The proposed policy is presented to Council for their consideration. The language indicated in red pertains to the additional language surrounding opt out options.

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### **Benefits or Impacts of the Recommendation:**

**General:** Each Council member would have the ability to choose their own devices to perform their City business that is compatible with City software and applications or choose to opt out of the program.

**Strategic Impact:** N/A

**Financial:** A yearly allowance of \$500 would be distributed to each member of Council.

**Policy/Legislation:** Policies follow from City bylaws and from the Community Charter and the Local Government Act.

**Attachments:** - Proposed Policy #115 – Council Technology Allowance Policy

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# REQUEST FOR DECISION

— REGULAR MEETING —



**Recommendation:**

**RESOLVED THAT Council determines to adopt the policy known as "Council Technology Allowance Policy No. 115", as presented.**

**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.**

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Department Head or CAO	Chief Administrative Officer

<b>THE CITY OF GRAND FORKS</b>		
<b>POLICY TITLE:</b>	<b>Council Technology Allowance Policy</b>	<b>POLICY NO: 115</b>
<b>EFFECTIVE DATE:</b>	<b>DRAFT</b>	<b>SUPERSEDES: NEW</b>
<b>APPROVAL: Council</b>		<b>PAGE: 1 of</b>

**POLICY:**

To facilitate electronic Council agenda distribution and other electronic business, each member of Council will receive a yearly allowance of \$500 towards a computer device during their term of office contingent on the device's compatibility with City utilized software.

**PURPOSE:**

To establish a policy governing the supply, support and use of electronic devices (laptops, tablets, etc.) by elected officials.

**POLICY PROCEDURES:**

As soon as possible, after being sworn in as Mayor and Council, each member of Council should consider which device which will best suit their needs as well as being compatible with the required software from the City. These considerations should be given to the City's IT personnel to determine that it is compatible. **Members of Council, at the beginning of their term, may have the option to choose to participate in the program, or to use an existing computer currently owned by the City.**

**If a member of Council chooses an existing City computer, then no annual allowance would be given through the duration of their term unless that member decides to participate in the allowance program – giving notice to staff prior to the allowance payment allotted for November of that year. The existing City computer would be returned as property of the City at that time. If the City has to purchase a computer to members of Council who are opting out of the allowance program; those members would not have the option of converting to the allowance program during the length of their term, and the computer would be returned to the City at that time.**

**The allowance program in an election year would be afforded to the newly elected Council.**

The City will issue \$500 towards its initial purchase, and will submit a \$500 allowance on a yearly basis until that Council member is no longer holding office. The allowance payment would occur in November of each year. In addition, should a Council member resign prior to the end of term, the allowance would be recouped on a one year pro-rata basis from the final Council allowance payment.

The required software to perform City business, will be downloaded by the City's IT personnel, and an instructional process will be given to Council on proper utilization and operation of the software. City IT support would be limited to those pieces of software as supplied by the City; elected officials would be responsible for any other software, updates and support which they download on their device, in addition to any viruses or malware evident in the download process.

The City assumes no responsibility for communication charges or for any costs for service or support related to the improper use of the laptop, failure to perform required updates or service not properly approved. Each member of Council is responsible for the operation and care of their own device. It is the responsibility of each Council member to ensure that all security protocols normally used in the management of corporate data on conventional storage infrastructure are applied here, and it is imperative that any device used to conduct City business be used appropriately, responsibly, and ethically.

**FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT:**

Although the devices would become the property of each Council member, as the City provides a yearly allowance for the operation of said computer, the information on the device may be subject to the FOIPPA.

<b>THE CITY OF GRAND FORKS</b>			
<b>POLICY TITLE:</b>	Council Technology Allowance Policy	<b>POLICY NO:</b>	115
<b>EFFECTIVE DATE:</b>	DRAFT	<b>SUPERSEDES:</b>	NEW
<b>APPROVAL:</b> Council		<b>PAGE:</b>	1 of

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If a member of Council chooses an existing City computer, then no annual allowance would be given through the duration of their term unless that member decides to participate in the allowance program – giving notice to staff prior to the allowance payment allotted for November of that year. The existing City computer would be returned as property of the City at that time. If the City has to purchase a computer to members of Council who are opting out of the allowance program; those members would not have the option of converting to the allowance program during the length of their term, and the computer would be returned to the City at that time.

The allowance program in an election year would be afforded to the newly elected Council.

The City will issue \$500 towards its initial purchase, and will submit a \$500 allowance on a yearly basis until that Council member is no longer holding office. The allowance payment would occur in November of each year. In addition, should a Council member resign prior to the end of term, the allowance would be recouped on a one year pro-rata basis from the final Council allowance payment.

The required software to perform City business, will be downloaded by the City's IT personnel, and an instructional process will be given to Council on proper utilization and operation of the software. City IT support would be limited to those pieces of software as supplied by the City; elected officials would be responsible for any other software, updates and support which they download on their device, in addition to any viruses or malware evident in the download process.

The City assumes no responsibility for communication charges or for any costs for service or support related to the improper use of the laptop, failure to perform required updates or service not properly approved. Each member of Council is responsible for the operation and care of their own device. It is the responsibility of each Council member to ensure that all security protocols normally used in the management of corporate data on conventional storage infrastructure are applied here, and it is imperative that any device used to conduct City business be used appropriately, responsibly, and ethically.

**FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT:**

Although the devices would become the property of each Council member, as the City provides a yearly allowance for the operation of said computer, the information on the device may be subject to the FOIPPA.



# REQUEST FOR DECISION

— REGULAR MEETING —



**To:** Mayor and Council  
**From:** Sasha Bird, Manager of Development & Engineering Services  
**Date:** May 25, 2015  
**Subject:** Proposal to set up a Steering Committee regarding Transitional Housing  
**Recommendation:** **RESOLVED THAT** Council authorize staff to proceed with setting up a Transition Housing Project Steering Committee (THPSC); and  
**THAT** the THPSC provide assistance and recommendations to Council regarding steps necessary to facilitate the development of transition housing in the community

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## Background:

The issue of transitional housing has been discussed by Council in response to community interest in the subject, renewal of the lease of property at 7212 Riverside Drive and the proposal of MAAPS – Multi Agency Accommodation. During review of the initiatives put forward, Council felt that it was premature to make a decision without more careful review of the proposal presented, the feasibility (need) and consideration of other location options for such an important proposal. In addition to the existing Whispers of Hope, the BETHS emergency shelter and the Re-Store at 7212 Riverside Drive, the site development proposal would see a Habitat for Humanity Restore and with 3 transitional housing units constructed on a second floor as a newly constructed addition on the property.

A decision to “lock up” publically-owned land which is prime riverfront property, may result in a lost opportunity for future generations. It would seem prudent to investigate other options for a site for transitional housing along with other partners, including the Habitat for Humanity Restore.

Smithplan Consulting – Dave Smith of West Kelowna, was asked to provide assistance on this issue. Dave has had discussions with BC Housing (George Maniotakis, Senior Project Officer) and Andrew Middleton, Project Officer, CMHC). Project funding is available to from both agencies for project planning, however both agencies would like a strong business case to be made in conjunction with obtaining the funding. In questioning what was meant by “business case”, it was suggested by both agencies that they would like:

- A substantial asset contribution made towards the development – most likely the donation of land or a vacant building (s) to be used in development;
- Consensus support for a location on which a project would be developed;
- A credible sponsor or partnership to plan, develop and provide for management of the project.

# REQUEST FOR DECISION

— REGULAR MEETING —



Canada Mortgage and Housing Corporation (CMHC) have a mandate to encourage and facilitate the development of “affordable housing” which may include housing for low income families or seniors or housing for first nations. Seed Funding and Project Development start-up assistance for needs assessment, pro-forma and concept design is available.

BC Housing have a mandate to encourage and facilitate the development of housing for those who have special needs including Homeless Outreach, Aboriginal Homeless Outreach, Emergency Shelter, Extreme Weather Response, Woman’s Transition Housing and Supportive Housing with options for individuals with complex challenges or care needs.

With respect to the proposed “special needs – transition housing” being investigated in Grand Forks, it would appear that BC Housing may be the more appropriate agency to deal with respecting potential funding assistance. However, if more “supportive” housing – designed for longer-term occupancy by residents is identified in the project and through needs assessment - then there may be a role for CMHC also. Officials from both BC Housing and CMHC were both open to attend a community workshop and offer assistance to a Steering Committee with information in moving forward.

This report recommends that Council set up a **Transition Housing Project Steering Committee** (THPSC) to assist Council in walking through the step-by-step actions necessary for developing a project. Such a Committee could consist of stakeholders which may include representatives from BETHs, Whispers of Hope, the RCMP, Habitat for Humanity, Community Futures, the downtown business community, City Council, staff and any other representatives which may be identified. The purpose of the committee will be to provide greater details and supporting analysis for Council to aid them in the decision-making on this important community issue. Key questions to deal with will include the selection of an acceptable location, a non-profit partnership sponsor for the project and securing seed funding or project development assistance from BC Housing, CMHC or both agencies, as appropriately determined.

Senior Government agencies have suggested that a “business case” be made if funding assistance is to be requested. The intent of this recommendation is provide Council with a process for “due diligence” to support a business case, assist in selection of an acceptable site and aid in decision-making on this project.

## **Benefits or Impacts of the Recommendation:**

- |                          |  |
|--------------------------|--|
| <b>General:</b>          | To allow an orderly process and informed decision-making in respect of detailed and complex decisions to be made if transition housing is to be developed. |
| <b>Strategic Impact:</b> | to implement the SCP and the principles and policies designed to “encourage a diversity in housing stock including affordable housing for                  |

# REQUEST FOR DECISION

— REGULAR MEETING —



low income families and individuals, housing for the elderly, and housing for those with special needs.

**Financial:** Costs are not determined at this time, but it is anticipated that there will be financial/asset contributions by the city for the development of Transition Housing in the community if a project is to proceed.

**Policy/Legislation:** The location of transition housing will need to comply with SCP Sustainable Community Plan and the zoning bylaw.

**Attachments:** N/A

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**Recommendation:** **RESOLVED THAT** Council authorize staff to proceed with setting up a Transition Housing Project Steering Committee (THPSC); and  
**THAT** the THPSC provide assistance and recommendations to Council regarding steps necessary to facilitate the development of transition housing in the community.

---

**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 REPORT BACK TO STAFF FOR MORE INFORMATION.

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Department Head or CAO	Chief Administrative Officer



# REQUEST FOR DECISION

— REGULAR MEETING —



**To:** Mayor and Council  
**From:** Manager of Development and Engineering  
**Date:** May 25, 2015  
**Subject:** Pickleball in Grand Forks: converting one tennis court at Barbara Ann Park into four pickleball courts.  
**Recommendation:** RESOLVED THAT Council select one of the listed options.

---

**BACKGROUND:** At the March 9, 2015 Committee of the Whole meeting, George Longden presented a proposal as a representative of the local pickleball players. The presentation included the following information:

- 1) What is pickleball,
- 2) Pickleball in Grand Forks,
- 3) Repurposing tennis courts (into pickleball courts),
- 4) Pickleball court plan,
- 5) Tourism potential, and
- 6) Letters of support.

Important points raised during the ensuing discussion included:

- 1) The Barbara Ann courts are in disrepair and that this may be a good time to repair and repurpose the courts;
- 2) Whether there are grants available;
- 3) Whether a full resurfacing was required, or just crack repair and painting.

The Committee of the Whole recommended that Council refer the request from George Longden on behalf of the pickleball players, requesting to convert one of the tennis courts at Barbara Ann Park into a pickleball court, to the March 9<sup>th</sup> Regular Meeting for discussion and decision.

At the March 9<sup>th</sup>, 2015 Regular Meeting, Council resolved to refer the request back to staff for pricing and consideration to determine the feasibility of converting one of the tennis courts at Barbara Ann Park to four pickleball courts and further that Council consider the request from George Longden on behalf of the pickleball players, requesting to convert one of the tennis courts at Barbara Ann Park into a pickleball court.

Staff researched options for resurfacing/crack sealing and solicited for three written quotes from companies serving the Grand Forks area. Only one of the companies provided a quote as the other two were booked for the 2015 season and could not complete the work.

# REQUEST FOR DECISION

## — REGULAR MEETING —



Staff also contacted the City of Trail as they recently resurfaced a tennis court into four pickle ball courts in 2014.

The original configuration for the four pickleball courts, presented by the pickleball group, would require the construction of a full length fence to separate the pickle ball courts from the tennis courts. This would be required because the pickleball courts would run perpendicular to the tennis courts (see attached diagram) and balls would certainly enter onto the tennis court area.

The configuration used by Trail would see two pickleball courts on each side of the tennis court net, running parallel to the tennis court. With this configuration, a full length net would be unnecessary (there is presently no net separating the tennis courts to keep balls from crossing into the neighbouring court). The existing tennis net could be left in place and, possibly with minor modification, serve the purpose of separating the pickleball courts (see attached diagram).

The question was raised regarding whether resurfacing of the courts was required or if simple crack sealing and painting would suffice. After research and consultation with court repair contractors, it was learned that simple crack repairs create the issue of “dead spots”, areas where a ball will not bounce, on the court. Therefore, simple crack sealing, as opposed to industry-standard tennis court crack sealing, would suffice for aesthetics and upkeep, but may not be preferable for the playing surface. This option could be explored further.

Regarding a comment presented at the Committee of the Whole meeting, staff researched the potential for grants but did not find anything available for this year.

Staff presents the following options for Council consideration:

- Option 1:** Resurface entire compound and dedicate one court as four permanent pickleball courts at an approximate cost of \$32,149;
- Option 2:** Repurpose one court as four pickleball courts, with portable net systems at an approximate cost of \$7,256; or
- Option 3:** Status quo.

See “Pickleball Options” attachment for a breakdown of costs for Options 1 & 2.

---

### **Benefits or Impacts of the Recommendation:**

**General:** Pickleball is a game designed to be easy to learn and play regardless of age or ability. It is widely recognized as one of North America’s fastest growing sports. Local pickleball players would like to see dedicated pickle ball courts available in Grand Forks.

**Strategic Impact:** Converting one tennis court into four pickle ball courts would provide some major benefits to the community such as: promoting a positive lifestyle, increased opportunity



# REQUEST FOR DECISION

— REGULAR MEETING —



for social engagement by members of the public, increased recreational activities for residents and tourists and expanded use of the current facility.

**Financial:** Financial implications would be dependent on Option selection.

**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) Pickleball court configuration as presented by the pickleball players;
- 2) Pickleball court configuration based on the City of Trail's courts;
- 3) Pickleball Options – cost breakdowns.

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**Recommendation:** RESOLVED THAT Council select one of the listed options.

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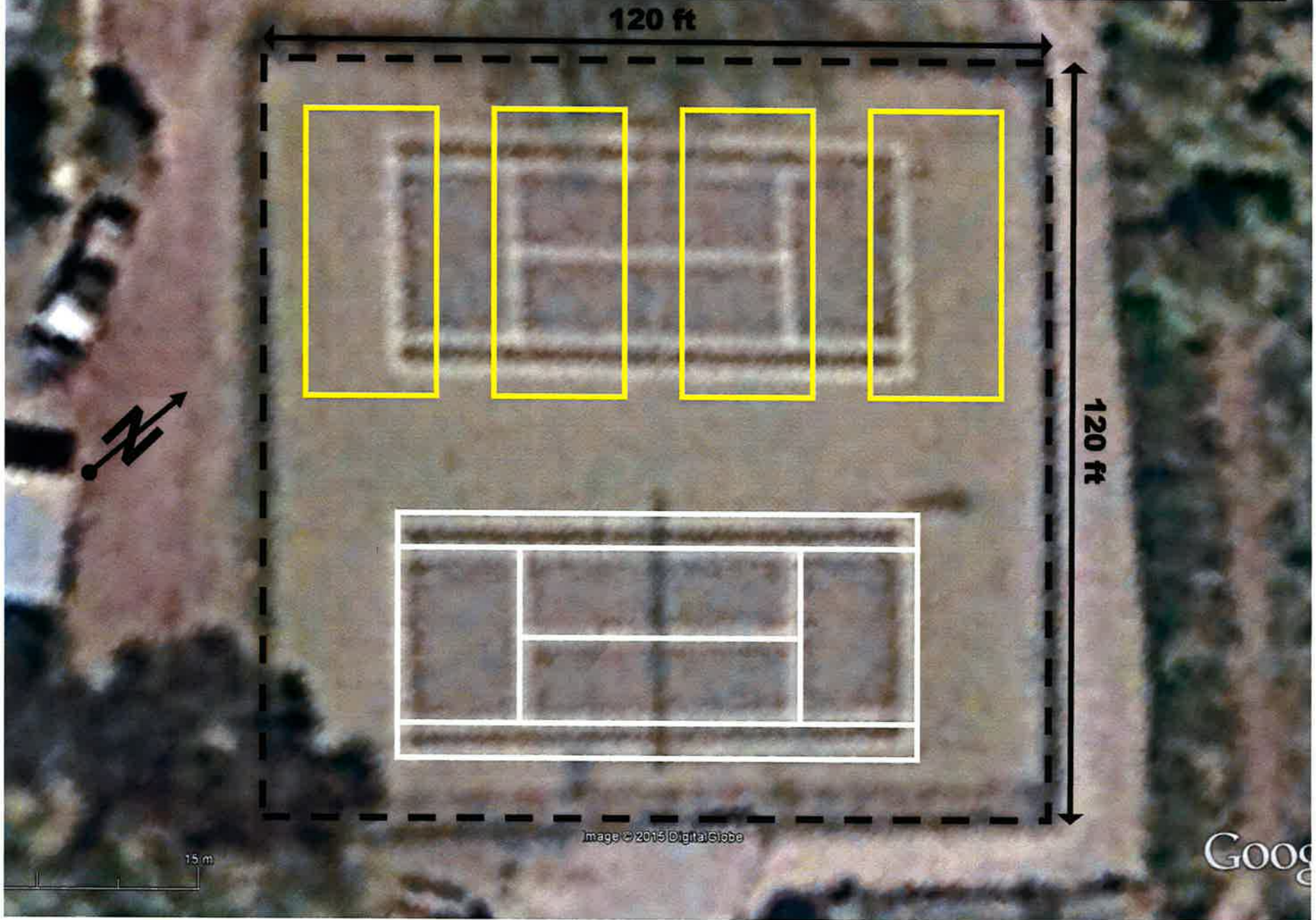
**OPTIONS:**

1. COUNCIL COULD CHOOSE TO SELECT OPTION 1.
2. COUNCIL COULD CHOOSE TO SELECT OPTION 2.
3. COUNCIL COULD CHOOSE TO SELECT OPTION 3.
4. COUNCIL COULD CHOOSE TO REFER THE ISSUE BACK TO STAFF FOR MORE INFORMATION.

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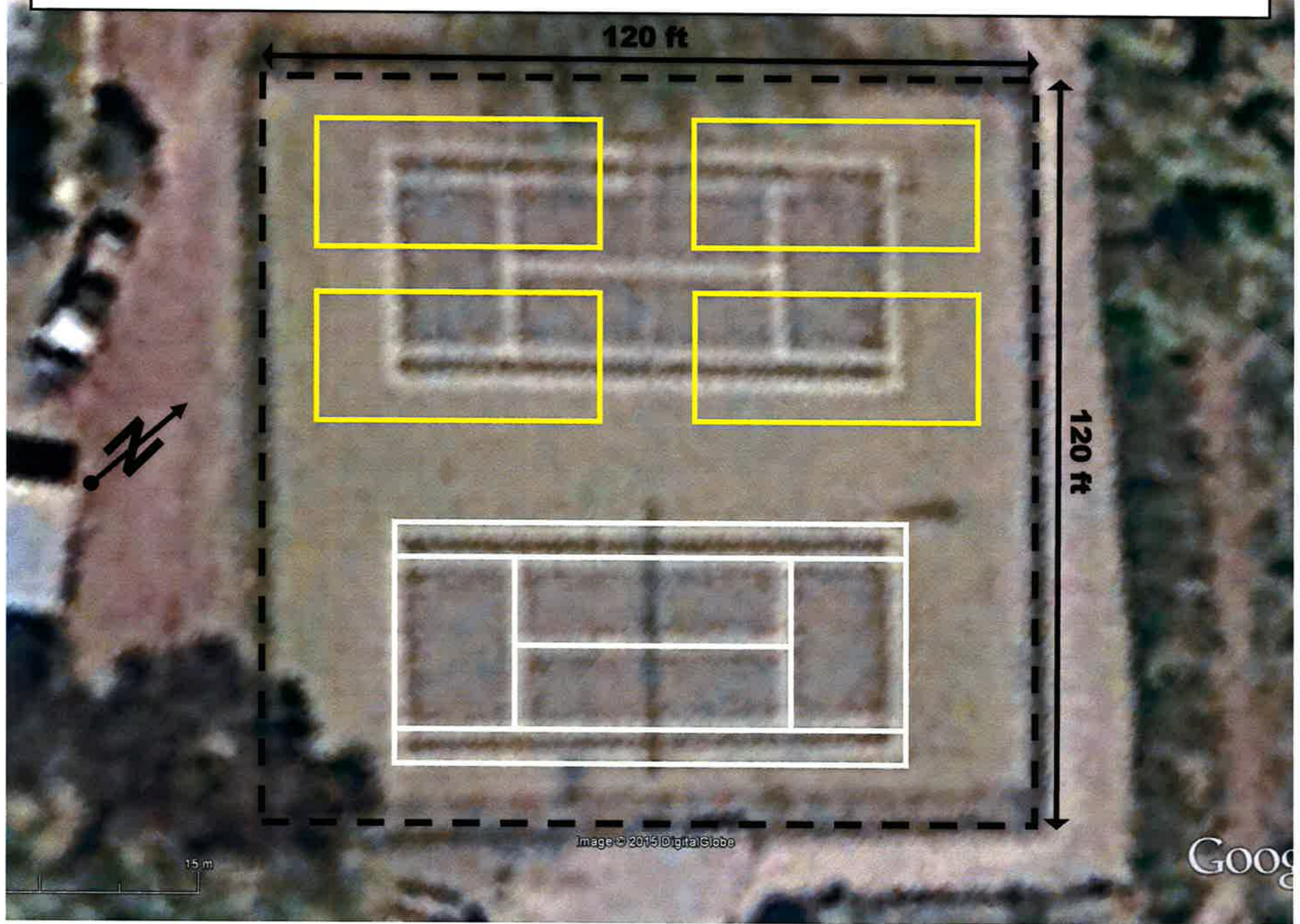
 Department Head or CAO	 Chief Administrative Officer
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**Layout as presented by the pickleball players. This configuration would require the construction of a net/fence between the pickleball courts and the tennis court at a considerable added expense.**





**Suggested layout (used by the City of Trall). This configuration would not require the construction of a net/fence between the pickleball courts and the tennis court.**



## PICKLEBALL OPTIONS

### **Option 1: Resurface entire compound and dedicate one court as four permanent pickleball courts.**

	\$/unit	# of units	\$
Remove/fill (or cap) tennis posts (City)*	\$200	1	\$200
Install steel ground sleeves for pickleball posts (City)	\$1,000	1	\$1,000
Steel ground sleeves	\$65	4	\$260
Riteway Crack Repair (300 ft @ \$23/ft)	\$23	300	\$6,900
Plexipave System including line painting	\$18,750	1	\$18,750
Heavy duty pickleball net	\$177	4	\$706
Classic round pickleball steel posts	\$353	4	\$1,410
Contingency (10%)	\$2,923	1	\$2,923
		** Total	\$32,149

\* The tennis net could be left in place to contain ball movement between pickleball courts. If the tennis net is removed, then an additional net system would be necessary at an added cost.

\*\* Does not include the leveling of low spots (bird baths) as this is done on a charge-out basis by the contractor.

### **Option 2: Repurpose one court as four pickleball courts with portable net systems.**

	\$/unit	# of units	\$
Remove/fill (or cap) tennis posts (City)*	\$200	1	\$200
Pickleball line painting including surface prep & supplies (City)	\$4,500	1	\$4,500
Tournament Portable Pickleball Net System*	\$224	4	\$896
Storage unit for portable net systems	\$1,000	1	\$1,000
Contingency (10%)	\$660	1	\$660
		Total	\$7,256

\* The tennis net could be left in place to contain ball movement between pickleball courts. If the tennis net is removed, then an additional net system would be necessary at an added cost.

**Note:** Prices do not include taxes or shipping (where applicable).

# REQUEST FOR DECISION

— REGULAR MEETING —



**To:** Mayor and Council  
**From:** Manager of Development and Engineering  
**Date:** May 25, 2015  
**Subject:** To proceed with the disposition of Lot 5, Plan KAP86416, DL 534, SDYD, PID #027-468-216  
**Recommendation:** **RESOLVED THAT** Council direct staff to proceed with the disposition of Lot 5, Plan KAP86416, DL 534, SDYD, PID #027-468-216 to Argosy Construction Group Inc. for the amount of \$120,000 plus GST.

---

**BACKGROUND:** At the May 7, 2015 In-Camera Meeting, Council was requested to consider the offer submitted by Argosy Construction Group Inc. and direct staff to proceed with the statutory requirements under Section 26 of the Community Charter to advertise the disposition of the property and release the information from In-Camera.

Staff advertised the disposition of the property in two consecutive weeks of the newspaper – May 13, 2015 and May 20, 2015. No comments or questions were received.

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## **Benefits or Impacts of the Recommendation:**

**General:** Council would be seen as supporting and promoting business and employment in the City of Grand Forks.

**Strategic Impact:** Council would be following the Real Estate Strategy Guiding Principles policy and the disposition would be aligned with the City's economic and land development strategies to source alternative revenue sources to fund its asset management priorities.

**Financial:** The City would see no cost to the taxpayers for the disposition of the land and the City would benefit from the increased tax base.

**Policy/Legislation:** The Community Charter governs the statutory requirements for land disposition and public notice.

**Attachments:** N/A

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**Recommendation:** **RESOLVED THAT** Council direct staff to proceed with the disposition of Lot 5, Plan KAP86416, DL 534, SDYD, PID #027-468-216 to Argosy Construction Group Inc. for the amount of \$120,000 plus GST.

# REQUEST FOR DECISION

— REGULAR MEETING —



- 
- 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 FURTHER INFORMATION.**
- 

	
Department Head or CAO	Chief Administrative Officer



# REQUEST FOR DECISION

— REGULAR MEETING —



**To:** Mayor and Council

**From:** Corporate Services / Administration

**Date:** May 20<sup>th</sup>, 2015

**Subject:** Proposed Budget Amendment for Additional Staff Support

**Recommendation:** **RESOLVED THAT Council determines to authorize the budget amendment in 2015 for additional administration staff support in the amount of up to \$20,000 to accommodate additional work required through Freedom of Information requests and the Ombudsperson request.**

---

**BACKGROUND:** The City has recently received significant work related requests from a Freedom of Information request, as attached, and an Ombudsperson request which falls under the protection of Section 90 (2) (c), as it pertains to "a matter that is being investigated under the Ombudsperson Act of which the municipality has been notified under section 14 of the act". Both requests will take culpable amounts of time, and results are required within certain time frames.

A great deal of the information required would fall with the Finance Department. The Finance Department is experiencing staff shortages due to medical and paternity leaves; and in addition, has just commenced its busiest season - property tax time. There is impact, as well, to the Operations and Administrative departments.

The City has advised the Ombudsperson that their organization would expect to see the documents pertaining to their request within a 6 to 8 week time span, and will involve considerable research and copying of hundreds of pages of written material to substantiate the case. The Freedom of Information request involves searches of material that dates back to 2012. As a great deal of our records are still in storage and boxes as a result of the City Hall fire, considerable time will be taken to locate a great deal of these records.

As this request is not a tangible capital asset, the City would need to either obtain the additional funds through the City's surplus, or would result in a tax increase in the following year.

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**Benefits or Impacts of the Recommendation:**

**General:** In order for the municipality to exercise all of its obligations, additional Staff support is requested.

**Strategic Impact:** N/A

**Financial:** Up to \$20,000

**Policy/Legislation:** Council has the authority to authorize budget amendments.

# REQUEST FOR DECISION

— REGULAR MEETING —



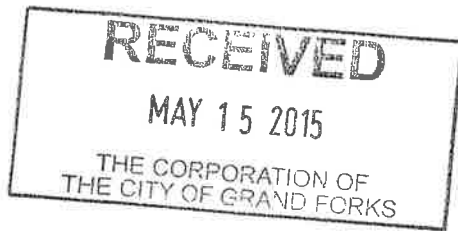
**Attachments:** - FOI Request

**Recommendation:** RESOLVED THAT Council determines to authorize the budget amendment in 2015 for additional administration staff support in the amount of up to \$20,000 to accommodate additional work required through Freedom of Information requests and the Ombudsperson request.

**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



Lorne Wise  
Barrister and Solicitor

Delivered by email: dheinrich@grandforks.ca  
And by regular mail

May 12, 2015

The Corporation of the City of Grand Forks  
7217 – 4<sup>th</sup> Street  
PO Box 220  
Grand Forks, BC  
V0H 1H0

**Attention: Freedom of Information Officer**

Dear Sir or Madam:

***Freedom of Information and Protection of Privacy Act (the “Act”)***  
**Request for Access to Records**

A completed “Request for Access to Records” form and attachments are enclosed.

If you are unwilling or unable to provide full disclosure and accompanying copies in response to my request, kindly refer to any specific provisions of the “Act” you are using in support of same.

I look forward to your material.

Yours truly,

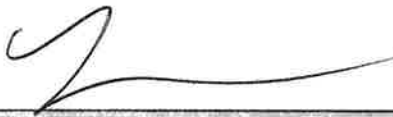
Lorne Wise  
E&OE  
LW/wk

Mailing address: 602-938 Howe Street, Vancouver, BC V6Z 1N9  
Delivery address: 601-938 Howe Street, Vancouver, BC V6Z 1N9  
Fax: 604-272-0785 Phone: 604-688-8955  
e-mail: lwisecanada@msn.com

**FILE CODE**  
Lorne Wise  
F5 – Barrister + Solicitor

# FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY REQUEST FOR ACCESS TO RECORDS

ARCS NO.  
292-30/  
292-40/

<b>NAME OF PUBLIC BODY TO WHICH YOU ARE DIRECTING YOUR REQUEST</b>				
THE CORPORATION of The City of Grand Forks				
<b>YOUR NAME</b>				
LAST NAME	FIRST NAME	MIDDLE NAME	OPTIONAL	
Wise	horne		<input type="checkbox"/> MISS <input type="checkbox"/> MS <input type="checkbox"/> MRS. <input type="checkbox"/> MR. <input type="checkbox"/> OTHER: _____	
<b>YOUR ADDRESS</b>				
STREET, APARTMENT NO., P.O. BOX, R.R. NO.		CITY / TOWN	PROVINCE / COUNTRY	POSTAL CODE
#602-938 Howe St.		Vancouver	BC	V6Z 1N9
<b>YOUR CONTACT INFORMATION</b>				
DAY PHONE NO.		ALTERNATE PHONE NO.		E-MAIL ADDRESS
(604) 688-8955		(604) 802-8716		lwisecanada@msn.com
<b>DETAILS OF REQUESTED INFORMATION</b>				
<b>INFORMATION REQUESTED</b> (PLEASE DESCRIBE THE RECORDS YOU ARE REQUESTING. BE AS SPECIFIC AS POSSIBLE, AS THIS WILL ASSIST THE REQUEST PROCESS. ATTACH A SEPARATE SHEET IF THE SPACE BELOW IS NOT SUFFICIENT.)  See Attached				PLEASE SPECIFY ANY REFERENCE OR FILE NUMBER(S), IF KNOWN
ARE YOU REQUESTING ACCESS TO ANOTHER PERSON'S PERSONAL INFORMATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (IF SO, PLEASE ATTACH, AS APPROPRIATE: a) THAT PERSON'S SIGNED CONSENT FOR DISCLOSURE, OR b) PROOF OF AUTHORITY TO ACT ON THAT PERSON'S BEHALF.)				
PREFERRED METHOD OF ACCESS TO RECORDS <input type="checkbox"/> EXAMINE ORIGINAL <input checked="" type="checkbox"/> RECEIVE COPY		YOUR SIGNATURE 		DATE SIGNED (YYYY MMM DD) 2015   05   12
<b>FOR PUBLIC BODY USE ONLY</b>				
REQUEST NO.	REQUEST CATEGORY <input type="checkbox"/> ACCESS TO GENERAL INFORMATION (ARCS 292-30/ ) <input type="checkbox"/> ACCESS TO PERSONAL INFORMATION (ARCS 292-40/ )			
REQUEST CODE	DATE RECEIVED (YYYY MMM DD)	NAME OF PUBLIC BODY RECEIVING REQUEST		
• YOU MAY MAKE A REQUEST FOR ACCESS TO RECORDS WITHOUT USING THIS FORM, PROVIDED YOU DO SO IN WRITING. • BIRTHDATE AND CORRECTIONS SERVICE NO. ARE REQUIRED TO VERIFY THE INDIVIDUAL REQUESTING THE INFORMATION • PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE <b>FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT</b> AND WILL BE USED ONLY FOR THE PURPOSE OF RESPONDING TO YOUR REQUEST.				



Information requested:

1. Copies of all expense reports submitted by and all amounts paid to or reimbursed to Mr. Doug Allin for the years, 2012, 2013, 2014 and 2015 to date (actual payroll amounts not required)
2. Copies of the expense reports submitted by and reimbursed to D Heinrich for the years 2012, 2013, 2014 and 2015 to date.
3. A listing of dates and amounts for all payments made to Urban Systems Ltd., for the years 2012, 2013, 2014, and 2015 to date.
4. Copies of all agendas, notes, minutes, description of recordings completed at any “in camera” meetings which occurred between November 15, 2014 and December 31, 2014. A listing of all individuals present at those meetings, and a listing of the individuals who voted with respect to any motions raised and their vote either in favor or opposed to the motion.
5. Copies of all agendas, notes, minutes, description of recordings completed at any “in camera” meetings which occurred between January 1, 2015 and February 10, 2015 as it related to the re-hiring of Mr. Allin. A listing of all individuals present at those meetings, and a listing of the individuals who voted with respect to any motions raised and their vote either in favor or opposed to the motion.
6. The extent of any advertisement with respect to hiring of a CAO which was made subsequent to the November 24<sup>th</sup> 2014 dismissal of Mr. Allin. Specifically, date, description of advertisement – ie., Vancouver Sun, Grand Forks Gazette, etc., and the cost of each advertisement.
7. The number of individuals who made application for the position. The number of individuals making such application who were interviewed by either Grand Forks staff or their agent, or by any individual or committee of individuals tasked with the application. The number of individuals who were interviewed in person or by telephone and the dates of such interviews.
8. The name(s) and address(s) of the corporate solicitors for the City of Grand Forks and a listing of all dates and amounts invoiced by such lawyers or law firms for the periods 2012, 2013, 2014, and 2015 to date. If no one firm or individual is treated as the corporate solicitor for the City, a list of firms and or individual lawyers who provided and billed for legal advice and the amounts paid to each.

9. The name(s) and addresses(s) of any Human Resource (HR) consultants engaged by the City of Grand Forks and a listing of all dates and amounts invoiced by such any consultants with respect to HR matters for the periods 2012, 2013, 2014 and 2015 to date.
10. Dates of any employer claims made to Worksafe BC during 2014, either by the City of Grand Forks, or by individuals who were employees of the City of Grand Forks, and in general terms, the type of incident reported.



Administration provided  
by UBCM

Funding provided by  
Province of B.C.



For program  
information, visit the  
Funding Programs  
section at:

[www.ubcm.ca](http://www.ubcm.ca)

LGPS Secretariat

Local Government House  
525 Government Street  
Victoria, BC, V8V 0A8

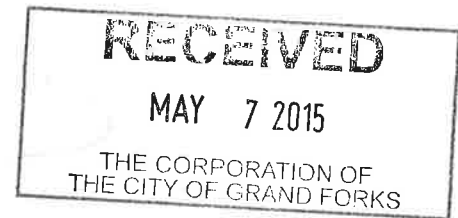
E-mail: [lgps@ubcm.ca](mailto:lgps@ubcm.ca)  
Phone: (250) 356-2947

# Local Government Program Services

...programs to address provincial-local government shared priorities

May 4, 2015

Mayor Konrad and Council  
City of Grand Forks  
Box 220  
Grand Forks, British Columbia, V0H 1H0



## Re: 2015 Asset Management Planning Program - Grant Approval and Terms & Conditions

Dear Mayor and Council,

Thank you for submitting an application for the 2015 Asset Management Planning grant program.

I am pleased to inform you that the Evaluation Committee has approved funding for your project, *Long Term Strategic Financial Framework - Phase 1*, in the amount of \$10,000.00.

As outlined in the Program & Application Guide, grant payments will be issued when the approved project is complete and UBCM has received and approved the required final report and financial summary.

The Ministry of Community, Sport & Cultural Development has provided funding for this program. The general Terms & Conditions for this grant are attached. In addition, in order to satisfy the terms of the contribution agreement, we have the following requirements:

- (1) The funding is to be used solely for the purpose of the above named project and for the expenses itemized in the budget that was approved as part of your application;
- (2) The funds must be matched in cash or in-kind;
- (3) All project activities must be completed within 12 months and no later than April 29, 2016;
- (4) The Final Report Form is required to be submitted to UBCM within 30 days of project end date and no later than May 31, 2016.
- (5) Any unused funds must be returned to UBCM within 30 days following the project end date.

On behalf of the Evaluation Committee, I would like to congratulate you for responding to this opportunity to advance asset management in your local government.

FILE CODE

Asset Mgmt - Planning  
U2 - Program - Grant Approval  
& Terms & Conditions  
Page 63 of 165

If you have any questions, please feel free to contact Local Government Program Services at (250) 356-2947 or by email at [lgps@ubcm.ca](mailto:lgps@ubcm.ca).

Sincerely,

A handwritten signature in blue ink, appearing to be 'Peter Ronald', with a stylized, cursive script.

Peter Ronald  
Programs Officer

cc: Doug Allin, Chief Administrative Officer, City of Grand Forks

*Enclosure*



## Local Government Program Services

# General Funding Terms & Conditions

*The purpose of these Terms and Conditions is to provide basic information on the administration of Local Government Program Services (LGPS) grants. For specific information regarding the terms and conditions of each funding program, please refer to the Program & Application Guide.*

### 1. Definitions

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- **Approved Applicant** - In general, LGPS grants are awarded to local governments (regional districts and municipalities). However, under some programs, other organizations, such as First Nations and aboriginal organizations or boards of education, can be the approved applicant. The approved applicant is the primary contact for UBCM and is responsible for overall grant management.
- **Approved Partner(s)** - Are organizations that contribute directly to the approved project, are identified in the application and are approved by UBCM. Possible partners include, but are not limited to, boards of education, health authorities, First Nations or aboriginal organizations, non-profit organizations and local governments (other than the applicant).
- **Approved Project** - Is the activity or activities described in the application and approved by UBCM.
- **Cash Expenditures** - Are direct costs properly and reasonably incurred and paid for with money by the approved applicant or approved project partners for the development or implementation of the approved project. For example, catering and consultant fees can be cash expenditures.
- **In-Kind Expenditures** - Are the use of resources of the approved applicant or approved project partner for the development or implementation of the approved project. For example, the use of meeting rooms owned by the applicant or approved partner can be an in-kind expenditure.
- **Program & Application Guides** - Are the application and program materials prepared by UBCM to describe the program and assist applicants in completing and submitting an application. All Program & Application Guides are available at [www.ubcm.ca](http://www.ubcm.ca).

### 2. Eligible & Ineligible Costs

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Eligible costs, including cash and in-kind expenditures, are direct costs properly and reasonably incurred by the approved applicant or approved partners in the development or implementation of the approved project. To be eligible, these costs must be outlined in the detailed budget submitted by the approved applicant as part of the application process and be approved by UBCM. Requests to change the budget must be made to UBCM, in writing, by the approved applicant (see below). Please see the Program & Application Guide for specific notes regarding eligible and ineligible costs.

### 3. Post-Approval Terms

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#### Notice of Approval

UBCM will inform approved applicants by letter and a specified percentage of the approved grant amount will be forwarded upon approval. The balance will be paid on satisfactory completion of the project and receipt of all final reporting requirements.

#### Applicant Responsibilities

LGPS grants are awarded to approved applicants. When collaborative projects are undertaken, the approved applicant remains the primary organization responsible for the grant. Due to this, the approved applicant is the primary contact for UBCM and is responsible for:

- Ensuring that approved activities are undertaken as outlined in the approved application and within the required timeline,
- Providing proper fiscal management of the grant and approved project (see below), and



- Submitting progress and/or final reports, using UBCM forms where available, as required by the Program & Application Guide (see below).

#### **Accounting Records**

Acceptable accounting records must be kept that clearly disclose the nature and amounts of cash and in-kind expenditures incurred during the development or implementation of the approved project. Financial summaries are required to be submitted as part of the final report and must be signed by a representative of the approved applicant (or as required in the Program & Application Guide). In all cases, the final project expenditure must be net of any rebates (such as HST) that the approved applicant or approved partner is eligible to receive.

#### **Changes to or Cancellation of Approved Project**

Approved applicants need to advise UBCM, in writing, of any significant variation from the approved project as described in the approved application, including any major changes to:

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

UBCM's approval may be required in advance for such changes. If an approved project is cancelled, the approved applicant is responsible for ensuring any grant monies that have been advanced are returned to UBCM within 30 days, or as outlined in the Program & Application Guide.

### **4. Reporting Requirements**

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#### **Submission of Reports**

Approved applicants are required to submit progress and final reports as outlined in the Program & Application Guide. When UBCM forms are available, they are required to be used. Please note the following when submitting a report:

- When completing a UBCM report form please ensure that each question is answered and that all attachments are complete. Follow any sample templates that UBCM provides.
- When a report form is not required, please ensure that each required component, as outlined in the Program & Application Guide, is addressed in your report and that all attachments are complete.
- Unless specifically requested, please do not bind reports or submit in binders or folders.
- When submitting electronically, submit all documents as Word or PDF files.
- All digital photos or images should be submitted, by e-mail or on CD, as JPEG files.
- When you are ready to submit your report, please e-mail it directly to [lgps@ubcm.ca](mailto:lgps@ubcm.ca) or mail/fax it to Local Government House: 525 Government Street, Victoria, BC, V8V 0A8 or Fax: (250) 356-5119

#### **Extensions and Outstanding Reports**

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

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

### **5. Recognition of Funding and Funders**

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Approved applicants should contact UBCM for more information on recognizing funding and for information on the appropriate use of logos. Please contact Paul Taylor, Relationships & Communications Advisor, at (250) 356-2938 or [ptaylor@ubcm.ca](mailto:ptaylor@ubcm.ca).



May 6, 2015

Mayor Frank Konrad and City Councillors  
City of Grand Forks  
PO Box 220  
Grand Forks, BC  
V0H 1H0

Dear Mayor Konrad and Councillors:

We are writing on behalf of the Boards of Directors of Whispers of Hope Benevolence Association (Whispers of Hope) and the Boundary Emergency and Transition Housing Society (BETHS).

As you are aware, Whispers of Hope and BETHS have been partners with Habitat for Humanity Southeast BC (HFHSEBC) on the Multi Agency Accommodation Project (MAAP) located at 7212 Riverside Drive. Currently, HFHSEBC holds the lease with the City of Grand Forks for the MAPP facility. We are writing to ask Council to confirm that the City will transfer the current lease from HFHSEBC to Whispers of Hope and BETHS, in the event that HFHSEBC were to give notice to the City of their desire to withdraw from the lease.

We look forward to hearing from you.

Yours sincerely,

A blue ink signature of Jake Raven, consisting of a stylized 'J' followed by a large loop and a horizontal line.

Jake Raven  
Chair, Whispers of Hope

A blue ink signature of Neil Muth, featuring a stylized 'N' and 'M'.




Neil Muth  
Chair, BETHS

**FILE CODE**

WE3- BI - BETHS + Whispers  
+ WI - of Hope - Transfer  
of Current Lease on  
MAAP





From:  Laura Savinkoff <l4peace@telus.net> May-06-15 2:07:03 PM   
Subject: New Contact Form submission from Laura Savinkoff  
To:  Info City of Grand Forks

**Your Name**

Laura Savinkoff

**Your Email**

[l4peace@telus.net](mailto:l4peace@telus.net)

**Your Phone #**

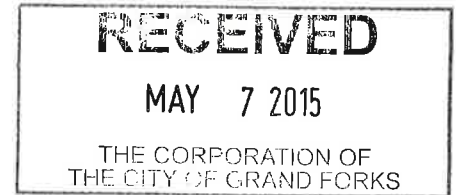
(250) 442-0434

**Subject**

invitation for council to attend an event

**Your Message**

Dear Mayor and Council,  
The Boundary Peace Initiative is hosting the spring conference of the B.C. Southern Interior Peace Coalition and would be honored to have at least a few of the City's elected officials attend in an official capacity. Every voice is valuable in our discussions to set in motion actions that will create a world of peace with social and economic justice and environmental sustainability; a world where violence in any form is unacceptable and no longer needed. Delegates from the Kootenay/Boundary/Okanagan will meet on May 30, 2015 from 9 am to 4 pm at the Slavonic Senior Citizens Center. Everyone is welcome to join us as we update each other on our activities locally and discuss how we will work jointly across the region and the nation and internationally to establish a better world for our children and grandchildren in the present and the future. We have the ability; what we do need is the will to say no to violence, abuse and exploitation of people and the environment. We ask you to continue the decades long positive relationship City Council has built with the peace movement. The Grand Forks City Council was one of the first cities in Canada to declare this a Nuclear Free Zone and one of the first to declare opposition to Canada engaging in the Iraq war of 2003. We hope we can continue to work together our dear neighbours, our brothers and sisters.



**FILE CODE**  
*WEB* + B1 - Boundary Peace  
I4 Initiative Invitation  
to Conference - May 30<sup>th</sup>

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From:  Laura Savinkoff <l4peace@telus.net> May-06-15 2:26:22 PM   
Subject: New Contact Form submission from Laura Savinkoff  
To:  Info City of Grand Forks

---

**Your Name**

Laura Savinkoff

**Your Email**

[l4peace@telus.net](mailto:l4peace@telus.net)

**Your Phone #**

(250) 442-0434

**Subject**

invitation to conference #2

**Your Message**

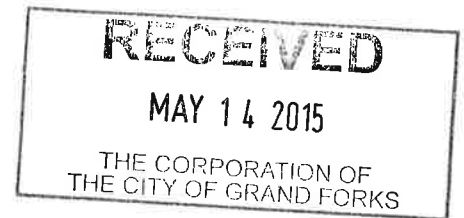
Dear Mayor and Council,  
I must apologize that I did not finish my last message before sending it off. I pressed the wrong key and off it went. So, just to complete the invitation and statement. The BPI has worked closely since 2002 with Council and before that the peace movement in general, without a formal group, did the same. We look forward to continuing this mutually beneficial, constructive and supportive relationship that stands up proudly in favour of peaceful living and resolutions and solutions to disagreements and even conflict. We can when we all make the choice to do so-personally and politically. As a Council elected to represent the citizens of our city we hope a few of you at least are willing and able to lend your voice to our discussions and decisions. Thank you for your attention.

In Universal Kinship and Loving Peace,  
On behalf of the Boundary Peace Initiative,  
Laura Savinkoff  
Coordinator



## Committee

P.O. Box 2949  
Grand Forks, BC  
V0H 1H0



May 13, 2015

Mayor Konrad & Councilors  
Corporation of the City of Grand Forks  
Box 220  
Grand Forks, BC V0H 1H0

Dear Mayor Konrad and Council,

Re: Grand Forks Canada Day Celebration

On behalf of the Canada Day Committee, I am writing to invite you to participate in the Opening Ceremonies for the Grand Forks Canada Day Celebrations to be held in City Park on July 1, 2015. The ceremonies will start at 11:00 a.m. in City Park. The Parade will begin at 10:00 am starting from Dick Bartlett Park parking lot. It will end at Selkirk College parking lot and The Colour Party Procession will join in on 5<sup>th</sup> Street and turn right on 4<sup>th</sup> Street to City Park stage area for Opening Ceremonies at 11:00 am

Mayor Konrad is invited to be the Emcee and entertainment co-chair for the celebrations that will run until 2:30 pm. The theme for this year's celebration is "Local Talent" and we hope that Mayor Konrad can fashion a few words to our guests along the lines of this theme. We hope to have two Council Members assist with cutting the Canada Day cake at 12:30 pm.


Thank you for the assistance the City has provided in previous years and we look forward to your participation in this exciting event again this year. Please confirm your attendance by contacting Anna Lactin from Community Futures Boundary at 250-442-2722 or email [anna@boundarycf.com](mailto:anna@boundarycf.com) as soon as possible and if you have any questions or concerns.

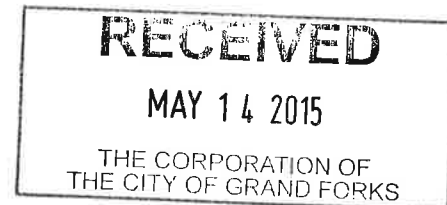
Best regards,

Anna Lactin  
Chair, Canada Day Committee

**FILE CODE**  
WEB 4 C1 Invitation to Participate  
I4 in Canada Day July 1  
Opening Ceremonies



From: ■ Jack <jkoochin@hotmail.com> May-13-15 10:25:00 AM   
Subject: May 11 2015 letter to mayor and council  
To: ■ Info City of Grand Forks ■ fkonrad@grandforks.ca



Attachments: ■ Letter to mayor and council - district metering - May 11 20.doc / ...

Dear Grand Forks City Hall Staff,

Please forward this letter to mayor and all council as soon as possible, and please put it on the agenda of the next city council meeting.

Thank you.

Jack Koochin

**FILE CODE**

WE3- C/O - Koochin, Jack re  
(Water...) Solution to Water  
System: District  
Metering.

To: Grand Forks Mayor and City Council

Subject: Solution for Grand Forks water system: District Metering

Dear Mayor and Council,

I understood from the local radio news that you were looking for solutions to the water system issues in Grand Forks. Here is an extremely inexpensive and effective solution: **District Metering**.

Veritec engineering did a study for the City of Revelstoke on their water system, dated Oct 10, 2013, <http://www.scribd.com/doc/181864262/Veritec-water-metering-report-pdf#fullscreen>. "Water Metering Feasibility and Water Loss Management Study"

Here are a few excerpts:

3.1. The report recommends district metering, with meter verification as well as a number of strategies for water loss detection and management. (p. 1 of 7)

3.2. The cost to implement district metering and for verification of existing meters is estimated to be \$44,000. (p. 1 of 7)

The Water Balance estimates water loss in the system to be 51% +/- 27%. The City of Revelstoke Water Smart Action Plan (Sept 2013) estimates water loss seen in other Basin communities to be between 30-70 % and that the water loss indicated in the Revelstoke 2011 Water Balance is considered 'normal' compared with other communities. Vertiec has indicated the potential for a large level of inaccuracy in the data due to uncertainty in the readings from the system bulk meters. (page 3 of 7)

The report recommends proceeding with district metering and indicates the key factors which influence the recommendation are estimated high water loss levels, low marginal cost to treat and distribute water and no capital cost reduction or deferral available at this time. (p. 4 of 7)

The report indicates that with leak detection and repair a 30% reduction in water loss (a 15% reduction in gross water consumption) may be achievable. (p. 4 of 7)

As you can see, at an estimate of only \$44,000 for a town with approx. 3000 homes, district metering is extremely attractive. The benefits are tremendous. Note that Veritec recommended district metering over universal metering. Apparently, former GF mayor and council conducted studies of water management strategies *for years*, including looking at other municipalities in southern BC. This information should have been known by previous mayor and council, so it just boggles the mind why on earth they chose the most expensive and least efficient solution for our cash-strapped town. What could possibly have been their motivation?

Note that municipal water system loss estimates are enormous, contrary to what the public was told at our local council meetings last year.

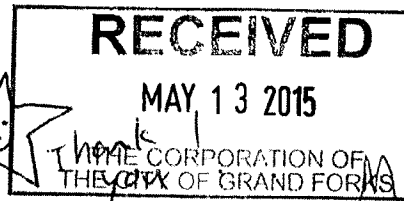
I ask you to put a halt to the universal water meter program immediately, and vote to continue with a District Metering plan combined with enforced sprinkling regulations. Very cheap and effective. To complete the rest of the current universal water meter program, the city will likely have to put out another \$700,000 or perhaps even \$1,000,000. plus the cost of endless administration and potential law suits.

The infrastructure issues will always be there, and will have to be addressed no matter which water saving strategy you choose. The big difference is that with district metering, you will be perhaps \$1M ahead of the game. And you won't be subjecting additional homeowners to the health risks of RF radiation.

Please do not throw away any more taxpayers' money on the current program.  
Thank you.

Jack Koochin, Grand Forks, BC

\* Please read at next  
Council meeting



Dear City Council and Editor

Ph:

Yesterday I received a registered letter from the city saying the fence at the back of my yard can only be six feet high. Deer can clear a seven foot high fence. It would be a sad statement of affairs if we are forced to allow deer into our yards.

Please adjust height restrictions accordingly. When I began fencing my yard, years ago, height for rear fences was allowed to be up to ten feet high. When was this changed?

**FILE CODE**

Heiborg, Nadine re  
C10 - Reply to City Letter Unsignth  
(Unsignthly...)

My neighbor at the back, parks his tall fifth wheel next to my property. I do not feel comfortable at the thought of him going into his fifth wheel and leering at my grandchildren and me.

## II

Complaints of unsightly were issued, I suppose, regarding my mulch bags. I am putting in a garden, and do not believe that I need to be stressed out about when I mulch.

Narrowmindedness and imbecilic gestures from no-minds is a waste of my precious time.

I charge five hundred dollars an hour for dealing with such issues. Thus far~~as~~ I believe you owe me three point six million dollars for harrassment over the years, including this issue.

You are slamming my human rights and I hope to see that



III  
cheque in the mail shortly.

Sincerely

Nadine Heiberg

Nadine Heiberg

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 · GRAND FORKS, BC V0H 1H0 · FAX 250-442-8000 · TELEPHONE 250-442-8266

May 8, 2015

First Notice sent by Registered Mail

### **RE: Unsightly Premises located at 1730 68<sup>th</sup> Avenue**

It has come to the attention of the City of Grand Forks that the property mentioned in this letter is in violation of Unsightly Premises Bylaw No. 1962. The property falls under one or more of the provisions listed in Section 3 of this bylaw. The property is also in violation of the Zoning Bylaw No. 1606 with regard to the height of the fence on the side and rear yard listed under section 26(A). The maximum fence height permitted is (6) six feet for solid fencing material.

### **3. *Unsightly Premises***

**3.1** *No owner shall cause, allow or permit a parcel to become or to remain unsightly, and, specifically:*

*(a) No owner of a parcel shall cause, allow or permit the accumulation of building material on the parcel unless;*

*(i) The owner or occupier of the parcel is in possession of a valid building permit in respect of the accumulation; or*

*(ii) The accumulation is stored in a closed building or structure such that the accumulation is not visible from another parcel or highway*

*(b) No owner of a parcel shall cause, allow or permit the accumulation on the parcel of filth, discarded materials, unwholesome matter, or rubbish of any kind, whether or not for commercial purposes or as part of a trade or calling, including but not limited to dead animals, paper products, crockery, glass, metal, plastics, plastic containers, wire, ropes, machinery, tires, appliances, and any other scrap or salvage;*

**Website:** [www.grandforks.ca](http://www.grandforks.ca)

**Email:** [info@grandforks.ca](mailto:info@grandforks.ca)

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 - 4TH STREET, BOX 220 · GRAND FORKS, BC V0H 1H0 · FAX 250-442-8000 · TELEPHONE 250-442-8266

(d) *No owner of a parcel shall cause, allow or permit a building or structure, or part of a building or structure, which is missing all or a portion of its surface, covering, or coating materials to be on the parcel unless the owner is in possession of a valid building permit in respect of the building or structure;*

(e) *No owner of a parcel shall cause, allow or permit the accumulation on the parcel of garbage not contained in a covered receptacle.*

3.2 *Owners of a parcel shall remove or cause to be removed from the parcel any accumulations of filth, discarded material, or rubbish of any kind.*

### SECTION 26(A) SCREENING AND FENCING

1. *Except where provided otherwise in this bylaw:*

(a) *Landscape screens, solid and closed fencing on the interior sideyard shall be 1.8 meters (6 ft) in height.*

At this time the City of Grand Forks would appreciate your cooperation in cleaning up this property and the lowering of the fence to the 6 foot maximum height. All materials shall be removed and or repaired within 10 days of the receipt of this letter. The entire bylaw can be reviewed on the City's Website.

The City of Grand Forks would like to thank you in advance for your cooperation in this matter.

Yours truly

  
Wayne Kopan  
Bylaw Enforcement Officer

**FILE CODE**

*Letter to Nadine  
C10 - Heiberg re 1730-68<sup>th</sup> Av  
(Unightly...) Unightly Premise*

Website: [www.grandforks.ca](http://www.grandforks.ca)

Email: [info@grandforks.ca](mailto:info@grandforks.ca)























RECEIVED

MAY 19 2015

THE CORPORATION OF  
THE CITY OF GRAND FORKS

To Mayor, Council, and Staff

This community wants and needs more open, real opportunity to participate - have our solid ideas and solutions really considered, discussed with us, and acted upon!

A process to gather serious, options with less cost to current and future citizens, must be developed and allowed. Have open, real dialogue with each other and your citizens.

Here are some serious, worthy, effective programs and options to conserve our water resource and our people's financial resources. A very strong case can and must be made for these kinds of solutions:

- ✓ Use sectionalizing, District metering and other technologies to find and fix leaks, first.
- ✓ Use the proven 'Water Ambassador Program' - with support of timers, education and fines, if needed. It is used successfully in communities nearby now.
- ✓ Develop a rebate/grant program for people who change out their older toilets for new, lower water use types, as Castlegar has done.
- ✓ Add to this grant program - water-efficient washing machines and low-flow shower heads.
- ✓ Grants for people to convert their higher-use irrigation systems to less water usage types.
- ✓ Grants/programs to help people convert their older, larger, higher water use yards and gardens to more of a zero-scaped kind or style, helpful for seniors and young families.
- ✓ Find and fix, first, the leaks in the City's system.
- ✓ Contests and challenges, with concrete results, could be developed for some of these scenarios and ideas.
- ✓ Allow watering at night - if the supply system allows - a better time to water.
- ✓ Enforce your water bylaws; apply the fines, if needed.

We have many creative people here; come together, work to develop programs that serve us all better!

A concerned citizen,

Gloria Koch

FILE CODE

WE3-C10 - Koch, Gloria re  
Dialogue & Participation  
(misc...) from Community  
Page 85 of 165



From: [REDACTED] Doug Allin May 13, 2015 10:41:22 AM [REDACTED]  
Subject: Re: Attention Ms Diane Heinrich re: Administrative Compensation  
To: [REDACTED] Frank&Willy Triveri <fratri@telus.net>  
Cc: [REDACTED] fkonrad@grandforks.ca [REDACTED] jbutler@grandforks.ca [REDACTED] chammett@grandforks.ca  
[REDACTED] nkrog@grandforks.ca [REDACTED] cross@grandforks.ca [REDACTED] cthompson@grandforks.ca  
[REDACTED] Michael Wirischagin [REDACTED] Diane Heinrich [REDACTED] Sarah Winton

Frank Triveri

Thank you for the information passed along to our Corporate Officer. As you can appreciate the job of the Corporate Officer is to ensure we have good policy and we are consistent with the best practices in our industry. At times we are considered leaders in our practices and other times we fall behind and due to capacity and therefore we follow other governments. Our Council is considering a communications policy at the COTW meeting in June which will require further public input. We expect that Council will direct us to obtain feedback on the items the community feels should be made available for their review. I have heard the concerns from yourself and others through the Council that we need to do a better job of sharing information we are legally entitled to share. I look forward to your feedback upon the introduction of the new policy and the on going feedback as we work towards alleviating public concerns with optics of transparency. I trust this helps and if you require any further information please let me know.

Thank You

**Doug Allin**  
Chief Administrative Officer  
City of Grand Forks  
250-442-8266  
[www.GrandForks.ca](http://www.GrandForks.ca)



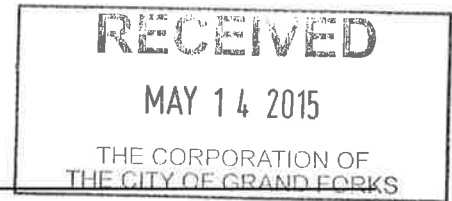
Settle down.

DISCLAIMER: This message is intended for the addressee (s) named and is confidential. The message

**FILE CODE**

Triveri, Frank re  
WE3  
C/O - Reply from CAO re  
(Comments...) Admin. Compensation  
Page 87 of 165

From: [REDACTED] Frank&Willy Triveri <fratri@telus.net> 13/05/2015 9:19:25 ...  
Subject: Attention Ms Diane Heinrich re: Administrative Compensation  
To: [REDACTED] Info City of Grand Forks  
Cc: [REDACTED] fkonrad@grandforks.ca [REDACTED] jbutler@grandforks.ca  
[REDACTED] chammatt@grandforks.ca [REDACTED] nkrog@grandforks.ca  
[REDACTED] cross@grandforks.ca [REDACTED] cthompson@grandforks.ca  
[REDACTED] mwirischagin@grandforks.ca [REDACTED] DAllin@grandforks.ca



Dear Ms Heinrich:

Thank you for your letter dated May 7, 2015. I appreciate very much receiving Council's policy as it pertains to agendas and deadline submissions. I will certainly keep the policy in mind in the future.

I am well aware of the statutory requirements of annual disclosure in the form of the referred to SOFI report. However I question your assertion that, "it is not best practice for municipalities ... to display contracts for public viewing." I also question your statement that, "these documents often contain information that falls under the protection of Freedom of Information and personal Privacy Act." My contention is that it is poor practice not to fully display public sector administrative contracts. It also appears to me that the Provincial Government agrees with me. Below, please, find the Ministry of Finance's, "Executive Compensation-Disclosure Statements." Please, read the "statements" carefully. Please note that the Government requests for the sake of "transparency and accountability" "... detailed explanation on all elements that make up the compensation package ..." Also note that for positions whose base salary is \$125,000 or more, in addition to the annual disclosure "they **must** be **proactively** disclosed on the organization's website." I am asking Council to do what it "**must**" do in regard to salaried employees whose base salary is over \$125, 000. Furthermore, it is obvious that that the government does not consider detailed disclosures to fall under the protection of the Freedom of Information and Personal Privacy Act as you assert. For the sake of open governance, I am asking Council to be "proactive" and not only fully disclose the terms and conditions of those that are a "must" but all administrative contracts.

Best regards,

Frank Triveri

Ministry of Finance

FILE CODE  
Triveri, Frank re  
C10 - Letter from City re  
Admin. Compensation  
(Comments re:)  
Page 88 of 165

# **Public Sector Employers' Council Secretariat**

## **Executive Compensation – Disclosure Statements**

In 2008, disclosure of executive compensation across British Columbia's public sector was expanded to increase transparency and accountability. Employers are now required to move beyond simply reporting what was paid to a more detailed explanation on all the elements that make up the compensation package for the individual. Disclosures must include an explanation of the employer's compensation philosophy, the objectives of the compensation program and what it is designed to reward, and how the payment of salary holdbacks for the top five executives relate to the organization's performance targets. These reporting requirements are modeled on those of the Canadian Securities Administrators' requirements of publicly-traded companies.

The enhanced disclosure requirements apply to chief executive officers and the next four highest paid/ranking executives, where these positions hold an annual base salary of \$125,000 or more. They must be proactively disclosed on the organization's website. This executive compensation disclosure is in addition to the more basic salary disclosures employers make under the Financial Information Act for employees earning \$75,000 or more.

# THE CORPORATION OF THE CITY OF GRAND FORKS

7217 – 4TH STREET, BOX 220 · GRAND FORKS, BC V0H 1H0 · FAX 250-442-8000 · TELEPHONE 250-442-8266



May 7<sup>th</sup>, 2015

Mr. Frank Triveri  
2735 – 75<sup>th</sup> Avenue  
Grand Forks, BC  
V0H 1H2

Dear Mr. Triveri:

Thank-you for your recent submissions of correspondence to the City; consecutively April 28<sup>th</sup>, received by the City April 29<sup>th</sup>; and your recent email of May 6<sup>th</sup>, submitted to our Chief Administrative Officer.

I would like to draw your attention to the enclosed policy as it pertains to agendas and deadlines for submissions. Noon, Friday, April 24<sup>th</sup>, would have been the deadline for incoming correspondence for the May 4<sup>th</sup> agenda.

In review of both your letters, and your concerns for the amount of tax dollars spent on administration staff, including our Chief Administrative Officer, are duly noted. As a legislative requirement, the Statement of Financial Information (referred to as the SOFI report), is released to the public and received by Council in a public meeting, on a yearly basis at the end of June. This report provides the name and salaries of all City employees who exceed \$75,000 as annual income, in addition to a lump sum of those employees who are under the \$75,000 as a grouped item. The information in the SOFI may satisfy your request.

It is not best practice for municipalities, including our own, to display contracts for public viewing, including personnel contracts, as these documents often contain information that falls under the protection of FOIPPA (Freedom of Information and Personal Privacy Act), and as a governing body, we are required to respect and comply in accordance with this Act. You are welcome to pursue the Freedom of Information process should you feel that you need additional information over and above the SOFI report. For your information, should you decide to put in an FOI request, it may be subject to charges as defined in the Act and enclosed with this correspondence for your convenience.

Again, our thanks for your submissions. Please feel free to contact me should you require any clarity on my response.

Best regards,

A handwritten signature in black ink, appearing to read "Diane Heinrich".

Diane Heinrich  
Corporate Officer

WE4 – Response to Mr. Triveri – salary concerns 2015

Website: [www.grandforks.ca](http://www.grandforks.ca)

Email: [info@grandforks.ca](mailto:info@grandforks.ca)

## THE CORPORATION OF THE CITY OF GRAND FORKS

**POLICY TITLE:** Council Agendas      **POLICY NO:** 103

**EFFECTIVE DATE:** February 3, 2009      **SUPERSEDES:**

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

### **POLICY:**

Administration is authorised to close the Regular Council Agenda at noon the Friday preceding agenda week. Council shall not consider late items for decision making unless they are of an emergency nature. Members of Council may present late items at the Regular meeting of Council; however, this shall be referred for further report and dealt with at the next Meeting of Council.

The Corporate Administrator is responsible for the preparation of all Council Agendas in consultation with the Mayor and the City Manager. The completed agendas shall be circulated to all members of Council the Wednesday afternoon prior to any regular Council Meeting. The agendas shall be available to the public on the Thursday, prior to any regular Council Meeting.

### **PURPOSE:**

To ensure that staff is able to provide research, and report on all items coming before Council for decision.

### **DEFINITION:**

Corporate Administrator includes the Office of the City Clerk and the City Manager includes the office of the City Manager or his designate and his Department Heads. The Mayor includes the Office of the Mayor and the Acting Mayor or the Chair of the regular meeting of the Council.

### **PROCEDURE:**

- All staff reports for the Council agenda shall be in the Office of the City Manager or the City Clerk by Thursday afternoon proceeding the week the agenda is to be distributed.
- All correspondence received up to 4:30pm on the Friday preceding the week the agenda is distributed will be included in the agenda with staff reports where such correspondence does not require extensive research. The item may be included with a motion for referral to another meeting of the Council.
- Any issues dealing with unbudgeted funds will be circulated to Council as information only on the agenda and will be referred to the next regular meeting of Council.

- (iii) a description of the purposes, key objectives and expected benefits or outcomes of the program or activity;
- (iv) a description of the respective roles and responsibilities of each public body and agency through which, or on whose behalf, the services are provided;
- (v) the date on which the program or activity will start and, if applicable, the date on which the program or activity will end.

### Fees

- 13** The maximum fees for services provided to different categories of applicants are set out in Schedule 1 of this regulation.

### Form respecting notice of disclosure

- 14** The form prescribed for the purposes of section 25 (4) of the Act is set out in Schedule 2 of this regulation.

### Social media sites

- 15** The social media sites prescribed for the purposes of the definition of "social media site" in Schedule 1 of the Act are set out in Schedule 3 of this regulation.

### Schedule 1

#### Schedule of Maximum Fees

Item	Column 1	Column 2
	Description of Services	Management Fees
1	For applicants other than commercial applicants:	
	(a) for locating and retrieving a record	\$7.50 per 1/4 hour after the first 3 hours
	(b) for producing a record manually	\$7.50 per 1/4 hour
	(c) for producing a record from a machine readable record from a server or computer	\$7.50 per 1/4 hour for developing a computer program to produce the record
	(d) for preparing a record for disclosure and handling a record	\$7.50 per 1/4 hour
	(e) for shipping copies	actual costs of shipping method chosen by applicant
	(f) for copying records	
	(i) floppy disks	\$2 per disk
	(ii) CDs and DVDs, recordable or rewritable	\$4 per disk
	(iii) computer tapes	\$40 per tape, up to 2 400 feet
	(iv) microfiche	\$3 per fiche
	(v) microfilm duplication	\$25 per roll for 16 mm microfilm,



				\$40 per roll for 35 mm microfilm
		(vi)	microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
		(vii)	photographs, colour or black and white	\$5 to produce a negative
				\$12 each for 16" x 20" photograph
				\$9 each for 11" x 14" photograph
				\$4 each for 8" x 10" photograph
				\$3 each for 5" x 7" photograph
		(viii)	photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")
		(ix)	dot matrix, ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(x)	dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(xi)	scanned electronic copy of a paper record	\$0.10 per page
		(xii)	photomechanical reproduction of 105 mm cartographic record/plan	\$3 each
		(xiii)	slide duplication	\$0.95 each
		(xiv)	audio cassette tape (90 minutes or fewer) duplication	\$5 per cassette plus \$7 per 1/4 hour of recording
		(xv)	video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per 1/4 hour of recording
2		For commercial applicants for each service listed in Item 1		the actual cost to the public body of providing that service

## Schedule 2

### Prescribed Form under Section 25 (4) of the Act

..... *[name of public body]* has disclosed information that relates to you in compliance with the requirements of section 25 of the Freedom of Information and *Protection of Privacy Act* ("Act") which requires a public body to disclose, without delay, information

(a) about a risk of significant harm to the environment or to the health or safety of the public or a group of people, or

(b) the disclosure of which is, for any other reason, clearly in the public interest.

The information disclosed is .....*[describe the information]*.....

The information was disclosed .....*[describe when and how the information was disclosed]*.....

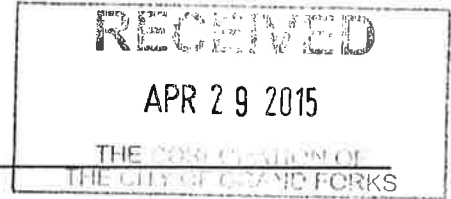
The information was disclosed to *[tick the appropriate box and provide the information in the brackets unless doing so could reasonably be expected to threaten, or result in immediate and grave harm to the safety or mental or physical health of a person under section 19 of the Act, or unreasonably invade the personal privacy of a third party under section 22 of the Act]*

From: Chris Hammett  
Frank&Willy Triveri <fratri@telus.net>  
Subject: Fwd: Open Letter to Council  
To: Diane Heinrich Sarah Winton Daphne Popoff

April-28-15 8:22:13 PM



Attachments: Open Letter to City Council.docx / Uploaded File (128K)



----- Original Message -----

Dear Council Members,

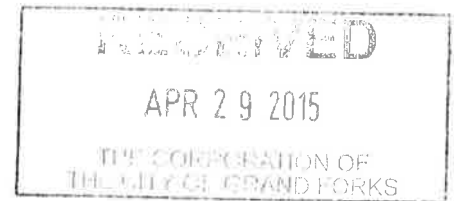
Attached, please, find a letter of inquiry. I would appreciate the letter be included in your next Council Meeting Agenda. I trust that attaching my letter to this email is sufficient to have it included as a correspondence item on your agenda. Please notify me if I am not following the proper protocol. The last letter I sent (twice) was not included in any Council Agenda. Over the past forty years I have written a number of letters to Council and have never received acknowledgement that even one was ever received. Since it is obvious that Grand Forks Councils do not acknowledge citizens' letters, the only way to ensure that it was received is to ask that it be recorded as correspondence on a Council meeting agenda.

Respectfully yours,

Frank Triveri

FILE CODE  
Triveri, Frank re  
C10 - Administrative Remuneration  
(Comments too)  
WE 4

2735 75<sup>th</sup> Ave.  
Grand Forks, BC  
V0H, 1H2  
April 28, 2015



Mayor and Councilors  
City of Grand Forks  
P.O. Box 220  
Grand Forks, BC  
V0H 1H0

Re: Administrative Remuneration

Dear Mayor Konrad and Councilors:

How easy it is to fritter away what is perceived to be other people's money. First and foremost government officials are elected to be wise custodians of the "public purse," your tax dollar and mine. Once elected, these same officials, despite their campaign promises to be prudent overseers seem to develop collective amnesia. At all levels many develop a sense of ownership and entitlement. That which they averred to treat as a sacred trust during campaign speeches becomes a personal windfall, a bottomless pit of gold to be dipped into, spent or dispersed at one's whim and will. There is little consideration that the dollars that are often wasted were hard earned by and belong to the taxpayer.

Lack of oversight and questionable spending permeate all levels of government. There are no shortages of examples: the Duffy trial which accentuates the fiasco the Senate has become, Christy Clark appointing an auditor to "audit" the "inefficient" office of The Auditor for Municipal Spending, and the bloated BC Hydro and BC Ferries administrative salaries are just a few among the many recent examples of government waste. It is hard to quietly observe the obvious fact that the taxpayer is being "ripped off." Harder still is listening to politicians and commentators rationalizing and justifying many of these unscrupulous actions as being the "norm." If this is the "norm" our society has lost its moral compass!

Unfortunately, locally we have not fared any better. The recent disclosure of the former and newly appointed CAO, Mr. Doug Allin's "severance package" is a glaring example. Any amount of rationalization cannot justify a severance of almost \$200,000 dollars to an individual who was in the employment of the City for a little over two years. In no way am I questioning the ability of Mr. Allin as a CAO nor am I questioning his rehiring. In my dealings with Mr. Allin, I have found him to be competent and professional and I am not unhappy to see him back. I don't even question the substantial salary he is paid. Nor am I upset that Mr. Allin negotiated a severance package to protect himself from **unfair** dismissal.

What I find incomprehensible is that our previous Council dismissed Mr. Allin at all! Members of the former Council were nothing but laudatory in regard to Mr. Allin's performance. Obviously the new Council concurred with this assessment as he was rehired. It is therefore obvious that there was no reason to dismiss him "without cause" other than to justify giving a two-year employee a huge bonus. Mr. Allin's reasons for wanting out of his contract were personal. If Mr. Allin felt that he couldn't work with the incoming Council or visa versa that was an issue for Mr. Allin and the incoming Council to sort out.

Furthermore it is hard to understand the enormous disparity between the severance called for in Mr. Allin's contract and what is called for in the BC Employment Standards Act, which states the following:

*An employee who is terminated may be eligible for compensation based on the following formula:*

- *After three consecutive months of employment – one week's pay;*
- *After 12 consecutive months of employment – two weeks' pay;*
- After three consecutive years – three weeks' pay, plus one week's pay for each additional year of employment to a maximum of eight weeks.*

I understand that the Act sets minimum requirements and that employers can voluntarily exceed the minimum and that unions can negotiate higher standards. However, what vigilant stewards of our tax dollars would enter a contract that calls for one-year's salary in severance after two years service? Consider that what is listed above are the only entitlements many Grand Forks citizens who pay the CAO's salary have!

The terms of Mr. Allin's contract were never fully disclosed to the public. It was taken on faith that our former Council would receive competent advice and negotiate a fair contract with its CAO. The expectations should have been that the mutually agreed salary and benefits were sufficient and commensurate with qualifications, performance expectations and time commitment for the position. It is my opinion that Mr. Alain received a substantial salary and generous benefits for his work. Any bonuses over and above even those in the guise of severance pay are an outrage!

There is no doubt that I am a disgruntled taxpayer. I had faith that a new Council would be, as promised, prudent with our tax dollars. Our community has many needs and tax dollars are in short supply. Severance pay to well paid CAO's is not one of those needs nor is there a need for time wasting investigations that will further add to our tax burden. Unfortunately, to date our new Council has not alleviated my skepticism. I have not heard the Mayor or any Councilor denounce the former Council's action to purposely terminate the CAO's employment. Nor have I heard that there was any request made of Mr. Allin, since he was quickly

re-employed and suffered minimal losses, to have him recoup his losses and return the balance to City coffers. The overtime agreement to compensate for paid severance is meaningless. Mr. Allin is well compensated for the time commitment required for his position. Also it is hard to believe that the present Council would go ahead and rehire Mr. Allin without fully being informed as to the circumstances of his departure. Our current Council's "willful blindness" and lame justifications are very disconcerting to say the least. More disconcerting is the possibility that you, our current Council, may have embarked on the same path as our previous Council.

Therefore, I hereby request that the specifics of all administrative contracts be fully disclosed to the general public. I as a taxpayer should have the right to know how my tax dollars are being spent. City Council's press release in regard to Mr. Allin's new contract states that along with his salary and holidays his new contract also includes "performance measures and severance." What are the salary implications of the so called "performance measures" and what sort of severance package was negotiated? At the end of his three-year contract will Mr. Allin again receive a "golden handshake." of nearly \$200,000 dollars? You must be aware that your contract with CUPE workers is readily available and the public has access to it on the Internet. Why should administrative contracts be any different?

I would appreciate a response to my request and questions. I would also appreciate the inclusion of my letter in the Correspondence Section of the forth-coming Council meeting so that it becomes a matter of public record. Hopefully it will generate some "open" not "in camera" discussion at your next Council or Committee of the Whole meeting.

Respectfully submitted by,

Frank Triveri  
A Concerned Grand Forks Taxpayer

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From:  **Doug Allin**  
Frank&Willy Triveri <fratri@telus.net> May 6, 2015 4:49:14 PM 

Subject: Fwd: COTW Meeting - May 4

To:  **Diane Heinrich**

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Probably have to respond to this as well

Thank You

**Doug Allin**  
Chief Administrative Officer  
City of Grand Forks  
250-442-8266  
[www.GrandForks.ca](http://www.GrandForks.ca)



Settle down.

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DISCLAIMER: This message is intended for the addressee (s) named and is confidential. The message must not be circulated or copied without the prior consent of the sender or the sender's representative Corporation or the Corporation's F.O.I Officer

----- **Original Message** -----

Dear Mayor Konrad, Councillors, and Mr. Allin:

This is a follow-up commentary to yesterday's COTW meeting. Needless to say I found the meeting very disturbing. I have spent the better part of a lifetime stressing the importance of participatory democracy to hundreds of students that have passed through my history and social studies classes. Having had parents who lived under a totalitarian regime for a good part of their lives, I have always been appreciative and respectful of the democratic institutions that exist in our country. It is for this reason that I am unable to refrain from comment in regard to yesterday's meeting.

I had a twofold purpose in attending yesterday's meeting. The agenda indicated that Council would be deciding its course of action on the water metering process. Having been appointed to the rates committee, I felt it was important to hear first-hand Council's discussion on this matter. Secondly as a concerned citizen and taxpayer I had written a letter to Council outlining some concerns and requesting Council to take a certain course of action to alleviate my concerns. Since my letter did not appear in the correspondence section of the agenda, it was my intention at the COTW meeting to inquire as to its omission.

As a life long student of the political process, it is extremely disconcerting to appear at an "open" meeting of Council and learn that in essence my letter was purposely omitted from the agenda. Furthermore I was denied repeated requests to have the letter read aloud so that it could be part of the public record. The Mayor, CAO, and some Councilors insisted that this was a matter concerning personnel issues and therefore could only be discussed "in camera" and that if I wanted the information that I was requesting that I would have to jump through the "freedom of information" hoops. Perhaps you should be reminded that open and transparent deliberations are at the very essence of any democratic institution. The "in camera" option has a function but it is supposed to be used with utmost discretion and special care must be taken so that it doesn't become an abuse of power. Certainly there are sensitive issues that cannot be discussed in public. However, the detailed terms of a signed contract paid for by the taxpayer is not one of those issues.

Mr. Allin stated at the meeting that there are components of the contract that deal with personal issues and I quote, "that are not available for your consumption and will never be available for your consumption." First of all I would like to reassure Mr. Allin that I am not interested in Mr. Allin's personal issues or anyone else's personal issues. Secondly it is hard to conceive by any stretch of the imagination when it would be necessary to include personal issues in an employment contract. My interests are the press release omissions. What are the salary implications of the so called "performance measures" and what sort of severance package was negotiated? At the same time I would like to see full disclosure of all administrative contracts.

I want to reiterate that in no way was my letter a personal attack on Mr. Allin. It is only natural that he would negotiate a contract in his best interest. I simply questioned the actions of the previous Council in regard to his previous contract and I want to know the full salary and benefits implications of his new contract. I would also like to state that my actions are fully independent of those calling for a forensic audit of the severance pay out. However, I defend their democratic right to pursue that course of action. Personally, I question their likelihood of success and don't look forward to the possibility that their actions may further add to our tax burden.

Finally I would like to point out some remarks made yesterday by Mr. Allin that may misguide a novice council. Mr. Allin stated that, "Council is making decisions on behalf of the corporation not the individual citizen." Please, keep in mind that the corporation Mr. Allin is taking about is not a separate entity. It is made up of every citizen in this community and the decisions made impact each and everyone. He further stated that, Council sets the agenda not the citizens." Council should know that this is not true. Within a democratic society, after hearing the collective voice of the people, Council prioritizes and acts. In a true democracy the people always set the agenda.

Hopefully, yesterday's meeting was not an overt attempt on the part of some to usurp my democratic rights as I fully intend to continue questioning and commenting when I deem it necessary.

Respectfully,

Frank Triveri



# REQUEST FOR DECISION

## — REGULAR MEETING —



**To:** Mayor and Council

**From:** Sasha Bird, Manager of Development & Engineering

**Date:** May 25, 2015

**Subject:** To amend the current Zoning Bylaw by rezoning property located at 832 – 64<sup>th</sup> Avenue from the current R-1 (Single and Two-Family Residential) Zone to R-4 (Rural Residential) Zone.

**Recommendation:** **RESOLVED THAT** Council give third and final readings to the "City of Grand Forks Zoning Bylaw Amendment No. 1606-A3, 2015".

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**BACKGROUND:** The City is in receipt of an application to rezone property located at 832 – 64<sup>th</sup> Avenue, legally described as Lot D, District Lot 534, S.D.Y.D., Plan KAP 9707, from R-1 (Single and Two-Family Residential) to R-4 (Rural Residential). The land use designation for this property in the Sustainable Community Plan (SCP) is LR (Low Density Residential).

At the April 7<sup>th</sup>, 2015 Committee of the Whole Meeting, the Committee of the Whole recommended that Council direct staff to draft the appropriate amendment bylaw(s) and proceed with the notification to surrounding property owners, publish notice in two consecutive issues of the Gazette and hold a public hearing in accordance with the Local Government Act.

Staff prepared a draft bylaw, proceeded with notification to surrounding property owners and prepared/submitted notice for a public hearing regarding the proposed bylaw to the Grand Forks Gazette.

At the April 20<sup>th</sup>, 2015 Regular Meeting of Council, Council resolved to give first and second readings to the "City of Grand Forks Zoning Bylaw Amendment No. 1606-A3, 2015" and proceed with the statutory requirements for amending bylaws in the Local Government Act.

The public hearing notice detailing the intention of the proposed bylaw was published in the April 22<sup>nd</sup> and April 29<sup>th</sup>, 2015 editions of the Grand Forks Gazette. Copies of the draft bylaw were made available for inspection at the front desk of City Hall.

The Public Hearing was held at 6:00 p.m. on May 4<sup>th</sup>, 2015 in Council Chambers. Two residents attended the meeting to express their views and one adjacent property owner sent an email regarding the rezoning application:

- 1) Tim Bleiler, who resides at 829 – 64<sup>th</sup> Avenue, advised that he moved to Grand Forks for the peace and quiet. He commented that the intentions of the property owner could create more noise with an almost commercialized environment as a

# REQUEST FOR DECISION

— REGULAR MEETING —



result of the proposed zoning change where Mr. Wagner plans to run a market and raise chickens. Mr. Bleiler advised that he is opposed to the application:

- 2) Ryan Galloway, who resides at 6270 Como Street, advised that he is not opposed to the zoning change; and
- 3) Gregg Cherrington-Kelly, owner of 820 – 64<sup>th</sup> Avenue, wished to say he is against the rezoning for the following reasons:
  - increased noise from chickens and machinery, pumps, fans, etc...
  - more unpleasant odours from birds,
  - increased traffic, congestion, etc...
  - increased spillage, percolation and infusion of surrounding property and water table from increased use of pesticides, hormonal mimicking substances, phosphorous, GMO plants' DNA, waste products and other noxious substances, and
  - deleterious change in the neighbourhood lifestyle and tenure.

At the May 4, 2015 Regular Meeting, Council resolved that the rezoning application regarding the property known as 832 – 64<sup>th</sup> Avenue, be referred to the May 25<sup>th</sup>, 2015 Regular Meeting for decision.

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## **Benefits or Impacts of the Recommendation:**

<b>General:</b>	The request is consistent with the vision of the SCP and would allow the applicant the opportunity to use the property to its fullest potential.
<b>Strategic Impact:</b>	N/A
<b>Financial:</b>	The costs to the City are covered by the application fees payable at the time of the application.
<b>Policy/Legislation:</b>	Council's authority to adopt, amend and repeal bylaws comes from the Local Government Act.
<b>Attachments:</b>	1) Draft Bylaw No. 1606-A3

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<b>Recommendation:</b>	<b>RESOLVED THAT</b> Council give third and final readings to the "City of Grand Forks Zoning Bylaw Amendment No. 1606-A3, 2015".
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# REQUEST FOR DECISION

— REGULAR MEETING —



- 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 REPORT BACK TO STAFF FOR MORE INFORMATION.**

	
Department Head or CAO	Chief Administrative Officer

**THE CORPORATION OF THE CITY OF GRAND FORKS**

**BYLAW NO. 1606-A3**

**A BYLAW TO AMEND THE CITY OF GRAND FORKS  
ZONING BYLAW NO. 1606, 1999**

=====

**WHEREAS** Council may, by bylaw, amend the provisions of the Zoning Bylaw, pursuant to the Local Government Act;

**AND WHEREAS** Council has received an application to rezone property located at 832 – 64<sup>th</sup> Avenue;

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

1. That the City of Grand Forks Zoning Bylaw No. 1606, 1999 be amended to rezone the property located at 832 – 64<sup>th</sup> Avenue, legally described as Lot D, District Lot 534, S.D.Y.D., Plan KAP 9707 from the current R-1 (Single & Two Family Residential) zone, to the R-4 (Rural Residential) zone, as shown outlined in bold on the attached map identified as Schedule “A”.
2. That this Bylaw may be cited as the “**City of Grand Forks Zoning Bylaw Amendment No. 1606-A3, 2015**”.

**READ A FIRST TIME** this 20<sup>th</sup> day of April, 2015.

**READ A SECOND TIME** this 20<sup>th</sup> day of April, 2015.

**PUBLIC HEARING NOTICE ADVERTISED**, pursuant to the Local Government Act this 22<sup>nd</sup> day of April, 2015 and also this 29<sup>th</sup> day of April, 2015.

**PUBLIC HEARING HELD** this 4<sup>th</sup> day of May, 2015.

**READ A THIRD TIME** this 25<sup>th</sup> day of May, 2015.

**FINALLY ADOPTED** this 25<sup>th</sup> day of May, 2015.

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Frank Konrad - Mayor

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Diane Heinrich – Corporate Officer

**CERTIFICATE**

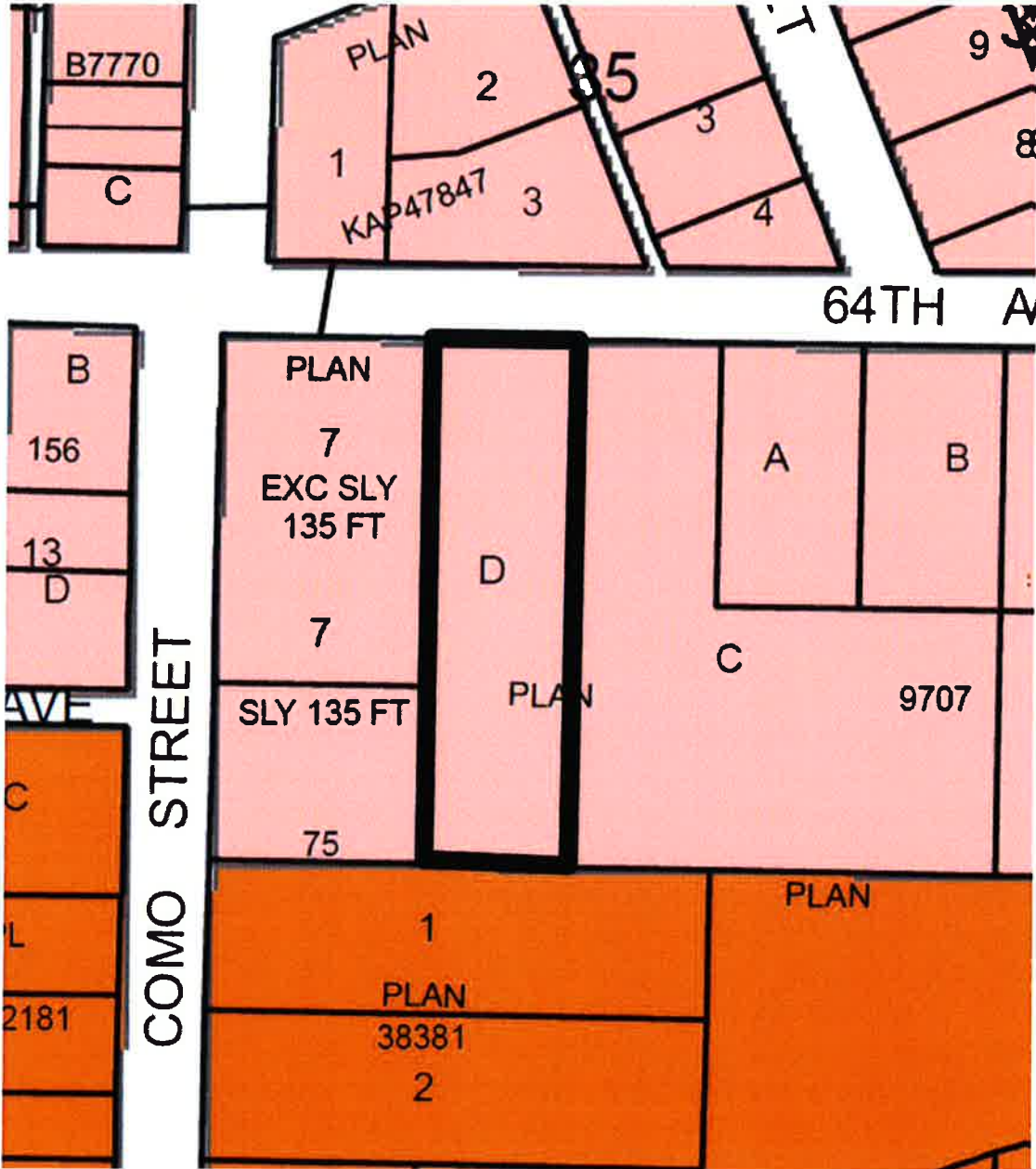
I hereby certify the foregoing to be a true copy of Bylaw No. 1606-A3, 2015 as  
passed by the Municipal Council of the City of Grand Forks  
on the 25<sup>th</sup> day of May, 2015.

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

## CITY OF GRAND FORKS ZONING MAP

**SCHEDULE "A"**



**This is Schedule “A” referred to in  
Section 1 of the City of Grand  
Forks Zoning Bylaw Amendment  
No. 1606-A3, 2015.**

**May 25, 2015**

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**Date of Adoption**

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**Corporate Officer**

**May 25, 2015**

**Date of Adoption**

**Corporate Officer**

**THE CORPORATION OF THE CITY OF GRAND FORKS**

**NOTICE OF PUBLIC HEARING**

**WHEREAS** the Local Government Act requires that a **PUBLIC HEARING** be held prior to the adoption of a Zoning Amendment Bylaw;

**TAKE NOTICE THAT** a Public Hearing with respect to City of Grand Forks Bylaw No. 1606-A3, cited as the "City of Grand Forks Zoning Bylaw Amendment No. 1606-A3, 2015", will be held on:

**Monday, May 4<sup>th</sup>, 2015  
At 6:00 p.m.  
In Council Chambers  
7217 – 4<sup>th</sup> Street  
Grand Forks, B.C.**

Bylaw Number 1606-A3 is intended to amend the "City of Grand Forks Zoning Bylaw 1606, 1999," by rezoning property, legally described as Lot D, District Lot 534, S.D.Y.D., Plan KAP 9707, from the current R-1 (Single & Two Family Residential) zone, to the R-4 (Rural Residential) zone, as shown outlined in bold on the attached map.

(Insert Map)

**APPLICANT(S): Ken & Karen Wagner  
PROPERTY LOCATION: 832 – 64<sup>th</sup> Avenue**

The proposed bylaw may be inspected between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, (excluding holidays), until May 1, 2015 at City Hall, 7217 – 4<sup>th</sup> Street, Grand Forks, B.C.

Dated this 16<sup>th</sup> day of April, 2015.

Sasha Bird, ASCT  
Manager of Development & Engineering





# REQUEST FOR DECISION

— REGULAR MEETING —



**To:** Mayor and Council  
**From:** Manager of Operations  
**Date:** May 25, 2015  
**Subject:** Bylaw 2015 – Electrical Utility Regulatory Amendment Bylaw  
**Recommendation:** RESOLVED THAT Council give first three readings to Bylaw 2015– Electrical Utility Regulatory Amendment Bylaw

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## BACKGROUND:

The City currently sets up electrical accounts the same as other utility accounts, in the name of the owner of the property. As per bylaw, any unpaid balances at year end are transferred to the owner's property taxes. It has been past practice of the City to not disconnect overdue utility accounts as they transferred to taxes.

There have been several landlords in the City that have requested to have the electrical disconnected for their rental properties as their tenants are not paying the bills.

Community Charter Section 18 states that a municipality may, by bylaw, establish circumstances in which it may discontinue a utility service. However, the bylaw must include provision for reasonable notice and a provision for the persons affected to have an opportunity to make representations to Council. The current water and sewer bylaws have these provisions, the electrical bylaw does not.

Updated the following:

- Changed the definition of "Customer"
- New definition for "Occupier"
- Changed Schedule A 4.1(a) to include: "disconnect"
- Re-structured Schedule B 1.4 & 1.5 to Schedule B 1.3 & 1.4 respectively
- Re-structured Schedule B 1.3 to Schedule B 1.5
- Changed Schedule B 1.5: added "owner or any other person on that property using electrical energy" and standardization of paragraph in general
- Changed Schedule B 1.5(a) by standardizing and removing "owner of that real property"
- Added Schedule B 1.5(f)
- Added Schedule B 1.6 through 1.10

# REQUEST FOR DECISION

— REGULAR MEETING —



- Replaced Schedule C entirely from Bylaw 2009 – Electrical Utility Rates

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## **Benefits or Impacts of the Recommendation:**

**General:** General housekeeping and standardization  
Many customer requests by landlords to establish disconnection options

**Financial:** No impact to the City

**Policy/Legislation:** Community Charter Section 18 states that a municipality may, by bylaw, establish circumstances in which it may discontinue a utility service. However, the bylaw must include provision for reasonable notice and a provision for the persons affected to have an opportunity to make representations to Council

**Attachments:** DRAFT Bylaw 2015– Electrical Utility Regulatory Amendment Bylaw  
City of Grand Forks Electrical Utility Regulatory Bylaw No. 1975, 2014  
City of Grand Forks Bylaw No. 2009, 2015

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**Recommendation:** RESOLVED THAT Council give first three readings to Bylaw 2015 – Electrical Utility Regulatory Bylaw

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**OPTIONS:**

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

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

**ELECTRICAL UTILITY REGULATORY BYLAW NO. 2015**

**A bylaw to provide for the regulation and control of the Electrical Utility of the Corporation of the City of Grand Forks and impose rates, terms and conditions for supply of electricity service.**

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**WHEREAS** the Council of the Corporation of the City of Grand Forks considers it desirable and expedient to maintain an Electrical Department for the Grand Forks community and to make regulations for the supply of this service;

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

**1. TITLE**

- 1.1 This bylaw may be cited for all purposes as the “**City of Grand Forks Electrical Utility Regulatory Bylaw No. 2015, 2015.**”

**2. DEFINITIONS**

- 2.1 In this Bylaw, unless the content otherwise requires, the following definitions will apply:

“**Bi-Monthly**” means every two-month period;

“**City**” means the Corporation of the City of Grand Forks;

“**Chief Financial Officer**” means the Chief Financial Officer appointed by the City or his/her authorized deputy;

“**Customer**” means any person, company, or corporation who has opened a service account with the City for the purpose of being supplied with electrical energy by the City;

“**Council**” means the elected Council of the Corporation of the City of Grand Forks;

“**Electrical Department**” is as defined in Section 3.3 of this bylaw;

“**Electrical Utility**” means the City’s electrical distribution system and includes all the structures, switchgear, transformers, poles, wires, cables, meters and related apparatus and facilities used in the receiving, distribution and measuring of electrical power and energy and which comprise the electrical distribution

system. It also includes all land, easements, rights-of-way, buildings, vehicles, tools, or other things, which, by their necessity and usage, form an essential part of the electrical distribution system;

**“Manager of Operations”** means the person appointed from time to time by the City to supervise the operations of the Electrical Utility or his authorized deputy or assistant;

**“Occupier”** means the same as in the Community Charter, as amended from time to time;

**“Owner”** means the same as in the Community Charter, as amended from time to time;

**“Point of Delivery”** means the first point of connection between the City’s electrical distribution and the Customers’ electrical facilities. This will be at the service mast on overhead services (not including the attachment point for the overhead wire) and at property line on underground secondary services;

**“Power Factor”** means the percentage determined by dividing the Customer’s demand measured in kilowatts by the same demand measured in kilovolt-amperes;

**“Premises”** means the land occupied by the Customer together with any buildings, works, or improvements, which have been erected or constructed thereon;

**“Rate or Rates”** includes every toll, rate, security deposit, and interest on arrears or any other lawfully collectible charges applicable under this Bylaw for the provision and delivery of electricity in any form or services which are in any way related to the delivery of electricity;

**“Service”** means the supply of electricity from the City to any premises, and where the context requires, the electrical utility necessary to and actually used for the purposes of the supply;

**“Service Area”** means the area within the boundaries of the City currently serviced by the City’s Electrical Utility, as outlined in “Schedule A”;

**“Service Connection”** means that portion of the distribution system facilities extending from the City’s circuits on a public highway to the point of delivery. They include but are not necessarily limited to the following types:

- a) **“Overhead Service”** - That portion of an overhead service connection extending not more than 30 meters onto the Customer’s property and not beyond the first intermediate support on such property.

- b) **“Dip Service”** - A service connection provided from the City’s overhead circuits that is underground where it crosses the Customer’s property line.
- c) **“Underground Service”** - A service connection provided from the City’s underground circuits;

**“Service Entrance”** is the point on the Customer’s premises at which the point of delivery is between the City’s system and the Customer’s system;

**“Temporary Service”** means a service provided to meet a temporary need (no longer than 270 days connected) not to exceed 30 meters in length from the City’s distribution and does not include the supply of a periodical or seasonal service requirement that may occur at the same location.

### **3. ADMINISTRATION**

- 3.1 The Electrical Utility shall be administered jointly by the Financial Administration Department and the Electrical Department, and the management of such departments shall be directly responsible to the Chief Administrative Officer.
- 3.2 The Financial Administration Department, under the control of the Chief Financial Officer, shall be totally responsible for the business management of the Electrical Utility. The department will be responsible for the control and management of all financial matters pertaining to the operation of the Utility and preparation of budgets, financial statements pertaining to the Electrical Utility operation, and for the preparation of all bills and accounts, and the collection of same, all in accordance with the rates and charges outlined in “Schedule C”, and the billing and collection regulations outlined in “Schedule D”, attached to this bylaw.
- 3.3 The Electrical Department, under the control of the Manager of Operations shall be responsible for the construction, maintenance and operation of all the properties and physical plant owned or controlled by the City, which are necessary for and pertinent to the proper operation of the Electrical Utility.

The Manager of Operations shall also be responsible for:

- a) all matters directly related to the supply of service to Customers of the Electrical Utility and the maintenance of good quality service to such Customers;
- b) determining that all works constructed by or for the Electrical Utility are in accordance with applicable requirements for electric utilities in the Province of British Columbia;

- c) ensuring, to the best of his/her ability, the safety of all employees of the Electrical Department and of the City who may be performing works related to the operation of the Electrical Utility;
- d) the enforcement of the "Electrical Service Regulations", as outlined in "Schedule B" of this bylaw. He/She shall also ensure that all policies, procedures and the works installed, constructed, altered, repaired or maintained for the Electrical Utility are done in such a manner as will cause minimal damage or danger to life or property of the employee or public at large. He/she shall be responsible at all times to the Chief Administrative Officer.

#### **4. TERMS AND CONDITIONS**

##### **4.1 The City's Responsibilities:**

- a) The City will endeavour to provide a regular and uninterrupted supply of electricity but it does not guarantee a constant supply of electricity or the maintenance of unvaried frequency or voltage and shall not be responsible or liable for any loss, injury, damage or expense caused by or resulting from any interruption, termination, disconnect, failure or defect in the supply of electricity, whether caused by the negligence of the City, its servants or agents, or otherwise unless the loss, injury, damage or expense is directly resulting from the willful misconduct of the City, its servants or agents, provided, however, that the City, its servants and agents are not responsible for any loss of profit, loss of revenues or other economic loss even if the loss is directly resulting from the willful misconduct of the City, its servants or agents.

##### **4.2 The Customer's Responsibilities:**

- a) Every Customer shall comply with the terms and conditions set out in "Schedule B".
- b) Every Customer shall pay for the service in accordance with the rates and charges outlined in "Schedule C" of this bylaw.
- c) The Customer also agrees to pay for the service based on the Electrical Billing and Collection Regulations, outlined in "Schedule D" of this bylaw.
- d) If a Customer does not pay the fees and charges, outlined in all portions of this bylaw, on or before December 31st in the year that the rates or charges were due and payable, then those rates and charges will be added to and form part of the taxes payable on the property as taxes in arrears.

- e) The Customer is responsible for supplying all the information necessary to properly determine the service requirements.
- f) The Customer shall be responsible for the installation of the service entrance and the meter location, which shall be located at a point satisfactory to the City.

## **5. VIOLATIONS AND PENALTIES**

- 5.1 Any person guilty of any violation or infraction of any of the provisions of this Bylaw (whether expressly declared or not), shall be liable, upon conviction, to a fine of not more than Two Thousand (\$2000.00) Dollars and costs of prosecution. The penalties imposed under this sub-Section supplement and are not a substitute for any other remedy to an infraction of this bylaw.

## **6. APPLICATION**

- 6.1 This bylaw applies to all lands within the Service Area.

## **7. SEVERABILITY**

- 7.1 If any Section, sub-Section, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

## **8. REPEAL**

- 8.1 The City of Grand Forks "**Electrical Utility Regulatory Bylaw No. 1975, 2014**" and "**Electrical Utility Regulatory Amendment Bylaw No. 2009, 2015**" and all amendments thereto are hereby repealed.

## **9. ENACTMENT**

- 9.1 This bylaw is to take effect upon adoption by the Council of the Corporation of the City of Grand Forks.

Read a **FIRST** time this \_\_\_\_ day of \_\_\_\_\_ 2015.

Read a **SECOND** time this \_\_\_\_ day of \_\_\_\_\_ 2015.

Read a **THIRD** time this \_\_\_\_ day of \_\_\_\_\_ 2015

**FINALLY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor Frank Konrad

\_\_\_\_\_  
Corporate Officer – Diane Heinrich

**CERTIFICATE**

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2015, as passed by the Municipal Council of the Corporation of the City of Grand Forks on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

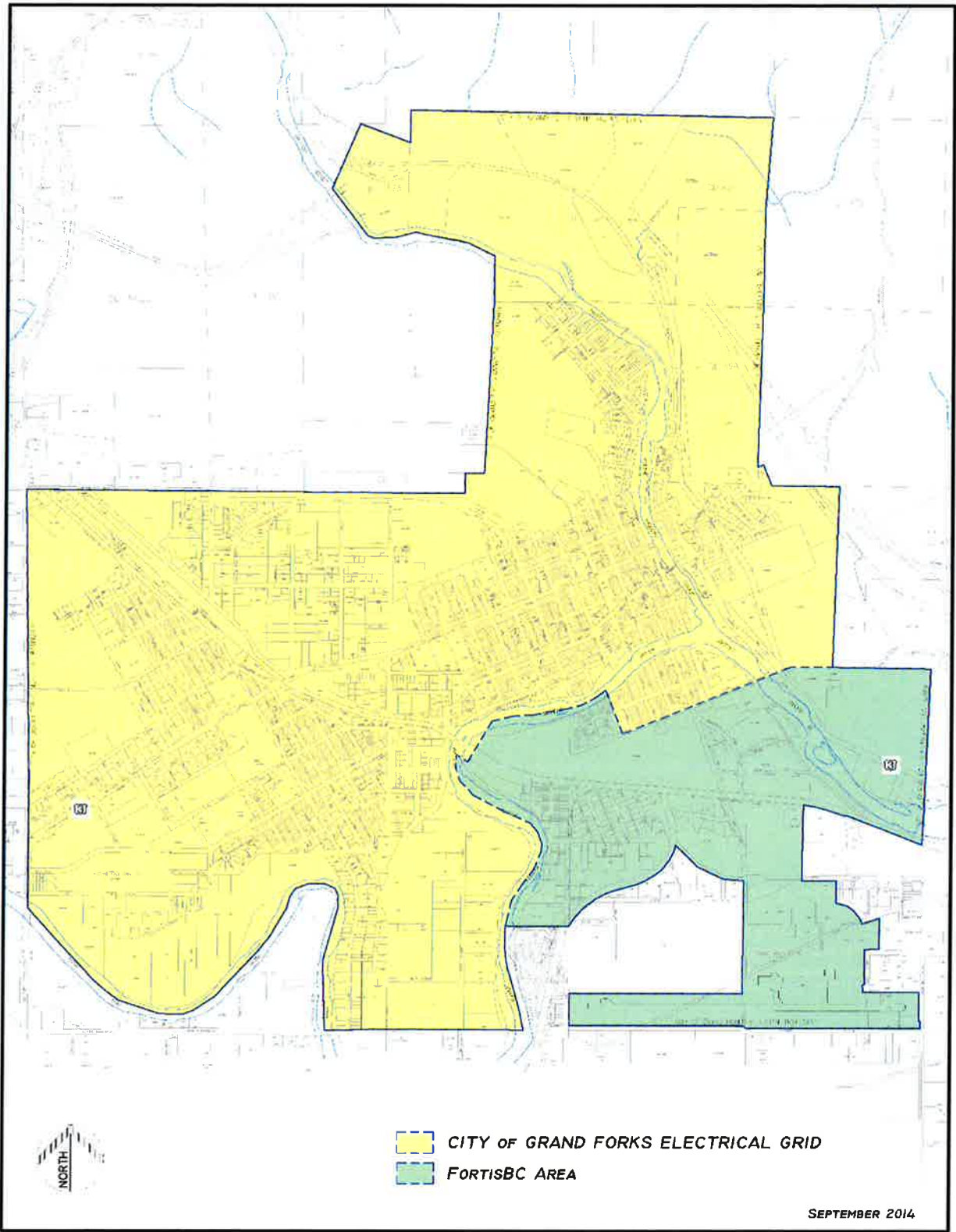
\_\_\_\_\_  
Corporate Officer of the Municipal Council of the  
City of Grand Forks

\_\_\_\_\_  
Date Signed



**SCHEDULE A**

**CITY OF GRAND FORKS ELECTRICAL SERVICE AREA**



**SCHEDULE B**

**CITY OF GRAND FORKS**  
**ELECTRICAL SERVICE REGULATIONS**

**1. Terms and Conditions of Use and Supply of Electrical Energy:**

- 1.1 Every Customer shall, in respect of any real property of that Customer to which electrical energy is supplied by the City:
- (a) pay to the City, in accordance with the rates and charges set out in "Schedule C" and in accordance with "Schedule D", for the electrical energy supplied by the City to that real property;
  - (b) ensure that electrical energy supplied by the City to that real property is not used for any purpose other than the purpose identified in the application for service relating to that real property;
  - (c) not damage, and shall ensure that occupiers of or invitees to that real property do not damage, any electrical equipment or facilities installed by the City on that real property. This is to include any seal or sign attached to that equipment;
  - (d) ensure that nothing is done on that real property, including without limitation an alteration of wiring, that will or may appreciably change the amount or nature of the load imposed on the Electrical Utility, without the prior consent of the Manager of Operations;
  - (e) ensure that officers, employees and agents of the City have safe and unobstructed access on that real property at all reasonable times for the purpose of ensuring that this Bylaw is being complied with, testing the Owner's electrical energy system, or carrying out any other activity that is necessary for the proper operation of the Electrical Utility;
  - (f) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of this Schedule, pay to the City the charge set out in Section 4.1 of Schedule "C" as a return visit charge;
  - (g) ensure that the power factor applicable to the delivery of electrical energy to that real property is not lower than 95%;

- (h) ensure that single phase motors rated larger than two (2) horsepower are not used on 120 volt circuits without the prior written consent of the Manager of Operations;
  - (i) ensure that motors of 20 horsepower or larger are equipped with reduced voltage starters or other devices approved in writing by the Manager of Operations, unless otherwise authorized in writing by the Manager of Operations;
  - (j) ensure that 120 volt circuits are connected so as to balance as nearly as possible the currents drawn from the circuits at the point of delivery;
  - (k) ensure that space heating units having a rating of 3 kw or larger are individually thermostatically controlled and that no single in-line thermostat is used to control more than 6 kw of rated capacity;
  - (l) ensure that the phase heating units controlled by one switch or thermostat have no more than 25 kw of rated capacity; and
  - (m) ensure that no facilities capable of generating electricity, except as otherwise permitted in this bylaw, are installed, unless those facilities are at all times electrically isolated from the Electrical Utility.
- 1.2 The City shall retain full title to all electrical equipment and facilities up to the point of delivery, including without limitation all electrical metering devices, installed by the City for the purpose of supplying and measuring electrical energy under this Bylaw.
- 1.3 The City may, from time to time, conduct tests of any Customer's power factor, and where that power factor is found by the City to be lower than 95%, the Customer shall, within 30 days of a written request to do so from the City, install, at his or her expense, power factor corrective equipment acceptable to the Manager of Operations.
- 1.4 Every Customer is liable for, and shall pay to the City forthwith after receiving an invoice setting out those costs, any costs incurred by the City in repairing any damage caused to the Electrical Utility or to any equipment or facilities installed by the City on that Customer's real property, where the damage occurs as a result of the failure of the Customer to comply with any provision of this Bylaw.
- 1.5 The City may discontinue the supply of electrical energy for any or all of the following reasons to any property where the owner or any other person on that property using the electrical energy:
- (a) failure to comply with the rules established under this Bylaw for the use of the service;

- (b) in the opinion of the Manager of Operations, the continued supply of electrical energy to that real property would or might be harmful to the Electrical Utility, create an unreasonable demand on that system, or create an abnormal or unacceptable fluctuation of the line voltages of that system;
  - (c) discontinuance is necessary to enable the City to repair or maintain the Electrical Utility;
  - (d) by reason of a shortage of supply or otherwise, the City considers that it cannot practically continue to supply electrical energy to that real property;
  - (e) a previously metered service has been disconnected for more than 1 year.
  - (f) failure to pay when due any user fees, charges, or taxes imposed under this or any other bylaw of the City in relation to the service.
- 1.6 The supply of electrical energy may be limited or interrupted by the City to accommodate routine maintenance or the construction of improvements to the municipal Electrical Utility.
- 1.7 Except in the case of an emergency, the City will endeavor to provide reasonable notice to affected parties of any service interruption or limitation of service.
- 1.8 Before discontinuing service due to non-compliance with any of the provisions of this bylaw, the City will:
  - (a) provide the owner and all occupiers of that property with at least thirty (30) days notice in writing of discontinuation of the service
  - (b) give the person affected the opportunity to make representations to Council in respect of such non-compliance at a regularly scheduled Council meeting that is scheduled to take place within thirty (30) days following delivery of the notice of discontinuation, provided that the owner or occupier wishing to make the representations notifies the City's Corporate Officer of their intention to do so at least 24 hours before that Council meeting.
- 1.9 Notice under Section 1.8(a) may be given by one or more of the following:
  - (a) posting notice on the property;
  - (b) providing notice on an Owner's and Occupier's electrical utility bill;
  - (c) mailing notice to the address(es) supplied by the Owner and Occupier or the address of the property;



- (d) telephoning the Owner and Occupier, which may include speaking directly to the Owner or leaving a message at the telephone numbers supplied.
  - (e) Electronic mail (E-Mail) the Owner and Occupier at the email address(es) supplied.
- 1.10 The City is not responsible for any notice failing to reach an Owner or Occupier prior to the shut off of electrical energy.

## **2. New Service Connections**

2.1 No person may request to connect any electrical energy lines or works to the Electrical Utility unless:

- (a) the Owner of the real property to be supplied with electrical energy as a result of that connection has first:
  - i) submitted to the City a complete New Electrical Service Application in a form provided by the City;
  - ii) paid the New Electrical Service Application fee that is identified in "Schedule C" of this Bylaw as the fee applicable to the type of connection identified in the New Electrical Service Application; and
  - iii) provided evidence satisfactory to the Manager of Operations that he or she has obtained every permit and approval, including the approval of a provincial electrical inspector, that he or she is required under any enactment to obtain before requesting the connection,
- (b) the person requesting the connection is the Owner of the real property to be supplied with electrical energy as a result of that connection or a person authorized in writing by that Owner to request the connection.

2.2 All Meters shall be installed by the City, in a location approved by the Manager of Operations. Meter location specifications shall be as follows:

- (a) The meter socket shall be surface mounted, located on an outside wall and be within one Meter of the corner nearest to the point of supply, except in the case of Metering over 300 volts, the Meter shall be installed on the supply side of the Customer disconnect and Meter locations shall be approved by the Utility Department;
- (b) All meter sockets shall be installed between 1.5 meters and 2 meters above final ground level to the centre of the meter and located not more than 30 meters into the lot;
- (c) Meters shall not be installed in carports, breezeways or on decks or other similar areas;

- (d) Meters shall be installed in locations that permit safe and unfettered access by employees or agents of the City;
- (e) The Manager of Operations, at his/her sole discretion, may make exceptions to the general specifications for meter installations, where a standard location will cause design and installation difficulties, subject to the meter remaining accessible to the City at all times;
- (f) The Manager of Operations may require, at the Customer's expense, that the Customer relocate any meter that is located in an area that cannot be conveniently accessed by the City at all times, or is considered by the Manager of Operations to be unsafe;
- (g) For all electrical Services in excess of 200 amperes, the Customer shall supply and install an enclosure for current and potential transformers and the design of the enclosure shall first be approved by the Manager of Operations;
- (h) Primary voltage metering connections shall have metering installations paid for by the Customer;
- (i) The Manager of Operations may refuse connection of any electrical Service built in a location not approved by the Manager of Operations, or not built to accepted standards;
- (j) The City will not supply transformation from one secondary voltage to another secondary voltage;
- (k) The City reserves the right to determine the supply voltage of all electrical Service connections;

## 2.3 Nominal Secondary Supply Voltages are:

- (a) From pole mounted transformers:
  - i. Single Phase – 120/240 volts, 3 wire, maximum 400 amperes.
  - ii. Three Phase - 120/208 volts, 4 wire, maximum 400 amperes transformation capacity.
  - iii. Three Phase - 347/600 volts, 4 wire, maximum 400 amperes transformation capacity.
- (b) From pad mounted transformers:
  - i. Single Phase – 120/240 volts, 3 wire, maximum 800 amperes.

- ii. Three Phase – 120/208 volts, 4 wire, maximum 500 kVA transformation capacity.
    - iii. Three Phase – 347/600 volts, 4 wire, maximum 2,500 kVA transformation capacity.
  - (c) Delta services are prohibited.
  - (d) For loads or supply voltages different from those listed in this Section (e.g. 277-480 volts), the Manager of Operations may require that a Customer supply their own transformation facilities and take service at the available primary voltage; or supply their own secondary voltage conversion transformation.
  - (e) All facilities and equipment to be connected to the City's facilities must be in a condition that is approved by the Manager of Operations. Installation must be carried out in a manner to ensure proper balancing of phases and circuits, and to ensure that the City's equipment is not endangered or that no abnormal voltage fluctuations are anticipated. All three-phase, four-wire facilities must be designed to prevent the load on the phase with the highest load exceeding that on the phase with the lowest load by more than ten (10%) percent.
- 2.4 Customer owned electrical facilities must not be extended across, under or over a street, lane, alley or other public or private space not owned by the Customer for the purpose of servicing more than one Premise through one meter.
- 2.5 It is the Customer's sole responsibility to obtain any easements or statutory rights of way required by the City or others, to permit the installation of an electrical Service.

### **3.0 Electrical Utility Extension**

- 3.1 The Manager of Operations is not required to approve any New Electrical Service Application in respect of any real property, where the connection cannot be made without an extension of the City's electrical service line, unless:
- (a) the City has first approved (and it is under no obligation to do so) the extension of that service line;
  - (b) the Owner has first paid to the City the cost estimated by the City to extend that service line, which cost shall include, without limitation, the cost of installing any poles or other works or appurtenances related to that service line extension; and
  - (c) the Owner has first granted to the City, or ensured that others have granted to the City, statutory rights-of-way, satisfactory to the City over

any property on which the service line is to be located that is not under the possession and control of the City.

- 3.2 Where the cost incurred by the City in extending a Service line to any real property exceeds the amount paid by the Owner of that real property under Section 3.1(b) of this Schedule, the Owner shall forthwith upon receiving a bill from the City pay to the City the amount of that excess, and where the amount paid by the Owner to the City under Section 3.1(b) of this Schedule exceeds the cost incurred by the City in extending the service line, the City shall pay the amount of the excess to the Owner.
- 3.3 Subject to Section 3.5 of this Schedule, where a property Owner pays for the extension of a service line under Section 3.1(b) of this Schedule and the extension has the capacity to serve land other than land owned by that property Owner, each property Owner whose property is subsequently connected to that extension shall pay to the City for each electrical service connection made within that extension, in addition to any other charges applicable under this Bylaw, the following amount, and the original property Owner who paid for the service line extension will be reimbursed the following amount:

		<u>1</u>
<i>Cost of service line extension paid by the original property owner</i>	<b>X</b>	<i>Sum of the possible service connections which could be made within the service line extension based on the City's bylaws regulating the subdivision of land, plus one (for original service)</i>

- 3.4 For the purpose of Section 3.3 of this Schedule, the number of possible service connections referred to in the calculation described in that Section is the number estimated by the Manager of Operations at the time the original property Owner applies for the service line extension.
- 3.5 Section 3.3 of this Schedule ceases to apply to a service line extension on the earlier of:
- (a) the day on which the property Owner who paid the cost of the service line extension has been reimbursed that cost less the amount obtained as a result of the calculation referred to in Section 3.3 of this Schedule, or
  - (b) the day which is five (5) years after the day on which the service line extension is completed.

#### **4. Electrical Energy Accounts**



- 4.1 No person shall use electrical energy supplied by the City unless an Owner of real property to which that electrical energy has an Electrical Utility account in his or her name.

**5. New Accounts**

- 5.1 An Owner of real property to which electrical energy is being, or is capable of being supplied, may apply to the City to have an Electrical Utility account opened in his or her name by submitting to the City a completed Existing Electrical Account Application in a form provided by the City and by paying to the City, the existing service connection charge set out in Section 4.1 of "Schedule C".

**6. Turning Off or On Existing Service**

- 6.1 An Owner of real property may apply to have an existing electrical service turned off or on or a disconnected meter reconnected by submitting to the City a completed Existing Electrical Account Application in a form provided by the City and by paying to the City the existing service connection charge set out in Section 4.1 of "Schedule C".

**7. Meter Reading**

- 7.1 An Owner of real property or a person designated by the Owner as the agent, may apply to have an electrical meter read by submitting to the City a written request in the form provided by the City and by paying to the City the existing service connection charge set out in Section 4.1 of "Schedule C".

**8. Refusal to Connect or Serve**

- 8.1 The City may refuse to provide service to any customer who has an unpaid account at any premises within the Service Area or who has otherwise failed to comply with any provision of this Bylaw.

**9. Point of Delivery and Metering**

- 9.1 For overhead secondary service connections, the point of delivery shall be where the Customer's circuit connects to the City's overhead system at the service mast (not including the attachment point or structure). For an underground secondary service the point of delivery shall be where the underground circuit enters the property owned or occupied by the Customer.
- 9.2 The metering of the Customer's load demand and energy consumption shall be done by facilities owned and provided by the City. The Customer shall, where required, make all necessary provisions for the installation of the City's facilities, including any necessary wiring and fittings and boxes, to the satisfaction of the

City and in accordance with all the applicable electrical inspection rules and safety requirements.

- 9.3 The Customer shall take all reasonable care to protect all meters and related apparatus belonging to the City on the Customer's premises and shall reimburse the City for any loss or damage occurrence to same except to the extent that the Customer is able to show that loss or damage was due to defects in such facilities or to omission or negligence on the part of the City's employees.
- 9.4 Where separate points of delivery exist for the supply of electricity to a single Customer or more than one meter is required to properly measure the load demands, consumption and power factors of the Customer's loads as supplied under the applicable rates Schedules, the readings of such meters will be billed separately unless their combination is specifically authorized by the City.

## **10. Removal of Hazardous Trees from Private Property**

- 10.1 The City may without notice to, or the consent of the property Owner, as the case may be, enter at any reasonable time upon all lands and premises for the purpose of inspecting any trees, shrubs and other growths or any other obstacles which may, in the City's sole discretion, constitute a danger or a hazard to the electrical distribution system.
- 10.2 The City may give notice ("the Notice") to a property Owner, which would require the property Owner to remove, cut, top, prune, move, or otherwise deal with any trees, shrubs and other growths or any other obstacles on a one time or periodic basis that, in the City's sole discretion, may endanger or present a hazard, or become dangerous or hazardous to the electrical distribution system.
- 10.3 Unless the Notice expressly excludes the requirement to obtain approval in advance, a person will not undertake any works relating to any tree, shrub, or growth that is subject of the Notice, without the prior approval of the City, by filing a work plan, which is satisfactory to the City.
- 10.4 If the property Owner fails to comply with the requirements in the Notice within 20 days of the date of the Notice, or such other later date that may be specified in the Notice, to the satisfaction of the City, then the City may enter at any reasonable time upon the premises for the purpose of removing, cutting, topping, pruning, moving or otherwise dealing with any trees, shrubs and other growths or any other obstacles on a one time or periodic basis or otherwise as required by the Notice.
- 10.5 Notwithstanding the issuance of the Notice, the City may exercise its rights, powers and obligations under this Section to remove the trees, shrubs and other growths or other obstacles that are the subject of the Notice, and the property

Owner will compensate and be liable to the City for all costs and expenses incurred by the City in performing the works undertaken by the City.

- 10.6 The City may without notice to, or the consent of the property Owner, as the case may be, enter at any reasonable time upon all lands and premises for the purpose of cutting down any trees, shrubs and other growths or remove any other obstacles that, in the City's sole discretion present an immediate danger or hazard to the electrical distribution system.
- 10.7 The property Owner will be liable to the City for all costs and expenses incurred by the City in performing the works undertaken by the City pursuant to this Section.
- 10.8 If the property Owner, fails to comply with any Notice issued under this Section, or obstructs, resists, interferes or otherwise fails to cooperate with the City when the City is exercising its rights, under this bylaw, then the property Owner will be responsible, liable or otherwise held accountable for any and all costs, expenses, damages or injuries which are suffered or incurred by the City, its employees, agents, contractors, either directly or indirectly, or which result in damage to the electrical distribution system.
- 10.9 When exercising its rights under this bylaw, the City is not responsible, liable or otherwise accountable, either directly or indirectly, for any costs, expenses, damages or injuries that are suffered or incurred by any property Owner or person which are a result of:
- (a) its entry upon, occupation of or exit from any premises;
  - (b) its trespass on any premises or property;
  - (c) a nuisance created by it;
  - (d) an invasion of privacy committed by it; or
  - (e) its negligent actions or inactions .
- 10.10 Nothing in this Section or Bylaw shall be construed as imposing any additional duty, obligation or requirement on the City to remove, cut, top, prune, move, or otherwise maintain any trees, shrubs, growths or other obstacles that would not otherwise be imposed on the City and at all times, with or without notice, it is the customers responsibility to keep all the trees, shrubs and other growths or other obstacles clear of power lines or electrical infrastructure on the Customers private property.

## **11. Photo-Voltaic Services**

- 11.1 Available for residential usage with solar (PV) installations of not more than 10 kVA (  $kVA = \frac{kWAC}{\text{Power Factor}}$  ).

Commercial photo-voltaic services may be allowed at the discretion of the City.

- 11.2 Each residential photo-voltaic service requires a bi-directional meter which will be installed by the Grand Forks Manager of Operations at the owners cost. Energy in excess of the residence consumption will be purchased by the Electrical Utility at the residential sales rate subject to:
- (a) Energy surplus will be accumulated in each billing cycle and applied first to subsequent consumption.
  - (b) The first 4,000 kWh of annual excess energy will be purchased at the residential rate in effect at the year end. Any energy in excess of 4,000 kWh will be purchased at the prevailing avoided cost of energy purchase.
  - (c) Any surplus over \$50 at year end will be paid to the customer.
  - (d) Any surplus of \$50 or less will be applied as an energy credit to the account.
  - (e) Grid interconnection must be made in accordance with the City's "Interconnection Requirements for Residential Photo-Voltaic Power Producers Guidelines" document, provided by the City and amended from time to time.
- 11.3 Independent Power Producer (IPP) projects or commercial projects not covered in Section 11.1 require special considerations. Approval for the interconnection of power purchase rates will be at the sole discretion of the Grand Forks Electric Utility and structured to prevent negative operating and financial impacts to the electric utility and its rate payers.

## **SCHEDULE C**

### **CITY OF GRAND FORKS** **ELECTRICAL UTILITY RATES AND CONNECTION CHARGES**

#### **1. Residential Service**

Available for residential usage in general including lighting, water heating, spaces heating and cooking.

- (a) Basic minimum service charge: \$16.97/month, plus
- (b) Electrical rate based on the actual consumption: \$0.10667 per KWH

#### **2. Commercial/Industrial/Institutional Service**

Available to all ordinary business, commercial, industrial, and institutional customers, including schools and hospitals, where electricity is consumed for lighting, cooking, space heating and single and three-phase motors. Customers requiring primary or secondary service beyond the normal single phase, 200 amp connection may be required to provide the necessary equipment and transformers, which may be situated on their property, at their own cost.

- (a) Basic minimum service charge: \$18.37/month, plus
- (b) Electrical rate per consumption for the first  
200,000 KWH or less in a two-month billing period: \$0.11415 per KWH
- (c) Electrical rate per consumption for all usage above  
200,000 KWH in a two-month billing period: \$0.08471 per KWH

#### **3. Seasonal Loads (minimum period of service is three months)**

Available for irrigation and drainage pumping and other repetitive seasonal loads taking service specifically agreed to by the City. The Customer will be required to provide all necessary service drop improvements including any step-down transformers at their direct cost unless otherwise specifically agreed to in writing by the City.

- (a) Basic minimum service charge: \$17.57/month, plus
- (b) Electrical rate based on the actual consumption: \$0.11415 per KWH

#### **4. Service Charges**

##### **4.1 Existing Service Connection and Reconnection Charges:**

A fee of **\$50.00** (plus applicable taxes) shall apply to all applications involving the following:

- (a) the owner of real property wishes to establish a new electrical utility account in their name;
- (b) the owner of real property wishes to have the electrical meter read;
- (c) the owner of real property wishes to have the existing electrical service turned off and/or turned on;
- (d) the owner of real property wishes a reconnection of a meter after disconnection for violation of the Terms and Conditions contained in this bylaw; and
- (e) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of "Schedule B."

This fee is designed to defray the costs involved with service calls, meter readings, account set-up and adjustments and billing preparation in addition to the normal cycle. The Customer will therefore be charged for all activity to amend existing accounts including when the Customer is required to pay the charges applicable for a New Electrical Service or Upgraded Service. If an existing service has been disconnected or salvaged due to inactivity (9 months or more) it will be treated as a new installation.

#### 4.2 New Service Installations or Upgrading of Existing Service:

- (a) Basic Single Phase Overhead Connection
  - i) 200 amp service \$ 700.00
  - ii) 400 amp service \$1,700.00

The City will provide up to 30 meters of appropriate sized wire, do the connection on the customers service entrance, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (b) Basic Single Phase Underground Connection (includes dip service)
  - i) 200 amp service \$ 1,230.00
  - ii) 400 amp service \$ 2,230.00

The City will provide up to 30 meters of appropriate sized wire, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (c) All other services greater than 400 amp At Cost
- (d) Three Phase - Overhead/Underground At Cost

New development, whether residential or commercial, single phase or three phase services, requiring transformers and related equipment, shall be at the sole cost of the developer. All new service installations or upgrading of existing service costs are payable in advance of the installation and are subject to applicable taxes.

#### 4.3 Temporary Construction Service

- (a) Temporary service - 100 amp or less \$250.00.

The City will make the connection to the City's distribution and install the appropriate meter. The Customer will supply and install all other required equipment

#### 4.4 Meter Checking

All meters shall remain the property of the City and are subject to testing at regular intervals by the Electricity Meters Inspection Branch of the Canada Department of Consumer and Corporate Affairs, or a certified meter inspection facility, responsible for affixing government seals on meters. No seal shall be broken and if found so the account holder will be charged for any costs incurred by the City to rectify the issue.

If a customer doubts the accuracy of the meter serving his/her premises, he/she may request that it be tested. Such requests must be accompanied by a payment of the applicable charge as follows:

- (a) Meter removal charge and "in-house" inspection \$ 50.00.
- (b) Canada Department of Consumer and Corporate Affairs or a certified meter inspection facility, should it become necessary, shall be paid as determined by that Agency along with a \$50.00 administration charge.

If the meter fails to comply with the Electricity Meters Inspection Branch requirements and only if the meter is deemed to be overcharging, the City will refund the appropriate amount.

#### 4.5 Estimation of Readings

The City may estimate energy consumption and maximum power demand from the best evidence available where a meter has not been installed or is found to be not registering or when the meter reader is unable to read the meter on his/her regular meter reading trip.

Applicable to Residential Customers



An optional service will be offered to those customers who prefer not to have a radio read meter at their service entrance. A digital non-radio read meter will be installed as an alternate to the standard digital radio read meter.

The customer will be required to pay a onetime 'Setup Charge". For each billing cycle thereafter the customer will be required to pay a 'Manual Read Charge" along with the regular residential service rates applicable under this bylaw.

This service may be discontinued if it is not compatible with the Technology, Practices, Procedures or Capacity of the Electrical Utility. In the event of program cancellation a refund of the setup fee will be made to any customer who subscribed to the service less than two years prior.

Rate: Setup Charge: \$162.95

Manual Read Charge: \$14.98

#### **SCHEDULE D**

### **CITY OF GRAND FORKS** **ELECTRICAL BILLING AND COLLECTION REGULATIONS**

#### **1. Billings and Payment of Accounts**

- 1.1 Bills will be rendered on a basis of actual consumption, in accordance with the rates set out in "Schedule C".
- 1.2 Bills will be rendered on a bi-monthly basis and will be issued as early as practical in the billing period following that for which the Customer's bill has been determined.
- 1.3 Bills are due and payable upon presentation. Accounts not paid by the "Due Date" imprinted on the statement shall be deemed to be in arrears.
- 1.4 Except as otherwise provided in this Bylaw, or in any amendments thereto, no money received by the City in payment of rates or charges chargeable under this Bylaw or under any amendments thereto, shall be applied to the payment of the rates or charges for the then current month, until all rates and charges which became due in previous months have been fully paid.
- 1.5 Any rates or charges that have come into arrears by the thirty-first (31st) day of December in the year imposed are deemed to be taxes in arrears and bear interest from said date at the rate specified in Section 245 of the Community Charter, as amended from time to time.

## 1.6 Equal Payment Plan

Upon application, the City will permit qualifying Customers to make equal monthly payments. The payments will be calculated to yield during the period ending in December, the total estimated amount that would be payable by the Customer calculated by applying the applicable rate, to the Customer's estimated consumption during the period. Customers may make application at any time of the year. All accounts will be reconciled in December.

A Customer will qualify for the plan provided the account is not in arrears and the Customer expects to be on the plan for at least one year.

The equal payment plan may be terminated by the Customer or the City if the Customer has not maintained satisfactory credit. The City deems credit to be unsatisfactory if for any reason two payments fail to be honoured.

On the reconciliation date, the amount payable to the City for electricity will be determined by subtracting the sum of equal payments from the actual consumption charges during the equal payment period. Any resulting amount owing by the Customer will be paid to the City. Any excess of payments over charges will be carried forward and included in the calculation of the equal payments for the next period. On termination of account and after the final bill has been calculated, any credit balance will be refunded to the Customer.

## 1.7 Penalty

A penalty, as set out in the City's Fees & Charges Bylaw, will be added to outstanding balances of all accounts after the due date. This provision does not apply to equal payment plan Customers.

## 1.8 Back-Billing

For the purposes of this Bylaw, back billing shall mean the billing or re-billing for services to a Customer because original billings are discovered to be either too high (over-billed) or too low (under-billed). The discovery may be made by either the Customer or the City.

Where metering or billing errors occur, the consumption shall be based upon the records of the City for the Customer, the Customer's own records to the extent they are available and accurate, or reasonable and fair estimates made by the City. Such estimates shall be on a consistent basis within each rate class or according to a contract with the Customer, if applicable.

If there are reasonable grounds to believe that the Customer has tampered with or otherwise used the service in an unauthorized way, or evidence of fraud, theft or other criminal act exists, then the extent of back-billing shall be for the duration

of unauthorized use as determined solely by the Manager of Operations, subject to the applicable limitation period provided by law.

In addition, the Customer shall be liable for the direct administrative costs incurred by the City in the investigation of any incident of tampering, including the direct costs of repair, or replacement of equipment.

In a case of over-billing, the City may refund to the Customer all money incorrectly collected for the duration of the error, subject to the applicable limitation period provided by law.

In cases of under billing, the City may offer the Customer reasonable terms of repayment. If requested by the Customer, the repayment term may be equivalent in length to the back-billing period. The repayment may be interest free and in equal installments corresponding to the Customer's normal billing cycle. However, delinquency in payment of such installments shall be subject to the usual late payment charge.

Subject to the rest of Section 1 of this Schedule, all bills will be sent to the Owner of real property to which electrical energy is supplied by the City.

An Owner of real property to which electrical energy is or may be supplied under this Bylaw may deliver to the City a request in writing, signed by that Owner, requesting that the City send electrical energy Bills relating to that real property to an occupier of that real property and where that occupier consents in writing to receive those electrical energy bills, the City may send the electrical energy bills to that occupier until:

- (a) the City becomes aware that the occupier has ceased to occupy that real property;
- (b) electrical energy service to that real property is discontinued; or
- (c) the Owner of that real property requests in writing that bills relating to that real property be sent to that Owner. Where electrical energy bills are sent to an occupier of real property under Section 1 of this Schedule, the Owner of that real property remains the Customer for the purposes of this Bylaw

## **2. Term of Service**

Unless otherwise specifically provided for in these terms and conditions, the terms of service shall:

- (a) commence on the day that the City's supply is connected to the Customer's service installation and is capable of supplying their electricity needs; and
- (b) continue thereafter until cancelled by written notice given in advance by at least two business days by either party. The amount of the account outstanding upon cancellation shall be deemed due and payable immediately.

### **3. Application of Rates**

All electrical Energy supplied by the Electric Utility to its appropriate Customer classifications shall be billed in accordance with the applicable rates as set out in "Schedule C" of this Bylaw or by other superseding amendment schedules which Council may from time to time decide to make effective.

In addition to payments for electricity, the Customer shall pay to the City the amount of any sales taxes, goods and services taxes, or any other tax or assessment levied by any competent taxing authority on any electricity delivered to the Customer.

**THE CORPORATION OF THE CITY OF GRAND FORKS**

**ELECTRICAL UTILITY REGULATORY BYLAW NO. 1975**

**A bylaw to provide for the regulation and control of the Electrical Utility of the Corporation of the City of Grand Forks and impose rates, terms and conditions for supply of electricity service.**

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**WHEREAS** the Council of the Corporation of the City of Grand Forks considers it desirable and expedient to maintain an Electrical Department for the Grand Forks community and to make regulations for the supply of this service;

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

**1. TITLE**

- 1.1 This bylaw may be cited for all purposes as the “**City of Grand Forks Electrical Utility Regulatory Bylaw No. 1975, 2014.**”

**2. DEFINITIONS**

- 2.1 In this Bylaw, unless the content otherwise requires, the following definitions will apply:

“**Bi-Monthly**” means every two-month period;

“**City**” means the Corporation of the City of Grand Forks:

“**Chief Financial Officer**” means the Chief Financial Officer appointed by the City or his/her authorized deputy;

“**Customer**” means an Owner of real property to which electrical energy is supplied by the City;

“**Council**” means the elected Council of the Corporation of the City of Grand Forks;

“**Electrical Department**” is as defined in Section 3.3 of this bylaw;

“**Electrical Utility**” means the City’s electrical distribution system and includes all the structures, switchgear, transformers, poles, wires, cables, meters and related apparatus and facilities used in the receiving, distribution and measuring of electrical power and energy and which comprise the electrical distribution system. It also includes all land, easements, rights-of-way, buildings, vehicles,

tools, or other things, which, by their necessity and usage, form an essential part of the electrical distribution system;

**“Manager of Operations”** means the person appointed from time to time by the City to supervise the operations of the Electrical Utility or his authorized deputy or assistant;

**“Owner”** means the same as in the Community Charter, as amended from time to time;

**“Point of Delivery”** means the first point of connection between the City’s electrical distribution and the Customers’ electrical facilities. This will be at the service mast on overhead services (not including the attachment point for the overhead wire) and at property line on underground secondary services;

**“Power Factor”** means the percentage determined by dividing the Customer’s demand measured in kilowatts by the same demand measured in kilovolt-amperes;

**“Premises”** means the land occupied by the Customer together with any buildings, works, or improvements, which have been erected or constructed thereon;

**“Rate or Rates”** includes every toll, rate, security deposit, and interest on arrears or any other lawfully collectible charges applicable under this Bylaw for the provision and delivery of electricity in any form or services which are in any way related to the delivery of electricity;

**“Service”** means the supply of electricity from the City to any premises, and where the context requires, the electrical utility necessary to and actually used for the purposes of the supply;

**“Service Area”** means the area within the boundaries of the City currently serviced by the City’s Electrical Utility, as outlined in “Schedule A”;

**“Service Connection”** means that portion of the distribution system facilities extending from the City’s circuits on a public highway to the point of delivery. They include but are not necessarily limited to the following types:

- a) **“Overhead Service”** - That portion of an overhead service connection extending not more than 30 meters onto the Customer’s property and not beyond the first intermediate support on such property.
- b) **“Dip Service”** - A service connection provided from the City’s overhead circuits that is underground where it crosses the Customer’s property line.

- c) **“Underground Service”** - A service connection provided from the City's underground circuits;

**“Service Entrance”** is the point on the Customer's premises at which the point of delivery is between the City's system and the Customer's system;

**“Temporary Service”** means a service provided to meet a temporary need (no longer than 270 days connected) not to exceed 30 meters in length from the City's distribution and does not include the supply of a periodical or seasonal service requirement that may occur at the same location.

### **3. ADMINISTRATION**

- 3.1 The Electrical Utility shall be administered jointly by the Financial Administration Department and the Electrical Department, and the management of such departments shall be directly responsible to the Chief Administrative Officer.
- 3.2 The Financial Administration Department, under the control of the Chief Financial Officer, shall be totally responsible for the business management of the Electrical Utility. The department will be responsible for the control and management of all financial matters pertaining to the operation of the Utility and preparation of budgets, financial statements pertaining to the Electrical Utility operation, and for the preparation of all bills and accounts, and the collection of same, all in accordance with the rates and charges outlined in “Schedule C”, and the billing and collection regulations outlined in “Schedule D”, attached to this bylaw.
- 3.3 The Electrical Department, under the control of the Manager of Operations shall be responsible for the construction, maintenance and operation of all the properties and physical plant owned or controlled by the City, which are necessary for and pertinent to the proper operation of the Electrical Utility.

The Manager of Operations shall also be responsible for:

- a) all matters directly related to the supply of service to Customers of the Electrical Utility and the maintenance of good quality service to such Customers;
- b) determining that all works constructed by or for the Electrical Utility are in accordance with applicable requirements for electric utilities in the Province of British Columbia;
- c) ensuring, to the best of his/her ability, the safety of all employees of the Electrical Department and of the City who may be performing works related to the operation of the Electrical Utility;



- d) the enforcement of the "Electrical Service Regulations", as outlined in "Schedule B" of this bylaw. He/She shall also ensure that all policies, procedures and the works installed, constructed, altered, repaired or maintained for the Electrical Utility are done in such a manner as will cause minimal damage or danger to life or property of the employee or public at large. He/she shall be responsible at all times to the Chief Administrative Officer.

#### **4. TERMS AND CONDITIONS**

##### **4.1 The City's Responsibilities:**

- a) The City will endeavour to provide a regular and uninterrupted supply of electricity but it does not guarantee a constant supply of electricity or the maintenance of unvaried frequency or voltage and shall not be responsible or liable for any loss, injury, damage or expense caused by or resulting from any interruption, termination, failure or defect in the supply of electricity, whether caused by the negligence of the City, its servants or agents, or otherwise unless the loss, injury, damage or expense is directly resulting from the willful misconduct of the City, its servants or agents, provided, however, that the City, its servants and agents are not responsible for any loss of profit, loss of revenues or other economic loss even if the loss is directly resulting from the willful misconduct of the City, its servants or agents.

##### **4.2 The Customer's Responsibilities:**

- a) Every Customer shall comply with the terms and conditions set out in "Schedule B".
- b) Every Customer shall pay for the service in accordance with the rates and charges outlined in "Schedule C" of this bylaw.
- c) The Customer also agrees to pay for the service based on the Electrical Billing and Collection Regulations, outlined in "Schedule D" of this bylaw.
- d) If a Customer does not pay the fees and charges, outlined in all portions of this bylaw, on or before December 31st in the year that the rates or charges were due and payable, then those rates and charges will be added to and form part of the taxes payable on the property as taxes in arrears.
- e) The Customer is responsible for supplying all the information necessary to properly determine the service requirements.

- f) The Customer shall be responsible for the installation of the service entrance and the meter location, which shall be located at a point satisfactory to the City.

## 5. VIOLATIONS AND PENALTIES

- 5.1 Any person guilty of any violation or infraction of any of the provisions of this Bylaw (whether expressly declared or not), shall be liable, upon conviction, to a fine of not more than Two Thousand (\$2000.00) Dollars and costs of prosecution. The penalties imposed under this sub-Section supplement and are not a substitute for any other remedy to an infraction of this bylaw.

## 6. APPLICATION

- 6.1 This bylaw applies to all lands within the Service Area.

## 7. SEVERABILITY

- 7.1 If any Section, sub-Section, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

## 8. REPEAL

- 8.1 The City of Grand Forks "**Electrical Utility Regulatory Bylaw No. 1543, 1998**" and all amendments thereto are hereby repealed.

## 9. ENACTMENT

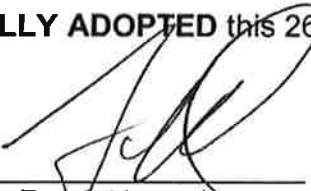
- 9.1 This bylaw is to take effect upon adoption by the Council of the Corporation of the City of Grand Forks.

Read a **FIRST** time this 6th day of October, 2014.

Read a **SECOND** time this 6th day of October, 2014.

Read a **THIRD** time this 12<sup>th</sup> day of January, 2015.

**FINALLY ADOPTED** this 26<sup>th</sup> day of January, 2015.

  
\_\_\_\_\_  
Mayor Frank Konrad

  
\_\_\_\_\_  
Acting Corporate Officer – Sarah Winton

**CERTIFICATE**

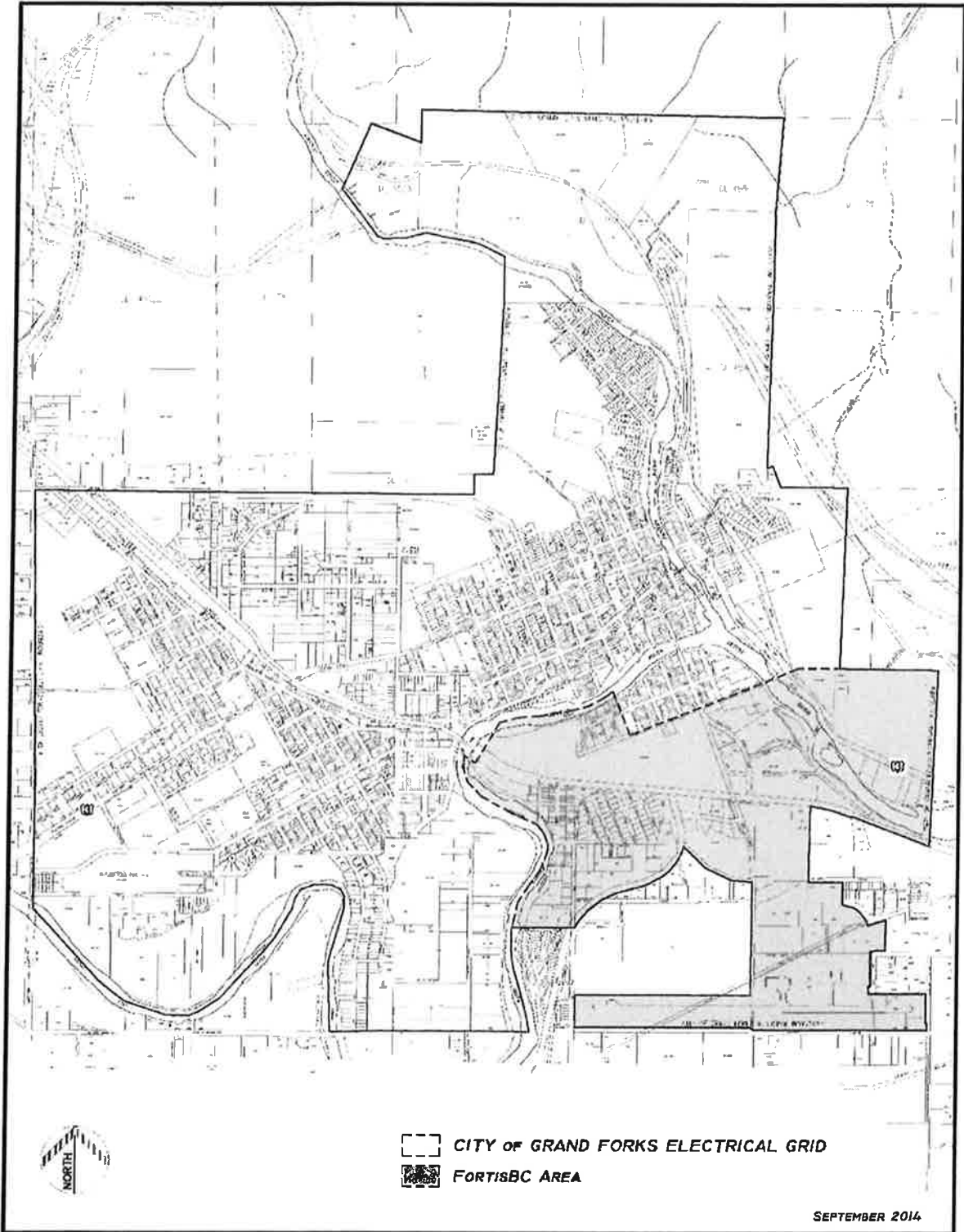
I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1975, as passed by the Municipal Council of the Corporation of the City of Grand Forks on the 26<sup>th</sup> day of January, 2015.

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

\_\_\_\_\_  
Date Signed

**SCHEDULE A**

**CITY OF GRAND FORKS ELECTRICAL SERVICE AREA**



**SCHEDULE B**

**CITY OF GRAND FORKS**  
**ELECTRICAL SERVICE REGULATIONS**

**1. Terms and Conditions of Use and Supply of Electrical Energy:**

- 1.1 Every Customer shall, in respect of any real property of that Customer to which electrical energy is supplied by the City:
- (a) pay to the City, in accordance with the rates and charges set out in "Schedule C" and in accordance with "Schedule D", for the electrical energy supplied by the City to that real property;
  - (b) ensure that electrical energy supplied by the City to that real property is not used for any purpose other than the purpose identified in the application for service relating to that real property;
  - (c) not damage, and shall ensure that occupiers of or invitees to that real property do not damage, any electrical equipment or facilities installed by the City on that real property. This is to include any seal or sign attached to that equipment;
  - (d) ensure that nothing is done on that real property, including without limitation an alteration of wiring, that will or may appreciably change the amount or nature of the load imposed on the Electrical Utility, without the prior consent of the Manager of Operations;
  - (e) ensure that officers, employees and agents of the City have safe and unobstructed access on that real property at all reasonable times for the purpose of ensuring that this Bylaw is being complied with, testing the Owner's electrical energy system, or carrying out any other activity that is necessary for the proper operation of the Electrical Utility;
  - (f) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of this Schedule, pay to the City the charge set out in Section 4.1 of Schedule "C" as a return visit charge;
  - (g) ensure that the power factor applicable to the delivery of electrical energy to that real property is not lower than 95%;

- (h) ensure that single phase motors rated larger than two (2) horsepower are not used on 120 volt circuits without the prior written consent of the Manager of Operations;
  - (i) ensure that motors of 20 horsepower or larger are equipped with reduced voltage starters or other devices approved in writing by the Manager of Operations, unless otherwise authorized in writing by the Manager of Operations;
  - (j) ensure that 120 volt circuits are connected so as to balance as nearly as possible the currents drawn from the circuits at the point of delivery;
  - (k) ensure that space heating units having a rating of 3 kw or larger are individually thermostatically controlled and that no single in-line thermostat is used to control more than 6 kw of rated capacity;
  - (l) ensure that the phase heating units controlled by one switch or thermostat have no more than 25 kw of rated capacity; and
  - (m) ensure that no facilities capable of generating electricity, except as otherwise permitted in this bylaw, are installed, unless those facilities are at all times electrically isolated from the Electrical Utility.
- 1.2 The City shall retain full title to all electrical equipment and facilities up to the point of delivery, including without limitation all electrical metering devices, installed by the City for the purpose of supplying and measuring electrical energy under this Bylaw.
- 1.3 The City may discontinue the supply of electrical energy to any real property where:
- (a) the Owner of that real property has failed to comply with any provision of this Bylaw;
  - (b) in the opinion of the Manager of Operations, the continued supply of electrical energy to that real property would or might be harmful to the Electrical Utility, create an unreasonable demand on that system, or create an abnormal or unacceptable fluctuation of the line voltages of that system;
  - (c) discontinuance is necessary to enable the City to repair or maintain the Electrical Utility;
  - (d) by reason of a shortage of supply or otherwise, the City considers that it cannot practically continue to supply electrical energy to that real property;

e) a previously metered service has been disconnected for more than 1 year.

1.4 The City may, from time to time, conduct tests of any Customer's power factor, and where that power factor is found by the City to be lower than 95%, the Customer shall, within 30 days of a written request to do so from the City, install, at his or her expense, power factor corrective equipment acceptable to the Manager of Operations.

1.5 Every Customer is liable for, and shall pay to the City forthwith after receiving an invoice setting out those costs, any costs incurred by the City in repairing any damage caused to the Electrical Utility or to any equipment or facilities installed by the City on that Customer's real property, where the damage occurs as a result of the failure of the Customer to comply with any provision of this Bylaw.

## **2. New Service Connections**

2.1 No person may request to connect any electrical energy lines or works to the Electrical Utility unless:

(a) the Owner of the real property to be supplied with electrical energy as a result of that connection has first:

- i) submitted to the City a complete New Electrical Service Application in a form provided by the City;
- ii) paid the New Electrical Service Application fee that is identified in "Schedule C" of this Bylaw as the fee applicable to the type of connection identified in the New Electrical Service Application; and
- iii) provided evidence satisfactory to the Manager of Operations that he or she has obtained every permit and approval, including the approval of a provincial electrical inspector, that he or she is required under any enactment to obtain before requesting the connection,

(b) the person requesting the connection is the Owner of the real property to be supplied with electrical energy as a result of that connection or a person authorized in writing by that Owner to request the connection.

2.2 All Meters shall be installed by the City, in a location approved by the Manager of Operations. Meter location specifications shall be as follows:

(a) The meter socket shall be surface mounted, located on an outside wall and be within one Meter of the corner nearest to the point of supply, except in the case of Metering over 300 volts, the Meter shall be installed on the supply side of the Customer disconnect and Meter locations shall be approved by the Utility Department;



- (b) All meter sockets shall be installed between 1.5 meters and 2 meters above final ground level to the centre of the meter and located not more than 30 meters into the lot;
- (c) Meters shall not be installed in carports, breezeways or on decks or other similar areas;
- (d) Meters shall be installed in locations that permit safe and unfettered access by employees or agents of the City;
- (e) The Manager of Operations, at his/her sole discretion, may make exceptions to the general specifications for meter installations, where a standard location will cause design and installation difficulties, subject to the meter remaining accessible to the City at all times;
- (f) The Manager of Operations may require, at the Customer's expense, that the Customer relocate any meter that is located in an area that cannot be conveniently accessed by the City at all times, or is considered by the Manager of Operations to be unsafe;
- (g) For all electrical Services in excess of 200 amperes, the Customer shall supply and install an enclosure for current and potential transformers and the design of the enclosure shall first be approved by the Manager of Operations;
- (h) Primary voltage metering connections shall have metering installations paid for by the Customer;
- (i) The Manager of Operations may refuse connection of any electrical Service built in a location not approved by the Manager of Operations, or not built to accepted standards;
- (j) The City will not supply transformation from one secondary voltage to another secondary voltage;
- (k) The City reserves the right to determine the supply voltage of all electrical Service connections;

**2.3 Nominal Secondary Supply Voltages are:**

- (a) From pole mounted transformers:
  - i. Single Phase – 120/240 volts, 3 wire, maximum 400 amperes.
  - ii. Three Phase - 120/208 volts, 4 wire, maximum 400 amperes transformation capacity.

- iii. Three Phase - 347/600 volts, 4 wire, maximum 400 amperes transformation capacity.
  - (b) From pad mounted transformers:
    - i. Single Phase – 120/240 volts, 3 wire, maximum 800 amperes.
    - ii. Three Phase – 120/208 volts, 4 wire, maximum 500 kVA transformation capacity.
    - iii. Three Phase – 347/600 volts, 4 wire, maximum 2,500 kVA transformation capacity.
  - (c) Delta services are prohibited.
  - (d) For loads or supply voltages different from those listed in this Section (e.g. 277-480 volts), the Manager of Operations may require that a Customer supply their own transformation facilities and take service at the available primary voltage; or supply their own secondary voltage conversion transformation.
  - (e) All facilities and equipment to be connected to the City's facilities must be in a condition that is approved by the Manager of Operations. Installation must be carried out in a manner to ensure proper balancing of phases and circuits, and to ensure that the City's equipment is not endangered or that no abnormal voltage fluctuations are anticipated. All three-phase, four-wire facilities must be designed to prevent the load on the phase with the highest load exceeding that on the phase with the lowest load by more than ten (10%) percent.
- 2.4 Customer owned electrical facilities must not be extended across, under or over a street, lane, alley or other public or private space not owned by the Customer for the purpose of servicing more than one Premise through one meter.
- 2.5 It is the Customer's sole responsibility to obtain any easements or statutory rights of way required by the City or others, to permit the installation of an electrical Service.
- 3.0 Electrical Utility Extension**
- 3.1 The Manager of Operations is not required to approve any New Electrical Service Application in respect of any real property, where the connection cannot be made without an extension of the City's electrical service line, unless:
- (a) the City has first approved (and it is under no obligation to do so) the extension of that service line;

- (b) the Owner has first paid to the City the cost estimated by the City to extend that service line, which cost shall include, without limitation, the cost of installing any poles or other works or appurtenances related to that service line extension; and
- (c) the Owner has first granted to the City, or ensured that others have granted to the City, statutory rights-of-way, satisfactory to the City over any property on which the service line is to be located that is not under the possession and control of the City.

3.2 Where the cost incurred by the City in extending a Service line to any real property exceeds the amount paid by the Owner of that real property under Section 3.1(b) of this Schedule, the Owner shall forthwith upon receiving a bill from the City pay to the City the amount of that excess, and where the amount paid by the Owner to the City under Section 3.1(b) of this Schedule exceeds the cost incurred by the City in extending the service line, the City shall pay the amount of the excess to the Owner.

3.3 Subject to Section 3.5 of this Schedule, where a property Owner pays for the extension of a service line under Section 3.1(b) of this Schedule and the extension has the capacity to serve land other than land owned by that property Owner, each property Owner whose property is subsequently connected to that extension shall pay to the City for each electrical service connection made within that extension, in addition to any other charges applicable under this Bylaw, the following amount, and the original property Owner who paid for the service line extension will be reimbursed the following amount:

	<b>X</b>	$\frac{1}{\text{Sum of the possible service connections which could be made within the service line extension based on the City's bylaws regulating the subdivision of land, plus one (for original service)}}$
<p><i>Cost of service line extension paid by the original property owner</i></p>		<p><i>Sum of the possible service connections which could be made within the service line extension based on the City's bylaws regulating the subdivision of land, plus one (for original service)</i></p>

3.4 For the purpose of Section 3.3 of this Schedule, the number of possible service connections referred to in the calculation described in that Section is the number estimated by the Manager of Operations at the time the original property Owner applies for the service line extension.

3.5 Section 3.3 of this Schedule ceases to apply to a service line extension on the earlier of:

- (a) the day on which the property Owner who paid the cost of the service line extension has been reimbursed that cost less the amount obtained as a result of the calculation referred to in Section 3.3 of this Schedule, or
- (b) the day which is five (5) years after the day on which the service line extension is completed.

#### **4. Electrical Energy Accounts**

- 4.1 No person shall use electrical energy supplied by the City unless an Owner of real property to which that electrical energy has an Electrical Utility account in his or her name.

#### **5. New Accounts**

- 5.1 An Owner of real property to which electrical energy is being, or is capable of being supplied, may apply to the City to have an Electrical Utility account opened in his or her name by submitting to the City a completed Existing Electrical Account Application in a form provided by the City and by paying to the City, the existing service connection charge set out in Section 4.1 of "Schedule C".

#### **6. Turning Off or On Existing Service**

- 6.1 An Owner of real property may apply to have an existing electrical service turned off or on or a disconnected meter reconnected by submitting to the City a completed Existing Electrical Account Application in a form provided by the City and by paying to the City the existing service connection charge set out in Section 4.1 of "Schedule C".

#### **7. Meter Reading**

- 7.1 An Owner of real property or a person designated by the Owner as the agent, may apply to have an electrical meter read by submitting to the City a written request in the form provided by the City and by paying to the City the existing service connection charge set out in Section 4.1 of "Schedule C".

#### **8. Refusal to Connect or Serve**

- 8.1 The City may refuse to provide service to any customer who has an unpaid account at any premises within the Service Area or who has otherwise failed to comply with any provision of this Bylaw.

#### **9. Point of Delivery and Metering**

- 9.1 For overhead secondary service connections, the point of delivery shall be where the Customer's circuit connects to the City's overhead system at the service mast

(not including the attachment point or structure). For an underground secondary service the point of delivery shall be where the underground circuit enters the property owned or occupied by the Customer.

- 9.2 The metering of the Customer's load demand and energy consumption shall be done by facilities owned and provided by the City. The Customer shall, where required, make all necessary provisions for the installation of the City's facilities, including any necessary wiring and fittings and boxes, to the satisfaction of the City and in accordance with all the applicable electrical inspection rules and safety requirements.
- 9.3 The Customer shall take all reasonable care to protect all meters and related apparatus belonging to the City on the Customer's premises and shall reimburse the City for any loss or damage occurrence to same except to the extent that the Customer is able to show that loss or damage was due to defects in such facilities or to omission or negligence on the part of the City's employees.
- 9.4 Where separate points of delivery exist for the supply of electricity to a single Customer or more than one meter is required to properly measure the load demands, consumption and power factors of the Customer's loads as supplied under the applicable rates Schedules, the readings of such meters will be billed separately unless their combination is specifically authorized by the City.

#### **10. Removal of Hazardous Trees from Private Property**

- 10.1 The City may without notice to, or the consent of the property Owner, as the case may be, enter at any reasonable time upon all lands and premises for the purpose of inspecting any trees, shrubs and other growths or any other obstacles which may, in the City's sole discretion, constitute a danger or a hazard to the electrical distribution system.
- 10.2 The City may give notice ("the Notice") to a property Owner, which would require the property Owner to remove, cut, top, prune, move, or otherwise deal with any trees, shrubs and other growths or any other obstacles on a one time or periodic basis that, in the City's sole discretion, may endanger or present a hazard, or become dangerous or hazardous to the electrical distribution system.
- 10.3 Unless the Notice expressly excludes the requirement to obtain approval in advance, a person will not undertake any works relating to any tree, shrub, or growth that is subject of the Notice, without the prior approval of the City, by filing a work plan, which is satisfactory to the City.
- 10.4 If the property Owner fails to comply with the requirements in the Notice within 20 days of the date of the Notice, or such other later date that may be specified in the Notice, to the satisfaction of the City, then the City may enter at any reasonable time upon the premises for the purpose of removing, cutting, topping,

pruning, moving or otherwise dealing with any trees, shrubs and other growths or any other obstacles on a one time or periodic basis or otherwise as required by the Notice.

- 10.5 Notwithstanding the issuance of the Notice, the City may exercise its rights, powers and obligations under this Section to remove the trees, shrubs and other growths or other obstacles that are the subject of the Notice, and the property Owner will compensate and be liable to the City for all costs and expenses incurred by the City in performing the works undertaken by the City.
- 10.6 The City may without notice to, or the consent of the property Owner, as the case may be, enter at any reasonable time upon all lands and premises for the purpose of cutting down any trees, shrubs and other growths or remove any other obstacles that, in the City's sole discretion present an immediate danger or hazard to the electrical distribution system.
- 10.7 The property Owner will be liable to the City for all costs and expenses incurred by the City in performing the works undertaken by the City pursuant to this Section.
- 10.8 If the property Owner, fails to comply with any Notice issued under this Section, or obstructs, resists, interferes or otherwise fails to cooperate with the City when the City is exercising its rights, under this bylaw, then the property Owner will be responsible, liable or otherwise held accountable for any and all costs, expenses, damages or injuries which are suffered or incurred by the City, its employees, agents, contractors, either directly or indirectly, or which result in damage to the electrical distribution system.
- 10.9 When exercising its rights under this bylaw, the City is not responsible, liable or otherwise accountable, either directly or indirectly, for any costs, expenses, damages or injuries that are suffered or incurred by any property Owner or person which are a result of:
  - (a) its entry upon, occupation of or exit from any premises;
  - (b) its trespass on any premises or property;
  - (c) a nuisance created by it;
  - (d) an invasion of privacy committed by it; or
  - (e) its negligent actions or inactions .
- 10.10 Nothing in this Section or Bylaw shall be construed as imposing any additional duty, obligation or requirement on the City to remove, cut, top, prune, move, or otherwise maintain any trees, shrubs, growths or other obstacles that would not otherwise be imposed on the City and at all times, with or without notice, it is the customers responsibility to keep all the trees, shrubs and other growths or other obstacles clear of power lines or electrical infrastructure on the Customers private property.

## **11. Photo-Voltaic Services**

- 11.1 Available for residential usage with solar (PV) installations of not more than 10 kVA (  $kVA = \frac{kWAC}{\text{Power Factor}}$  ).

Commercial photo-voltaic services may be allowed at the discretion of the City.

- 11.2 Each residential photo-voltaic service requires a bi-directional meter which will be installed by the Grand Forks Manager of Operations at the owners cost. Energy in excess of the residence consumption will be purchased by the Electrical Utility at the residential sales rate subject to:

- (a) Energy surplus will be accumulated in each billing cycle and applied first to subsequent consumption.
- (b) The first 4,000 kWh of annual excess energy will be purchased at the residential rate in effect at the year end. Any energy in excess of 4,000 kWh will be purchased at the prevailing avoided cost of energy purchase.
- (c) Any surplus over \$50 at year end will be paid to the customer.
- (d) Any surplus of \$50 or less will be applied as an energy credit to the account.
- (e) Grid interconnection must be made in accordance with the City's "Interconnection Requirements for Residential Photo-Voltaic Power Producers Guidelines" document, provided by the City and amended from time to time.

- 11.3 Independent Power Producer (IPP) projects or commercial projects not covered in Section 11.1 require special considerations. Approval for the interconnection of power purchase rates will be at the sole discretion of the Grand Forks Electric Utility and structured to prevent negative operating and financial impacts to the electric utility and its rate payers.



## **SCHEDULE C**

### **CITY OF GRAND FORKS** **ELECTRICAL UTILITY RATES AND CONNECTION CHARGES**

#### **1. Residential Service**

Available for residential usage in general including lighting, water heating, spaces heating and cooking.

- |     |  |                     |
|-----|--|---------------------|
| (a) | Basic minimum service charge:                    | \$16.46/month, plus |
| (b) | Electrical rate based on the actual consumption: | \$0.10344 per KWH   |

#### **2. Commercial/Industrial/Institutional Service**

Available to all ordinary business, commercial, industrial, and institutional customers, including schools and hospitals, where electricity is consumed for lighting, cooking, space heating and single and three-phase motors. Customers requiring primary or secondary service beyond the normal single phase, 200 amp connection may be required to provide the necessary equipment and transformers, which may be situated on their property, at their own cost.

- |     |   |                     |
|-----|---|---------------------|
| (a) | Basic minimum service charge:   | \$17.81/month, plus |
| (b) | Electrical rate per consumption for the first<br>200,000 KWH or less in a two-month billing period: | \$0.11069 per KWH   |
| (c) | Electrical rate per consumption for all usage above<br>200,000 KWH in a two-month billing period:   | \$0.08214 per KWH   |

#### **3. Seasonal Loads (minimum period of service is three months)**

Available for irrigation and drainage pumping and other repetitive seasonal loads taking service specifically agreed to by the City. The Customer will be required to provide all necessary service drop improvements including any step-down transformers at their direct cost unless otherwise specifically agreed to in writing by the City.

- |     |  |                     |
|-----|--|---------------------|
| (a) | Basic minimum service charge:                    | \$17.04/month, plus |
| (b) | Electrical rate based on the actual consumption: | \$0.11069 per KWH   |

#### **4. Service Charges**

##### **4.1 Existing Service Connection and Reconnection Charges:**

A fee of **\$50.00** (plus applicable taxes) shall apply to all applications involving the following:

- (a) the owner of real property wishes to establish a new electrical utility account in their name;
- (b) the owner of real property wishes to have the electrical meter read;
- (c) the owner of real property wishes to have the existing electrical service turned off and/or turned on;
- (d) the owner of real property wishes a reconnection of a meter after disconnection for violation of the Terms and Conditions contained in this bylaw; and
- (e) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of "Schedule B."

This fee is designed to defray the costs involved with service calls, meter readings, account set-up and adjustments and billing preparation in addition to the normal cycle. The Customer will therefore be charged for all activity to amend existing accounts including when the Customer is required to pay the charges applicable for a New Electrical Service or Upgraded Service. If an existing service has been disconnected or salvaged due to inactivity (9 months or more) it will be treated as a new installation.

#### 4.2 New Service Installations or Upgrading of Existing Service:

- (a) Basic Single Phase Overhead Connection
  - i) 200 amp service \$ 700.00
  - ii) 400 amp service \$1,700.00

The City will provide up to 30 meters of appropriate sized wire, do the connection on the customers service entrance, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (b) Basic Single Phase Underground Connection (includes dip service)
  - i) 200 amp service \$ 1,230.00
  - ii) 400 amp service \$ 2,230.00

The City will provide up to 30 meters of appropriate sized wire, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (c) All other services greater than 400 amp At Cost
- (d) Three Phase - Overhead/Underground At Cost

New development, whether residential or commercial, single phase or three phase services, requiring transformers and related equipment, shall be at the sole cost of the developer. All new service installations or upgrading of existing service costs are payable in advance of the installation and are subject to applicable taxes.

#### 4.3 Temporary Construction Service

- (a) Temporary service - 100 amp or less \$250.00.

The City will make the connection to the City's distribution and install the appropriate meter. The Customer will supply and install all other required equipment

#### 4.4 Meter Checking

All meters shall remain the property of the City and are subject to testing at regular intervals by the Electricity Meters Inspection Branch of the Canada Department of Consumer and Corporate Affairs, or a certified meter inspection facility, responsible for affixing government seals on meters. No seal shall be broken and if found so the account holder will be charged for any costs incurred by the City to rectify the issue.

If a customer doubts the accuracy of the meter serving his/her premises, he/she may request that it be tested. Such requests must be accompanied by a payment of the applicable charge as follows:

- (a) Meter removal charge and "in-house" inspection \$ 50.00.
- (b) Canada Department of Consumer and Corporate Affairs or a certified meter inspection facility, should it become necessary, shall be paid as determined by that Agency along with a \$50.00 administration charge.

If the meter fails to comply with the Electricity Meters Inspection Branch requirements and only if the meter is deemed to be overcharging, the City will refund the appropriate amount.

#### 4.5 Estimation of Readings

The City may estimate energy consumption and maximum power demand from the best evidence available where a meter has not been installed or is found to be not registering or when the meter reader is unable to read the meter on his/her regular meter reading trip.

**SCHEDULE D**

**CITY OF GRAND FORKS**  
**ELECTRICAL BILLING AND COLLECTION REGULATIONS**

**1. Billings and Payment of Accounts**

- 1.1 Bills will be rendered on a basis of actual consumption, in accordance with the rates set out in "Schedule C".
- 1.2 Bills will be rendered on a bi-monthly basis and will be issued as early as practical in the billing period following that for which the Customer's bill has been determined.
- 1.3 Bills are due and payable upon presentation. Accounts not paid by the "Due Date" imprinted on the statement shall be deemed to be in arrears.
- 1.4 Except as otherwise provided in this Bylaw, or in any amendments thereto, no money received by the City in payment of rates or charges chargeable under this Bylaw or under any amendments thereto, shall be applied to the payment of the rates or charges for the then current month, until all rates and charges which became due in previous months have been fully paid.
- 1.5 Any rates or charges that have come into arrears by the thirty-first (31st) day of December in the year imposed are deemed to be taxes in arrears and bear interest from said date at the rate specified in Section 245 of the Community Charter, as amended from time to time.
- 1.6 **Equal Payment Plan**

Upon application, the City will permit qualifying Customers to make equal monthly payments. The payments will be calculated to yield during the period ending in December, the total estimated amount that would be payable by the Customer calculated by applying the applicable rate, to the Customer's estimated consumption during the period. Customers may make application at any time of the year. All accounts will be reconciled in December.

A Customer will qualify for the plan provided the account is not in arrears and the Customer expects to be on the plan for at least one year.

The equal payment plan may be terminated by the Customer or the City if the Customer has not maintained satisfactory credit. The City deems credit to be unsatisfactory if for any reason two payments fail to be honoured.

On the reconciliation date, the amount payable to the City for electricity will be determined by subtracting the sum of equal payments from the actual consumption charges during the equal payment period. Any resulting amount owing by the Customer will be paid to the City. Any excess of payments over charges will be carried forward and included in the calculation of the equal payments for the next period. On termination of account and after the final bill has been calculated, any credit balance will be refunded to the Customer.

#### 1.7 Penalty

A penalty, as set out in the City's Fees & Charges Bylaw, will be added to outstanding balances of all accounts after the due date. This provision does not apply to equal payment plan Customers.

#### 1.8 Back-Billing

For the purposes of this Bylaw, back billing shall mean the billing or re-billing for services to a Customer because original billings are discovered to be either too high (over-billed) or too low (under-billed). The discovery may be made by either the Customer or the City.

Where metering or billing errors occur, the consumption shall be based upon the records of the City for the Customer, the Customer's own records to the extent they are available and accurate, or reasonable and fair estimates made by the City. Such estimates shall be on a consistent basis within each rate class or according to a contract with the Customer, if applicable.

If there are reasonable grounds to believe that the Customer has tampered with or otherwise used the service in an unauthorized way, or evidence of fraud, theft or other criminal act exists, then the extent of back-billing shall be for the duration of unauthorized use as determined solely by the Manager of Operations, subject to the applicable limitation period provided by law.

In addition, the Customer shall be liable for the direct administrative costs incurred by the City in the investigation of any incident of tampering, including the direct costs of repair, or replacement of equipment.

In a case of over-billing, the City may refund to the Customer all money incorrectly collected for the duration of the error, subject to the applicable limitation period provided by law.

In cases of under billing, the City may offer the Customer reasonable terms of repayment. If requested by the Customer, the repayment term may be equivalent in length to the back-billing period. The repayment may be interest free and in equal installments corresponding to the Customer's normal billing cycle.

However, delinquency in payment of such installments shall be subject to the usual late payment charge.

Subject to the rest of Section 1 of this Schedule, all bills will be sent to the Owner of real property to which electrical energy is supplied by the City.

An Owner of real property to which electrical energy is or may be supplied under this Bylaw may deliver to the City a request in writing, signed by that Owner, requesting that the City send electrical energy Bills relating to that real property to an occupier of that real property and where that occupier consents in writing to receive those electrical energy bills, the City may send the electrical energy bills to that occupier until:

- (a) the City becomes aware that the occupier has ceased to occupy that real property;
- (b) electrical energy service to that real property is discontinued; or
- (c) the Owner of that real property requests in writing that bills relating to that real property be sent to that Owner. Where electrical energy bills are sent to an occupier of real property under Section 1 of this Schedule, the Owner of that real property remains the Customer for the purposes of this Bylaw

## **2. Term of Service**

Unless otherwise specifically provided for in these terms and conditions, the terms of service shall:

- (a) commence on the day that the City's supply is connected to the Customer's service installation and is capable of supplying their electricity needs; and
- (b) continue thereafter until cancelled by written notice given in advance by at least two business days by either party. The amount of the account outstanding upon cancellation shall be deemed due and payable immediately.

## **3. Application of Rates**

All electrical Energy supplied by the Electric Utility to its appropriate Customer classifications shall be billed in accordance with the applicable rates as set out in "Schedule C" of this Bylaw or by other superseding amendment schedules which Council may from time to time decide to make effective.

**In addition to payments for electricity, the Customer shall pay to the City the amount of any sales taxes, goods and services taxes, or any other tax or assessment levied by any competent taxing authority on any electricity delivered to the Customer.**

THE CORPORATION OF THE CITY OF GRAND FORKS

**BYLAW NO. 2009**

**A Bylaw to Amend the  
Electrical Utility Regulatory Bylaw No. 1975**

---

**WHEREAS** in accordance with the Community Charter, Council may, by bylaw, regulate and control the electrical service of the City of Grand Forks and amend rates, terms and conditions under which electricity service will be provided and supplied to all users and for the collection of rates for the service provided;

**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 **“Electrical Utility Regulatory Amendment Bylaw No. 2009, 2015”**.
2. That Schedule “C” of Bylaw No. 1975, be deleted and replaced with a new Schedule “C”, which is identified as “Appendix 1”, and attached to this bylaw.
3. This bylaw shall come into force and effect, with all consumption billed for periods ended on or after March 1, 2015.

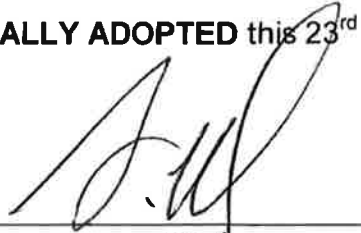

**INTRODUCED** this 26<sup>th</sup> day of January, 2015.

Read a **FIRST** time this 10<sup>th</sup> day of February, 2015.

Read a **SECOND** time this 10<sup>th</sup> day of February, 2015.

Read a **THIRD** time this 10<sup>th</sup> day of February, 2015.

**FINALLY ADOPTED** this 23<sup>rd</sup> day of February, 2015.

  
\_\_\_\_\_  
Mayor Frank Konrad  
\_\_\_\_\_  
Corporate Officer – Diane Heinrich



**CERTIFIED CORRECT**

I hereby certify the foregoing to be a true copy of Bylaw No. 2009 as adopted by the Municipal Council of the City of Grand Forks on the 23<sup>rd</sup> day of February, 2015.

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

**SCHEDULE C**  
**CITY OF GRAND FORKS**  
**ELECTRICAL UTILITY RATES AND CONNECTION CHARGES**

**1. Residential Service**

Available for residential usage in general including lighting, water heating, spaces heating and cooking.

- |     |  |                     |
|-----|--|---------------------|
| (a) | Basic minimum service charge:                    | \$16.97/month, plus |
| (b) | Electrical rate based on the actual consumption: | \$0.10667 per KWH   |

**2. Commercial/Industrial/Institutional Service**

Available to all ordinary business, commercial, industrial, and institutional customers, including schools and hospitals, where electricity is consumed for lighting, cooking, space heating and single and three-phase motors. Customers requiring primary or secondary service beyond the normal single phase, 200 amp connection may be required to provide the necessary equipment and transformers, which may be situated on their property, at their own cost.

- |     |   |                     |
|-----|---|---------------------|
| (a) | Basic minimum service charge:   | \$18.37/month, plus |
| (b) | Electrical rate per consumption for the first<br>200,000 KWH or less in a two-month billing period: | \$0.11415 per KWH   |
| (c) | Electrical rate per consumption for all usage above<br>200,000 KWH in a two-month billing period:   | \$0.08471 per KWH   |

**3. Seasonal Loads (minimum period of service is three months)**

Available for irrigation and drainage pumping and other repetitive seasonal loads taking service specifically agreed to by the City. The Customer will be required to provide all necessary service drop improvements including any step-down transformers at their direct cost unless otherwise specifically agreed to in writing by the City.

- |     |  |                     |
|-----|--|---------------------|
| (a) | Basic minimum service charge:                    | \$17.57/month, plus |
| (b) | Electrical rate based on the actual consumption: | \$0.11415 per KWH   |

**4. Service Charges**

**4.1 Existing Service Connection and Reconnection Charges:**

A fee of **\$50.00** (plus applicable taxes) shall apply to all applications involving the following:

- (a) the owner of real property wishes to establish a new electrical utility account in their name;

- (b) the owner of real property wishes to have the electrical meter read;
- (c) the owner of real property wishes to have the existing electrical service turned off and/or turned on;
- (d) the owner of real property wishes a reconnection of a meter after disconnection for violation of the Terms and Conditions contained in this bylaw; and
- (e) where an officer, employee or agent of the City returns to the Owner's real property to complete work that he or she was unable to complete on a previous attendance by reason of the Owner's failure to comply with Section 1.1(e) of "Schedule B."

This fee is designed to defray the costs involved with service calls, meter readings, account set-up and adjustments and billing preparation in addition to the normal cycle. The Customer will therefore be charged for all activity to amend existing accounts including when the Customer is required to pay the charges applicable for a New Electrical Service or Upgraded Service. If an existing service has been disconnected or salvaged due to inactivity (9 months or more) it will be treated as a new installation.

#### 4.2 New Service Installations or Upgrading of Existing Service:

- (a) Basic Single Phase Overhead Connection
  - i) 200 amp service \$ 700.00
  - ii) 400 amp service \$1,700.00

The City will provide up to 30 meters of appropriate sized wire, do the connection on the customers service entrance, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (b) Basic Single Phase Underground Connection (includes dip service)
  - i) 200 amp service \$ 1,230.00
  - ii) 400 amp service \$ 2,230.00

The City will provide up to 30 meters of appropriate sized wire, do the connection to the Cities distribution and install and supply the appropriate meter. All other required material and labour will be completed by the Customer.

- (c) All other services greater than 400 amp At Cost
- (d) Three Phase - Overhead/Underground At Cost

New development, whether residential or commercial, single phase or three phase services, requiring transformers and related equipment, shall be at the sole cost of the developer. All new service installations or upgrading of existing

service costs are payable in advance of the installation and are subject to applicable taxes.

#### 4.3 Temporary Construction Service

- (a) Temporary service - 100 amp or less \$250.00.

The City will make the connection to the City's distribution and install the appropriate meter. The Customer will supply and install all other required equipment

#### 4.4 Meter Checking

All meters shall remain the property of the City and are subject to testing at regular intervals by the Electricity Meters Inspection Branch of the Canada Department of Consumer and Corporate Affairs, or a certified meter inspection facility, responsible for affixing government seals on meters. No seal shall be broken and if found so the account holder will be charged for any costs incurred by the City to rectify the issue.

If a customer doubts the accuracy of the meter serving his/her premises, he/she may request that it be tested. Such requests must be accompanied by a payment of the applicable charge as follows:

- (a) Meter removal charge and "in-house" inspection \$ 50.00.
- (b) Canada Department of Consumer and Corporate Affairs or a certified meter inspection facility, should it become necessary, shall be paid as determined by that Agency along with a \$50.00 administration charge.

If the meter fails to comply with the Electricity Meters Inspection Branch requirements and only if the meter is deemed to be overcharging, the City will refund the appropriate amount.

#### 4.5 Estimation of Readings

The City may estimate energy consumption and maximum power demand from the best evidence available where a meter has not been installed or is found to be not registering or when the meter reader is unable to read the meter on his/her regular meter reading trip.

#### Applicable to Residential Customers

An optional service will be offered to those customers who prefer not to have a radio read meter at their service entrance. A digital non-radio read meter will be installed as an alternate to the standard digital radio read meter.

The customer will be required to pay a onetime 'Setup Charge". For each billing cycle thereafter the customer will be required to pay a 'Manual Read Charge" along with the regular residential service rates applicable under this bylaw.

This service may be discontinued if it is not compatible with the Technology, Practices, Procedures or Capacity of the Electrical Utility. In the event of program cancellation a refund of the setup fee will be made to any customer who subscribed to the service less than two years prior.

Rate: Setup Charge:       \$162.95

Manual Read Charge:     \$14.98