

Andrew Peat

From: Galeazzi, Linda CSCD:EX <Linda.Galeazzi@gov.bc.ca>
Sent: March-14-17 16:24
To: 'corpadmin@saltspringfire.com'
Subject: SSIFPD - Incorporation

Hello Andrew,

I'm sorry for not responding to your email of Feb. 14, 2017; I was away on vacation that week and, unfortunately, I missed your email upon my return.

You may be aware that the Minister announced his decision yesterday to proceed with an incorporation vote on September 9, 2017 for the Salt Spring Island electorate. Since the Incorporation Study Committee disbanded on November 21, 2016, the Minister advised the local elected officials of his decision yesterday morning.

In response to your question about the dissolution and transfer of the Salt Spring Island Fire Protection District, and the North Salt Spring Waterworks District, I have copied my email of June 17, 2016 (below) that sets out rationale for dissolving and transferring the two main improvement districts to the potential municipality upon the incorporation date.

The key rationale is copied immediately below (in green):

In addition to the interim corporate officer, the North Salt Spring Waterworks District and Salt Spring Island Fire Protection District have professional staff that could transfer to the municipality upon the incorporation date. ID staff would bring corporate and operational knowledge with them, e.g. accounting systems, bylaws (taxes & tolls, parcel tax, etc.) maintenance and operation of all water districts on SSI, SSI Emergency Program knowledge, Fire & Life Safety, burning regulations, Taxation, Operating Tax Advance bylaws, etc. If SSI electors approve incorporation, it is anticipated that NSSWD staff could become part of a public works department and that SSIFPD staff could become part of the public safety department of the potential municipality. It would be up to staff of the two major Improvement Districts to determine whether or not transferring to the potential new municipality is right for them.

When you review the June 17th email in its entirety (following your March 13 email below), you will notice that the time lag referred to is the time between the date of the incorporation vote and the official incorporation date and inaugural council meeting (which occur on the same day). In other words, if SSI electors approve incorporation on September 9, 2017, it is anticipated that the inaugural election of the first SSI municipal council would be held in October 2018 to coincide with general local elections that occur every four years.

If the outcome of the September 9, 2017 vote favours incorporation, it would be incumbent on service providers to continue to operate current services until the dissolution and transfer to the potential new municipality.

Regards,
Linda

From: Andrew Peat [mailto:corpadmin@saltspringfire.com]
Sent: Monday, March 13, 2017 11:11 AM
To: Galeazzi, Linda CSCD:EX
Subject: Salt Spring Island Fire Protection District - Incorporation

Linda,

Just back from a short vacation and following up on a couple of matters for the trustees. I wrote you in mid February but don't seem to have received an reply.

With regards to the upcoming incorporation vote here on Salt Spring, a member of the community (and committee member) has asked what the time-line is if the electorate agrees that the island should incorporate as a municipality. The following information was found on a local media website:

"In the event that Salt Spring Island incorporates as a municipality, the Ministry of Community, Sport and Cultural Development would coordinate the details of the service delivery transition (including the transfer of the existing union agreement) with the municipality and the fire improvement district. ***The Province indicates that the Fire Protection District would dissolve immediately upon incorporation, and be transferred to the municipality as a local area service.***"

It was my understanding that there was to be a "delay" in transferring SS Fire Rescue and North Salt Spring Waterworks to the municipality if only because of the fact that as at the date of incorporation there is no staff etc to take responsibility.

Could you confirm the "mechanics" and time line as to what is likely to happen.

Andrew D. Peat

Corporate Administrator

Salt Spring Island Fire Protection District.

From: Galeazzi, Linda CSCD:EX
Sent: Friday, June 17, 2016 10:51 AM
To: 'Andrew Peat'
Subject: RE: Meeting Follow-up Information

Hello Andrew,

Thank you for your questions regarding the sequencing of events in relation to a successful incorporation referendum should SSI electors approve island incorporation.

You are correct in that there is a bit of a time lag between an incorporation referendum and the inaugural council meeting which is held on the incorporation date. This allows for transitional provisions to occur, for example the election of the first municipal council takes place before incorporation. Electing the first municipal council prior to the incorporation date provides that municipal council is the decision-making body upon incorporation. This is achieved through Letters Patent provisions and the Order in Council (OIC) that approves Letters Patent.

Letters Patent include transitional provision such as the appointment of an interim corporate officer, first election of council, and permanent provisions such as classification of the municipality and land use planning. The transitional provisions typically apply to the period between the issuance of the OIC and the date of incorporation, so that a municipality would be up and running upon the incorporation date. Letters Patent may set the general voting day for the first election, appoint the chief election officer and provide for the election procedures or authorize a person – usually the Inspector of Municipalities – to do this. Letters Patent incorporating a municipality may also set the term of office for the first council. There is some flexibility in the time period between the incorporation referendum and the inaugural council meeting/incorporation. Until the date of incorporation, current service providers and local elected officials remain in place.

Example

When the City of West Kelowna incorporated on December 6, 2007, the incorporation referendum took place on Saturday, June 16, 2007. Letters Patent incorporating the City were approved and ordered on October 4, 2007 and the effective date of the Letters Patent was December 6, 2007, except for specific sections which came into force on the date the Letters Patent were issued (Oct. 4). These sections provided for the election of the first council on November 17, 2007.

If electors approve incorporation, the Ministry is the lead in appointing an interim corporate officer to undertake all of the necessary work to set up a new municipality. In addition to establishing ongoing administration for the municipality, the interim corporate officer is tasked with many things, including the following:

- Facilitates/leads the newly elected council through a “boot camp” for local elected officials,
- ensures that a meeting procedures bylaw, financial plan bylaw, etc. is prepared for the inaugural meeting, and
- assists the new council with the selection of a chief administrative officer if desired.

In addition to the interim corporate officer, the North Salt Spring Waterworks District and Salt Spring Island Fire Protection District have professional staff that could transfer to the municipality upon the incorporation date. ID staff would bring corporate and operational knowledge with them, e.g. accounting systems, bylaws (taxes & tolls, parcel tax, etc.) maintenance and operation of all water districts on SSI, SSI Emergency Program knowledge, Fire & Life Safety, burning regulations, Taxation, Operating Tax Advance bylaws, etc. If SSI electors approve incorporation, it is anticipated that NSSWD staff could become part of a public works department and that SSIFPD staff could become part of the public safety department of the potential municipality. It would be up to staff of the two major Improvement Districts to determine whether or not transferring to the potential new municipality is right for them.

The three smaller water improvement districts on SSI (Harbour View, Mount Belcher and Scott Point) appeared to indicate a preference for dissolution and transfer to the municipality at a later date, and that could be accommodated by legislation.

Please let me know if you have any further questions.

Regards,
Linda

From: Andrew Peat [<mailto:corpadmin@saltspringfire.com>]
Sent: Friday, May 27, 2016 3:06 PM
To: Galeazzi, Linda CSCD:EX
Subject: RE: Meeting Follow-up Information

Linda,
Questions I have concern sequencing of events assuming an incorporation referendum is successful.

1. Referendum is successful say October 2016.
2. District of Salt Spring Island issued Letters Patent by Order in Council Jan 2017?
3. Voters elect first mayor and council April 2017?

My reading of the report suggests that the Ministries plan is that the Fire Service and NSSW would be dissolved upon the issuing of Letters Patent and assumed by the new municipality.

Question what admin structure (people etc) will be in place to run everything if wheels are set in motion right off the bat? I assume the Province has the right to appoint a Town Administrator to get the administration structure up and running prior to elections to council. It makes sense to fold in the Fire Service and NWSW as the “priority items of

business” I would question the wisdom of doing so without a seasoned functioning administrative structure in place to facilitate a smooth transition.

Or is your plan to have an orderly absorbing of Improvement Districts etc over the first three years as is also mentioned?

I’m thinking that if the Fire District is dissolved upon incorporation what “authority” would be in place to provide routine approvals and oversight. The Board of Trustees would cease to exist, would a Town Administrator have authority to act in the absence of a mayor and council?

Andrew