



Request for Decision

Bralorne Wastewater Treatment
System Loan Authorization Bylaw
No. 1595-2018

Date of Meeting: July 25, 2018

Recommendations:

1. THAT Bylaw No. 1595-2018, cited as "Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018", be introduced and read a first, second and third time.
(Weighted All Vote)
2. THAT Bylaw No. 1595-2018, cited as "Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018" (as at third reading) together with the associated staff report be forwarded to the Inspector of Municipalities for approval pursuant to the *Community Charter* and the *Local Government Act*.
3. THAT upon receiving approval of the Inspector of Municipalities and as soon as applicable publication deadlines allow, Squamish-Lillooet Regional District ("SLRD") staff be directed to publish the Notice of Alternative Approval Process in accordance with section 86(3)(a) of the *Community Charter* and SLRD Board Policy No. 3.3 (Alternative Approval Process) including the following information as required by section 86 of the *Community Charter*:
 - a. 82 as the total number of electors within the Bralorne Sewer Service Area as established by Bralorne Sewer System Local Service Conversion and Establishment Bylaw No. 585, 1995, to which the Alternative Approval Process applies.
 - b. the Notice of Alternative Approval Process shall be published in the Bridge River Lillooet News and the Pique Newsmagazine, as well as additional notice provided via the notice board located at the SLRD offices, the SLRD website and the SLRD's Facebook page;
 - c. the deadline for receiving elector responses shall be established as 4:30 p.m. on the next business day following the 30-day statutory elector response period, with the start date of the 30-day statutory elector response period being based upon the second publication date that is the latest in respect of the newspaper noted above;
 - d. the elector response form will provide for only a single elector response on each form and will be available at the SLRD offices and on the SLRD website from the first publication date of the Notice of Alternative Approval Process until the deadline of elector response period as determined above; and
 - e. elector response forms are able to be submitted in any one of the following manners:



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- i. In person at: 1350 Aster Street – 2nd Floor, Pemberton, BC (Monday to Friday, 8:00 AM - 4:30 PM, excluding Statutory Holidays);
 - ii. Via mail to: Box 219, Pemberton, BC, V0N 2L0;
 - iii. Via fax at: 604-894-6526; or
 - iv. Via email attachment to: info@slrd.bc.ca with the subject heading: "Elector Response".
4. THAT, in accordance with section 86(4) of the *Community Charter*, the staff report associated with Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018, which includes the basis upon which the determination was made of the total number of electors of the SLRD, be made available to the public. This staff report will be available on the SLRD website as well as at the SLRD offices.
5. THAT \$60,000 per year for each of the years 2019 through 2022 be transferred from Area A Northern Area BC Hydro Payment in Lieu of Taxes (PILT) Funds Reserves to the Bralorne Sewer Service cost centre (CC# 2800) for the purposes of assisting in repaying the loan associated with Bylaw No. 1595-2018 and to establish a capital/maintenance reserve.

Attachments:

1. Proposed Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018
2. SLRD Board Policy No. 3.3 (Alternative Approval Process)
3. Report for Determining the Number of Eligible Electors
4. Timeline for the Alternative Approval Process
5. Example Notice of Alternative Approval Process
6. Example Elector Response Form – Alternative Approval Process

Key Issues/Concepts Defined:

Background

The community of Bralorne is serviced by the original sanitary sewer system and community water system, both of which were constructed more than 90 years ago by the mining company operating in the area at that time. A development company later took over ownership of the systems after purchasing the mine site from the mining company. In 1989, the Province of British Columbia required the SLRD to assume ownership of the water and sewer systems upon the insolvency of the development company.

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The Sewer System remains essentially as originally constructed, with vitrified clay tile and PVC collection pipes and two cast-in-place septic tanks with outfall into Cadwallader Creek. Much of the collection pipes trespass across private property, without statutory right of ways having been put in place (likely due to the original ownership of the town site and sewer infrastructure by the mine.)

In 1995, the SLRD established a service area for Sewer System via the Bralorne Sewer System Local Service Conversion and Establishment Bylaw No. 585, 1995 as amended (the “**Bylaw**”).

Without grant funding (which after several unsuccessful funding applications was finally obtained in 2016 – see below), it has been beyond the ability of the small tax base (100 folios, of which 5 are exempt for taxation and the remaining 95 are not) to contemplate financing a replacement.

Grant Funding and Initiation of Project

In 2015, the SLRD obtained letters from regulatory agencies in support of its application to the Federal Gas Tax Agreement Strategic Priorities Fund (“**Gas Tax Grant**”):

- In its letter dated February 11, 2015, the Interior Health Authority stated that the *“inherent risk posed by the existing, dated sewer system is high” and that “there is a very real risk of a large scale malfunction that could constitute a major health hazard for the community and local environment”*; and
- In its letter dated March 25, 2015, the Ministry of Environment (“**MOE**”) stated:

“The Ministry of Environment is contemplating amending the existing Permit in order to force the Regional District to provide secondary treatment as a minimum for [the Bralorne Sewer System]. The Ministry has concerns with the potential impacts from this discharge.

The Ministry believes that this municipal wastewater treatment system is the most in need of an update compared to all municipal wastewater treatment systems in the Southern Interior Region.”

In February 2016, the SLRD received notification that it had been successful in securing the Gas Tax Grant in the amount of \$1,999,530 for the complete replacement and upgrade of the Sewer System, comprising 2.3 km of piping, 107 service connections and a new wastewater treatment plant capable of meeting modern standards (the “**New Sewer System**”). At the time of submitting the grant application, the location of the treatment plant was anticipated to be in the Ministry of Transportation and Infrastructure (“**MOTI**”) road right of way.

UBCM, as administrator of the Gas Tax Grant, has recently extended the funding deadline (for the SLRD to use the Gas Tax Grant) from December 31, 2018 to December 31, 2019.

As confirmed by the Interior Health Authority and MOE letters, the project is critical to the long-term health and sustainability of the Bralorne community. Without proper collection and

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treatment systems, both the community and the local ecosystem will continue to be placed at risk and future economic growth prospects hampered.

In June 2016, the SLRD issued a Request for Proposals for design services for the New Sewer System and by early 2017, detailed drawings for the New Sewer System were developed.

Before finalizing the drawings and tendering the project, the SLRD had to initiate or resolve various issues, including:

- identifying, acquiring, and registering numerous statutory rights of way with seven private property owners (i.e. so as to eliminate the trespass situation with the new collection pipes);
- after the anticipated location of the treatment plant (in the MOTI road right of way) fell through, obtaining a new location and discharging of the associated Land Use Contract, initiating a rezoning application with public consultation, surveying, subdivision application and MOTI approval);
- undertaking an Environmental Impact Study and making application and obtaining an updated MOE Waste Water Discharge permit; and
- making application and obtaining a permit for construction in MOTI road right of ways (for new collection pipes).

Since preparing the Gas Tax Grant application during the summer of 2015 (with the project budget of \$1,999,530), the SLRD has seen construction costs in the region skyrocket. Staff recommends that the SLRD proceed with construction as soon as possible due to:

- the expectation that construction costs will continue to rise given current market conditions;
- the impending Gas Tax Grant deadline of December 31, 2019; and
- regulatory concerns by the Ministry of the Environment regarding the age of the system and quality of effluent being discharged into Cadwallader Creek.

In April 2018, the SLRD issued a Request for Proposals for the construction of the New Sewer System. This process closed on May 8, 2018, and all proposals came in significantly over-budget.

Additional funding (see below) for the project has been identified but even with this, it is expected that there will be a funding shortfall of up to \$700,000:

- the remaining reserves of \$38,000 in the Sewer System's Cost Centre (Cost Centre #2800); and
- the remaining \$91,000 of Electoral Area A's Federal Gas Tax Agreement Community Works Funds.

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Unless the cost of the New Sewer System is reduced, some form of borrowing (or further cost savings/scope change) will be required to undertake the project.

SLRD staff and the Area A Director convened a Public Information Meeting at the fire hall in Bralorne on Thursday, June 28, 2018 to discuss the project's background and rationale, as well as options to address to funding shortfall. Approximately 11 to 12 people attended the meeting and they were generally supportive of the necessity of a tax requisition increase to secure the additional funding.

Loan

A long term loan (up to 30 years) requires elector approval, either via AAP or referendum. The AAP is a less costly process than the referendum process and for this reason staff would recommend proceeding via an AAP.

Current Requisition Information

The Bylaw currently has a maximum tax requisition of \$31,250.

Taxation under the Bylaw is via parcel tax, currently at \$25,750 (\$285.28 for the 95 parcels including the Provincial fee of 5.25%) as per Bralorne Sewer System Local Service Parcel Tax Bylaw No. 1572-2018.

The total requisition for the Bralorne Sewer System service area (Cost Centre #2800) is expected to reach the Bylaw's maximum requisition limit of \$31,250 by 2022 (\$346.22 for the 95 parcels including the Provincial fee of 5.25%).

Tax Requisition Rate

Staff has assumed an interest rate of 3.29% for a \$700,000 loan over a 30-year term. While the MFA 30-year indicative rate for fall 2018 is estimated at 3.23%, 3.29% was the rate used when information was provided to the residents of Bralorne at the public information meeting (see below), it provides for a small swing in interest rates and the reduction in the annual financing costs of \$420 is not material and can be used for operational purposes. The 30-year term has been chosen to minimize the annual loan payments, and as the wastewater treatment system and plant is expected to have a long life span. It is necessary to make an assumption as to the interest rate as:

- MFA has not yet determined its spring 2019 borrowing rate (note: the MFA 30-year indicative rate for fall 2018 is estimated at 3.23%);
- Once the loan is committed, the interest rate is only locked in for the first 10 years (of the 30-year term) and thereafter the interest rate will renew at the then-prevailing MFA interest rate (note: the current MFA indicative rate for a 30-year term is 3.23%).

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As stated above, 3.29% is a conservative rate and leaves some room in case there is an increase in rates (i.e. between MFA's spring 2018 issue date and MFA's spring 2019 issue date, as well as at the 10 year mark of the 30-year term).

Based on a \$700,000 loan at 3.29% interest for 30 years, the annual principal and interest payments are \$37,743. The increase in the annual parcel tax attributable to the borrowing is estimated to be \$418.15 – this includes the fee of 5.25% automatically added by the Province of British Columbia to all parcel and property taxes of unincorporated areas.

The table below sets out the details regarding the long-term loan.

Summary of Long-Term Loan	
Long-Term Loan Amount	\$700,000
Term	30 years
Interest Rate	3.29%
Debt Servicing/year	\$37,743
Additional Requisition/Parcel (including 5.25% provincial fee)	\$418.15

The above annual loan amount, when added to the current parcel tax of \$285.28 results in an annual parcel tax of \$703.43 (annual parcel tax of \$764.37, using the maximum parcel tax of \$346.22).

Alternative Approval Process Timeline

A timeline detailing the Alternative Approval Process, assuming a four-week turnaround to receive Inspector Approval, is attached to this staff report – Inspector approval is anticipated to take between 4 and 7 weeks.

Deadline for Elector Response

As timing for Inspector approval is unknown, the deadline for the elector response period is determined based upon the following methodology:

- Receipt of Inspector approval;
- As soon as applicable publication deadlines allow, publication over a period of two weeks of the Notice of Alternative Approval Process in the following newspapers:
 - Bridge River Lillooet News (published weekly, on Wednesdays); and
 - Pique Newsmagazine (published weekly, on Thursdays);

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- The deadline for receiving elector responses shall be established as 4:30 p.m. on the next business day following the 30-day statutory elector response period, with the start date of the 30-day statutory elector response period being based upon the second publication date that is the latest in respect of the newspapers noted above.

Eligible Resident Electors and Non-Resident Property Electors

Based on an estimate of eligible resident electors and non-resident property electors, it would take 8 (i.e. 10%) or more elector responses (i.e. those electors who oppose the loan) to defeat the Alternative Approval Process and prevent the Board from adopting Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018 ("Bylaw No. 1595-2018"). If the Alternative Approval Process is defeated, the Board could then decide whether or not it wanted to pursue approval of a 30-year loan via referendum. The methodology in support of this estimate of eligible resident electors and non-resident property electors is set out in the Report for Determining the Number of Eligible Electors attached to this staff report. Data from the 2016 census has been used to determine the number of eligible electors.

Notice of Alternative Approval Process and Elector Response Form

A draft Notice of Alternative Approval Process and a draft Elector Response Form are attached to this staff report as examples of these documents. They have been drafted based on the templates found in SLRD Board Policy 3.3 (Alternative Approval Process) and will be modified to include further information to the voters as to the impacts of the loan not passing (i.e. the treatment plant cannot be completed) and the use of the Area A Northern Area BC Hydro Payment in Lieu of Taxes (PILT) Funds Reserves (see discussion below). Based on the methodology described in the previous paragraph, staff will insert the deadline for the elector response period into the Notice of Alternative Approval Process for statutory publication purposes.

Other

The Electoral Area A Director wishes to commit \$60,000 per year for 4 years from the Area A Northern Area BC Hydro Payment in Lieu of Taxes (PILT) Funds Reserves. Funds are to be disbursed from 2019 through 2022 and will assist in the repayment of the loan, and to establish a capital/maintenance reserve for the wastewater treatment system in order to keep the amounts required to be tax requisitioned from the Bralorne community down in the short-term.



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Options:

- (1) Approve the Recommendations as presented.
- (2) Changes as per the Board's direction.
- (3) Do not proceed with the loan authorization bylaw.

Preferred Option: Option 1 is the preferred option, as it will enable the SLRD to apply for long-term financing to construct the new Bralorne Wastewater Treatment System.

Next Steps:

A summary of the Alternative Approval Process steps are as follows:

- The Board gives first three readings of the loan authorization bylaw, which is then forwarded to the Inspector of Municipalities for approval;
- Upon receipt of Inspector Approval, the Notice of Alternative Approval Process is advertised in two issues of the Bridge River Lillooet News (published weekly on Wednesday) and the Pique Newsmagazine (published weekly on Thursday) with the statutory 30 day elector response period tied to the latest second publication date of the newspapers set out above. Additional notice will also be provided via posting of the Notice of Alternative Approval Process on the notice board at the SLRD offices, on the SLRD website, and on the SLRD's Facebook page;
- There must be at least a thirty-day elector response period between the latest of the publication dates of the various newspapers and the elector response deadline date itself (i.e. from electors who oppose the loan), so when counting the 30 day period, the second publication date itself and the deadline date itself are not counted. The SLRD will establish the elector response period deadline to be at 4:30 p.m. on the business day following the 30-day elector response period;
- Once the deadline for the elector response period has passed, the SLRD Corporate Officer validates the responses and brings a staff report forward to the Board certifying the total number of valid responses received and the result of the Alternative Approval Process and the Board is asked to consider the adoption of the loan authorization bylaw;
- If the total of those opposed to the loan is at least 10% of the estimated number of electors (in this case, 8 or more electors), the Board is not permitted to proceed with a loan for a 30-year term via the loan authorization bylaw unless it is approved by the electorate through a referendum. If the total number of responses does not reach 10% of the estimated number of electors, the Board may proceed with adoption of the loan authorization bylaw.



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- If the loan authorization bylaw is adopted by the Board, staff will bring forward the security issuing bylaw which is required to authorize the SLRD entering into the financing agreement with MFA.

Legislative:

Proceeding with adoption of Bylaw No. 1595-2018 is subject to the approval of the Inspector of Municipalities and then the approval of the electors of the Squamish-Lillooet Regional District via an Alternative Approval Process.

Statutory publication requirements have been described above.

Submitted by: Marc Sole, Utilities and Environmental Services Coordinator

Reviewed by: Jeff Giffin, Director of Engineering Services and Kristen Clark, Director of Legislative and Corporate Services

Approved by: Lynda Flynn, Chief Administrative Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1595-2018**

A bylaw to authorize the borrowing of \$700,000 for the purposes of constructing a wastewater treatment system for the use and benefit of Bralorne in Squamish-Lillooet Regional District Electoral Area A

WHEREAS pursuant to Bralorne Sewer System Local Service Conversion and Establishment Bylaw No. 585, 1995, the Squamish-Lillooet Regional District operates the Bralorne Sewer System within a defined area of the Squamish-Lillooet Regional District's Electoral Area A (the "Service Area");

AND WHEREAS pursuant to section 406(1) of the *Local Government Act*, this bylaw relates to the Bralorne Sewer System in Squamish-Lillooet Regional District Electoral Area A;

AND WHEREAS the Squamish-Lillooet Regional District is or is entitled to be the owner of the lands in Bralorne where the new wastewater treatment plant will be situated (the "Property");

AND WHEREAS the Regional Board of the Squamish-Lillooet Regional District deems that it is desirable and expedient to construct and operate a new sewer wastewater treatment system for the use and benefit of the Service Area;

AND WHEREAS the total sum to be borrowed for the purpose of constructing a new wastewater treatment system in the Service Area, is \$700,000, which is the amount of debt created by this bylaw;

AND WHEREAS the maximum term for which a debenture may be issued to secure the debt created by this bylaw is 30 years;

AND WHEREAS the authority to borrow under this bylaw expires five years from the date on which this bylaw is adopted; and

AND WHEREAS the Regional Board of the Squamish-Lillooet Regional District has received participating area approval of this loan authorization bylaw by approval of the electors in accordance with section 345 of the *Local Government Act* [approval by alternative approval process].

NOW THEREFORE, the Regional Board of the Squamish-Lillooet Regional District in open meeting assembled, enacts as follows:

1. The Regional Board is hereby empowered and authorized to construct and operate a wastewater treatment plant on the Property and a wastewater system in the Service Area and to do all things necessary in connection therewith to provide for the continued provision of sewer collection and treatment services in Bralorne, and without limiting the generality of

the foregoing, to borrow upon the credit of the Squamish-Lillooet Regional District a sum not exceeding \$700,000.

2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 30 years.
3. This bylaw may be cited as "Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018".

READ A FIRST TIME this 25th day of July, 2018.

READ A SECOND TIME this 25th day of July, 2018.

READ A THIRD TIME this 25th day of July, 2018.

APPROVAL of the Inspector of Municipalities received this day of , 2018.

APPROVAL OF THE ELECTORS within the Bralorne Sewer System Service Area obtained this
day of , 2018.

ADOPTED this day of , 2018.

Jack Crompton,
Chair

Kristen Clark,
Corporate Officer



Policies & Procedures Manual

Policy No. 3.3 (BP- Alternative Approval Process)

Alternative Approval Process

Purpose

The intent of this policy is to establish the format, policies and procedures to be used for seeking Board approval of an Alternative Approval Process ("AAP") with respect to a matter for which an AAP is a permissible means of seeking elector approval.

Background

The *Local Government Act* and the *Community Charter* are silent with respect to the issue of how elector response forms may be submitted by eligible electors and received by the local government body. The Ministry of Community, Sport and Cultural Development recommends that if, in addition to accepting elector response forms in person or by mail, a local government decides to accept elector response forms by way of fax or email, or both, the local government should ensure that it has an appropriate policy in place.

Policy

1. Where a Notice of AAP has been published by the Board, eligible electors may submit an elector response form to the Corporate Officer in any one of the following manners prior to the deadline date set out in the Notice of AAP:
 - a. In person at the SLRD office: 1350 Aster Street, Pemberton, BC (Monday to Friday, 8:00 AM - 4:30 PM, excluding Statutory Holidays);
 - b. Via mail to: Box 219, Pemberton, BC, V0N 2L0;
 - c. Via fax at: 604-894-6526; or
 - d. Via email attachment to: info@slrd.bc.ca with the subject heading: "Elector Response".
2. A Notice of AAP shall be in the form attached to this Policy as Schedule "A".
3. Elector Response Forms shall be in the form attached to this Policy as Schedule "B".
4. By the date of the first publication of a Notice of AAP pursuant to the requirements of the *Local Government Act* and the *Community Charter*, the following documents shall be available for viewing at the SLRD office and downloading from the SLRD website:
 - a. the Notice of AAP;
 - b. the Elector Response Form;

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Policies Superseded: N/A	Related Enactments: LGA, s.801.3; CC, s.86 and 94

- c. any bylaw which is the subject of the AAP;
- d. the staff report to the Board seeking approval of the AAP or other informational report and showing or attaching the basis upon which the total number of eligible electors was determined; and
- e. any other information which may assist the electors in understanding the matter and the purpose of any bylaw for which approval is being sought.

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SCHEDULE A



Box 219, 1350 Aster Street
Pemberton BC V0N 2L0
Ph. 604-894-6371, 800-298-7753
F: 604-894-6526
info@slrd.bc.ca / www.slrd.bc.ca

Notice of Alternative Approval Process

PUBLIC NOTICE is hereby given in accordance with Section 801.3 of the *Local Government Act* and Sections 86 and 94 of the *Community Charter*, that the Squamish-Lillooet Regional District (SLRD) has proposed the following bylaw: *[full citation of bylaw]* ("Bylaw No. ____-201_").

The purpose of this bylaw is to *[provide summary of the bylaw]*.

Under Bylaw No. ____-201_, the maximum requisition amount for this service would be \$ ____ or \$ ____/\$1,000 of the net taxable value of land and improvements within *[service area]*.

This Alternative Approval Process applies to the service area, which is comprised of *[insert service area]*. The deadline for elector responses in relation to this Alternative Approval Process shall be *[insert date]*.

The SLRD Board may proceed with this matter unless, by the deadline, at least 10% of the electors of the service area indicate that the Board must obtain the assent of the electors before proceeding.

Elector responses must be given in the form established by the Board and are available at the offices of the SLRD at 1350 Aster Street, Pemberton, BC and online at www.slrd.bc.ca. The only persons entitled to sign the forms are the electors of the area to which the Alternative Approval Process applies, in this case *[insert service area]*.

The number of eligible electors has been determined at *[insert appropriate number]* and the number of elector responses required to prevent the Board from proceeding without the further assent of electors has been determined to be *[insert appropriate number, being 10% of eligible*

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electors, rounded down to a whole number]. A report respecting the basis upon which the determination was made of the total number of electors of *[insert service area]* is available at the offices of the SLRD and online at www.slrd.bc.ca.

The electors of *[insert service area]* are the persons who would meet the qualifications referred to in section 161(1)(a) of the *Local Government Act*. In order to sign an elector response form, the person must be either a:

(i) Resident Elector

- 18 years or older,
- a Canadian citizen,
- a resident of BC for at least 6 months immediately before signing this elector response form,
- a resident of *[insert service area]* for at least 30 days immediately before signing this elector response form, and
- not be disqualified from voting under the *Local Government Act* or any other enactment or be otherwise disqualified by law from voting; or

(ii) Non-Resident Property Elector

- 18 years of age or older,
- a Canadian Citizen,
- a resident of BC for at least 6 months immediately before signing this elector response form,
- not entitled to register to vote as a resident elector,
- a registered owner of real property within *[insert service area]* for at least 30 days immediately before signing this elector response form,
- may not vote more than once within a voting jurisdiction regardless of the number of properties owned,
- where more than one non-resident person owns the property, the person wishing to submit an electoral response form for that property must provide, at the time of registration, written consent from a majority of the property owners,
- who holds the real property in trust for a corporation or another trust is *not* eligible to vote as a non-resident property elector, and
- not be disqualified from voting under the *Local Government Act* or any other enactment or be otherwise disqualified by law from voting.

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A person must not sign more than one elector response form in relation to the same Alternative Approval Process and a person who is not an elector for the area of the Alternative Approval Process must not sign an elector response form.

Copies of the proposed Bylaw No. ____-201_ are available at the offices of the SLRD at 1350 Aster Street, Pemberton, BC, from 8 am to 4:30 pm and online at www.slrd.bc.ca.

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Policies Superseded: N/A	Related Enactments: LGA, s.801.3; CC, s.86 and 94

SCHEDULE B



Elector Response Form - Alternative Approval Process

[Insert full citation of bylaw]

[Insert full citation of bylaw and explain the principal purposes of the bylaw per the Notice of AAP].

Under Bylaw No. ____-201_, the maximum requisition amount for this service would be \$____ or \$____/\$1,000 of the net taxable value of land and improvements within *[insert service area]*.

Pursuant to Section 86(7) of the *Community Charter*, I certify that:

- I am a person entitled to be registered as an elector (pursuant to the *Local Government Act*) within *[insert service area]* of the Squamish-Lillooet Regional District as outlined below;
- I have not previously signed an Elector Response Form with respect to this Bylaw; and
- I am **OPPOSED** to the adoption of "*[full citation of bylaw]*", without first obtaining the assent of the electors in a voting proceeding (referendum).

Signature of Elector:
Full Name of Elector:
Residential Address of Elector:
Legal Description of Residence:

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Policies Superseded: N/A	Related Enactments: LGA, s.801.3; CC, s.86 and 94

To be completed by Non-Resident Property Electors only:

I am entitled to register as a non-resident property elector as an owner of property.

Residential Address of Property:

Legal Description of Property:

For this elector response form to be counted, it must be received by the Corporate Officer of the SLRD Administrative Services Department, no later than [time] on [date] in any one of the following manners:

- (a) In person at: 1350 Aster Street, Pemberton, BC (Monday to Friday, 8:00 AM - 4:30 PM, excluding Statutory Holidays);
- (b) Via mail to: Box 219, Pemberton, BC, V0N 2L0;
- (c) Via fax at: 604-894-6526; or
- (d) Via email attachment to: info@slrd.bc.ca with the subject heading: "Elector Response"

Postmarks will not be accepted as the date of receipt by the SLRD. Responsibility for receipt of elector response forms in accordance with these instructions lies with the elector.

Approval of the electors of *[insert full citation of bylaw]* by the Alternative Approval Process is obtained if less than *[insert appropriate number, being 10% of eligible electors of the service area, rounded down to a whole number]* elector responses are received by the SLRD by the deadline. If *[insert appropriate number, being 10% of eligible electors of the service area, rounded down to a whole number]* or more electors oppose this initiative, then *[insert full citation of bylaw]* can only be adopted by way of a referendum.

Qualifications for Resident Electors:

I hereby certify that:

- 1. I am 18 years of age or older;
- 2. I am a Canadian citizen;
- 3. I have lived in British Columbia for at least 6 months immediately before signing this elector response form;
- 4. I have lived in *[insert service area]* for at least 30 days before signing this elector response form.
- 5. I am not disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

Approving Authority: Board	Page 7 of 8
Policy Name: Alternative Approval Process	Policy No: 3.3
Date of Approval: July 28, 2014	Dates of Amendment:
Policies Superseded: N/A	Related Enactments: LGA, s.801.3; CC, s.86 and 94

Qualifications for Non-Resident Property Electors:

1. I am 18 years of age or older;
2. I am a Canadian citizen;
3. I have lived in British Columbia for at least 6 months immediately before signing this elector response form;
4. I am not entitled to vote as a resident elector in *[insert service area]* for purposes of this matter;
5. I have been a registered owner of real property in *[insert service area]* for at least 30 days before signing this elector response form;
6. I acknowledge that I may sign this elector response form only once regardless of the number of properties that I own in *[insert service area]*;
7. I acknowledge that if there is more than one individual who is the registered owner of the property, only one of the individual owners may sign this elector response form in relation to the property, provided the non-resident property elector has the written consent of the number of individuals who, together with the person signing this elector response form, constitute a majority of the registered owners of the property (written consent attached, if applicable);
8. I acknowledge that the only persons who are registered owners of the real property are individuals who do not hold the property in trust for a corporation or another trust.
9. I am not disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

Approving Authority: Board	Page 8 of 8
Policy Name: Alternative Approval Process	Policy No: 3.3
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Report for Determining the Number of Eligible Electors - Alternative Approval Process

The purpose of this report is to show the basis for determining the total number of electors in relation to **Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018** that is the subject of an Alternative Approval Process.

Section 86(3)(c) of the Community Charter requires the Squamish-Lillooet Regional District ("SLRD") Board to make a fair determination of the total number of electors of the area to which the Alternative Approval Process applies (which in this case is the community of Bralorne as established by Bralorne Sewer System Local Service Conversion and Establishment Bylaw No. 585, 1995 ("Service Area"). In addition, pursuant to section 86(4) of the Community Charter, the SLRD Board must make available to the public, on request, a report respecting the basis on which the determination was made.

The number of people eligible to be a resident elector or a non-resident property elector is determined based on those individuals who when signing an elector response form:

- are 18 years of age or older;
- are a Canadian citizen;
- have lived in British Columbia for at least six months;
- have lived or owned property in the jurisdiction (i.e. municipality or electoral area) for at least 30 days;
- live or own property in the area defined for the Alternative Approval Process; and,
- are not disqualified under the Local Government Act, or any other enactment from voting in a local election, or are not otherwise disqualified by law.

The estimated number of eligible electors within the area defined for the Alternative Approval Process is based on information from various sources (as indicated below), calculated as follows:

Estimated population of Bralorne within the Service Area [see (1) below]:	36
Estimated number of people 18 years of age or older [see (2) below]:	33
Add estimated # of non-resident property electors [see (3) below]:	<u>49</u>
Estimated total # of eligible electors in the area defined for the Alternative Approval Process	<u>82</u>
Ten percent of the total # of eligible electors is estimated to be:	8

Therefore the required number of elector responses (i.e. 10% or more) to prevent the SLRD Board from adopting **Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018** via the Alternative Approval Process is 8.

Sources:

1. The total estimated population within the Service Area was derived from information obtained from the Statistics Canada website, based on the 2016 Canadian census, and BC Assessment tax roll information. The estimated population of the Service Area is 36.
2. The estimated number of people 18 years of age or older within the Service Area was derived from information provided by the Electoral Area A Director regarding the number of children attending the local elementary school that are from the Service Area.. The estimated number of people 18 years of age or older within the Service Area is 33.
3. In respect of the Service Area, the number of non-resident property electors is estimated to be 49 based on an analysis of BC Assessment tax roll information and the requirement that a person may register as a non-resident elector only in relation to one parcel of real property in an electoral area.

Timeline - Bralorne Sewer System Local Service Conversion and Establishment Bylaw No. 585, 1995,
Amendment Bylaw No. 1594-2018 and Squamish-Lillooet Regional District Bralorne Wastewater Treatment
System Loan Authorization Bylaw No. 1595-2018

Timeline
Assumption: Inspector Approval will be received within 4 weeks of July 27, 2018
Board meeting to give 3 readings to both bylaws
July 25, 2018
Receive Inspector Approval by this date for both bylaws
August 29, 2018
AAP statutory notice (1st publication date – BRLN/PN - Wed./Thur.)
September 5/September 6, 2018
AAP statutory notice (2nd publication date – BRLN/PN – Wed./Thur.)
September 12/September 13, 2018
AAP statutory 30-day elector response period (from 2nd publication date)
September 14 to October 13, 2018
Deadline (4:30 p.m.) for receiving AAP elector responses
October 15, 2018 (32 days)
Board Meeting to adopt both bylaws
October 24/25, 2018
30-day quashing period (LA Bylaw)
October 26 to November 24, 2018
Apply for Certificate of Approval (LA Bylaw)
November 26, 2018
Board Meeting to give 3 readings/adoption of Security Issuing Bylaw
November 28/29, 2018
10-day quashing period (SI Bylaw)
November 30 to December 9, 2018
Apply for Certificate of Approval (SI Bylaw)
December 10, 2018
Deadline to apply for MFA financing (Spring 2019 issue)
TBA
Date by which MFA Financing is Available to the SLRD
Spring 2019



NOTICE OF ALTERNATIVE APPROVAL PROCESS

PUBLIC NOTICE is hereby given in accordance with the Local Government Act and the Community Charter that the Squamish-Lillooet Regional District ("SLRD") has proposed the following bylaw: *Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018* ("Bylaw"). The *Bylaw* relates to the SLRD's Bralorne Sewer Local Service Area, which includes the community of Bralorne in SLRD Electoral Area A as participants ("*Service Area*"), as shown on the map below:

[to be added]

The *Bylaw* authorizes the SLRD to borrow funds of up to \$700,000 over a 30 year term ("*Loan*"), for the purpose of constructing a new wastewater treatment system in Bralorne, BC ("*System*"). Repayment of the *Loan* is to be borne by the taxable properties within the *Service Area* as follows:

For the portion of SLRD Electoral Area A within the *Service Area*:

- The increase in the annual parcel tax attributable to the borrowing is estimated to be \$418.15. This includes the fee of 5.25% which is automatically added by the Province of British Columbia to all parcel and property taxes within electoral areas. This annual amount will be reduced if the entire amount of the borrowing of \$700,000 is not required.

The SLRD Board is seeking participating area approval of electors by way of Alternative Approval Process for the *Service Area*. The number of eligible electors in the *Service Area* has been determined to be 82 and the number of elector responses required to prevent the SLRD Board from proceeding without the further assent of electors is 8. The deadline for elector responses in relation to this Alternative Approval Process is **4:30 p.m. on _____, 2018.**

The SLRD Board may proceed with this matter unless, by the stated deadline, at least 10% (being 8) of the electors of the *Service Area* indicate that the SLRD Board must obtain the elector approval by assent vote.

Elector responses must be given in the form established by the SLRD Board. Elector response forms are available at _____ and at the SLRD office (1350 Aster St., Pemberton, BC). The only persons entitled to sign the forms are the electors of the area to which the Alternative Approval Process applies, being the *Service Area*. For more information about Resident Elector and Non-Resident Property Elector qualifications, see _____.

Public inspection of copies of the Bylaw can be made at the SLRD office (1350 Aster St., Pemberton, BC) from 8:00 a.m. to 4:30 p.m. (M-F, except holidays).

For more information, please contact SLRD Corporate Officer K. Clark (604) 894-6371 (ext. 230) or kclark@slrd.bc.ca.



**Elector Response Form -
Alternative Approval Process**

Squamish-Lillooet Regional District
Bralorne Wastewater Treatment System
Loan Authorization Bylaw No. 1595-2018

Squamish-Lillooet Regional District Bralorne Wastewater Treatment System Loan Authorization Bylaw No. 1595-2018 ("Bylaw No. 1595-2018") authorizes the Squamish-Lillooet Regional District ("SLRD") to borrow up to \$700,000 over a term of 30 years to construct a new wastewater treatment system in Bralorne, BC, for the use and benefit of residents in Bralorne.

Under *Bylaw No. 1595-2018*, the requisition amount for this loan would be as follows:

- The increase in the annual parcel tax attributable to the borrowing is estimated to be \$418.15. This includes the fee of 5.25% which is automatically added by the Province of British Columbia to all parcel and property taxes within electoral areas. This annual amount will be reduced if the entire amount of the borrowing of \$700,000 is not required.

Choose one *[please mark with an "x" or otherwise]*:

____ I am a resident elector (**see eligibility requirements on the following page**)

____ I am a non-resident property elector who lives in another BC community but owns property having an address of _____
[please insert address of property in relation to which you are entitled to register as a non-resident property elector] (**see additional eligibility requirements on the following page**)

By completing this elector response form, I **OPPOSE** the SLRD Board's intention to adopt *Bylaw No. 1595-2018*, unless the assent of the electors in a voting proceeding (referendum) is obtained.

Print full name of elector: _____

Signature of elector: _____

Residential Address of elector: _____

For this elector response form to be counted, it must be received by the SLRD Corporate Officer **no later than 4:30 p.m. on _____, 2018**, in any one of the following manners:

- In person at 1350 Aster Street – 2nd Floor, Pemberton, BC (Monday to Friday 8:00 AM - 4:30 PM, excluding Statutory Holidays);
- Via mail to: Box 219, Pemberton, BC, V0N 2L0;
- Via fax at: 604-894-6526; or
- Via email attachment to info@slrd.bc.ca with the subject heading: "Elector Response"

Postmarks will not be accepted as the date of receipt by the SLRD. If submitting this form to the SLRD by facsimile, please ensure that the transmission was completed. Responsibility for receipt of elector response forms in accordance with these instructions lies with the elector.

The SLRD Board may proceed with the adoption of *Bylaw No. 1595-2018* unless 8 electors sign and submit a completed copy of this elector response form to the SLRD by the deadline.

Eligibility Requirements

Resident Electors (section 65 of the *Local Government Act*):

1. I am 18 years of age or older;
2. I am a Canadian citizen;
3. I have lived in British Columbia for at least 6 months immediately before signing this elector response form;
4. I have lived in the Service Area for at least 30 days before signing this elector response form;
5. I am not disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.

Non-Resident Property Electors (section 66 of the *Local Government Act*):

1. I am 18 years of age or older;
2. I am a Canadian citizen;
3. I have lived in British Columbia for at least 6 months immediately before signing this elector response form;
4. I am not entitled to vote as a resident elector in the Service Area for purposes of this matter;
5. I have been a registered owner of real property in the Service Area for at least 30 days before signing this elector response form;
6. I acknowledge that I may sign only one elector response form, regardless of the number of properties that I own in the SLRD;
7. I acknowledge that if there is more than one individual who is the registered owner of the property, only one of the individual owners may sign this elector response form in relation to the property, provided the non-resident property elector has the written consent of the number of individuals who, together with the person signing this elector response form, constitute a majority of the registered owners of the property (**written consent must be attached, if applicable**);
8. I acknowledge that the only persons who are registered owners of the real property are individuals who do not hold the property in trust for a corporation or another trust;
9. I am not disqualified from voting under the *Local Government Act* or any other enactment or otherwise disqualified by law from voting.