



Request for Decision

Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018

Date of Meeting: February 28, 2018

Recommendations:

1. THAT Bylaw No. 1567-2018, cited as "Squamish-Lillooet Regional District Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018", be introduced and read a first, second and third time.
(*Weighted All Vote*)
2. THAT Bylaw No. 1567-2018, cited as "Squamish-Lillooet Regional District Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018" (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. 4,148 as the total number of electors in the Village of Pemberton and the portion of SLRD Electoral Area C within the Pemberton Refuse Disposal Local Service Area as established by Pemberton Refuse Disposal Local Service Conversion and Establishment Bylaw No. 568, 1994, to which the Alternative Approval Process applies.
 - b. the Notice of Alternative Approval Process shall be published in 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;



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- 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:
 - 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 Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018, 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.

Attachments:

1. Proposed Squamish-Lillooet Regional District Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018
2. SLRD Board Policy No. 3.3 (Alternative Approval Process)
3. Report for Determining the Number of Eligible Electors
4. Timelines for Alternative Approval Process, with various scenarios
5. Notice of Alternative Approval Process
6. Elector Response Form – Alternative Approval Process
7. Pemberton Refuse Disposal Local Service Area Map
8. Letter from the Village of Pemberton in Support of Bylaw No. 1567-2018 and the Alternative Approval Process



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Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018

Key Issues/Concepts Defined:

In 2016, the SLRD purchased a 0.5 acre lot at 1950 Venture Place in the Pemberton Industrial Park with the intention of developing a full service transfer station. The contract for the current site of the transfer station ends August 31, 2019. Based on a feasibility study conducted in 2017, and modifications thereto, staff estimates a total cost of \$1,375,000 to build this facility (i.e. construction, equipment, site preparations, etc.). A grant application for this project was applied for from the Gas Tax Strategic Priorities Fund – in early February the SLRD was advised that it was not successful in its application. As such, staff is suggesting that a 30-year loan for this amount be undertaken with the Municipal Finance Authority, and that electorate approval for this loan be undertaken via Alternative Approval Process (“AAP”). If the APP is successful, construction is anticipated to occur over two years with completion slated for the end of August, 2019 – \$500,000 has been budgeted in 2018 and the remainder in 2019.

The building of this new transfer station will result in operational cost savings which will reduce the operational costs of the transfer station, and allow the SLRD to have more operational control over the facility. The new site will be able to accommodate the current and future needs of the community. Key infrastructure improvements include:

- Better small vehicle access.
- Two scales (inbound automated, outbound staffed) to provide streamlined unidirectional traffic flow.
- Scale house and administration building.
- Containment area for used oil and household hazardous waste.
- Storage area for household appliances containing ozone-depleting substances.
- Safe drop-off areas to allow materials to be transferred from small vehicles.

Construction of the new Pemberton Transfer Station will provide the community with a valuable asset that will result in a high quality of service at lower cost for the foreseeable future.

At the February 8, 2018 Pemberton Valley Utilities and Services (“PVUS”) Committee meeting, the PVUS Committee, as part of the budgeting process, made the following resolution:

THAT SLRD staff prepare, for the Board’s consideration at the February 28, 2018 Board meeting, a loan authorization bylaw for the new Pemberton and District



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Transfer Station in the amount of \$1,375,000 with participating area approval to be obtained via alternative approval process.

During the February 20, 2018, Regular Council Meeting, the Village of Pemberton passed a motion in support of the Alternative Approval Process and the consideration of a loan authorization bylaw at the SLRD's February 28, 2018, Board meeting. A letter from the Village of Pemberton, in this regard, is attached to this report.

Alternative Approval Process Timeline

A timeline detailing various Alternative Approval Process scenarios is attached to this staff report. Various scenarios are necessary due to the uncertainty around how long it will take to obtain Inspector Approval – approval is anticipated to take between 4 and 7 weeks.

Only the fastest timeline (Scenario #1) results in meeting the Municipal Finance Authority (MFA) deadline for the fall issue without the Board being asked to consider convening a Special Meeting. It may only be possible to meet the MFA deadline under Scenario #2, #3, and #4 by convening a Special Meeting. Once Inspector approval is obtaining and if the Alternative Approval Process is not defeated, staff will, as needed, determine whether it is worth considering convening a Special Meeting to expedite the adoption of Bylaw No. 1567-2018 and will also consult with MFA staff to determine if an extension to the July 13, 2018 deadline may be possible. If the deadline cannot be met (i.e. and it is necessary to wait until MFA's Spring 2019 issue), the Board could consider adopting temporary borrowing bylaws, which are able to be undertaken if a loan authorization bylaw has been approved.

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:



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- Pique Newsmagazine (published weekly, on Thursdays); and
- 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 415 (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 Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018 ("Bylaw No. 1567-2018"). 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. These documents have been drafted based on the templates found in SLRD Board Policy 3.3 (Alternative Approval Process). 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.

Tax Requisition Rate

Staff has assumed an interest rate of 4.0% for a \$1,375,000 loan over a 30-year term. This 30-year term has been chosen to minimize the annual loan payments, and as the transfer station is expected to have a long life span. It is necessary to make an assumption as to the interest rate as:



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- MFA has not yet determined its fall 2018 borrowing rate (note: the MFA spring 2018 borrowing rate is estimated at 3.40%);
- It is not certain that the fall issue borrowing deadline of July 13, 2018 will be able to be met, in which case temporary borrowing would be required while waiting for MFA's spring 2019 issue;
- 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 3.43%).

4.0% is a fairly conservative rate and leaves room in case there is an increase in rates (i.e. between MFA's spring 2018 issue date and MFA's fall 2018/spring 2019 issue date, as well as at the 10 year mark of the 30-year term).

Based on a \$1,375,000 loan at 4.0% interest for 30 years, the annual principal and interest payments are \$84,741. The year 2020 is the first year that the full principal and interest payments will be incurred as the budget indicates two separate borrowings to match the construction timeline - \$500,000 in 2018 and \$875,000 in 2019.

- For the incorporated area (Village of Pemberton) the rate per \$1,000 of net taxable assessed value of land and improvements attributable to the borrowing is estimated to be \$0.0471 using the current 2018 tax assessment base (i.e. \$4.71 per \$100,000), resulting in the following annual borrowing amounts.

Illustrations for Village of Pemberton		
Average Value of Residential Property	Rate per \$100,000	Estimated Annual Tax Requisition due to Borrowing
\$100,000	\$4.71	\$4.71
\$500,000	\$4.71	\$23.55
\$800,000	\$4.71	\$37.68
\$1,000,000	\$4.71	\$47.10
\$1,500,000	\$4.71	\$70.65



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- For the unincorporated area (the portion of SLRD Electoral Area C) the rate per \$1,000 of net taxable assessed value of land and improvements attributable to the borrowing is estimated to be \$0.0496 using the current 2018 tax assessment base (i.e. \$4.96 per \$100,000), resulting in the following annual borrowing amounts. The difference from the amounts for the Village of Pemberton is due to the fact that a fee of 5.25% is automatically added by the Province of British Columbia to property taxes of unincorporated areas.

Illustrations for Electoral Area C (including 5.25% provincial fee)		
Average Value of Residential Property	Rate per \$100,000	Estimated Annual Tax Requisition due to Borrowing
\$100,000	\$4.96	\$4.96
\$500,000	\$4.96	\$24.80
\$800,000	\$4.96	\$39.68
\$1,000,000	\$4.96	\$49.60
\$1,500,000	\$4.96	\$74.40

- Expected savings to contracted services once the new Pemberton and District Transfer Station is complete are expected to be in the range of \$45,000 - \$50,000 per year.

Strategic Relevance: The Pemberton and District Transfer Station provides solid waste services to the Village of Pemberton and portions of Electoral Area C. The construction of a new transfer station will provide the SLRD with a valuable asset and greater control over the operations and maintenance of the site, as well as the ability to better manage increased waste volumes as the population of the area expands.

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 financing to construct the new Pemberton and District Transfer Station.



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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 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, 415 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.
- 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.



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Pemberton and District Transfer
Station Loan Authorization Bylaw
No. 1567-2018

Legislative:

Proceeding with adoption of Bylaw No. 1567-2018 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

Approved by: Lynda Flynn, Chief Administrative Officer

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1567-2018**

A bylaw to authorize the borrowing of \$1,375,00000 for the purpose of constructing the Pemberton and District Transfer Station for the use and benefit of the Village of Pemberton and a defined area of the Squamish-Lillooet Regional District's Electoral Area C

WHEREAS pursuant to Pemberton Refuse Disposal Local Service Conversion and Establishment Bylaw No. 568, 1994, the Squamish-Lillooet Regional District operates the Pemberton Refuse Disposal Service within:

- (a) the Village of Pemberton; and
- (b) a defined area of the Squamish-Lillooet Regional District's Electoral Area C;

AND WHEREAS pursuant to section 406(1) of the *Local Government Act*, this bylaw relates to the Pemberton Refuse Disposal Service in the Village of Pemberton and Squamish-Lillooet Regional District Electoral Area C;

AND WHEREAS the Squamish-Lillooet Regional District is the owner of the lands and improvements located at 1950 Venture Place, Pemberton, B.C. (the "Property");

AND WHEREAS the Regional Board of the Squamish-Lillooet Regional District deems that it is desirable and expedient to construct and operate the Pemberton and District transfer station for the use and benefit of the Village of Pemberton and a defined area of the Squamish-Lillooet Regional District's Electoral Area C;

AND WHEREAS the total sum to be borrowed for the purpose of constructing the Pemberton and District solid waste transfer station on the Property, is \$1,375,000.00, 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 Pemberton and District solid waste transfer station on the Property and to do all things necessary in connection therewith to provide for the continued provision of solid waste services in the Pemberton and District area, and without limiting the generality of the foregoing, to borrow upon the credit of the Squamish-Lillooet Regional District a sum not exceeding \$1,375,000.00.
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 Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018".

READ A FIRST TIME this 28th day of February, 2018.

READ A SECOND TIME this 28th day of February, 2018.

READ A THIRD TIME this 28th day of February, 2018.

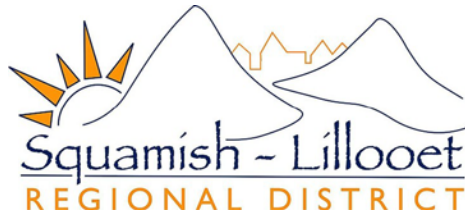
APPROVAL of the Inspector of Municipalities received this ____ day of _____, 2018.

APPROVAL OF THE ELECTORS within the Pemberton Refuse Disposal Service obtained this ____ day of _____, 2018.

ADOPTED this ____ day of _____, 2018.

Jack Crompton,
Chair

Kristen Clark,
Corporate Officer



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

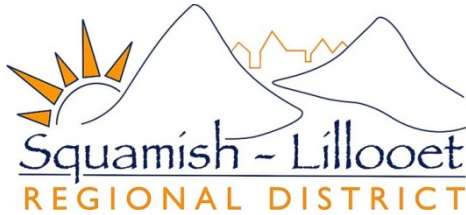
1. Where a Notice of AAP has been published by the Board, eligible electors may submit an elector response form to the Corporate Officer in any one of the following manners prior to the deadline date set out in the Notice of AAP:

- 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

Policy Name: Squamish-Lillooet Regional District Alternative Approval Process Policy	Page 1 of 2
Approving Authority: Board	Policy No: 3.3
Date of Approval: July 28, 2014	Dates of Amendment: N/A
Policies Superseded: N/A	Related Enactments: LGA, s.801.3; CC, s.86 and 94

- 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;
 - 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.

Policy Name: Squamish-Lillooet Regional District Alternative Approval Process Policy	Page 2 of 2
Approving Authority: Board	Policy No: 3.3
Date of Approval: July 28, 2014	Dates of Amendment: N/A
Policies Superseded: N/A	Related Enactments: LGA, s.801.3; CC, s.86 and 94



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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 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,

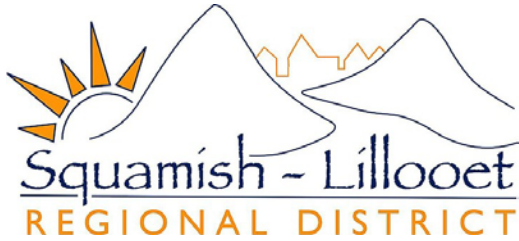
- a resident of BC for at least 6 months immediately before signing this elector response form,
- a resident of *[insert service area]* for at least 30 days immediately before signing this elector response form, and
- not be disqualified from voting under the *Local Government Act* or any other enactment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

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.



**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:

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.

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.

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 Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018** 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 Village of Pemberton and the portion of SLRD Electoral Area C within the Pemberton Refuse Disposal Local Service Area as established by Pemberton Refuse Disposal Local Service Conversion and Establishment Bylaw No. 568, 1994 ("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 Village of Pemberton and the portion of SLRD Electoral Area C within the Service Area [see (1) below]:	5,077
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Estimated number of people 18 years of age or older [see (2) below]:	3,819
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Add estimated # of non-resident property electors – Village of Pemberton and portion of Electoral Area C within the Service Area [see (3) below]:	<u>329</u>
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Estimated total # of eligible electors in the area defined for the Alternative Approval Process	<u>4,148</u>
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415

Ten percent of the total # of eligible electors is estimated to be:

Therefore the required number of elector responses (i.e. 10% or more) to prevent the SLRD Board from adopting **Squamish-Lillooet Regional District Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018** via the Alternative Approval Process is 415.

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 Village of Pemberton (2,575) and the portion of Electoral Area C within the Service Area (2,502) is 5,077.
2. The estimated number of people 18 years of age or older within the Service Area was derived from information obtained from the Statistics Canada website, based on 2016 Canadian Census estimates. The estimated number of people 18 years of age or older within the Service Area is 3,819.
3. In respect of the Village of Pemberton, the number of non-resident property electors is estimated to be 200 based on information received from the Village of Pemberton in respect of home owner grants not applied for. In respect of the portion of Electoral Area C within the Service Area, the number of non-resident property electors is estimated to be 129 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 for SLRD Pemberton and District Transfer Station Loan Authorization Bylaw No. 1573-2018
(4 scenarios)**

Scenario #1 (February Board meeting) (4 week turn-around to receive Inspector approval)	Scenario #2 (February Board meeting) (7 week turn-around to receive Inspector approval)	Scenario #3 (March Board meeting) (4 week turn-around to receive Inspector approval)	Scenario #4 (March Board meeting) (7 week turn-around to receive Inspector approval)
Board Meeting at which Board considers giving three readings to Loan Authorization (LA) Bylaw			
February 28, 2018	February 28, 2018	March 28, 2018	March 28, 2018
Receive statutory approval for LA Bylaw & AAP process			
March 28, 2018	April 18, 2018	April 25, 2018	May 16, 2018
AAP statutory notice (latest 1st publication date - Pique)			
April 5, 2018	April 26, 2018	May 3, 2018	May 24, 2018
AAP statutory notice (latest 2nd publication date - Pique)			
April 12, 2018	May 3, 2018	May 10, 2018	May 31, 2018
AAP statutory 30-day elector response period (from latest 2nd publication date)			
April 13 to May 12, 2018	May 4 to June 2, 2018	May 11 to June 9, 2018	June 1 to June 30, 2018
Deadline (4:30 p.m.) for receiving elector responses for AAP			
May 14, 2018 (32 days)	June 4, 2018 (32 days)	June 11, 2018 (32 days)	July 3, 2018 (33 days)
Publish Board meeting agenda			
May 16, 2018	June 20, 2018	June 20, 2018	July 18, 2018
Board Meeting at which Board considers adoption of LA Bylaw & three readings of Security Issuing (SI) Bylaw			
May 23, 2018	June 27, 2018	June 27, 2018	July 25, 2018
30-day quashing period (for LA Bylaw)			
May 25 to June 23, 2018	June 29 to July 28, 2018	June 29 to July 28, 2018	July 27 to August 25, 2018
Apply for Certificate of Approval (for LA Bylaw)			
June 25, 2018	July 30, 2018	July 30, 2018	August 27, 2018
Board Meeting at which Board considers adoption of SI Bylaw			
June 27, 2018	August 29, 2018	August 29, 2018	August 29, 2018 (as late agenda item)
10-day quashing period (for SI Bylaw)			
June 29 to July 8, 2018	August 31 to September 9, 2018	August 31 to September 9, 2018	August 31 to September 9, 2018
Apply for Certificate of Approval (for SI Bylaw)			
July 9, 2018	September 10, 2018	September 10, 2018	September 10, 2018
Deadline to apply for MFA financing (Must have applied for Certificate of Approval by this date)			
July 13, 2018 - Fall Issue	February 2019 - Spring Issue (exact date not yet available)	February 2019 – Spring Issue (exact date not yet available)	February 2019 – Spring Issue (exact date not yet available)
Date by which MFA Funding is Made Available to the SLRD			
End of October 2018 (to be confirmed)	April 2019 (to be confirmed)	April 2019 (to be confirmed)	April 2019 (to be confirmed)



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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 Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018* ("Bylaw No. 1567-2018").

Bylaw No. 1567-2018 relates to the SLRD's Pemberton Refuse Disposal Local Service Area, which service area includes a portion of Electoral Area C and the Village of Pemberton as participants (the "Service Area").

The purpose of *Bylaw No. 1567-2018* is to authorize the SLRD to borrow funds for the purpose of constructing a solid waste transfer station on property owned by the SLRD at 1950 Venture Place in Pemberton, BC (the "Property").

The total sum to be borrowed for the purpose of constructing a solid waste transfer station on the Property is up to \$1,375,000, which is the maximum amount of debt to be created by *Bylaw No. 1567-2018*.

Repayment of the borrowed funds is intended to be spread out over a term of 30 years, the cost of which is to be borne by the taxable properties within the Service Area. If the full amount of the \$1,375,000 loan to be authorized under *Bylaw No. 1567-2018* is issued, the estimated tax requisition is as follows:

- For the incorporated area (Village of Pemberton) the rate per \$1,000 of net taxable assessed value of land and improvements attributable to the borrowing is estimated to be \$0.0471 using the current 2018 tax assessment base (i.e. \$4.71 per \$100,000), resulting in the following annual borrowing amounts.

Illustrations for Village of Pemberton		
Average Value of Residential Property	Rate per \$100,000	Estimated Annual Tax Requisition due to Borrowing
\$100,000	\$4.71	\$4.71
\$500,000	\$4.71	\$23.55
\$800,000	\$4.71	\$37.68
\$1,000,000	\$4.71	\$47.10
\$1,500,000	\$4.71	\$70.65

- For the unincorporated area (the portion of SLRD Electoral Area C) the rate per \$1,000 of net taxable assessed value of land and improvements attributable to the borrowing is estimated to be \$0.0496 using the current 2018 tax assessment base (i.e. \$4.96 per \$100,000), resulting in the following annual borrowing amounts. The difference from the amounts for the Village of Pemberton is due to the fact that a fee of 5.25% is automatically added by the Province of British Columbia to property taxes of unincorporated areas.

Illustrations for Electoral Area C (including 5.25% provincial fee)		
Average Value of Residential Property	Rate per \$100,000	Estimated Annual Tax Requisition due to Borrowing
\$100,000	\$4.96	\$4.96
\$500,000	\$4.96	\$24.80
\$800,000	\$4.96	\$39.68
\$1,000,000	\$4.96	\$49.60
\$1,500,000	\$4.96	\$74.40

TAKE NOTICE THAT the SLRD Board has resolved to seek participating area approval of electors by way of Alternative Approval Process for the entire Service Area.

The deadline for elector responses in relation to this Alternative Approval Process shall be **4:30 p.m. on** _____.

The SLRD Board may proceed with this matter unless, by the deadline of _____, 2018, at least 10% of the electors of the Service Area indicate that the SLRD Board must obtain the assent of the electors before proceeding with *Bylaw No. 1567-2018*.

Elector responses must be given in the form established by the SLRD Board and such forms are available at the SLRD offices 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, being the Service Area.

The number of eligible electors has been determined at 4,148 and the number of elector responses required to prevent the SLRD Board from proceeding without the further assent of electors has been determined to be 415. A report respecting the basis upon which the determination was made of the total number of electors of the entire Service Area is available at the SLRD offices at 1350 Aster Street, Pemberton, BC and on the SLRD's website at www.slrd.bc.ca.

The electors of the entire Service Area are the persons who would meet the qualifications referred to in section 172 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 the 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 not 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 the 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 not be otherwise disqualified by law from voting.

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

Copies of the *Bylaw No. 1567-2018* are available at the SLRD offices at 1350 Aster Street, Pemberton, BC from 8:00 a.m. to 4:30 p.m. and on the SLRD's website at www.slrd.bc.ca.

More information regarding this Alternative Approval Process may be obtained by contacting Kristen Clark, Corporate Officer, Squamish-Lillooet Regional District at (604) 894-6371 ext. 230 or kclark@slrd.bc.ca.



**Elector Response Form -
Alternative Approval Process**

Squamish-Lillooet Regional District
Pemberton and District Transfer Station
Loan Authorization Bylaw No. 1567-2018

Squamish-Lillooet Regional District Pemberton and District Transfer Station Loan Authorization Bylaw No. 1567-2018 ("Bylaw No. 1567-2018") authorizes the Squamish-Lillooet Regional District ("SLRD") to borrow up to \$1,375,000 over a term of 30 years to construct a solid waste transfer station at 1950 Venture Place in Pemberton, BC, for the use and benefit of residents in the Pemberton area.

Under *Bylaw No. 1567-2018*, the maximum requisition amount for this loan would be as follows:

- For the incorporated area (Village of Pemberton), the rate per \$1,000 of net taxable assessed value of land and improvements attributable to the borrowing is estimated to be \$0.0471 using the current 2018 tax assessment base (i.e. \$4.71 per \$100,000); and
- For the unincorporated area (the portion of SLRD Electoral Area C) the rate per \$1,000 of net taxable assessed value of land and improvements attributable to the borrowing is estimated to be \$0.0496 using the current 2018 tax assessment base (i.e. \$4.96 per \$100,000). Please note that the higher rate for Electoral Area C is due to a fee of 5.25% added by the Province of British Columbia to property taxes of unincorporated areas.

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. 1567-2018*, 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. 1567-2018* unless 415 electors sign and submit a completed copy of this elector response form to the SLRD by the deadline.

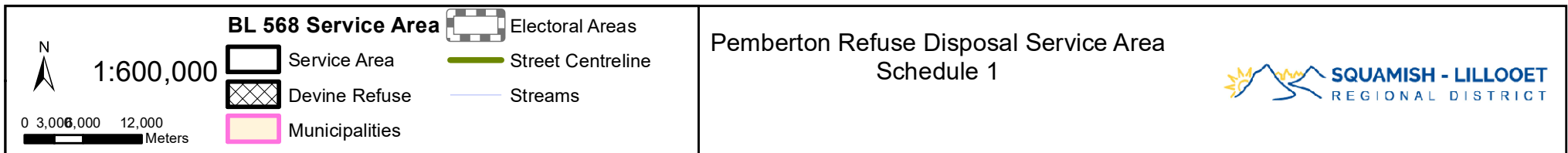
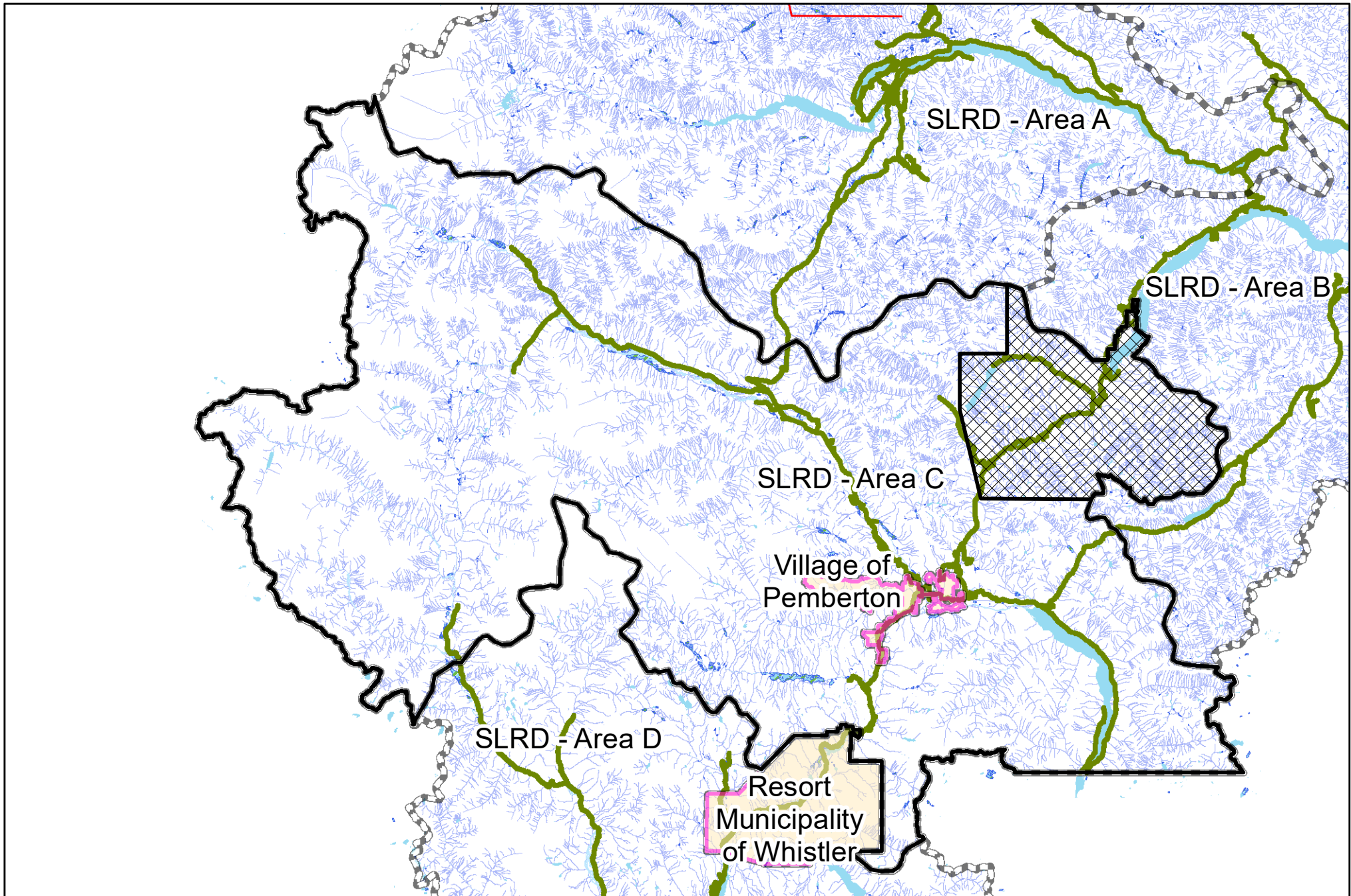
Eligibility Requirements

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.





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February 21, 2018

Kristen Clark
Director of Legislative & Corporate Services
Squamish-Lillooet Regional District
PO Box 219
Pemberton, V0N 2L0

Re: SLRD Pemberton Transfer Station – Alternative Approval Process

Dear Ms. Clark;

At the Village of Pemberton Regular Council Meeting No. 1464, held Tuesday, February 20, 2018, Council considered the matter of the Pemberton and District Transfer Station Loan Authorization Bylaw No. 1573, 2018. In this regard, the following resolution was passed:

Moved/Seconded

THAT the Village of Pemberton supports bringing forward SLRD Pemberton and District Transfer Station Loan Authorization Bylaw No. 1573, 2018 for consideration by the SLRD Board at the Board Meeting to be held February 28, 2018;

AND THAT the Village of Pemberton supports holding an Alternative Approval Process for borrowing funds to facilitate the development of a new Pemberton and District Transfer Station.

CARRIED

If you have any questions, please do not hesitate to contact me at the Village Office.

Yours truly,

VILLAGE OF PEMBERTON

Sheena Fraser
Manager of Corporate & Legislative Services

Cc: Nikki Gilmore, Chief Administrative Officer