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REPORT TO THE ELECTORAL AREA SERVICES COMMITTEE MEETING OF WEDNESDAY, 5 SEPTEMBER 2007

SUBJECT **Remuneration for all Juan de Fuca Land Use Committee Members**

PURPOSE/ISSUE

The purpose of this report is to take forward the Juan de Fuca Electoral Area Director's request to amend the Juan de Fuca Land Use Committee (JDFLUC) Bylaw No. 3166 to provide for the remuneration of all committee members.

HISTORY/BACKGROUND

The Juan de Fuca Electoral Area was created in 1999 by combining the portion of the Sooke Electoral Area that was not a part of the District of Sooke with the small Langford Electoral Area (mainly Malahat, Durrance Road and Willis Point). The service of community land use planning was then relegated to just one electoral area. The *Local Government Act* under Section 791(11) does state that if only one director would be entitled to vote, each director who is present is entitled to vote and has one vote. The whole board voted on Part 26 matters for the Juan de Fuca Electoral Area until 2001, when the province enacted regulations to provide for other adjacent jurisdictions to vote on resolutions or bylaws under Part 26 of the *Local Government Act*.

Subsequently, the municipalities of Central Saanich and Metchosin have opted into community planning and each has an agreement with the CRD in that regard. The JDFLUC is made up of representatives from six electoral area sub-regions, namely, Willis Point, Malahat, East Sooke, Otter Point, Shirley/Jordan River and Port Renfrew, as well as the electoral area director and the two representatives from the participating municipalities. Of these nine members, remuneration is only provided to the two representatives from the participating municipalities as provided in the Board Remuneration Resolution. The Juan de Fuca electoral area director has requested an amendment to the JDFLUC in order to provide remuneration to all of the members.

Current Paid Meeting Attendance

Currently the only individuals who are remunerated from the CRD for meeting attendance are CRD directors (and CRD alternates); provincially mandated standing committee municipal councillors (Regional Water Supply Commission members because of the heavy workload) and any municipal councillors who attend a meeting of the CRD Forum of Councils.

Current Unpaid Meeting Attendance

Local service committee/commission members (approximately 230 individuals) are currently unpaid, as are Councillors attending meetings that do not fall under the above classification.

Some sections under the *Local Government Act* that deal with committees and commission are quite clear that members of those commissions must serve without remuneration. For example, section 898(6) provides that members of an advisory planning commission "must serve without remuneration, but may be paid reasonable and necessary expenses that arise directly out of the performance of their duties". Boards of Variance also serve without remuneration (section 899(11)) but must be reimbursed for expenses. This appears to be the only language in the act that addresses remuneration for committee members.

ALTERNATIVES

- 1) That Bylaw 3459, “Capital Regional District Land Use Committee Bylaw No. 1, 2004, Amendment Bylaw No. 2, 2007” be introduced and read a first time, read a second time, read a third time and adopted. This would allow the CRD to remunerate all the JDFLUC members and will establish a precedent for remunerating any number of other committee or commission members who are currently donating their time and effort as volunteers.
- 2) To be consistent with the Board policy, not recommend that Bylaw No. 3459, “Capital Regional District Land Use Committee Bylaw No. 1, 2004, Amendment Bylaw No. 2, 2007 be adopted.

FINANCIAL IMPLICATIONS

The cost of providing remuneration to all the members of the JDFLUC would be approximately \$8,200 per year and would be the cost of the Juan de Fuca Community Planning Service. Currently all members of the JDFLUC are eligible to be paid their reasonable and necessary expenses arising from the performance of their duties.

Bylaw No. 3459 would set a precedent for potentially remunerating other members of volunteer commissions and/or committees which number 230 appointees, excluding Advisory Planning Committees and Boards of Variance. At an estimated 10 meetings per year this could cost approximately \$196,000 per year.

SUMMARY/CONCLUSIONS

The current Board Remuneration Resolution does provide for payment to:

- 1) Members of the CRD Board and their alternates;
- 2) Members of the Regional Water Supply Commission and their alternates (Provincially mandated and with a heavy workload);
- 3) Non-electoral area CRD Board members attending a Juan de Fuca Electoral Area Land Use Committee meeting of which the director is a member (or his board alternate);
- 4) Municipal councillors and Directors attending a Forum of Councils meeting.

Remunerating the Land Use Committee community and council members is a departure from current board policy and practice.

Bylaw No. 3459 would set a precedent for potentially remunerating all other members of volunteer commissions and/or committees and considerably increase the local service area budgets. This could affect up to 230 appointees, and could potentially cost approximately \$196,000 per year.

RECOMMENDATION

To be consistent with the Board policy, it is not recommended that Bylaw No. 3459, “Capital Regional District Land Use Committee Bylaw No. 1, 2004, Amendment Bylaw No. 2, 2007” be adopted.

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Attachment (1)

Kelly Daniels
CAO Concurrence

Attachment (1)