

# SUN PEAKS REFERENDUM COMMITTEE

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## Notes from Referendum Committee PUBLIC Meeting - Draft

**Date:** Friday January 22, 2010  
**Time:** 7:00 PM  
**Place:** Delta Sun Peaks Resort, Sun Peaks

Committee Members & Staff	Present	Absent
Darcy Alexander	✓	
Al Raine	✓	
Colleen Hannigan	✓	
Nicky Braithwaite (SPRID staff)	✓	
Tom Reid, Sussex Consultants Ltd.	✓	
Lyle Huntley, TNRD Chief Election Officer	✓	
Psyche Brown, Ministry of Tourism, Culture & the Arts	✓	

### 1. Call to Order and Introductions

Colleen Hannigan called the meeting to order at 7:08 pm and introduced the Referendum Committee, Lyle Huntley, Psyche Brown, and Tom Reid from Sussex Consulting Ltd, who developed the technical report.

### 2. Review power point of TNRD presentation

Lyle Huntley reviewed the incorporation process and voting procedures.

- Governed by the Local Government Act and by the TNRD election bylaws
- Advanced Polling Dates
  - January 20, 2010
  - January 23, 2010
  - January 27, 2010
- General Voting Day - January 30, 2010
  - Mail ballot voting allowed
- Qualified electors
  - Resident Electors
    - 18 years or older
    - Canadian Citizen
    - Resident of BC for at least 6 months
    - Resident of Sun Peaks for at least 30 days
    - Only one vote per person
  - Non-Resident Property Electors
    - Not entitled to vote as a resident elector
    - Canadian Citizen
    - Resident of BC for at least 6 months
    - Registered owner of real property in Sun Peaks for at least 30 days
    - Properties held in trust or by a Corporation are ineligible
    - Only one person registered on title may vote on behalf of all other owners
    - Entitled to vote for 1 parcel only regardless of number of parcels owned
- Voter proof of identity & residence
  - All electors
    - Two pieces of identification (at least one with a signature)

- Non-resident elector
  - Written consent of a majority of the other owners
  - Evidence of ownership
- Mail ballot voting
  - Eligibility
    - Those persons who have a physical disability, illness or injury that affect their ability to vote at another voting opportunity
    - Persons who expect to be absent from the jurisdiction on voting day
    - A person must meet all voting requirements as a resident or non resident property elector
  - Mail ballot process
    - Elector submits application form
    - Chief Election Officer process application and sends mail ballot package
    - Elector returns mail ballot package to Chief Election Officer to accept or reject
    - If accepted, ballot counted at close of voting on January 30<sup>th</sup>.
    - It is elector's responsibility to ensure the TNRD office receives the ballot package by 4:30 pm on January 29<sup>th</sup> OR prior arrangement to have ballot hand delivered to polling station by closing on January 30<sup>th</sup>.

### **3. Review of Power Point Presentation on the updated Technical Report**

Tom highlighted the major points:

- The approved boundary is the Controlled Recreation Area.
- The shift of responsibility from current structure to a municipality
  - Land ownership does not change
  - Municipality would replace the Improvement District, local function of the TNRD and the Province.
- Municipal structure
  - Council structure
    - Mayor and four councillors
    - Serve 3 year term
    - 1 vote each
    - The Province could appoint one council seat (either SPRC or Provincial representative)
  - Duties of Council
    - Set policies for community
    - Adopt bylaws and regulations
    - Set service levels and priorities
    - Approve budgets and tax policies
    - Approve contracts
- Changes due to municipal status
  - More local autonomy
  - More local accountability
  - More local coordination
  - More funding tools
  - More obligations (zoning, bylaws, roads, etc)

- Affect on Sun Peaks Resort Corporation
  - Assured rights under Master Development Agreement (MDA)
- Municipal Functions
  - Administration
  - Fire Department
  - Bylaw enforcement
  - Building permits & inspection
  - Roads, drainage, street lights
  - Zoning and plan development
  - Subdivision approval
- Provincial start-up assistance
  - Provincial short term help
  - Grants
  - Rural tax rebate
  - 5 Yrs. “free” road maintenance but no rehabilitation
  - Responsibilities will be phased in
- Financial needs
  - Basic and other enhanced infrastructure
  - Municipal staff with the possibility of contracting out services
  - Estimated annual budget
  - Tax implications
    - Based on \$400k residential property - \$79 increase
    - Based on \$400K business - \$211 increase
- Things not affected
  - SPRC development rights and mountain operations
  - Region-wide functions (TNRD)
  - Public and private Utilities
  - Tourism Sun Peaks
  - Policing
  - Property assessments
- Bylaws inherited from TNRD
  - Zoning
  - Subdivision servicing
  - Building
  - Heritage conservation
  - Unsightly premises
  - Noxious weed control
  - Mosquito control

#### 4. Questions and Comments

Q: Where are the expenditures from the Hotel Tax and additional grants shown in the budget?

A: They are included with Capital and Planning, tourism initiatives.

Q: Who becomes liable for bad building inspections?

A: The municipality would be liable as the TNRD is now. Building inspection and bylaw enforcement expenditures are budgeted higher than that which is now being spent by the TNRD in these areas.

- Q: Can the Province dismiss the council if they are not satisfied with their performance (ie gross overspending/borrowing).  
A: Although this is a very unlikely event due to the fact that the Province must approve all borrowing, it is possible.
- Q: Since there is already a master development plan, what is required of the municipality as far as zoning, planning etc.?  
A: There needs to be stewardship management to ensure the rights and interest of the owners & residents. For example, establishment of more sidewalks, schools and storm drains. An Official Community Plan has not been implemented. Currently, the TNRD can arbitrarily change or implement bylaws.
- Q: Is it a legal requirement of the Province that non-resident owners are only entitled to one vote when casual employees who have only lived in the area for 30 days are able to vote?  
A: Yes, the electoral requirements are set by the Province and are the same for all voting across BC.
- Q: What identification is required for those people who have recently moved into the area?  
A: A declaration is required. Utility bills can be used for proof of residency.
- Q: How will the TNRD make up for the loss of revenues?  
A: There is a shifting of costs that off-sets the shifting of revenues. Any in-elastic costs would be made up through savings in staffing levels.
- Q: The offer letter from the Minster says it expires Dec. 31, 2009. Is it still valid?  
A: We believe so but will check. (Subsequent to the meeting, the Ministry confirmed that the offer is still valid. Once the Minister declared the referendum vote, the offer was fixed in place. )

## 5. Next Meeting and Conclude

**There are no more public meetings.**

There being no further business the meeting concluded at 8:47 PM.