



TOWN OF LADYSMITH

A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON

MONDAY, APRIL 4, 2011
7:00 p.m.

A G E N D A

Page

CALL TO ORDER

1. EXECUTIVE SESSION

In accordance with Section 90(1) of the *Community Charter*, the first section of the meeting will be held *In Camera* to consider the following items:

- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality

2. ARISE AND REPORT

3. AGENDA APPROVAL

4. MINUTES

4.1. Minutes of the Regular Meeting of Council held March 21, 2011

4.2. Minutes of the Special Meeting of Council held March 30, 2011

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5. PUBLIC HEARING

None

6. BYLAWS (OCP / ZONING)

None

7. DELEGATIONS

None

8. PROCLAMATIONS

None

9. DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS

None

10. COUNCIL COMMITTEE REPORTS

10.1. Mayor R. Hutchins

Cowichan Valley Regional District; Heritage Revitalization Advisory Commission; Trolley Committee; Liquid Waste Management Committee

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10.2. Councillor S. Bastian Parks, Recreation and Culture Commission; Community Health Advisory Committee; Youth Advisory Committee	
10.3. Councillor J. Dashwood Liquid Waste Management Committee; Trolley Committee; Chamber of Commerce; Ladysmith Early Years Partnership	
10.4. Councillor S. Arnett Government Services Committee; Advisory Planning Commission; Environment & Economic Development Commission	
10.4.1. Government Services Committee Recommendations	6
10.5. Councillor D. Paterson Protective Services Committee; Celebrations Committee; Festival of Lights	
10.6. Councillor L. Evans Parks, Recreation and Culture Commission; Protective Services Committee, Social Planning Cowichan Affordable Housing Directorate	
10.7. Councillor B. Whittington Vancouver Island Regional Library Board; Advisory Design Panel; Environment & Economic Development Commission; Ladysmith Downtown Business Association	
11. STAFF / ADVISORY COMMITTEE REPORTS	
11.1. Proposed Schedule of Meetings to Consider the 2011–2015 Financial Plan	7 - 12
11.2. Request to Waive Fees for Access to Records	13 - 19
11.3. Waste Water Treatment Plant – Proposed Grant Application (report to follow)	20 - 23
12. CORRESPONDENCE	
12.1. Maureen Kirkbride, TELUS Corporation TELUS investment and other activities in Ladysmith	24 - 27
<u>Staff Recommendation</u> That Council receive the correspondence from Maureen Kirkbride, TELUS Corporation, dated March 18, 2011, regarding TELUS investments in Ladysmith.	
13. BYLAWS	
13.1. Report Regarding Proposed Bylaws for the Appropriation of Reserve Funds	28 - 29

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13.2. Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2011, No. 1755	30
May be given first, second and third readings	
13.3. Ladysmith Development Cost Charges Roads Appropriation Bylaw 2011, No, 1756	31
May be given first, second and third readings	

14. NEW BUSINESS

15. UNFINISHED BUSINESS

None

16. QUESTION PERIOD

Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business.

- Individuals must state their name and address for identification purposes
- Questions must relate strictly to matters which appear on the Council agenda at which the individual is speaking
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine
- Questions must be brief and to the point
- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council

ADJOURNMENT



LADYSMITH

TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, MARCH 21, 2011 - 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT

Mayor Rob Hutchins Councillor Steve Arnett Councillor Scott Bastian
Councillor Jillian Dashwood Councillor Lori Evans Councillor Duck Paterson
Councillor Bruce Whittington

COUNCIL MEMBERS ABSENT

STAFF PRESENT

Ruth Malli Sandy Bowden Joanna Winter

CALL TO ORDER

Mayor Hutchins called the meeting to order at 6:00 p.m.

EXECUTIVE SESSION

2011-131

It was moved, seconded and carried that this meeting retire into Executive Session at 6:00 p.m.

AGENDA APPROVAL

Mayor Hutchins called the Regular Session of Council to order at 7:05 p.m.

2011-132

It was moved, seconded and carried that the agenda be adopted as circulated.

MINUTES

2011-133

It was moved, seconded and carried that the minutes of the Regular Council Meeting of February 21, 2011 be adopted as amended.

2011-134

It was moved, seconded and carried that the minutes of the Regular Council Meeting of March 7, 2011 be adopted as circulated.

DELEGATION

Dave Judson, Ladysmith Sportsmen's Club

Mr. Judson expressed concerns about protecting the Ladysmith Watershed, and in particular the dumping of garbage in the watershed and environmental issues created by run-off into

streams and creeks due to new development.

Mayor Hutchins invited Mr. Judson and members of the Ladysmith Sportsmen's Club to appear before the Engineering Services Committee of the Cowichan Valley Regional District.

It was suggested that the Ladysmith Sportsmen's Club make presentations to local schools.

Council thanked Mr. Judson for his passion and dedication, and the Ladysmith Sportsmen's club for their efforts to protect the environment.

**STAFF / ADVISORY
COMMITTEE REPORTS**

2011-135

Trees Canada – Grant Approval and Distribution

It was moved, seconded and carried that staff be directed to utilize the \$10,000 grant from Tree Canada—BC Hydro Community Tree Planting Program for urban open space enhancement at the Ladysmith Community Services Centre/High Street project, and that \$5,000 included in the Parks Department 2011 operations budget for the Bayview Connector open space enhancements be reallocated to the High Street open space enhancements.

2011-136

Amendment to Travel Expenses Policy

It was moved, seconded and carried that Town of Ladysmith Policy No. 05-1790 B, Travel Expenses, be amended to increase the number of Council members authorized to attend the Association of Vancouver Island Coast Communities (formerly Association of Vancouver Island Municipalities) and the Union of British Columbia Municipalities conferences from two to four, in addition to the Mayor.

CORRESPONDENCE

2011-137

David Cobb, BC Hydro

Invitation to Participate in Earth Hour, March 26, 2011

It was moved, seconded and carried that the Town of Ladysmith encourage all citizens to participate in Earth Hour 2011 with advertising on the Town's website and in the Ladysmith Chronicle.

2011-138

**Trish McConnell, Vancouver Island Bath Salt Company
Request for Permission to use Historical Photographs**

It was moved, seconded and carried that Council support in principle the request from Trish McConnell in her correspondence of March 15, 2011 to use historical photographs in materials promoting the Town of Ladysmith, subject to confirmation by the Ladysmith and District Historical Society of a policy or policies governing the use of and appropriate compensation for historical photographs in the collections they manage.

UNFINISHED BUSINESS

Councillor Whittington excused himself from the meeting, citing a possible conflict of interest concerning the following item.

Reconsideration of Resolution—Proposed Animal Control Bylaw Review

2011-139

It was moved, seconded and carried that Resolution No. 2011-104 regarding the proposed Animal Control Bylaw Review which was adopted at the February 21, 2011 Council Meeting be rescinded.

2011-140

It was moved, seconded and carried that the correspondence from Chris and Beverley Wood dated January 26, 2011 regarding a request to consider removing breed specific language from the Dog Licensing, Control and Pound Bylaw be referred to the Animal Control Bylaw Review Committee (originally established in 2003) to review and report back to Council, that the following appointments (replacements) to that committee be approved and that Chris Wood be invited to speak as a delegation to that committee:

Doug Fraser
Councillor Lori Evans
Trevor Hughes, Coastal Animal Services
S. Sgt. Roger Plamondon
Colin Jerome (Veterinarian)
Ruth Malli, City Manager (or designate)
Pat Durban, Director of Parks, Recreation and Culture
Sandy Bowden, Director of Corporate Services
Tom Skarvig, Building Inspector/Bylaw Enforcement Officer
Ken Smith, Bylaw Enforcement Officer

Councillor Whittington returned to the meeting.

QUESTION PERIOD

R. Johnson was advised that members of the public will be given an opportunity to meet with the committee carrying out the proposed review of the Animal Control Bylaw.

EXECUTIVE SESSION

2011-141

It was moved, seconded and carried that the Regular Session of Council be adjourned at 7:48 p.m. and that the Executive Session be reconvened at 7:51.

**RISE AND REPORT
ADJOURNMENT**

- The Executive Session of Council arose without report.

2011-142

It was moved, seconded and carried that this meeting of Council

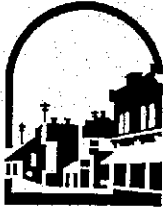
be adjourned at 8:20 p.m.

CERTIFIED CORRECT

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Subject to Adoption



LADYSMITH

MINUTES OF A SPECIAL MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MARCH 30, 2011

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Lori Evans

Councillor Steve Arnett
Councillor Duck Paterson

Councillor Jillian Dashwood
Councillor Bruce Whittington

STAFF PRESENT:

Ruth Malli

Joanna Winter

CALL TO ORDER

Mayor Hutchins called the meeting to order at 4:30 p.m.

AGENDA APPROVAL

2011-143

It was moved, seconded and carried that the agenda for the Special Meeting of Council of March 30, 2011 be adopted as circulated.

REPORTS

2011-144

Proposed Strata Conversion – 218 Bayview Avenue

It was moved, seconded and carried that Strata Plan EPS401 for the strata conversion of 44 residential units at 218 Bayview Avenue (Lot A, District Lot 56, Oyster District, Plan 26708) be approved, and that the Corporate Officer be authorized to endorse the plan pursuant to section 242 of the *Strata Property Act*.

It was agreed that staff would provide clarification on the location of sprinklers in the building.

ADJOURNMENT

2011-145

It was moved, seconded and carried that this meeting be adjourned at 4:34 p.m.

CERTIFIED CORRECT

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Town of Ladysmith

COMMITTEE REPORT



LADYSMITH

To: Mayor and Council
From: Councillor S. Arnett, Chair
Date: March 22, 2011
File No: 0550-20

Re: GOVERNMENT SERVICES COMMITTEE - March 21, 2011

At its meeting on March 21, 2011 the Government Services Committee recommended to Council the following:

1. That the requests from L. Brown, D. McKay, M. Fleming, F. Pratt, P. Laycock, and M. Fraser for the establishment of a fenced dog park and related amenities be referred to the Parks, Recreation and Culture Commission to review sites and costs and to report back to the Committee.
2. That the request from Brian McLaurin in his correspondence of February 25, 2011 regarding the development of a tree bylaw be referred to staff to review and report back.
3. That the March 5, 2011 correspondence from Sandra Dall be referred to the Parks, Recreation and Culture Commission to review guidelines for dogs on and off leash on trails throughout the Town of Ladysmith.



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Erin Anderson, Director of Financial Services
Date: April 4, 2011
File No:

Re: **FINANCIAL PLAN MEETING SCHEDULE**

RECOMMENDATION(S):

That Council authorize the following schedule of meetings to review the Financial Plan and relevant bylaws:

- Wednesday April 13th (Special Council Meeting)
- Monday, April 18th (Regular Council Meeting)
- Tuesday, April 26th if necessary (Special Council Meeting)
- May 2nd (Regular Council Meeting)
- May 9th (Special Council Meeting)

PURPOSE:

The purpose of this staff report is to confirm the schedule of meetings at which the Financial Plan is to be considered.

INTRODUCTION/BACKGROUND:

The *Community Charter* requires the Town to prepare a five year Financial Plan annual prior to the adoption of the tax bylaw. Section 166 of the *Community Charter* also requires that Council undertake a public consultation process prior to adoption of the financial plan bylaw. This public consultation process must be advertised in accordance with Section 94 of the *Community Charter*.

SCOPE OF WORK:

The annual process for adopting the Town's five-year Financial Plan is prescribed by legislation and bylaw.

ALTERNATIVES:

Council could amend the proposed schedule. In accordance with the *Community Charter* the Financial Plan must be adopted prior to the annual property tax bylaw which must be adopted prior to May 15th.

FINANCIAL IMPLICATIONS:

Adoption of the Financial Plan is necessary to authorize financial transactions in 2011.

LEGAL IMPLICATIONS:

Compliance with the provincial legislation is required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

All meetings at which the Financial Plan is considered are open to the public.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

All departments are involved in the development and implementation of the Financial Plan.

RESOURCE IMPLICATIONS:

The Financial Plan is the focus of work for all departments.

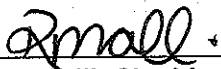
ALIGNMENT WITH STRATEGIC PRIORITIES:

Adoption of the Five Year Financial Plan is a legislated requirement and aligns with Strategic Direction A – Wise Financial management.

SUMMARY:

Staff requests Council's consideration of a proposed schedule of meetings at which to consider the Financial Plan.

I concur with the recommendation.



Ruth Mall, City Manager

ATTACHMENTS:

Five Year Financial Plan Policy

TOWN OF LADYSMITH
POLICIES AND PROCEDURE MANUAL

TOPIC:	FIVE YEAR FINANCIAL PLAN POLICY		
APPROVED BY:	Council	DATE:	May 13, 2010
RESOLUTION #:	2010-230		
<i>(Amended from)</i>	<i>2007-148</i>		
 Definition: A budget or Financial Plan is the financial reflection of the Town's operating and capital plans, including those items contained in the Strategic Plan. The document outlines the work and projects that the Town intends to complete over the next five years. The operations portion of the budget outlines the approved resources for each department to execute their overall mandate. Background: Section 165 of the <i>Community Charter</i> requires the Town to prepare a five year financial plan annually prior to adoption of the annual property tax bylaw. As per Section 197 of the <i>Community Charter</i> , the annual property tax bylaw must be adopted after the financial plan bylaw but prior to May 15 th of the year. Section 166 of the <i>Community Charter</i> also requires that Council undertake a public consultation process prior to adoption of the financial plan bylaw. Council prepares a Strategic Plan. This plan outlines the strategic focus for the organization for the next five years, the Financial Plan is the financial reflection of the tasks to be completed in accordance with the Strategic Plan. The development of the Strategic Plan and the Financial Plan should include opportunities for the public, Town committees, Council and all staff to bring forward ideas and suggestions. It is the responsibility of management to ensure that a process exists for all staff to provide input into the Town's plans. It is the responsibility of Council to ensure that a process exists for the public and committee members to provide input into the Town's plans. Council makes the final decision on the directions, projects and initiatives included in both the Strategic Plan and the Financial Plan.			

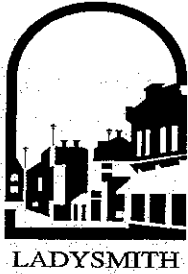
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TOPIC:	FIVE YEAR FINANCIAL PLAN POLICY
APPROVED BY: Council	DATE: May 13, 2010
RESOLUTION #: 2010-230	
<i>(Amended from) 2007-148</i>	
Financial Planning Process: The financial planning process shall be as follows:	
<ol style="list-style-type: none">1) Prior to the end of the fiscal year, the Manager of Financial Services will meet with all department managers individually to review their year to date actual numbers in comparison to the budgeted numbers for the year. The managers will determine what capital projects will need to be deferred to the following budget year. Any issues will be identified and if necessary a request to Council for a budget amendment should be done. A Budget Change Form should be completed for each project deferred to the following year.2) If a project was budgeted for in the current year and was to be funded from general taxes, and the project is being deferred to the following year, these funds should be put aside in a reserve to be used for the project in the following year.3) Any capital projects deferred to the following year that were to be funded from reserves, surplus or other revenue, should be included in the new financial plan under the following year, with the appropriate expenditures and funding indicated.4) Department managers will also determine if there are any new projects that they want to complete in the next five years. Managers will be responsible for getting estimates of the cost of the projects and will work closely with the Finance department to determine funding options. A complete listing of the capital projects will be provided to the Manager of Financial Services by the end of November each year. Project Request forms should be completed for each capital project outlining the priority, estimated costs, funding sources, reason for the project, expected start and end dates and anticipated benefits.5) Department managers will also be responsible for determining what changes they anticipate to their operating revenue and expenses for the next five years. The Finance department will assume a cost of living increase only unless a change request is received from the department manager. Department managers will complete a budget change request for any changes to operations over the next five years.	



TOPIC:	FIVE YEAR FINANCIAL PLAN POLICY		
APPROVED BY:	Council	DATE:	May 13, 2010
RESOLUTION #:	2010-230		
<i>(Amended from)</i>	2007-148		
<p>Examples would be for special courses, additional employees or special project work. The Budget Change request will show the amount of the change, accounts affected the reason for the request and the anticipated benefits.</p>			
6) Upon receipt of the information from the department managers, the Manager of Finance will compile a five year financial plan that includes all of the items recommended by the managers. This financial plan will be distributed to all managers for review.			
7) The management team will then hold a meeting to determine what budget cuts need to be made in order to have a good first draft for Council and public consideration.			
8) The first draft of the financial plan will then be presented to the Budget Committee to receive recommendations for amendments. Each department manager will be given the option of making a presentation to the Committee regarding any projects they have included in the financial plan. Any amendments recommended by the Committee will be completed prior to the public consultation session.			
9) Once the second draft of the financial plan is complete, notice of the public consultation meeting to be held to receive public input will be published. At this public meeting, the draft financial plan will be presented and any ideas or suggestions from the public will be received. A summary of the suggestions received from the public will be prepared by the Manager of Financial Services and presented to the Budget Committee. The Committee will review the items and determine whether they should be included in the financial plan.			
10) After receiving all amendment requests from the Budget Committee, the Manager of Financial Services will prepare a five year financial plan that includes all the amendments. The Manager will then arrange for an advertisement in the local newspaper inviting members of the public to attend the meeting at which the Five Year Financial Plan is considered. Copies of the plan will be made available for the public upon request.			

TOPIC:	FIVE YEAR FINANCIAL PLAN POLICY		
APPROVED BY:	Council	DATE:	May 13, 2010
RESOLUTION #:	2010-230		
<i>(Amended from) 2007-148</i>			
11) Upon approval, the final budget numbers will be entered into the accounting software and budget reports will be distributed to the department managers.			
Minimum Requirements for Financial Plan (As Per Section 165 of the <i>Community Charter</i>):			
The financial plan must set out the following for each year of the planning period:			
(a) the proposed expenditures by the municipality;			
(b) the proposed funding sources;			
(c) the proposed transfers to or between funds.			
The total of the proposed expenditures and transfers to other funds for a year must not exceed the total of the proposed funding sources and transfers from other funds for the year.			
The proposed expenditures must set out separate amounts for each of the following as applicable:			
(a) the amount required to pay interest and principal on municipal debt;			
(b) the amount required for capital purposes;			
(c) the amount required for a deficiency referred to in subsection (9);			
(d) the amount required for other municipal purposes.			
The proposed funding sources must set out separate amounts for each of the following as applicable:			
(a) revenue from property value taxes;			
(b) revenue from parcel taxes;			
(c) revenue from fees;			
(d) revenue from other sources;			
(e) proceeds from borrowing, other than borrowing under section 177 [revenue anticipation borrowing].			
The proposed transfers to or between funds must set out separate amounts for			
(a) each reserve fund under Division 4 of this Part, and			
(b) accumulated surplus.			



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Sandy Bowden, Director of Corporate Services
Date: March 29, 2011
File No:

Re: REQUEST TO WAIVE FEES FOR ACCESS TO RECORDS APPLICATION

PURPOSE:

The purpose of this Staff report is to advise Council of a request to waive the fees for processing a Request for Access to Records (under the Freedom of Information and Protection of Privacy Act) application submitted to the Town on March 22, 2011 and to seek Council's decision on the matter.

INTRODUCTION/BACKGROUND:

The Town received the attached Request for Access to Records on March 22, 2011. The applicant is requesting access to all Executive (In Camera) Council minutes from January 2009 to February 2011. In accordance with Section 75 of the Freedom of Information Protection of Privacy Act (FIPPA), a public body "...may require an applicant who makes a request under section 5 to pay to the public body fees for the following services:

- (a) locating, retrieving and producing the record;
- (b) preparing the record for disclosure;
- (c) shipping and handling the record;
- (d) providing a copy of the record.

An applicant must not be required under subsection (1) to pay a fee for:

- (a) the first 3 hours spent locating and retrieving a record, or
- (b) time spent severing information from a record.

Upon receipt of the application to access records, the FOI Coordinator provided the applicant with an estimate of 15 hours of staff time to respond to the application. This is based on a complete review of approximately 60 to 70 records and preparing the records for disclosure. The fees outlined in the Town's Freedom of Information Bylaw No. 1138 are \$30 per hour after the first three hours of processing the request.

The applicant has subsequently requested the FOI Head's consideration of waiving the fees in accordance with Section 75(5) of the FIPPA. The appropriate excerpts from the provincial legislation are attached for Council's reference.

SCOPE OF WORK:

Staff will advise the applicant of Council's decision and subsequently commence working on the application.

ALTERNATIVES:

Council could require the applicant to pay the fees as prescribed in Schedule A of Freedom of Information Bylaw No. 1138 or Council could waive the fees.

FINANCIAL IMPLICATIONS:

As per Council's direction, the Town may charge a fee of \$30 per hour after the initial three hours spent locating and retrieving the records.

LEGAL IMPLICATIONS:

n/a

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

n/a

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

n/a

RESOURCE IMPLICATIONS:

n/a

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

n/a

SUMMARY:

On March 22, 2011 the Town received a Request for Access to Records application for all Executive (In Camera) Council minutes from January 2009 to February 2011. The applicant was advised that there is a fee for this service of \$30 per hour and estimated that it would take approximately 15 hours to process the application. The applicant is requesting Council's consideration of waiving the fees.

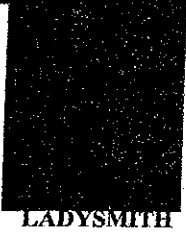
For Council consideration.

R. Malli

Ruth Malli, City Manager

ATTACHMENTS:

Request for Access to Records Form



TOWN OF LADYSMITH

REQUEST FOR ACCESS TO RECORDS

UNDER THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

RECEIVED
MAR 22 2011
TOWN OF LADYSMITH
RECEIVED
MAR 22 2011

APPLICANT'S INFORMATION

NAME: _____

ADDRESS: _____

CITY: LADYSMITH PROVINCE: BC COUNTRY: _____ POSTAL CODE: _____

PHONE NUMBER(S): _____ FAX NUMBER(S): N/A

DETAILS OF REQUESTED INFORMATION

(Please be as specific as possible about the record(s) you are requesting; attach a separate sheet if necessary.)

File/Reference Number (if known) minutes from all

Details "IN CAMERA" MEETING JAN 2009 to
FEB 2011

How do you wish to receive the information?

Examine the original(s) Receive a hard copy Receive an electronic copy
Email address: _____

If this is a request to access another person's personal information please attach either a signed consent form for disclosure for the person(s) involved, OR proof of authority to act on that person's behalf.

Signature of Applicant _____

Date Mar 21 2011

You may make a request for access to records without using this form, provided you do so in writing. Personal information contained on this form is collected under the "Freedom of Information and Protection of Privacy Act" and will be used only for the purpose of responding to your request.

FOR OFFICE USE ONLY

Date Received: _____

Access to General Information

Received By: _____

Access to Personal Information

From:
Sent: March 26, 2011 9:59 AM
To: Sandy Bowden
Cc: Bruce; Duck Paterson; Jillian Dashwood; Lori Evans; Rob Hutchins; Scott Bastian; Steve Arnett
Subject: Re: Request for Access to Records - "In Camera" Meeting Minutes - January 2009 to February 2011

Thank you for your response to my request for information under the Freedom of Information and Privacy Act.

I am flabbergasted at the estimate of time that you quoted to fulfill my request. It seems to me that 15 hours to copy and review the minutes (what a maxim of 150 pages?) that are likely already in a single file should take that long.

Coping should take, what 5 -10 minutes?

Does it take an other 14 hours the to review the information and to cross out details that could justifiably be confidential and that meet the conditions of section 90(1) of the Community Charter.

I really can't see why this request can't be met within 3 hours.

I also believe that the information that I have requested, is of " public interest", as many people to whom I have spoken to would also like to know more about what is happening during these "in camera" meetings.

Therefore I am requesting you do not charge a fee for this service as permitted under Section 75 subsection 5 (b) of the Act

As
attached.+++++
+++++

Section 75 of the Freedom of Information and Privacy Act

(1) The head of a public body may require an applicant who makes a request under section 5 to pay to the public body fees for the following services:

- (a) locating, retrieving and producing the record;
- (b) preparing the record for disclosure;
- (c) shipping and handling the record;
- (d) providing a copy of the record.

(2) An applicant must not be required under subsection (1) to pay a fee for

- (a) the first 3 hours spent locating and retrieving a record, or
- (b) time spent severing information from a record.

(3) Subsection (1) does not apply to a request for the applicant's own personal information.

(4) If an applicant is required to pay a fee for services under subsection (1), the head of the public body

(a) must give the applicant a written estimate of the total fee before providing the service, and

(b) may require the applicant to pay a deposit in the amount set by the head of the public body.

(5) If the head of a public body receives an applicant's written request to be excused from paying all or part of the fees for services, the head may excuse the applicant if, in the head's opinion,

(a) the applicant cannot afford the payment or for any other reason it is fair to excuse payment, or

(b) the record relates to a matter of public interest, including the environment or public health or safety.

(5.1) The head of a public body must respond under subsection (5) in writing and within 20 days after receiving the request.

(6) The fees that prescribed categories of applicants are required to pay for services under subsection (1) may differ from the fees other applicants are required to pay for them, but may not be greater than the actual costs of the services.

-----Original Message-----

From: Sandy Bowden

Date: 3/24/2011 4:35:53 PM

To:

Subject: Request for Access to Records - "In Camera" Meeting Minutes - January 2009 to February 2011

Dear

I am in receipt of your Request for Access to Records form which was submitted on March 22, 2011, requesting access to all "In Camera" meeting minutes from January 2009 to February 2011. Upon review of this request I estimate that it will take approximately 15 hours of staff time to complete. In accordance with Town of Ladysmith Freedom of Information Bylaw No. 1138 and the current Freedom of Information Protection of Privacy Act, you will be charged a fee of \$30 per hour after the first three hours for this service. Please advise the undersigned if you wish the Town to proceed with your request. Thank you.

Sandy Bowden

Director of Corporate Services

Town of Ladysmith

(250) 245-6404



Please consider the environment - don't print this e-mail unless it's absolutely necessary. Thanks.

- in relation to personal information that is held because of the service provider's status as a service provider, the service provider commits an offence.
- (4) If a corporation commits an offence under this section, an officer, director or agent of the corporation who authorizes, permits or acquiesces in the commission of the offence also commits an offence, whether or not the corporation is prosecuted for the offence.
 - (5) A person who commits an offence under this section is liable
 - (a) in the case of an individual, other than an individual who is a service provider, to a fine of up to \$2 000,
 - (b) in the case of a partnership that is or individual who is a service provider, to a fine of up to \$25 000, and
 - (c) in the case of a corporation, to a fine of up to \$500 000.
 - (6) The time limit for laying an information to commence a prosecution for an offence under this section is
 - (a) one year after the date on which the act or omission that is alleged to constitute the offence occurred, or
 - (b) if the minister responsible for this Act issues a certificate described in subsection (7), one year after the date on which the minister learned of the act or omission referred to in paragraph (a).
 - (7) A certificate purporting to have been issued by the minister responsible for this Act certifying the date referred to in subsection (6) (b) is proof of that date.
 - (8) In a prosecution for an offence under this section, it is a defence for the person charged to prove that the person exercised due diligence to avoid the commission of the offence.

2004-64-10; 2008-12-25.

Fees

- 75.** (1) The head of a public body may require an applicant who makes a request under section 5 to pay to the public body fees for the following services:
- (a) locating, retrieving and producing the record;
 - (b) preparing the record for disclosure;
 - (c) shipping and handling the record;
 - (d) providing a copy of the record.
- (2) An applicant must not be required under subsection (1) to pay a fee for
- (a) the first 3 hours spent locating and retrieving a record, or
 - (b) time spent severing information from a record.
- (3) Subsection (1) does not apply to a request for the applicant's own personal information.
- (4) If an applicant is required to pay a fee for services under subsection (1), the head of the public body
- (a) must give the applicant a written estimate of the total fee before providing the service, and
 - (b) may require the applicant to pay a deposit in the amount set by the head of the public body.
- (5) If the head of a public body receives an applicant's written request to be excused from paying all or part of the fees for services, the head may excuse the applicant if, in the head's opinion,
- (a) the applicant cannot afford the payment or for any other reason it is fair to excuse payment, or
 - (b) the record relates to a matter of public interest, including the environment or public health or safety.

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- (5.1) The head of a public body must respond under subsection (5) in writing and within 20 days after receiving the request.
- (6) The fees that prescribed categories of applicants are required to pay for services under subsection (1) may differ from the fees other applicants are required to pay for them, but may not be greater than the actual costs of the services.

1992-61-75; 2002-13-15.

Power to make regulations

76. (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

- (a) prescribing procedures to be followed in making, transferring and responding to requests under this Act;
- (b) permitting prescribed categories of applicants to make requests under this Act orally instead of in writing;
- (c) setting standards, including time limits, to be observed by officers or employees of a public body in fulfilling the duty to assist applicants;
- (d) prescribing for the purposes of section 18 the categories of sites that are considered to have heritage or anthropological value;
- (e) authorizing the disclosure of information relating to the mental or physical health of individuals to medical or other experts to determine, for the purposes of section 19, if disclosure of that information could reasonably be expected to result in grave and immediate harm to the safety of or the mental or physical health of those individuals;
- (f) prescribing procedures to be followed or restrictions considered necessary with respect to the disclosure and examination of information referred to in paragraph (e);
- (g) prescribing special procedures for giving individuals access to personal information about their mental or physical health;
- (h) prescribing the classes of individuals who may act for minors, incompetents, deceased persons or any other individuals under this Act and regulating the manner in which, and the extent to which, any rights or powers of individuals under this Act may be exercised on their behalf;
- (i) requiring public bodies to provide to the minister responsible for this Act information that relates to its administration or is required for preparing the minister's annual report;
- (j) limiting the fees that different categories of persons are required to pay under this Act;
- (k) exempting any class of public body from a regulation made under this subsection;
- (l) authorizing, for the purposes of section 12 (3) and (4), a local public body to hold meetings of its elected officials, or of its governing body or a committee of the governing body, to consider specified matters in the absence of the public unless another Act
 - (i) expressly authorizes the local public body to hold meetings in the absence of the public, and
 - (ii) specifies the matters that may be discussed at those meetings;
- (m) providing for the retention and disposal of records by a public body if the *Document Disposal Act* does not apply to the public body;
- (n) for any purpose contemplated by this Act.

(AM)
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Town of Ladysmith
STAFF REPORT

To: Council
From: Ruth Malli, City Manager
Date:
File No:

Re: APPLICATION TO GREEN MUNICIPAL FUND FOR PHASE II OF WASTE WATER TREATMENT PLANT

RECOMMENDATION:

That staff be requested to submit a letter of interest to the Green Infrastructure Fund for Phase III of the Waste Water Treatment Plant Upgrade, and that, if invited, staff be authorized to prepare a detailed application.

PURPOSE:

The purpose of this report is to seek Council's direction for staff to apply for funds to support Phase II of the Waste Water Treatment Plant Upgrade through the federal Green Infrastructure Fund.

INTRODUCTION/BACKGROUND:

The Green Infrastructure Fund is part of Canada's Economic Action Plan. The fund is still open and accepting proposals for projects that can complete before March 31, 2014. The program focuses on green priorities such as green energy generation and transmission infrastructure, building and upgrading wastewater treatment systems, and improving solid waste management. Eligible projects are those that promote cleaner air, reduced greenhouse gas emissions, and cleaner water and fall within any of the following categories:

- wastewater infrastructure;
- green energy generation infrastructure;
- green energy transmission infrastructure ;
- solid waste infrastructure;
- carbon transmission and storage infrastructure.

Staff believe that the WWTP upgrade could be of significant interest due to the small footprint of the design, which includes an innovative treatment combination that will be a first in North America. The potential for replication is strong, particularly given the pending federal wastewater effluent regulations, which will trigger infrastructure upgrades in numerous coastal communities. Other project benefits include the integration of innovative and environmentally sustainable technologies; potential for revitalization of the local shellfish industry (once a major regional economic driver and a traditional food source for the Stz'uminus First Nation); and the possibility of reducing capital & operating costs through development of a regional biosolids composting facility in cooperation with the Cowichan Valley Regional District.

How the Fund Works

The \$1-billion Green Infrastructure Fund is allocated based on merit to support green infrastructure projects on a cost-shared basis. The fund focuses on a few, large scale, strategic infrastructure projects. The merit of the projects is assessed based on basic eligibility, financial and legal requirements, and benefits.

Proponents are to submit a summary of their project in the form of a letter. Although there is no deadline for applying to the Green Infrastructure Fund, projects must be completed by March 31, 2014. If there is interest, proponents will be invited to submit a more detailed proposal that describes the project and its components, cost estimates, expected results and benefits. The limited information available on the Fund's web site does not specify a funding limit; however, wastewater projects that have been approved have received multi-million dollar contributions.

SCOPE OF WORK:

Staff will develop the letter of interest and, if accepted, will draft the full proposal.

ALTERNATIVES:

Council can choose not to direct staff to apply for the Green Infrastructure funding.

FINANCIAL IMPLICATIONS:

Not to apply for funding will mean that the town must seek other sources of funding in order to complete Phase II of the Waste Water Treatment Plant upgrade. The upgrade is necessary in order for the Town to be in compliance with its operating permit for the Waste Water Treatment Plant, and to meet the Town's priorities for improving water quality in the Ladysmith Harbour.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Any source of funds that reduces the Town's financial burden for completing this initiative will be positively received by the public. The 'green' component of the upgrade will also be positively received by the public.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Public Works is the lead department in the overall initiative; support will be provided by the City Manager, Corporate Services and financial Services.

RESOURCE IMPLICATIONS:

A contractor may be engaged to assist with the full application should the Town be invited to proceed to that stage.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The Waste Water Treatment Plan upgrade initiative aligns with Sustainability Pillar 5 (innovative Infrastructure), and with Sustainability Goals 3 (Reduce potable water usage and manage waste water efficiently...) and 5 (Protect and enhance the ecosystems and biodiversity locally, regionally and globally)

ALIGNMENT WITH STRATEGIC PRIORITIES:

This initiative supports Strategic Priorities 4 (Enhanced standard of infrastructure) and 5 (Responsible stewardship of the environment).

SUMMARY:

It is recommended that council give direction to staff to submit an application under the Green Infrastructure Fund to assist with the completion of Phase II of the Waste Water Treatment Plant upgrade.

ATTACHMENT:

List of municipal initiatives that have received Green Municipal Funds.

GREEN MUNICIPAL FUND PROJECTS ANNOUNCED TO DATE

(note – program appears to be under-subscribed in BC, yet municipal waste water projects have been approved in other parts of the country)

British Columbia

- Reliable, Cleaner Energy for Underserved Areas in British Columbia

Manitoba

- Protecting the Red River and Lake Winnipeg in Manitoba

New Brunswick

- Innovative Heat-Sharing System Reduces Oil Consumption in Saint John, New Brunswick

Ontario

- Building a Wastewater Treatment Plant for the Future in Kirkland Lake, Ontario
- Upgrades to Wastewater Treatment Help Rejuvenate Hamilton Harbour in Ontario
- New Treatment Plant Helps Clean Up Great Lakes in Red Rock, Ontario
- Cleaning Up Georgian Bay in Owen Sound, Ontario
- Cost-Saving Design for Upgraded Wastewater Treatment Plant in South Dundas, Ontario
- Cleaning Up the Saint Lawrence River at Cornwall, Ontario
- Meeting Rapidly Increasing Wastewater Treatment Demand in Halton, Ontario
- Upgrades to Wastewater Treatment in Timmins, Ontario

Quebec

- Landfill Gas to Power Municipal Trucks in Rivière-du-Loup, Quebec
- Turning Landfill into Renewal Energy in Quebec City, Quebec
- Diverting Organics from Landfills in Montreal, Quebec
- Transforming Garbage into Renewable Energy in Laval, Quebec
- Producing Renewable Energy from Organic Waste in Longueuil, Quebec
- Eliminating Organic Material in Landfills in the South Shore of Montreal, Quebec

Yukon

- Increasing Clean Energy Generation in Mayo, Yukon

TELUS Corporation
3 - 555 Robson Street
Vancouver, BC
Canada V6B 3K9

Maureen Kirkbride
Director – BC Local Government

604 697 8175 Office
604 219 8014 Mobile
maureen.kirkbride@telus.com

March 18, 2011

Mayor Rob Hutchins and Members of Council
Town of Ladysmith
Main Office
410 Esplanade PO Box 220
Ladysmith, BC V9G 1A2

Dear Mayor Hutchins and Members of Council:

I am delighted to write that TELUS will be investing more than **\$2.7 million** in your city this year to continue extending the reach and speed of our advanced wireline and wireless broadband services. This significant investment will enable us to provide local businesses and residents with access to innovative services like 4G wireless and high-speed Internet and OPTIK TV.

TELUS has been rolling out an aggressive capital investment program in this province – and across the country – since 2000. Over the last decade, TELUS has invested more than \$24 billion in British Columbia alone. A news release with further details of our 2011 program is attached for your information.

Community Engagement

We at TELUS are proud of our long-standing relationship with Vancouver Island communities. Since 2000, TELUS and its team members have contributed more than \$3,300 to several charitable organizations based in Ladysmith.

In addition to providing funding for not-for-profit associations, TELUS team members play a very active role in the community. For instance:

- Each year, team members donate hundreds of Kits for Kids - backpacks full of school supplies - to economically disadvantaged children attending schools across the area.
- They also donate Comfort Kits with basic toiletries to homeless shelters and transition homes for battered women throughout the region.

You may also be interested to know that TELUS contributes significantly to the City's tax base: in 2010, we paid almost \$80,000 in municipal and business taxes.

Thank you for the opportunity to share with you some of the many ways in which TELUS is a part of your city. Ray Lawson, General Manager, based in Victoria would be pleased to answer any questions you may have with regard to our company's growing presence and commitment to Ladysmith. I would encourage you to contact him directly at either 250-388-8300 or raymond.lawson@telus.com

Yours truly,



Maureen Kirkbride

c. Ruth Malli, City Manager
Doug Routley, MLA Nanaimo-North Cowichan
Ray Lawson, General Manager, TELUS



NEWS RELEASE

March 15, 2011

TELUS investing \$2.7 million in Ladysmith

More fibre optic lines, more cell sites, more Optik TV and faster Internet as TELUS expands networks in British Columbia

Ladysmith, BC – TELUS is investing \$2.7 million in Ladysmith this year to further expand and enhance its wireless and wireline networks, part of the company's \$670 million infrastructure investment across British Columbia in 2011. This year's network investment builds upon the \$24 billion TELUS has invested in its operations and technology in the province in the last 10 years.

"This year, right here in Ladysmith, TELUS will invest \$2.7 million to further expand our world-class wireless network and bring faster Internet speeds to even more local businesses and households," said Ray Lawson, TELUS General Manager for Vancouver Island. "Not only are we proud to serve our customers every day of the year, our TELUS team members in Ladysmith are proud to give where we live and do our part to help build a better community for us all."

In 2011, TELUS will continue to invest in its Optik TV and high-speed Internet services as it lays thousands of kilometers of fibre optic lines to support growing demand in B.C. The company will also deliver British Columbians access to even better and faster wireless broadband services by installing almost 80 new cell sites and introducing HSPA+ Dual Cell technology, one of the most advanced wireless technologies in the world.

"Our planned \$670 million investment this year in advanced communications technology continues TELUS' proud history of providing British Columbians with access to telecommunications and entertainment services that are the envy of the world," said Darren Entwistle, TELUS President and CEO. "This year, TELUS will continue to bring the innovations of Optik TV and faster Internet speeds to even more British Columbians. We will continue to bring British Columbians faster wireless broadband services as we introduce HSPA+ Dual Cell technology, one of the most advanced wireless technologies in the world, to more communities. TELUS is also committed to working with all levels of government in B.C. to advance the provision of life-changing healthcare and education services over our networks."

Mr. Entwistle added TELUS' commitment to B.C. communities extends beyond infrastructure and new services.

"Since 2000, TELUS has partnered with our 15,000 B.C. team members and retirees to contribute \$92 million and 2.1 million volunteer hours to charitable and community organizations in all corners of B.C.," Mr. Entwistle said. "Building on our tradition of community giving, this year alone TELUS plans to contribute an additional \$10 million to charitable organizations and community initiatives across the province."

By the end of 2010, TELUS had installed the infrastructure necessary to bring wireline broadband Internet speeds of up to 25 megabits per second and Optik TV to more than 1 million households in the Vancouver Lower Mainland, Victoria, Campbell River, Whistler, Kelowna, Vernon and Prince

George. Optik TV runs over a high-speed Internet connection, providing customers with game-changing services and features as well as more than 480 channels, including 85 in High Definition (HD).

In 2011, TELUS will also continue to expand its 4G wireless network across B.C. Already the most extensive network in the province reaching 99 per cent of the population, TELUS will install about 76 new cell sites to bring service to even more rural communities and highway corridors and strengthen its coverage in urban centres. Earlier this year, TELUS announced it will introduce the Dual Cell upgrade to its HSPA+ network, doubling the manufacturer rated peak wireless Internet speeds to up to 42 megabits per second.

After a decade of focused investment in leading-edge technology TELUS has:

- Brought TELUS wireless service to 99 per cent of British Columbia's population. With the introduction of a world-leading 4G wireless network offering manufacturer rated peak download speeds of up to 21 megabits per second – and soon up to 42 megabits per second* – British Columbians have access to extremely fast wireless high-speed Internet anywhere within TELUS' vast network coverage area.
- Made wireline broadband available to 95 per cent of B.C. households, including a selection of Internet plans with speeds up to 25 megabits per second. The company also expanded availability of TELUS' Optik TV to more than 1 million households across British Columbia. By the end of last year, 314,000 customers had switched their TV service to TELUS.
- Enabled health care institutions to improve the flow of information across the continuum of care through electronic health records accessible on both wireless and wireline networks. Recently, 2000 TELUS team members and their families began a pilot of TELUS Health Space, paving the way for millions of Canadians to take control of their own health records with the ultimate goal of shifting the focus from remediation to prevention of disease.

The capital investment disclosed in this release is consistent with TELUS' overall capital expenditure guidance for 2011.

*Speed may vary due to the device being used, network congestion, distance from the cell site, local conditions and other factors.

More about Optik TV

Optik TV provides never before seen functionality and features as well as more than 480 channels, including 85 in High Definition (HD). The internet-based service features PVR Anywhere, with one PVR acting as a server for the entire home so that Optik TV customers can watch and record shows on any TV, record up to three shows at once, and pause a program in one room and pick it up in another, right where they left off. Recently TELUS introduced Remote Recording, an application that allows Optik TV subscribers to manage their PVR recordings from any Internet connection, iPhone or select BlackBerry device. Optik TV also offers: Picture-in-Picture browsing; onscreen Call Display; HD Video On Demand; HD Pay Per View; and an improved search capability that enables effortless searches for shows and movies by actor, director, show title or sporting event, for immediate viewing or recording in the future. With Optik TV, TELUS customers can even use their Xbox 360 as a digital television box. It's easier and more flexible than ever.

TELUS also offers TELUS Satellite TV service which complements TELUS' Optik TV by expanding the availability of TELUS home bundles, including TELUS TV, home phone and High Speed Internet to more than 90 per cent of households across Alberta and British Columbia.

About TELUS

TELUS (TSX: T, T.A; NYSE: TU) is a leading national telecommunications company in Canada, with \$9.8 billion of annual revenue and 12.3 million customer connections including 7 million wireless subscribers, 3.7 million wireline network access lines and 1.2 million Internet subscribers and more than 300,000 TELUS TV customers. Led since 2000 by President and CEO, Darren Entwistle, TELUS provides a wide range of communications products and services including data, Internet protocol (IP), voice, entertainment and video.

In support of our philosophy to give where we live, TELUS, our team members and retirees will, by year-end 2011, have contributed \$245 million to charitable and not-for-profit organizations and volunteered 4.1 million hours of service to local communities since 2000. Ten TELUS Community Boards across Canada lead TELUS' local philanthropic initiatives. TELUS was honoured to be named the most outstanding philanthropic corporation globally for 2010 by the Association of Fundraising Professionals, becoming the first Canadian company to receive this prestigious international recognition.

For more information about TELUS, please visit telus.com. To learn more about TELUS' commitment to the community, please visit our Corporate Social Responsibility report at TELUS.com/csr.

Forward-looking statements

This news release contains forward looking statements regarding further capital investments, network expansion, technology and TELUS services. By their nature, forward-looking statements require the Company to make assumptions and predictions about future events and are subject to inherent risks and uncertainties, including assumptions and risks regarding the Company's 2011 targets, capital expenditures, technology and network builds, which could cause actual outcomes to differ materially from that expressed or implied by the forward looking statements. Accordingly, readers are cautioned not to place undue reliance on forward-looking statements. TELUS disclaims any intention or obligation to update or revise forward-looking statements.

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For more information, please contact:

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TELUS Media Relations
(604) 619-7913
shawn.hall@telus.com



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Erin Anderson, Director of Financial Services
Date: March 29, 2011
File No:

Re: APPROPRIATION OF RESERVE FUNDS BYLAWS

RECOMMENDATION(S):

That Council consider first three readings of the following bylaws:

- Bylaw 1755 – A bylaw to appropriate monies from the Sale of Real Property Reserve Fund
- Bylaw 1756 - A bylaw to appropriate monies from the Development Cost Charges (Roads) Reserve Fund

PURPOSE:

In the 2010 Financial Plan, Council approved a number of capital projects. The funding for these projects was budgeted to come from Reserve accounts. As the fiscal year 2010 is completed, bylaws are required to move the approved funds from the respective reserves.

INTRODUCTION/BACKGROUND:

The following projects were funded from restricted reserves:

- DCC Roads funded the roads & sidewalks on Second Avenue (High Street to Buller Street) projects. These funds were to come from DCC Roads.
- The Sale of Real Property reserve funded the developments at Lot 108, including the fields, the roads, the preparation for the sale of property; and the Town's portion of the Spirit Square.

SCOPE OF WORK:

Bylaw interpretation and transfer of funds in the respective accounts.

ALTERNATIVES:

There are no alternative funds readily available.

FINANCIAL IMPLICATIONS:

Invoices for the above projects were paid using of the General Fund. These bylaws are necessary to replenish the General Fund with previously approved Reserve funding.

LEGAL IMPLICATIONS:

It is a statutory requirement to obtain Council's approval of the appropriation bylaws.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

None

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

These projects span all the departments within the Town.

RESOURCE IMPLICATIONS:

Per Financial Plan

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Provides funding for projects aligned with sustainability visioning report (great streets, public spaces, affordable housing, diversity).

ALIGNMENT WITH STRATEGIC PRIORITIES:

This is consistent with the Strategic Priority of "Wise Financial Management".

SUMMARY:

It is recommended that Council give first, second and third readings to Appropriation Bylaws 1755 and 1756.

I concur with the recommendation.

Ruth Mall, City Manager

ATTACHMENTS:

None.

TOWN of LADYSMITH

BYLAW NO. 1755

A bylaw to appropriate monies from the Sale of Real Property Reserve Fund.

WHEREAS the sum of \$2,287,860.42 is on deposit in the Sale of Real Property Reserve Fund;

AND WHEREAS it is deemed necessary to appropriate the sum of \$2,287,860.42 from the Sale of Real Property Reserve Fund for the purpose of expenditures with respect to the capital projects and the machinery or equipment necessary for them and extension or renewal of existing capital works;

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. The sum of \$2,287,860.42 (two million, two hundred eighty seven thousand, eight hundred sixty dollars and forty two cents) is hereby appropriated from the Sale of Real Property Reserve Fund and transferred to the General Revenue.

CITATION

2. This bylaw may be cited for all purposes as "Sale of Real Property Reserve Fund Appropriation Bylaw 2011, No. 1755.

READ A FIRST TIME on the _____th day of April , 2011

READ A SECOND TIME on the _____th day of April , 2011

READ A THIRD TIME on the _____th day of April , 2011

ADOPTED on the _____th day of April , 2011

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1756

A bylaw to appropriate monies from the Development Cost Charges (Roads) Restricted Reserve.

WHEREAS the Town of Ladysmith has collected monies under the authority of the provisions of the DCC Roads Appropriation Bylaw 2010, No. 1723, of the Town of Ladysmith, which monies have been deposited in the Development Cost Charges Reserve Fund; and

WHEREAS there is an unappropriated balance in the Development Cost Charges (Roads) Restricted Reserve of \$577,084.54, and

WHEREAS it is deemed appropriate to use a portion of the monies set aside under said Bylaw No. 1723 for the purpose of debt repayment for and construction of road projects;

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. The sum of thirty three thousand (\$33,000.00) is hereby appropriated from the Development Cost Charges Restricted Reserve (Roads), to be expended for the purpose of debt repayment for and construction of road projects.
2. This bylaw may be cited as the "DCC Roads Appropriation Bylaw 2011, No. 1756".

READ A FIRST TIME on the th day of April , 2011

READ A SECOND TIME on the th day of April , 2011

READ A THIRD TIME on the th day of April , 2011

ADOPTED on the th day of April , 2011

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)