



# 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, JANUARY 9, 2012  
7:00 p.m.

## A G E N D A

Page

### CALL TO ORDER

#### 1. AGENDA APPROVAL

#### 2. MINUTES

2.1. Minutes of the Regular Meeting of Council held December 19, 2011

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#### 3. PUBLIC HEARING

None

#### 4. BYLAWS (OCP / ZONING)

None

#### 5. DELEGATIONS

None

#### 6. PROCLAMATIONS

None

#### 7. DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS

None

#### 8. COUNCIL COMMITTEE REPORTS

##### 8.1. Mayor R. Hutchins

Cowichan Valley Regional District; Economy and Environment Commission;  
Ladysmith Chamber of Commerce

##### 8.2. Councillor B. Drysdale

Heritage Revitalization Advisory Commission; Protective Services Committee;  
Trolley Committee

##### 8.3. Councillor J. Dashwood

Trolley Committee; Ladysmith Early Years Partnership; Social Planning  
Cowichan Affordable Housing Directorate

<b>8.4. Councillor G. Horth</b>	Advisory Planning Commission; Liquid Waste Management Committee; Ladysmith Downtown Business Association	
<b>8.5. Councillor D. Paterson</b>	Protective Services Committee; Parks, Recreation and Culture Commission; Festival of Lights	
<b>8.6. Councillor G. Patterson</b>	Community Health Advisory Committee; Youth Advisory Committee; Liquid Waste Management Committee	
<b>8.7. Councillor S. Arnett</b>	Government Services Committee; Advisory Design Panel; Parks, Recreation and Culture Commission; Vancouver Island Regional Library Board; Celebrations Committee	
<b>8.7.1. Government Services Committee Recommendations</b>		<b>5</b>
<b>9. STAFF / ADVISORY COMMITTEE REPORTS</b>		
<b>9.1. Amendment to Cheque Requisition Policy</b>		<b>6 - 8</b>
<b>9.2. Emergency Generator Tender Award</b>		<b>9 -10</b>
<b>9.3. Heritage Canada Grant Application</b>		<b>11 -12</b>
<b>10. CORRESPONDENCE</b>	None	
<b>11. BYLAWS</b>		
<b>11.1. Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2012, No. 1789</b>	May be read a first, second and third time.	<b>13</b>
	<i>The purpose of Bylaw 1789 is to authorize the annual transfer of interest earned from the Cemetery Care Trust Fund to the General Revenue Fund to provide for the care and maintenance of the Ladysmith Cemetery.</i>	
<b>12. NEW BUSINESS</b>		
<b>13. UNFINISHED BUSINESS</b>	None	
<b>14. QUESTION PERIOD</b>	<ul style="list-style-type: none"> <li>• Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business.</li> <li>• Individuals must state their name and address for identification purposes</li> <li>• Questions must relate strictly to matters which appear on the Council agenda at which the individual is speaking</li> </ul>	

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- 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

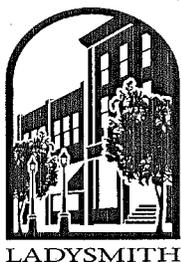
## **15. EXECUTIVE SESSION**

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

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- litigation or potential litigation affecting the municipality

## **ADJOURNMENT**





MINUTES OF THE MEETING OF COUNCIL OF THE  
TOWN OF LADYSMITH  
HELD IN COUNCIL CHAMBERS AT CITY HALL ON  
MONDAY, DECEMBER 19, 2011

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**COUNCIL MEMBERS PRESENT:**

Mayor Rob Hutchins

Councillor Jillian Dashwood

Councillor Duck Paterson

Councillor Steve Arnett

Councillor Gord Horth

Councillor Bill Drysdale

Councillor Glenda Patterson

**STAFF PRESENT:**

Ruth Malli

Sandy Bowden

Felicity Adams

Pat Durban

Erin Anderson

Joanna Winter

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**CALL TO ORDER**

Deputy Mayor Paterson called the Regular Council Meeting to order at 6:32 p.m.

**EXECUTIVE SESSION**

2011-506

It was moved, seconded and carried that Council retire into Executive Session at 6:32 p.m., to consider the following items:

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- litigation or potential litigation affecting the municipality
- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality

**AGENDA APPROVAL**

Deputy Mayor Paterson requested Council's consideration of the following addition to the agenda:

11.1 Royal Canadian Legion – New Year's Levee Invitation

2011-507

It was moved, seconded and carried that the agenda for the Council Meeting of December 19, 2011 be approved as amended.

**MINUTES**

2011-508

It was moved, seconded and carried that the minutes of the Inaugural Meeting of Council held December 5, 2011 be

approved as circulated.

**DELEGATION**

**Arts Council of Ladysmith and District**

Kathy Holmes, President of the Arts Council of Ladysmith and District, expressed sincere appreciation on behalf of the Arts Council to the Town of Ladysmith for its support, in particular for the space at the Expo Legacy Building and the Mayor's influence in securing a grant from the Cowichan Valley Regional District in 2011.

**STAFF / ADVISORY  
COMMITTEE REPORTS**

2011-509

**Development Cost Charges: Incentives for Eligible Development**

It was moved, seconded and carried that staff be directed to prepare a bylaw and model covenant to support the incentive of a Development Cost Charges reduction for eligible developments with a significant water use reduction from the Town's current water usage design standards.

2011-510

It was moved, seconded and carried that staff be directed to prepare a bylaw and model housing agreement to support the incentive of a Development Cost Charges waiver (100 per cent) for eligible residential development described as:

- a) Not-for-profit rental housing for seniors, families or singles
- b) Rent may be no more than 30 per cent of the median annual household income for the Town as reported by Statistics Canada for the most recent census
- c) The rental housing units must be available for rental at the specified rate for a minimum of 20 years
- d) The housing provider will provide an annual declaration to the Town that the housing agreement criteria are being met.

Mayor Hutchins entered the meeting at 7:12 p.m.

2011-511

**Tender Award – Sewage Treatment Plan Centrifuge**

It was moved, seconded and carried that the contract for the supply of the centrifuge for the Sewage Treatment Facility be awarded to Vanderbeken Enterprises Ltd. for the low tender price of \$208,400 plus HST, with the funds to come from the Sewer Utility Reserve and grants.

2011-512

**Utility Vehicle Tender**

It was moved, seconded and carried that the contract for the purchase of a ¾ ton vehicle for the utilities department be awarded to Woodgrove Chrysler for the price of \$33,793 plus HST, with the funds to come from the Equipment Replacement Fund.

**Community Recreation Program Grant Application for DL 108 Playfield Project**

2011-513 It was moved, seconded and carried that the town make application to the Ministry of Community, Sport and Cultural Development Community Recreation Program, for a grant in the amount of \$400,000 towards construction of a baseball field as the next phase of the DL108 Playfield Complex; and that the Town of Ladysmith authorize expenditures of up to \$804,000 from the DCC Parks Reserve and Sale of Real Property Reserve towards the cost of this project.

**Town Advisory Commission Annual Appointment Cycle**

2011-514 It was moved, seconded and carried that the timing of the Advisory Commission annual appointment cycle be referred to staff for review and recommendation.

**BYLAWS**

**Town of Ladysmith Council Remuneration Bylaw 2011, No. 1784**

2011-515 It was moved, seconded and carried that Town of Ladysmith Council Remuneration Bylaw 2011, No. 1784 be adopted.

**Town of Ladysmith Revenue Anticipation Borrowing Bylaw 2011, No. 1787**

2011-516 It was moved, seconded and carried that Town of Ladysmith Revenue Anticipation Borrowing Bylaw 2011, No. 1787 be adopted.

**Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2011, No. 1788**

2011-517 It was moved, seconded and carried that Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2011, No. 1788 be adopted.

**NEW BUSINESS**

**Royal Canadian Legion New Year's Levee**

Mayor Hutchins circulated an invitation from the Royal Canadian Legion to attend the New Year's Levee on January 1, 2012, and encouraged Council members to attend.

**EXECUTIVE SESSION**

2011-518 It was moved, seconded and carried that Council retire into Executive Session at 7:32 p.m.

ARISE AND REPORT

Council arose with report on the following item:

- Resolution CE 2011-184 – that the bank failure at 1150 Walkem Road is not the responsibility of the Town, and that staff are to meet with the Strata Council to clarify the matter and to provide copies of the geotechnical reports.

ADJOURNMENT

2011-519

It was moved, seconded and carried that this meeting of Council be adjourned at 7:52 p.m.

CERTIFIED CORRECT

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)

Town of Ladysmith

**COMMITTEE REPORT**



**LADYSMITH**

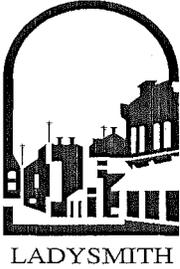
To: Mayor and Council  
From: Councillor S. Arnett, Chair  
Date: December 20, 2011  
File No: 0550-20

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Re: GOVERNMENT SERVICES COMMITTEE - December 19, 2011

At its meeting on December 19, 2011 the Government Services Committee recommended to Council the following:

1. That approval be given to stop work temporarily on the Stocking Lake Supply and Interconnection Main.
2. That the toilet rebate program be extended until December 31, 2012, and that staff be directed to include \$15,000 for the program in the 2012 water utility operating budget.



Town of Ladysmith

**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Erin Anderson, Director of Financial Services  
Date: January 4, 2012  
File No:

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Re: Amendment to Council Policy #2000-594

RECOMMENDATION(S):

That Council update the cheque signing and payment policy as described.

PURPOSE:

To take advantage of electronic payment options which could translate into efficiencies and reduced costs.

INTRODUCTION/BACKGROUND:

It is estimated, by the financial industry, that each physical cheque issued costs approximately \$15.00-\$40.00 per cheque, or on average \$28.00 per cheque. In 2011, the Town wrote over 2,600 cheques. By utilizing more electronic payment options, the Town could realize these savings in both process efficiencies and money.

As of the result from the Canada Post strike, additional analysis into the Town's cheque writing policy was required. During that strike, not only did the Town re-evaluate the method of providing payment, but our vendors also changed their practices. For example, more supplier invoices were e-mailed or faxed during the strike and Town payments were made through the bank. Some vendors have continued this practice even after the strike.

With the strike over, the Finance Department has reverted back to the previous method of the Director of Finance along with a Council member signs the cheques. For payments under \$5,000, the Council signature automatically prints on the cheque and the Director of Finance physically signs every cheque.

Efficiencies realized during the strike and additional software functionality facilitated a reevaluation of the current process. It is requested that Council approve a modification of Council Policy 2000-594 as follows:

a) Payments under \$8,000 automatically print both the Mayor's signature and the Director of Finance's signature. The payment register would still require the necessary approval of a Council representative and the Director of Finance prior to being released. Payments above this limit require actual signatures.

b) The following vendors continue to be exempted from requiring Mayor or Council's signature as they are made electronically:

- Municipal Finance Authority. These are lease payments that occur on a monthly bases which Council has already approved the purchase.
- Canadian Savings Bonds. These are Employee contributions which are deducted at the time of payroll and remitted to the program.
- Municipal Pension Plan. Payroll deductions and contributions which are non-negotiable.
- Worker's Compensation Board. Payroll deductions which are non-negotiable.
- US Bank (formerly CIBC purchasing cards). This is the monthly remittance to our purchasing card vendor.

These payments will still appear on the payment register; it simply facilitates quicker payment as many of these already require pre-authorized withdrawals as part of their contract.

c) It is requested that the Government of Canada (Receiver General) payroll deductions be added to the list. The ability to file and remit payment online is currently possible but not utilized as the payment requires physical signatures.

d) Where possible, utilize electronic funds transfer (EFT) for payments under \$8,000.

Once this amendment is approved, a monthly summary of vendor payments over \$8,000 will be included in the monthly financial analysis and presented at Government Services Meetings.

#### SCOPE OF WORK:

This more streamlined approach will facilitate efficiencies in the Finance Department and Payroll Division. Ensuring that information is verified at the time of assigning a general ledger code will continue to be highly important.

#### ALTERNATIVES:

Continue as status-quo.

Covert to fully electronic vendor payments (no cheques issued).

#### FINANCIAL IMPLICATIONS:

All payments made are already part of the Financial Plan. This request is only a change in process.

There is an existing strict security protocol set up with our financial institution which is currently utilized for payroll payments. It is this process that would be utilized for any EFT payments.

Currently, the bank account is monitored daily to review the transactions. Any unusual transactions would be detected quickly and proper action would be taken.

#### LEGAL IMPLICATIONS:

None

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

None

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

A second verification to the information is still required. The Manager of Accounting Services will act as the second approving officer.

RESOURCE IMPLICATIONS:

No additional staff or software is required.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Reducing handling and postage costs is consistent with wise financial management.

SUMMARY:

It is requested that Council consider this amendment to policy regarding cheque signing as proposed.

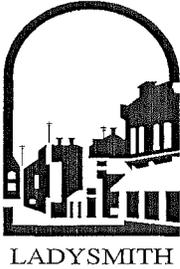
I concur with the recommendation.



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Ruth Mall, City Manager

ATTACHMENTS:

None



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Joe Friesenhan, Director of Public Works  
Date: December 20, 2011  
File No:

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Re: EMERGENCY GENERATOR TENDER AWARD

RECOMMENDATION(S):

That Council award the tender for the supply of the emergency generator to Duncan Electric Motor Ltd. for the sum of \$24,057.25 plus taxes, with the funds to come from the Sewer Reserve Fund.

PURPOSE:

To award the tender for the emergency generator for the sewage lift stations.

INTRODUCTION/BACKGROUND:

In 2008, Council authorized a budget of \$200,000 for the repair of all the lift stations within the Town. The repair consisted of replacement of electrical equipment and pumps at the major lift stations. The last of the electrical was replaced in 2010. Part of the project was to supply emergency power to all the lift stations in the event of a power failure.

Once all repairs were completed, an electrical engineer was engaged to design a generator that could be used at the various lift stations during power outages. The design was sent to various suppliers of generators. Tenders were received as follows:

Duncan Electric Motor Ltd.	\$24,057.25 plus taxes
Cullen Diesel Power Ltd.	\$53,298.00 plus taxes
Finning	\$89,734.19 plus taxes

The Duncan Electric unit is not mounted on a trailer as is the case with the other two units. The cost of building a trailer for the unit is approximately \$7,000.

SCOPE OF WORK:

Construction or purchase of a trailer plus awarding the contract to low bidder.

ALTERNATIVES:

- Award the contract to low bidder.
- Re-issue the tender to seek alternate bids.

FINANCIAL IMPLICATIONS:

The cost of the unit is included in the 2011 sewer capital budget, with funding allocated from the Sewer Capital Reserve.

LEGAL IMPLICATIONS:

Failure of the lift stations could cause environmental damage which would make the Town liable for the cleanup.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Ensuring a safe sewer collection system has positive public relations implications whereas a lift station failure that creates environmental damage would have negative implications.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Public Works and Finance Departments would be involved.

RESOURCE IMPLICATIONS:

No additional staffing resources are required.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This issue aligns with the fifth pillar of sustainability - Innovative Infrastructure.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Providing adequate sewer treatment is very high with the strategic priorities.

SUMMARY:

The lift station repair program is completed. In order to ensure continued lift station operation during a power failure, tenders were issued for the supply of a generator capable of running all the various lift stations in the Town. Staff recommends awarding the tender to the low bidder Duncan Electric Motor Ltd.

I concur with the recommendation.



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Ruth Malli, City Manager

ATTACHMENTS:

Tender packages may be viewed at Corporate Services.



## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: Pat Durban, Director of Parks, Recreation & Culture  
Date: Jan 6, 2012  
File No:

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RE: Heritage Canada Grant

RECOMMENDATION(S):

That staff be authorized to make application for a Heritage Canada Grant in the amount of \$5,000.

PURPOSE:

The purpose of this report is to seek Council approval to apply for additional funding to supplement the Parks, Recreation and Culture Department budget.

INTRODUCTION/BACKGROUND:

The Parks, Recreation and Culture Department has applied in the past and been successful in receiving grants for the Canada Day Celebration and Canada Summer Jobs.

SCOPE OF WORK:

This requires staff time to administer grants.

ALTERNATIVES:

The alternative is to not apply for grants.

FINANCIAL IMPLICATIONS:

Not receiving the grants may impact on the scale of programs being offered.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

A shortage in grant funding could lead to a reduction in programming that the community has come to expect.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

RESOURCE IMPLICATIONS:

Fewer resources will be required if not approved.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

N/A

**SUMMARY:**

This grant will provide some assistance with budget requirements and the program will be scaled back considerably if the grant is not received.

I concur with the recommendation



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Ruth Maffi, City Manager

TOWN OF LADYSMITH

**BYLAW NO. 1789**

A bylaw to appropriate monies from the Cemetery Care Trust Fund.

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**WHEREAS** the sum of \$139,329.95 is on deposit in the Cemetery Care Trust Fund; and

**WHEREAS** it is deemed necessary to appropriate the sum of up to \$1,727.83 from the Cemetery Care Fund for the purpose of the Cemetery Operations; and

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

1. The sum of up to One thousand, seven hundred twenty seven dollars and eighty-three cents (\$1,727.83) is hereby appropriated from the Cemetery Care Trust Fund and transferred to the General Revenue Fund to provide for the cemetery.

**Citation**

2. This bylaw may be cited as the "Cemetery Care Trust Fund Appropriation Bylaw 2012, No. 1789".

**READ A FIRST TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2012

**READ A SECOND TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2012

**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2012

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Mayor (R. Hutchins)

\_\_\_\_\_  
Corporate Officer (S. Bowden)