



**AGENDA**  
**FOR THE SPECIAL MEETING OF COUNCIL**  
**TO BE HELD MONDAY, SEPTEMBER 18, 2017 AT 6:30 P.M.**  
**IN COUNCIL CHAMBER**  
**91-1<sup>ST</sup> STREET NW, NAKUSP**

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**CALL TO ORDER**

**A. AGENDA APPROVAL**

**PAGES 1-2**

	<p><i>Recommended Motion:</i></p> <p><i>THAT the report dated September 18, 2017 from the CAO entitled North Kuskanax Water and Sewer Local Service Area be received for information;</i></p> <p><i>AND THAT Bylaw No. 670, 2017 North Kuskanax Water and Sewer Local Service Area be advanced for reading consideration</i></p> <p><i>AND THAT Bylaw No. 671, 2017 – North Kuskanax Water and Sewer Local Service Area Loan Authorization be advanced for reading consideration</i></p>
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**B. UNFINISHED BUSINESS**

- 1. North Kuskanax Water & Sewer Local Service Area**  
*Report from CAO*

**PAGES 3-7**

	<p><i>Recommended Motion:</i></p> <p><i>THAT Bylaw No. 670, 2017 – North Kuskanax Water &amp; Sewer Local Service Area be read a first second and third time.</i></p>
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C. **BYLAWS**

**First Three Readings**

1. Bylaw No. 670, 2017 – North Kuskanax Water & Sewer Local Service Area **PAGES 8-10**

	<p><b><i>Recommended Motion:</i></b></p> <p><b><i>THAT Bylaw No. 670, 2017 – North Kuskanax Water &amp; Sewer Local Service Area be read a first second and third time.</i></b></p>
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2. Bylaw No. 671, 2017 – North Kuskanax Water & Sewer Local Service Area Loan Authorization **PAGES 11-12**

	<p><b><i>Recommended Motion:</i></b></p> <p><b><i>THAT Bylaw No. 671, 2017 – North Kuskanax Water &amp; Sewer Local Service Area Loan Authorization be read a first, second and third time.</i></b></p>
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D. **ADJOURNMENT**

	<p><b><i>Recommended Motion:</i></b></p> <p><b><i>THAT the September 18, 2017 Special Council meeting be adjourned at ____ PM.</i></b></p>
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**STAFF REPORT – Request for Decision**

DATE: September 18, 2017  
SUBJECT: North Kuskanax Water & Sewer Local Service Area  
TO: Mayor and Council  
FROM: Laurie Taylor, Chief Administrative Officer

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**Purpose:**

To advise Council that a petition has been received by the Village for the installation of water and sanitary sewer mains and lines as a Local Service Area (LSA) in an area north of Kuskanax Creek. Additionally, this report seeks Council approval to proceed with the LSA.

**Background**

As Council is aware this is the second iteration of the North Kuskanax Water & Sewer Local Service Area. In April, 2017 the first petition for water and sewer service was presented to Council and the necessary bylaws for the local service area and borrowing in the amount of \$210,000 were subsequently adopted. Unfortunately, in late April a large portion of the private roadway which was going to house the infrastructure sloughed away. As a result the route had to be revised and reengineered and the costs of the project have increased to \$282,620. A revised petition was sent out to the property owners and after a meeting held with all the parties on September 13, 2017 sufficient petitions were received to proceed with the project.

Division 5 of Part 7 of the *Community Charter* provides municipalities with authority to provide an LAS within a part of the municipality. It sets out the legal framework for the establishment of a local service area and any borrowing in relation to a local area service.

Section 212 of the *Community Charter* outlines the requirements for a petition for a local area service. This section states that in order for a petition for a local area service to be certified as sufficient and valid, the petition must be signed by the owners of at least 50% of the parcels that would be subject to the local service parcel tax, and the persons signing must be the owners of parcels that in total represent at least 50% of the assessed value of land and improvements that would be subject to the local service parcel tax.

Section 216 of the *Community Charter* provides authority for a municipality to levy a parcel tax to recover all of the costs of a service provided within a local service area.

Section 217 of the *Community Charter* states that "If all of the costs of borrowing for the purposes of a local area service are to be recovered by a local service tax, the loan authorization bylaw does not require the approval of the electors under section 180 [elector approval required for some loan authorization bylaws], but it may only be adopted if the borrowing has been proposed by petition in accordance with section 212."

The affected property owners will be responsible for 100% of the costs for the installation of the water and sewer mains and the connection from the mains to property line. This work is included in the above cost estimate of \$282,620.00. The individual onsite service connection works (the connection from the house to property line) are not included and will be the sole responsibility of the respective property owners.

This report recommends that Council approve the North Kuskanax Water and Sanitary Sewer Local Service Area Bylaw and North Kuskanax Water and Sanitary Sewer Loan Authorization Bylaw.

The Local Service Area Bylaw will establish an LAS for the installation of a water and sanitary sewer main (all as shown on the map attached as Appendix I). This Bylaw will authorize the acquisition of all appliances, equipment, materials, easements and rights-of-way required to construct the LSA; define the boundaries of the LSA; and impose local service taxes.

In accordance with Section 217, Division 5, Part 7 of the *Community Charter*, the petition for Local Service Area proposed that the project cost be borrowed. The Loan Authorization Bylaw will authorize the acquisition of a loan in the amount of the estimated project cost of \$282,620 over a 20-year period.

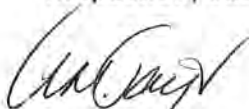
**STAFF RECOMMENDATIONS:**

THAT the report dated September 18, 2017 from the CAO entitled North Kuskanax Water and Sewer Local Service Area be received for information;

AND THAT Bylaw No. 670, 2017 North Kuskanax Water and Sewer Local Service Area be advanced for reading consideration

AND THAT Bylaw No. 671, 2017 – Loan Authorization Bylaw Kuskanax Water and Sewer Local Service Area be advanced for reading consideration

Respectfully submitted,



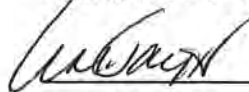
Laurie Taylor, CAO

**CERTIFICATE OF SUFFICIENCY**

Pursuant to section 212 of the *Community Charter*, I, Laurie Taylor, Chief Administrative Officer for the Village of Nakusp, British Columbia certify that a formal petition for undertaking the construction water and sewer works as a Local Service Area for the properties located north of Kuskanax Creek abutting Highway 6, shown on the attached map has been received and is determined to be sufficient.

The Council may, by bylaw, undertake the work described above.

Dated this 18<sup>th</sup> day of September, 2017






\_\_\_\_\_  
Laurie Taylor  
CAO

North Kuskanax Water and Sanitary Sewer Local Service Area		
Total Number of Parcels in the Local Service Area	9	
Total Number of Valid Petitions Required to Certify the Petition as Sufficient and Valid	5	56%
Total Number of Valid Petitions Received	6	67%

Total Assessed Value of All Properties Located within Local Service Area Boundary	\$3,030,600	
Total Assessed Value Required to Certify the Petition as Sufficient and Valid	\$1,515,300	50%
Total Assessed Value of Petitioners' Properties	\$2,160,100	71%

# North Kuskana Water & Sewer

## Legend

-  Address Range
-  Lakes (Mid Scale)
-  Electoral Boundaries (

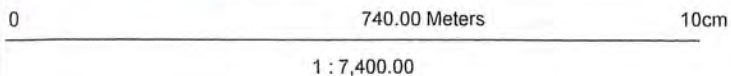
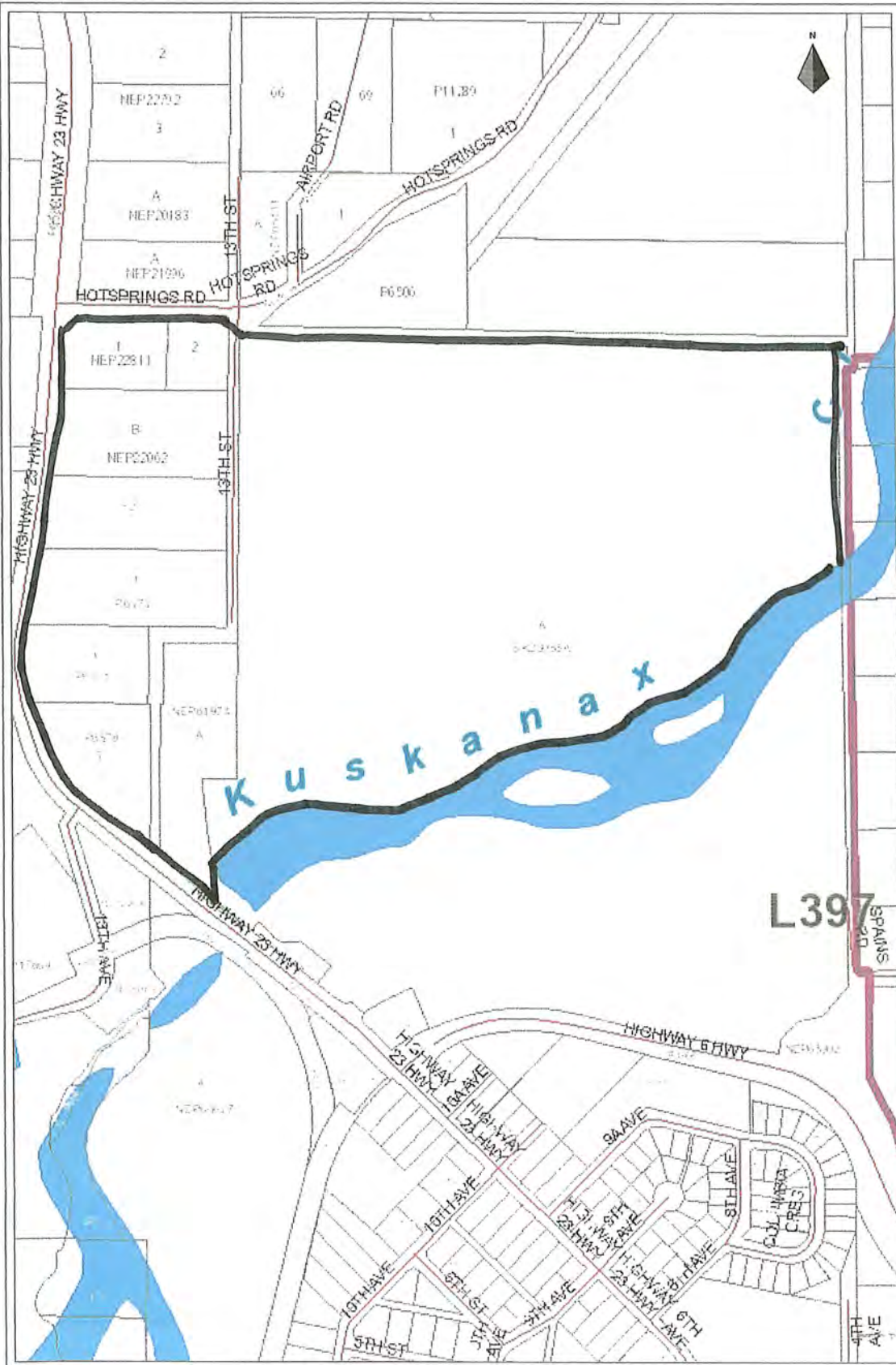
## Notes

NORTH KUSKANAX WATER & SEWER LOCAL SERVICE AREA BOUNDARY

Date Plotted: 3/31/2017



202 Lakeside Drive  
Nelson, BC  
1-800-268-7325  
<http://www.rdck.ca>



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**Materials for Water**

	Cost	Quantity	Total
200 mm pipe	\$ 36.00 /m	870 meters	\$ 31,320.00
valves - 150 mm	\$ 695.00 each	4	\$ 2,780.00
valves - 200 mm	\$ 1,264.52 each	4	\$ 5,058.08
hydrants	\$ 3,189.61 each	4	\$ 12,758.44
elbow - 200 mm - 45	\$ 150.00 each	14	\$ 2,100.00
elbow - 200 mm - 22.5	\$ 150.00 each	1	\$ 150.00
elbow - 200 mm- 90	\$ 239.20 each	2	\$ 478.40
elbow - 200 mm - 11.25	\$ 150.00 each	1	\$ 150.00
		<b>Total</b>	<b>\$ 54,794.92</b>

**Materials for Sewer**

200 mm pipe	\$ 16.48 meter	940 meters	\$ 15,491.20
manholes	\$ 1,830.00 each	12	\$ 21,960.00
		<b>Total</b>	<b>\$ 37,451.20</b>

**Contract**

Drilling and Blasting		\$ 40,000.00
Labour		\$ 80,000.00
Engineering		\$ 23,270.00
	<b>Total</b>	\$ 143,270.00

	<b>overall Total</b>	<b>\$ 235,516.12</b>
Contingency (20%)		\$ 47,103.22
		<b>\$ 282,619.34</b>

Borrowing - 20 years	<b>\$ 282,620.00</b>
Annual Payment	<b>\$ 18,996.50</b>

**VILLAGE OF NAKUSP**

**BYLAW NO. 670, 2017**

**Local Service Area  
North Kuskanax Water and Sewer**

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WHEREAS Section 211 of the *Community Charter*, authorizes the Council of the Village of Nakusp, by bylaw, to establish a local service area;

AND WHEREAS Council has been petitioned by owners of land within the boundaries of the Local Service Area as defined in this Bylaw pursuant to Section 212 of the *Community Charter* to undertake the services described in this Bylaw;

AND WHEREAS the Municipal Officer assigned responsibility under Section 148 of the *Community Charter* has certified the sufficiency of the Petition pursuant to Section 212 of the *Community Charter*;

AND WHEREAS the estimated cost of the works is \$282,620.00 of which the full amount shall be borne by the property owners within the boundary of the local service area;

NOW THEREFORE the Council of the Village of Nakusp, in open meeting assembled enacts as follows:

1. The following properties form the new local service area for North Kuskanax, shown outlined on the map attached hereto as Schedule 'A' and forming part of this bylaw:

- 024-212-245 Lot A DL 397 Plan NEP61974
- 014-187-973 Lot 5 DL 397 Plan NEP6578
- 014-182-670 Lot 1 DL 397 Plan NEP6397
- 014-188-121 Lot 1 DL 397 Plan NEP6373
- 025-455-265 Lot 2 DL 397 Plan NEP71597
- 011-473-576 Parcel A (sketch plan 23055A) DL 397
- 025-455-257 Lot 1 DL 397 Plan NEP71597
- 023-311-304 Lot 1 DL 397 Plan NEP22811
- 023-311-312 Lot 2 DL 397 Plan NEP22811



2. The work is the design and construction of:
  - a. a water distribution system, including water mains, fire hydrants, and associated appurtenances and use of the existing capacity in the water mains and water treatment plant associated with the extension of water to the service area; and
  - b. a sanitary sewer collection system, including sewer mains, manholes, and associated appurtenances and the use of existing capacity in the sewer main and the wastewater treatment plant associated with the extension of sewer to the service area.
3. The boundaries of the local service area are the boundaries of the parcels shown on the map attached to this bylaw.
4. An estimate of the construction cost of the works is \$282,620.00. The Village will borrow for the purposes of the service, and the maximum total amount proposed to be borrowed is \$282,620.00, the term will be 20 years, and all of the borrowing costs will be recovered by a local service tax.
5. All of the costs of the service are to be recovered by local service area tax in the form of a parcel tax levied on the basis of a single amount for each parcel. Based on borrowing over a 20-year period at 3% interest annually, the estimated parcel tax per parcel is \$2374.56 annually.
6. The parcel tax imposed may be commuted for payment in cash under the following terms and conditions:

Any person whose parcel is subject to being specifically charged a parcel tax may have the parcel tax waived by making a one-time payment in cash equal to the portion of the cost of providing the water distribution and sanitary sewer collection systems assessed upon the parcel within 45 days of receipt of written notification from the Village of Nakusp.
7. None of the costs of the service will be recovered by a general municipal tax or water or sewer fees.
8. This bylaw may be cited as “Bylaw No. 670, 2017 – North Kuskanax Water and Sewer Local Service Area”.
9. This bylaw shall take effect immediately upon adoption.

Read a first, second and third time this

Adopted this

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

# North Kuskana Water & Sewer

## Legend

-  Address Range
-  Lakes (Mid Scale)
-  Electoral Boundaries

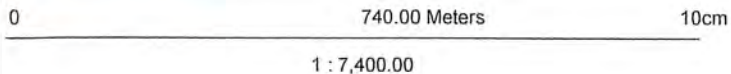
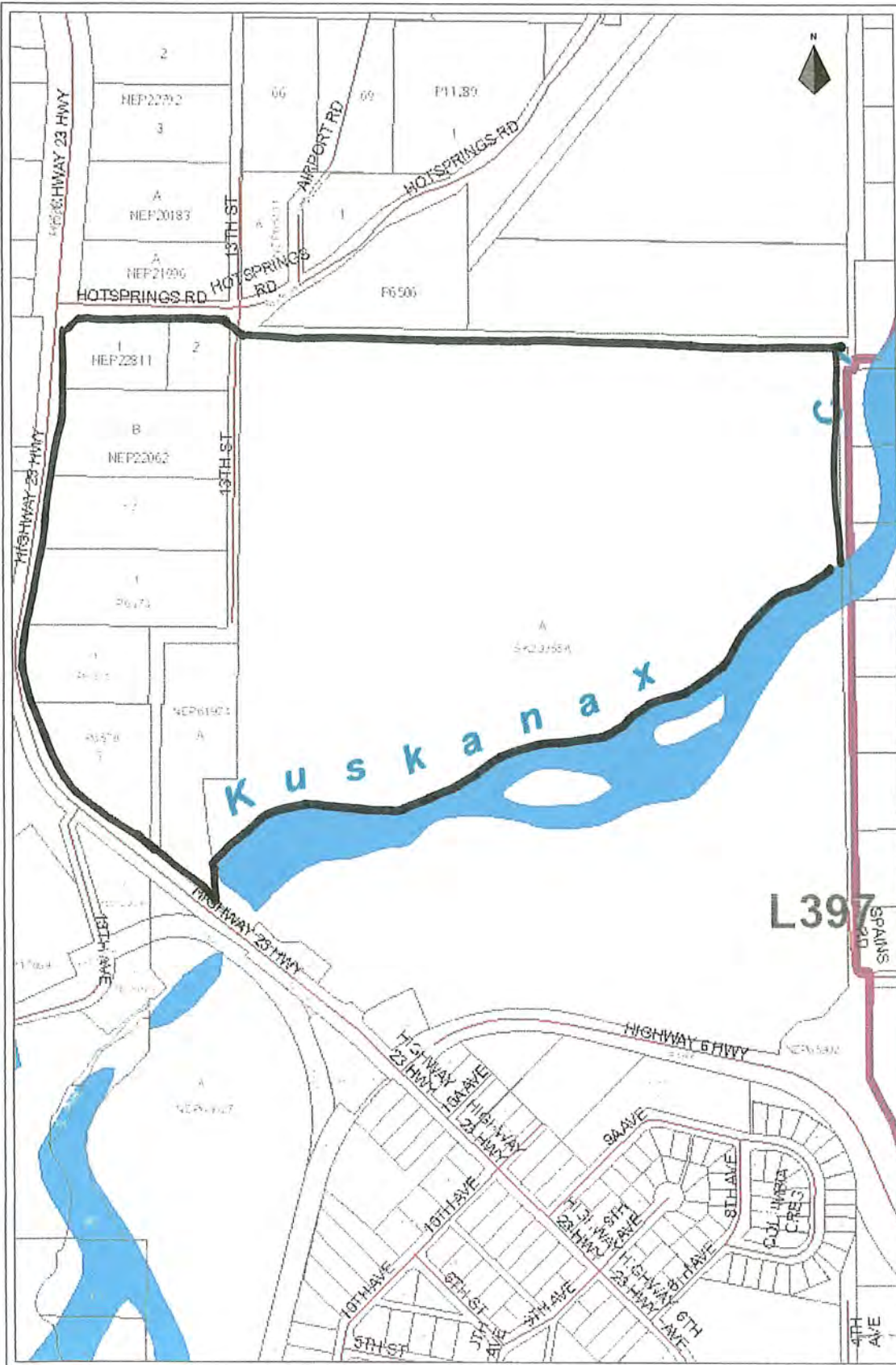
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**VILLAGE OF NAKUSP**

**BYLAW NO. 671, 2017**

**LOAN AUTHORIZATION BYLAW  
NORTH KUSKANAX WATER AND SEWER LOCAL SERVICE AREA**

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WHEREAS the estimated cost of the North Kuskanax Water and Sewer Local Service Area project, including expenses incidental thereto, is the sum of two hundred eighty-two thousand six hundred twenty dollars (\$282,620.00) and is the amount of debt intended to be borrowed under this bylaw;

AND WHEREAS Section 179 of the *Community Charter* authorizes the Council of the Village of Nakusp to borrow for a local area service by means of a loan authorization bylaw adopted with the approval of the Inspector of Municipalities;

AND WHEREAS Council has established a local service area by “North Kuskanax Water and Sewer Local Service Area Bylaw No. 670, 2017”;

NOW THEREFORE the Council of the Village of Nakusp, in open meeting assembled, enacts as follows:

1. That Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the North Kuskanax Water and Sewer Local Service Area Project, generally in accordance with the plans on file in the municipal office, and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a. To borrow upon the credit of the municipality a sum not exceeding two hundred eighty-two thousand six hundred twenty dollars (\$282,620.00); and
  - b. To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for, or in connection, with the North Kuskanax Water and Sewer Local Service Area Project.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty (20) years.

3. This bylaw may be cited for all purposes as “North Kuskanax Water and Sewer Local Area Service Loan Authorization Bylaw No. 671, 2017”
4. “North Kuskanax Water and Sewer Local Service Area Loan Authorization Bylaw No. 665, 2017” is repealed.

Read a first, second and third time this

Approval of the Inspector of Municipalities received pursuant to Section 179 of the *Community Charter*, this

Adopted this

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER