

**A LOCAL COMMUNITY  
COMMISSION FOR SALT  
SPRING ISLAND:  
Options and Recommendations**

**Prepared for the  
Salt Spring Island  
Electoral Area Director**

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AN LCC FOR SALT SPRING ISLAND: OPTIONS AND RECOMMENDATIONS

## NOTE

This discussion paper has been written by a group of Salt Spring Island residents (Linda Adams, Richard Kerr and Brian Webster) and presented to Capital Regional District Electoral Area Director Gary Holman.

The three members of the writing/editing team participated on the Community Alliance's Governance Working Group, which released a report in 2018 that recommended consideration be given to establishing a Local Community Commission on Salt Spring, in addition to other recommendations. This document builds on that work.

Brian Webster took the lead on writing this discussion paper. He is a Salt Spring Island orchardist and small business owner and a former communications consultant who wrote and edited numerous reports and other documents for government and other clients. He recently completed seven years as a member of the Salt Spring Island Parks and Recreation Commission.

Linda Adams is a Salt Spring resident with many years of experience with local government as a senior staff person, volunteer, educator and consultant. Richard Kerr is an economist and 29-year Salt Spring resident who has been Alternate CRD director for Salt Spring Island and was a volunteer member of the 1999-2002 Salt Spring Island Restructure Study committee, the Highland Water Commission, the Advisory Planning Commission, Community Economic Development Commission and committees of the Salt Spring Fire Protection District.

While Director Holman saw drafts of the document and offered his comments, he is not the author and is not responsible for its contents. Capital Regional District staff also reviewed the document toward the end of the writing process and offered informal comments. We never requested, nor did we receive any endorsement from Capital Regional District for the contents of this paper.

AN LCC FOR SALT SPRING ISLAND: OPTIONS AND RECOMMENDATIONS

## **EXECUTIVE SUMMARY**

Salt Spring Island residents are justifiably proud of what has been accomplished over the years to provide our community with local government services and amenities. Our community has voted twice in recent decades against incorporating as a municipality. However, many Salt Springers are concerned about the limitations of our current system and believe that improvements can and should be made.

This report proposes action to improve local government while fully respecting past referendum results. It recommends creating a Local Community Commission (LCC), an elected regional district body that could provide Salt Springers with broader democratic representation, greater transparency and accountability and more efficient, responsive and coordinated services.

### **THE NEED FOR LOCAL GOVERNMENT IMPROVEMENTS**

Primary responsibility for local government services on Salt Spring rests with the Capital Regional District (CRD). There are currently numerous CRD local services on the island, many of them overseen by advisory commissions, which possess limited authority. Technically, the current commissions make recommendations to the CRD board; in practice, their recommendations effectively go to the Electoral Area Director, whose views are virtually never overridden by the CRD board.

In recent years, particularly following the 2017 incorporation referendum, which rejected incorporation by a margin of 62 per cent to 38 per cent, many Salt Springers have focused on finding ways to improve local government within our unincorporated system. While many Salt Springers recognize that the current system has some strengths, it suffers from:

- A lack of accessible, democratic decision-making, with just one elected representative to direct and oversee these services and represent our diverse community.
- Confusing, fragmented, insufficiently coordinated and sometimes inefficient delivery of services.

Key decisions about local services for Salt Spring ultimately need the approval of a board located on Vancouver Island that includes a single Salt Spring representative. As services have become more numerous and complex over the years, our local government system has become difficult for the average person to understand and navigate, let alone participate in meaningfully.

### **A LOCAL COMMUNITY COMMISSION**

An LCC is an elected body that can have a wide range of powers up to but not including the passage of bylaws and the final approval of the annual budget.

In the context of Salt Spring Island, which is a relatively populous and complex unincorporated area, an LCC could serve as a locally-elected 'council' for regional district services, with a potentially wide range of responsibilities. These could not

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include land use planning and regulation, which will remain the responsibility of the Islands Trust, or services such as policing and roads, which are determined and funded by the Province.

### A 'MADE ON SALT SPRING' SOLUTION

An LCC could enhance local government on Salt Spring by making it:

- **More democratic** – Increasing the number of locally-elected decision-makers and making it possible for varying views to be more effectively represented.
- **More accessible** – Replacing several appointed decision-making commissions with a single, accessible locally-elected body.
- **More streamlined** – Bringing a variety of different local government services under the purview of a single, elected body.
- **More transparent and accountable** – Creating a new locally-elected team that holds regular, well-publicized public meetings to discuss the full range of issues relating to CRD services.

### RECOMMENDATIONS

#### THE ESTABLISHMENT OF A LOCAL COMMUNITY COMMISSION (LCC)

- 1) We recommend that a proposal for a Salt Spring LCC be brought to referendum during the October 2022 local government elections.

#### LCC COMMISSIONERS

- 2) We recommend that the proposed Salt Spring LCC consist of a seven-member commission: the Electoral Area Director plus six commissioners elected at large by the community to four-year terms.

#### EXTENT OF DELEGATED AUTHORITY

- 3) We recommend that the CRD board delegate policy, administrative and operational authority for all island-wide local CRD services on Salt Spring Island to a locally-elected LCC, including authority to:
  - Plan local CRD services.
  - Establish operational priorities, policies and procedures relating to these services.
  - Prepare annual budgets for CRD board approval.
  - Authorize and oversee expenditures within CRD board-approved budgets.
  - Manage land and other property acquired by the CRD for these services.
  - Enter into and oversee service contracts.

#### LCC RESPONSIBILITIES

- 4) We recommend that all island-wide CRD local services on Salt Spring be consolidated under a Salt Spring LCC, including:
  - Economic development
  - Grants-in-aid
  - Liquid waste

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- Parks and recreation
  - Transportation
  - Oversight of any local CRD services contracted to other agencies
  - Advising the CRD Electoral Area Director regarding matters to be decided by the CRD Board or the CRD Electoral Areas Committee
  - Liaising with the RCMP and the Ministry of Transportation and Infrastructure as well as other relevant provincial government agencies on policing, roads and other matters that remain provincial responsibilities
- 5) We recommend that all area-specific CRD services on Salt Spring – such as sewer and water services – be retained as distinct services, each with an advisory commission as is currently the case, but with their recommendations directed to a Salt Spring LCC possessing delegated responsibility for them
- 6) We recommend that a Salt Spring LCC, once established, explore the feasibility of bringing the Salt Spring portion of current sub-regional services such as building inspections and bylaw enforcement under the purview of the LCC.

### **AN LCC AND SENIOR LOCAL CRD STAFF**

- 7) We recommend that the most senior CRD Salt Spring staff position continue – at least initially – to be directly responsible to the CRD CAO, while taking direction from the LCC on policy and priorities.

### **COMMISSIONER COMPENSATION**

- 8) We recommend that Salt Spring Island LCC commissioners be paid a modest stipend, comparable to that paid to B.C. municipal councillors with a similar level of responsibility.

### **LCC FUNDING**

- 9) We recommend that a Salt Spring Island LCC be funded on as close as possible to a cost-neutral basis through the reallocation of existing budgets and by requesting an annual Provincial LCC grant proportional to Salt Spring's population and the magnitude of the LCC's responsibilities.

### **POSSIBLE NEW SERVICES**

- 10) We recommend that the proposal for a Salt Spring LCC not be tied to the establishment of any specific new services.

### **COMMUNITY INPUT & PARTICIPATION**

- 11) We recommend that a comprehensive community input and participation strategy be included as part of a proposal for a Salt Spring Island LCC, including:
- Regular, scheduled, public meetings of the LCC (probably biweekly).
  - Enhanced information to Salt Spring residents on topics being considered by the LCC and how to provide input.

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- Where appropriate, the creation of topic-specific advisory groups to gather and provide community input in key areas.

### **NEXT STEPS**

12) We recommend that the following key steps be taken to further this proposal:

- Preliminary consultation with the Province and Capital Regional District to confirm the feasibility of the initiative and any constraints that may affect it (Feb-Mar 2022).
- Formation of a broadly-representative committee of community members to review options and make recommendations on the nature of an LCC proposal (Apr-May).
- Consultation with the larger community on the proposal (May-Jun).
- Discussions with Capital Regional District regarding the powers to be delegated, services to fall within the purview of the proposed LCC and preliminary budgeting (Mar-Jun).
- Sharing of full details of these discussions with the community (May-Jun).
- Finalization of the LCC proposal and related bylaws (Jun-Jul).
- Referendum wording finalized (Jul 18).
- Referendum information materials distribution and campaign (Jul 19-Oct 15).
- Referendum vote (October 15).
- If the referendum is approved, development/ implementation of the first phase of a transition plan (Nov-Mar).
- Election of commissioners (spring 2023).
- Implementation of the second phase of a transition plan, under the direction of the LCC (spring-fall 2023)

## **INTRODUCTION**

Salt Spring Island residents are justifiably proud of what has been accomplished over the years to provide our community with local government services and amenities. A great deal has been achieved by volunteers, elected representatives and community members who work for the agencies that deliver services on the island.

However, many Salt Springers believe that local government on our island suffers from fragmentation, a lack of coordination, overlaps, inefficiencies and a lack of broad democratic representation.

While our community has voted twice in recent decades against incorporating as a municipality, many people – whether they voted in favour or against incorporation – are concerned about the limitations of our current system and believe that improvements can and should be made.

This report proposes action to improve local government on Salt Spring while fully respecting past referendum results. It recommends creating a Local Community Commission (LCC), an elected regional district body that could provide enhanced democratic representation, greater transparency and accountability and more efficient, more responsive and better coordinated local government services.

### **PURPOSE OF THIS REPORT**

This report is intended to serve as a resource for community discussion of a potential Salt Spring LCC. It has been prepared by a group of Salt Spring Island residents at the request of Salt Spring Island Electoral Area Director Gary Holman, who committed – in his 2018 election platform – to bring an LCC proposal to referendum.

The concept of an LCC for Salt Spring has been raised on several occasions over recent decades; however, this is the first opportunity for our community to seriously examine a specific LCC proposal.

This report describes how an LCC could work as a ‘made on Salt Spring’ solution. It describes options for LCC composition, powers and responsibilities and makes recommendations about these key elements.

We were not asked to review all options for local government enhancements, as much of that work has been done before; we were asked to provide advice on desirable characteristics of a Salt Spring LCC. While based on factual information, this report does not pretend to be ‘neutral’ or ‘unbiased,’ as we believe that our community should work toward establishing an LCC.



## **REGIONAL DISTRICT SERVICES**

The range of services that regional districts may provide to a community is wide and generally entered into at the option of the particular community. These services may be delivered directly by the regional district or through agreements with volunteers, non-profit agencies, or businesses.

Examples of the types of local services that may be provided by or through a regional district include the following:

- 9-1-1 emergency communications
- Affordable housing
- Air quality
- Animal and pet control and licensing
- Arts and cultural facilities, programs and funding
- Climate change planning
- Community Works Fund (Gas Tax) allocations
- Docks
- Drinking water
- Economic development
- Emergency management
- Fire protection
- Grants-in-aid funding allocations
- Libraries and museums
- Liquid waste treatment and disposal
- Parkland and parks programs
- Recreation facilities and programs
- Recycling
- Solid waste disposal
- Transit and transportation

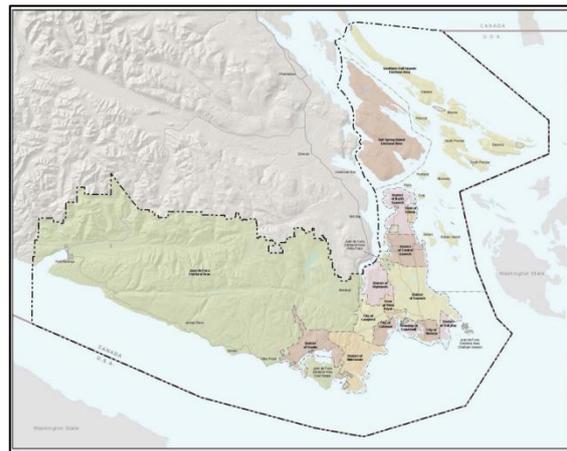
With few exceptions, each regional district service must be approved separately by the voters who will pay for it through property taxes or other fees. Provincial legislation requires that regional districts also provide certain services without requiring voter approval, such as emergency planning.

## LOCAL GOVERNMENT ON SALT SPRING

Salt Spring Island is unique. We are rural, yet within a short ferry ride of two major urban centres and several smaller ones. Our population includes significant numbers of working families, retirees, farmers, artisans and other diverse groups. Older people make up an increasing proportion of our population. Our community includes people living on low incomes as well as the very wealthy and many who fall into neither category.

Our population is larger than more than 60 per cent of British Columbia's municipalities. We have more kilometres of roads per capita than the vast majority of municipalities, well over double the average.

Local government on Salt Spring is primarily under the purview of Capital Regional District (CRD). There are, however, two important types of exceptions: land use planning and regulation is the responsibility of the Islands Trust and some other important local government services are provided by improvement districts.



**Figure 2 CAPITAL REGIONAL DISTRICT**

That said, primary responsibility for local government services – and initiatives to improve decision-making and service delivery – largely rest with the CRD. There are currently numerous CRD local services on Salt Spring, many of them overseen by advisory commissions, which possess limited authority, primarily providing recommendations to the CRD board.

CRD board decisions about Salt Spring are guided by its Electoral Areas Committee, which represents our island plus the two other electoral areas within the CRD.

Salt Spring has had a long history of debate over how we should organize local government services on the island. This has included two referenda over recent decades on incorporation as a municipality. Each of these has resulted in a 'no' vote, with relatively high levels of voter turnout. Most recently in 2017, 62 per cent of voters rejected a proposal to incorporate.

While Salt Spring Island voters have voted 'no' to incorporation, this should not necessarily be interpreted as an endorsement of the status quo. Many people on both sides of the 2017 referendum campaign acknowledged that our current local government system is confusing, siloed, inefficient and not as well coordinated as it might be.

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Salt Springers have never had a chance to vote on an island-wide option for change other than incorporation, including any proposal to improve how regional district services are governed, organized and delivered within our unincorporated status.

Following the 2017 incorporation referendum, two community groups (the Governance Working Group of the Salt Spring Island Community Alliance and Positively Forward) set out to identify potential enhancements to local government on Salt Spring, within the context of the island remaining unincorporated. Much of this discussion focused on weaknesses in the current system of local government on Salt Spring, including:

- A lack of accessible, democratic decision-making.
- Confusing, fragmented, insufficiently coordinated and sometimes inefficient delivery of services.

In part as a result of this work, some community groups and individuals have concluded that the establishment of a Local Community Commission (LCC) could help address these weaknesses.

These discussions also brought attention to characteristics of our local government system that many Salt Springers consider to be desirable, such as the requirement for explicit voter approval for the creation of new services. This would not be affected by the establishment of an LCC.

This report seeks to identify the potential key elements of an LCC that could address Salt Spring's local government challenges in a manner consistent with provincial legislation and past incorporation referendum results.

## CURRENT CHALLENGES

Decades ago, when Salt Spring had fewer and less complex local government services than today, our community was mostly successful at working together to meet community needs and expectations. Our current system of local government was created then. While many new services have been developed and added over the succeeding decades, the governance structure has not changed significantly.

As Salt Spring, its needs and services have grown in size and complexity, this system has encountered increasing challenges:

- Many community members feel alienated from Capital Regional District (CRD)-related local government decision-making due to the large number of single-purpose advisory commissions (many of them appointed rather than elected) and taxpayers' ability to elect only a single CRD representative.
- That one individual – the Electoral Area Director – has sole responsibility for a wide range of local government services, many of which are specialized and complex. In addition to creating a heavy workload, many Salt Springers believe this puts too much decision-making power into the hands of a single individual. Also, this person must represent all community members, a task that would be problematic for any community of more than 11,000, let alone one as diverse (and sometimes divergent) as Salt Spring.
- The CRD's local Salt Spring staff bear an unreasonable burden, given the heavy load on the Electoral Area Director and the involvement of a myriad of advisory commissions made up of the director plus volunteers, some of whom lack the time, experience or knowledge to contribute effectively to decision-making. This may result in too much responsibility for decision-making on priorities being left to staff rather than elected representatives.

Despite the best efforts of all, the fact remains that key decisions about local services for Salt Spring ultimately need the approval of a board located on Vancouver Island that includes only a single Salt Spring representative. On top of this fundamental problem, our local government system has become difficult for the average Salt Springer to understand and navigate, let alone participate in meaningfully. The current system of advisory commissions also has disadvantages for the CRD board, which must regularly deal with Salt Spring-specific matters for which all but one board member (Salt Spring's Electoral Area Director) have little or no involvement or interest.

Our community has chosen to remain unincorporated and there is no realistic prospect of that changing in the foreseeable future. Rather than repeating old arguments while the situation worsens, it may now be time to set aside contentious debates and divisions over local government and work together to implement enhancements to democratic representation, decision-making, service delivery and accountability.

## A LOCAL COMMUNITY COMMISSION

Local Community Commissions (LCCs) have been provided for in British Columbia law for nearly half a century. The *Local Government Act* gives regional districts the authority to create them and outlines the basic requirements for their establishment, administration and operation.

An LCC is an elected body representing the residents and landowners of an unincorporated area of a regional district. Its role is to assist with the administration of regional district services being delivered in the local community.

An LCC is created through a regional district **establishment bylaw**, which requires local voter approval through a referendum. The extent of an LCC's responsibilities is set out in a second regional district bylaw, a **delegation bylaw**, which outlines the powers of the LCC.

An LCC can have a wide range of powers, ranging from being purely advisory to the regional district board on a single service to taking on extensive administrative and operational responsibilities for numerous services. These powers may go up to but not include the passage of bylaws and the final approval of the annual budget, as those responsibilities must always remain with the regional district board. However, an LCC may prepare draft bylaws and budgets for the consideration and approval of the regional district board.

In the context of Salt Spring Island, which is a relatively populous and complex unincorporated area, an LCC could serve as a locally-elected 'council,' with a potentially wide range of responsibilities. These could not include land use planning and regulation, which will remain the responsibility of the Islands Trust, or services such as policing and roads, which – in unincorporated areas – are determined and funded by the Province.

## A ‘MADE ON SALT SPRING’ SOLUTION

A Local Community Commission (LCC) could provide Salt Springers with increased democratic representation, improved coordination, increased efficiency and greater accountability of local government decision-making and services. It could do so using mechanisms that already exist in B.C.’s *Local Government Act*.

Only a handful of LCCs currently exist in B.C. All of them have been in very small communities and none of them have been given a broad range of responsibilities. However, the legislation permitting the creation of an LCC provides enough flexibility for a Salt Spring Island LCC to very much be a ‘made on Salt Spring’ solution to enhance democratic representation on our island, improve decisions on local government services and increase their accountability.

Without requiring any legislative changes by the Province, a Salt Spring Island LCC could provide our community with:

- More diverse elected representation.
- Increased local input and control over local government services.
- Greater coordination of local government services.
- Continued separation of land use decisions from local government service provision.
- A better balance between elected representative control over policy directions and staff responsibility for administration.
- More timely and effective responses to emerging issues such as climate change, affordable housing and reconciliation with indigenous peoples.
- A democratic structure well suited to the potential future consolidation of additional local government services.

An LCC could enhance local government on Salt Spring by making it:

- **More democratic** – Increasing the number of locally-elected decision-makers and making it possible for varying views to be more effectively represented.
- **More accessible** – Replacing several appointed decision-making commissions with a single, accessible locally-elected body.
- **More streamlined** – Bringing a variety of different local government services under the purview of a single, elected body.
- **More transparent and accountable** – Creating a new locally-elected team that holds regular, well-publicized public meetings to discuss the full range of issues relating to CRD services.

## LIMITATIONS OF AN LCC

A Local Community Commission (LCC) has the potential to make a difference to our community, but it is important to note that the establishment of an LCC would not have the same effect as creating a municipality. Depending on one's perspective, these differences may be considered to be advantages or disadvantages.

Unlike a municipality, an LCC is not a corporate body and does not have direct law-making powers.

An LCC would not change the role of the Islands Trust in land use regulation, nor that of the Province in its responsibilities for roads and policing. And while the existence of an LCC could provide opportunities to address the limitations of improvement districts, which currently provide services such as fire protection and – for many Salt Spring residents – drinking water, such changes do not come automatically with the creation of an LCC and would need to be negotiated and approved by voters in the future.

While an LCC would provide a clear focus for community input on local government issues, its potential would always be constrained by the realities of how regional districts operate. For example, each local service requires voter approval to be created and has a discrete budget subject to voter-approved limits. So, an LCC would have less flexibility than a municipality does to change the scope of a service or its level of funding.

The establishment of an LCC also would not change the composition of the regional district board. The Electoral Area Director would continue to serve as Salt Spring Island's sole representative, with a population-weighted vote in regional district board decisions.

Ultimately, as with any elected body, a Salt Spring LCC would only be as effective as the community members elected to it by voters.

# OPTIONS AND RECOMMENDATIONS

## ESTABLISHMENT OF AN LCC

There are two fundamental questions relating to a potential Salt Spring Island Local Community Commission (LCC): should an LCC be established? And, if established, what powers and responsibilities should it have?

On the first question, if our community determines that an LCC could significantly improve democratic representation, decision-making, service delivery and accountability, then the initiative for establishing one must come from our community. If we decide to proceed with such a proposal, the terms under which an LCC might be created must be negotiated with the Capital Regional District (CRD) and the resulting initiative brought to the community for approval through a referendum.

While it is the establishment bylaw that requires voter approval, it is essential that the delegation bylaw – which outlines the powers and responsibilities of the LCC – be negotiated and made public prior to the referendum.

## OPTIONS

Salt Springers currently have two options for local governance:

- 1) Maintain the status quo, or
- 2) Hold a referendum on the establishment of a Salt Spring LCC.

The first option would maintain our current system, with a single Electoral Area Director, numerous single-purpose commissions and the current level of community input into, control over and accountability of local government services.

The second option would provide Salt Springers with an opportunity to vote on whether to create an LCC to increase elected local representation and streamline decision-making and service delivery while increasing transparency and accountability.

## RECOMMENDATION 1

**We recommend Option 2, that a proposal for a Salt Spring LCC be brought to referendum during the October 2022 local government elections.**

## LCC COMMISSIONERS

The *Local Government Act* sets out many of the characteristics of a Local Community Commission (LCC), including the fact that commissioners must be elected community-wide (at-large) and the chair and vice chair must be selected annually by commission members. It provides flexibility in two other areas, described below, which would be set out in the establishment bylaw.

### OPTIONS

A Salt Spring LCC could be either of two possible sizes:

- 1) Five members, to increase representation in a frugal manner, or
- 2) Seven members, to maximize the diversity of representation.

The first option would increase locally-elected representation substantially, while minimizing the new body's size and cost.

The second option would increase locally-elected representation as much as is possible under the *Act*.

Additionally, the commissioners of a Salt Spring LCC could be elected to two possible terms:

- 1) One-year terms, or
- 2) Four-year terms.

The first option would maximize responsiveness to community priorities, with the disadvantages of costing more for elections, providing little continuity and risking lower voter participation in more-frequent elections.

The second option would provide greater continuity, lower election costs, consistency with the term of the Electoral Area Director and would permit commissioners to become thoroughly knowledgeable during their first term in office. However, with less frequent elections, it might not be as immediately responsive to community views and priorities.

### RECOMMENDATION 2

**We recommend Option 2 on the first question and Option 2 on the second, that the proposed Salt Spring LCC consist of a seven-member commission: the Electoral Area Director plus six commissioners elected at large by the community to four-year terms.**

## EXTENT OF DELEGATED AUTHORITY

The *Local Government Act* gives regional districts wide latitude in determining the authority – if any – of a Local Community Commission (LCC). A regional district may delegate any of its powers, duties and functions to an LCC, up to but not including specific powers such as passing bylaws and approving the overall annual budget.

The current Capital Regional District (CRD) commissions on Salt Spring Island are advisory in nature, with limited ability to make decisions beyond recommendations to the CRD board. While it is almost unheard of for the CRD board to make a decision on a Salt Spring Island local matter that differs from the Electoral Area Director's recommendation, it remains the case that the current Salt Spring commissions do not have the ability to directly decide very much.

Some would argue that if Salt Springers are going to create a new elected decision-making body, it should have more authority than do the current advisory commissions. To achieve this, the CRD board – which is composed of elected representatives of the municipalities and electoral areas within the CRD – would need to delegate the agreed-upon additional authorities and responsibilities. This, of course, would follow consultation with Salt Springers and CRD staff.

In the absence of additional delegated authority beyond that of the existing commissions, there is a risk that the will of an elected LCC could be stymied by an Electoral Area Director who disagreed with an LCC decision and took a contrary recommendation to the CRD board. That risk cannot be avoided on matters that must be approved by the CRD board (bylaws and annual budgets), but could be prevented on other matters if the CRD board delegates decision-making authority on them to the Salt Spring LCC.

It is important to note that the role of elected representatives in the CRD and other local governments in B.C. is largely that of establishing policy, priorities and broad operational direction, while staff are responsible for the actual implementation of initiatives. We envision a similar role for those elected to a Salt Spring LCC.

### OPTIONS

The extent of delegation from the CRD board to a Salt Spring LCC could take either of two possible approaches:

- 1) Maintain the current very limited degree of delegation, or
- 2) Negotiate for the delegation of significant authority to the LCC, providing enhanced local control over services to Salt Springers.

The first option represents a cautious approach, essentially enabling Salt Springers and the CRD to 'kick the tires' of an LCC, with the possibility of delegating more authority at some point in the future. This option has the advantage of being low-risk and the disadvantage of representing minimal change from what many Salt Springers consider an unsatisfactory status quo.

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The second option assumes that it is desirable for Salt Springers to have a greater degree of local control over decisions relating to local services and that it is time to act in a meaningful way rather than taking ‘half steps.’ Public input during the development of a proposal to the CRD may lead to future modifications to the nature and extent of this delegation.

Regardless of which option is chosen, the CRD Board would retain control over bylaw approval, annual budget approval and approval of overall regional policies, including those in areas such as:

- Board/commission procedures
- Contracting and purchasing
- Election procedures
- Ethics/responsible conduct
- Financial management
- Human resources
- Risk management

### **RECOMMENDATION 3**

**We recommend Option 2, that the CRD board delegate policy, administrative and operational authority for all island-wide local CRD services on Salt Spring Island to a locally-elected LCC, including authority to:**

- **Plan local CRD services.**
- **Establish operational priorities, policies and procedures relating to these services.**
- **Prepare annual budgets for CRD board approval.**
- **Authorize and oversee expenditures within CRD board-approved budgets.**
- **Manage land and other property acquired by the CRD for these services.**
- **Enter into and oversee service contracts.**

## LCC RESPONSIBILITIES

Authority delegated to a Salt Spring Island Local Community Commission (LCC) is only meaningful insofar as it can be applied to a significant range of local services.

If an LCC was established but not given responsibility for specific local services, it would be limited to shared responsibility – with the Electoral Area Director – for overall coordination and oversight of local CRD services, plus:

- Hosting regular public meetings on local government issues and decisions.
- Consulting with local residents and establishing overall priorities for local services.
- Recommending to the Capital Regional District (CRD) board the allocation of Salt Spring's share of Gas Tax funding (\$600,000+ annually).
- Preparing annual budgets for Capital Regional District (CRD) board approval, including expenditure and taxation levels.
- Recommending new bylaws and bylaw amendments to the CRD board.

Alternatively, the LCC could have the above responsibilities plus direct responsibility for some or all local CRD services on Salt Spring, with decisions relating to them coming to the LCC for consideration. This broader range of responsibilities would enable the LCC to prioritize and coordinate within and among services.

### Island-Wide CRD Services

Currently, there are several Capital Regional District (CRD) services on Salt Spring that are overseen – to some extent – by island-wide, topic-specific commissions, such as parks and recreation, economic development, liquid waste disposal and transportation. Each of these commissions is made up of appointed volunteer commissioners plus the Electoral Area Director. Each has a narrow focus, with coordination between services largely left to local staff and the Electoral Area Director.

Despite their accomplishments, Salt Spring's current island-wide commissions face challenges due to their narrow focus, lack of actual decision-making authority and – at times – difficulty in recruiting qualified community volunteers with the time and knowledge to effectively serve in commissioner positions.

In our view, these services and their commissions should be consolidated and brought under the purview of the LCC, as elected representatives would be in a stronger position to ensure that they are coordinated, prioritized and operated in a manner consistent with community priorities. By consolidating these services and their commissions, significant efficiencies may be achievable and island residents would find a single body that held regular, scheduled public meetings much more accessible than the current system.

The valuable contributions of volunteers could be retained in the future through advisory groups, as determined by the LCC.

## AN LCC FOR SALT SPRING ISLAND: OPTIONS AND RECOMMENDATIONS

### **Area-Specific CRD Services**

In addition to island-wide services, there are also area-specific CRD services such as water and sewer services. These deal with clearly-defined (less than island-wide) service areas and currently have advisory commissions that are elected at annual general meetings.

There is good reason to retain the existing area-specific commissions, as they provide the people who pay for these services with a direct voice in decisions affecting them. Currently, the recommendations made by these commissions go to the CRD Board in Victoria. We suggest that it would be more appropriate for their recommendations to go to the LCC, with the LCC delegated decision-making authority (except on bylaws and final budget approval) from the CRD Board.

This way, local ratepayers would retain their current ability to make recommendations on these services, with most decision-making brought to Salt Spring.

### **Sub-Regional CRD Services**

A third type of CRD services on Salt Spring are those delivered sub-regionally, to our island as well as the two other CRD electoral areas, such as bylaw enforcement and building inspections. There may be significant benefits to splitting off the Salt Spring portion of these services, bringing them under the purview of the LCC and delivering them under the same administrative structure as other local CRD services on the island.

However, this would be a more complex change than those described previously, requiring negotiation with the CRD and the other electoral areas. We suggest that consideration of such a step should be deferred until after the establishment of the LCC.

## **OPTIONS**

The range of services under the purview of a Salt Spring LCC could follow either of two possible approaches:

- 1) Bring CRD local services on Salt Spring under the purview of the LCC, or
- 2) Limit the responsibilities of the LCC to areas where the Electoral Area Director currently has sole responsibility.

The first option would mark a significant change from the status quo, giving the LCC the ability to prioritize and oversee services in a coordinated manner. It would be important to create a carefully-devised transition plan for change if this option was chosen, including specific steps to ensure that community input is maintained.

The second option would involve significantly less change, starting the LCC with a relatively narrow set of responsibilities, with the possibility that more might theoretically be added later.

**RECOMMENDATION 4**

**We recommend Option 1, that all island-wide CRD local services on Salt Spring be consolidated under a Salt Spring LCC , including:**

- **Economic development**
- **Grants-in-aid**
- **Liquid waste**
- **Parks and recreation**
- **Transportation**
- **Oversight of any local CRD services contracted to other agencies**
- **Advising the CRD Electoral Area Director regarding matters to be decided by the CRD Board or the CRD Electoral Areas Committee**
- **Liaising with the RCMP and the Ministry of Transportation and Infrastructure as well as other relevant provincial government agencies on policing, roads and other matters that remain provincial responsibilities**

**RECOMMENDATION 5**

**We recommend that all area-specific CRD services on Salt Spring – such as sewer and water services – be retained as distinct services, each with an advisory commission as is currently the case, but with their recommendations directed to a Salt Spring LCC possessing delegated responsibility for them.**

**RECOMMENDATION 6**

**We recommend that a Salt Spring LCC – once established – explore the feasibility of bringing the Salt Spring portion of current sub-regional services such as building inspections and bylaw enforcement under the purview of the LCC.**

## **AN LCC AND SENIOR LOCAL CRD STAFF**

Day-to-day administration of local government is the responsibility of staff, working under the direction of elected representatives, who set priorities, approve initiatives and budgets and respect the organization's administrative hierarchy.

If Salt Spring Island chooses to establish a Local Community Commission (LCC), the role of the most senior CRD staff person on Salt Spring will be different from the role of the current manager position. The new position will have the important responsibilities of advising and carrying out the decisions of the elected LCC. It will be important that the job description for this new position be designed to promote a successful working relationship between the senior staff person and an elected LCC, and between the senior staff person and other CRD staff who will implement LCC decisions.

Currently, only one Capital Regional District (CRD) employee is directly accountable to elected representatives: the Chief Administrative Officer (CAO), who is based in Victoria. This 'one employee' structure is consistent with other local governments across B.C. All other staff are responsible through the administrative hierarchy to the CAO. In this way, elected representatives are able to maintain control over the organization without becoming involved in day-to-day administrative and staffing issues.

There has been debate on Salt Spring Island about the merits of senior Salt Spring-based local government staff working within that hierarchy or, alternatively, being responsible directly to locally-elected representatives.

Some people have taken the position that the most senior local government staff on Salt Spring should report directly to Salt Springers to ensure they are directly accountable to people with the best possible local knowledge and a strong interest in our community.

Others have argued that it's important for senior staff to be plugged into their larger organization – in this case, CRD's staff hierarchy, both to take advantage of CRD expertise and resources and to insulate them from local political pressures. Missteps in managing such staff can lead to major operational consequences as well as significant human resources expenses.

In the latter case, the CAO could invite the LCC to provide input in areas such as the job description, selection, performance planning and performance review of the senior Salt Spring-based CRD staff position. This would be in addition to the LCC's formal role of providing direction on priorities, operational policies and procedures and high-level operational decisions.

### **OPTIONS**

The reporting of senior local CRD staff could follow either of two possible approaches:

- 1) Make the most senior Salt Spring CRD staff person directly responsible to an elected Salt Spring LCC, or

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- 2) At least initially, continue to have the senior Salt Spring CRD staff person report to the CRD CAO.

**RECOMMENDATION 7**

**We recommend Option 2, that that the most senior CRD Salt Spring staff position continue – at least initially – to be directly responsible to the CRD CAO, while taking direction from the LCC on policy and priorities.**

## COMMISSIONER COMPENSATION

If a Salt Spring Island Local Community Commission (LCC) is established, the community will need to decide whether commissioners will be compensated for their work. This is a key issue in determining the cost of establishing an LCC.

Some might argue that commissioners should be volunteers, as are the members of current Capital Regional District (CRD) commissions on the island. This would help keep LCC costs low.

Others would argue that, given the significantly greater demands that would be placed on LCC commissioners in comparison with current commissioners, some compensation is important, particularly since this would make it feasible for a wider range of community members to consider seeking office.

For reference, municipal councillors in B.C. are paid salaries ranging from \$3,000 to \$86,000 per year, based on 2019 figures. CRD Electoral Area Directors are paid an annual stipend, expense allowance and per meeting compensation, for a total of roughly \$50,000 per year.

The Union of B.C. Municipalities has published a Council & Board Remuneration Guide, which may be a useful resource in determining reasonable compensation.

### OPTIONS

The compensation of Salt Spring LCC members could take one of two possible approaches:

- 1) Pay commissioners a modest stipend, or
- 2) Treat LCC commissioner positions as voluntary, with no payment to them.

The first option would acknowledge the significant work involved for an LCC commissioner. This has the advantage of making it more feasible for more community members to seek office and the disadvantage of creating budgetary pressures.

The second option would minimize costs and draw on Salt Spring Island's robust volunteer spirit. Its disadvantage is that it could lead to a very limited – and potentially narrow – pool of capable candidates.

### RECOMMENDATION 8

**We recommend Option 1, that Salt Spring Island LCC commissioners be paid a modest stipend, comparable to that paid to B.C. municipal councillors with a similar level of responsibility.**

## LCC FUNDING

In addition to any potential commissioner compensation, the creation of a Salt Spring Island Local Community Commission (LCC) would require staff time and other administrative resources to support its operation. Depending on requirements for meetings and staff support, these resources could range from modest to significant.

Currently, the provincial government contributes \$5,000 per year toward the operating costs of each of the five LCCs in B.C. These are all in much smaller communities than Salt Spring Island and have significantly narrower responsibilities than those proposed in this report.

To date, the Province has not been formally asked to provide additional support to a Salt Spring LCC. This possibility could and should be pursued at the political level, as should the possibility of the Province providing funds to assist our community in making the transition to an LCC.

This report proposes that a Salt Spring LCC replace all current CRD advisory commissions and take responsibility for an array of current services, each supported by its own budget. This provides an opportunity for LCC administration to be funded through the reallocation of existing budgets. Any such reallocation should be devised so as to have the least possible impact on service levels.

The willingness of the community to support the establishment of an LCC may depend to a great extent on whether the proposal clearly creates efficiencies and can be implemented without requiring a significant tax increase.

## OPTIONS

The funding of a Salt Spring LCC could take one of two possible approaches:

- 1) Ensure that the creation of an LCC is as cost-neutral as possible by reallocating existing budgets, or
- 2) Fund the operations of an LCC through a new tax requisition, to be approved through the referendum to establish the LCC.

## RECOMMENDATION 9

**We recommend Option 1, that a Salt Spring Island LCC be funded on as close as possible to a cost-neutral basis, through the reallocation of existing budgets and by requesting an annual Provincial LCC grant proportional to Salt Spring's population and the magnitude of the LCC's responsibilities.**

## POSSIBLE NEW SERVICES

The establishment of a Salt Spring Island Local Community Commission (LCC) provides an opportunity to take tangible steps to address service needs that are not currently being adequately addressed.

There is merit in allowing a locally-elected Salt Spring LCC – if one is established – to address these issues once it is functioning. However, it could be argued that there is pressing need for faster action in one area that has received a great deal of community attention in recent years: affordable housing.

Housing has been an issue at the top of the agenda for all levels of government serving Salt Spring Island, as is also the case in other communities. One tool that may be useful in taking on housing challenges is the establishment of a Salt Spring housing council. Such a body could be funded by and accountable to an LCC, with a budget to assist it in working with other agencies and identifying and implementing solutions in a timely way. This could include:

- Establishment of a multi-agency Salt Spring housing council.
- Funding of the council through the LCC.
- Accountability of the council to the community through the LCC.

## OPTIONS

Attention to emerging and pressing issues within the purview of a Salt Spring LCC could follow either of two possible approaches:

- 1) Leave emerging issues – including housing – for the LCC to identify and possibly act on once it is functioning, or
- 2) Take immediate action to establish an affordable housing service that funds a Salt Spring housing council, accountable to the proposed LCC.

The first option has the advantage of permitting elected commissioners to weight the advantages of different options to address the housing issue and the disadvantage of delaying action.

The second option has the advantage of expediting action on a known pressing issue and the disadvantage of prescribing a solution before an elected LCC has an opportunity to assess a range of options.

## RECOMMENDATION 10

**We recommend Option 1, that the proposal for a Salt Spring LCC not be tied to the establishment of any specific new services.**

## COMMUNITY INPUT & PARTICIPATION

One of the strengths of our current local government system is that advisory commissions provide opportunities for Salt Springers to provide input into local government decisions. In some cases, commission members bring specialized knowledge and experience that can contribute to good decision-making.

Unfortunately, this strength can be tempered by difficulties in recruiting commission members (some commissions have gone significant periods over recent years with unfilled vacancies) and the fact that single topic commission meetings are poorly advertised and often take place with few or no other community members in attendance.

The success of a Salt Spring Island Local Community Commission (LCC) would depend to a great extent on its ability to enhance public involvement and continue getting good advice from knowledgeable community members.

Some might argue that the creation of an LCC with regular public meetings and responsibility for a range of issues and services would automatically enhance community input and participation. The fact that LCC commissioners would be elected rather than appointed would inherently increase community input and participation.

However, if the current island-wide advisory commissions are replaced by a five-member LCC, there is a risk that we might lose input from experienced and knowledgeable local residents. To ensure that the creation of an LCC enhances public involvement and input, specific measures could be taken.

### OPTIONS

Community input and participation in Salt Spring LCC decision-making could take one of two possible approaches:

- 1) Allow the electoral process to ensure that elected commissioners are attuned with community priorities and open to input, or
- 2) Implement specific measures to ensure that the establishment of an LCC enhances community involvement and participation.

### RECOMMENDATION 11

**We recommend Option 2, that a comprehensive community input and participation strategy be included as part of a proposal for a Salt Spring Island LCC, including:**

- **Regular, scheduled, public meetings of the LCC (probably biweekly).**
- **Enhanced information to Salt Spring residents on topics being considered by the LCC and how to provide input.**
- **Where appropriate, the creation of topic-specific advisory groups to gather and provide community input in key areas.**

## **FUTURE POSSIBILITIES**

A Salt Spring Island Local Community Commission (LCC) has the potential to significantly improve democratic representation, decision-making, service delivery and accountability of local government services on the island. It also has the potential to lead to additional future improvements.

For example, an LCC would be well positioned to respond to community desire for additional or modified local government services, should such a need be identified in the future.

An LCC would also be able to take tangible and possibly formalized steps to enhance coordination between service-providers on Salt Spring, whether they be local government, provincial or other.

Additionally, improvement districts currently deliver important local government services on the island, such as fire protection and – for many residents – drinking water. For many years, the B.C. Government has been encouraging improvement districts to amalgamate with their regional districts and has added an incentive by making infrastructure funding available to regional district services, but not to improvement districts. One of the reasons why some Salt Springers have not been open to discussions around amalgamation of such services has been concern that decision-making might no longer take place on our island.

By establishing an LCC, we would be creating a local decision-making body that could address that concern. While decisions around the future of improvement districts are in the hands of the ratepayers who fund those agencies, the existence of an LCC could reduce barriers to amalgamation and potentially make our island eligible for millions of dollars in federal and provincial infrastructure funds.

## NEXT STEPS

For the establishment of a Salt Spring Island Local Community Commission (LCC) to go to referendum in October 2022, the process needs to unfold in a timely manner. In addition to the steps necessary to bring the proposal to referendum, it will be important to develop a two-stage transition plan, should voters choose to create an LCC:

- The first phase to take place immediately following the passage of the referendum and continuing through the election of LCC commissioners.
- The second phase to take place following the election of commissioners and continuing as the LCC takes on its full range of responsibilities.

### RECOMMENDATION 12

We recommend that the following key steps be taken to further this proposal:

- 1) Preliminary consultation with the Province and Capital Regional District to confirm the feasibility of the initiative and any constraints that may affect it (Feb-Mar 2022).
- 2) Formation of a broadly-representative committee of community members to review options and make recommendations on the nature of an LCC proposal (Apr-May).
- 3) Consultation with the larger community on the proposal (May-Jun).
- 4) Discussions with Capital Regional District regarding the powers to be delegated, services to fall within the purview of the proposed LCC and preliminary budgeting (Mar-Jun).
- 5) Sharing of full details of these discussions with the community (May-Jun).
- 6) Finalization of the LCC proposal and related bylaws (Jun-Jul).
- 7) Referendum wording finalized (Jul 18).
- 8) Referendum campaign (Sep 17-Oct 15).
- 9) Referendum vote (October 15).
- 10) If the referendum is approved, development/ implementation of the first phase of a transition plan (Nov-Mar).
- 11) Election of commissioners (spring 2023).
- 12) Implementation of the second phase of a transition plan, under the direction of the LCC (spring-fall 2023).

