

SO YOU WANT TO BE ON THE BOARD?

NEW CANDIDATE SEMINAR

AUGUST 9, 2022



ROYCROFT CONSULTING SERVICES

www.roycroft.ca

WELCOME & INTRODUCTIONS

- Rob Roycroft, Facilitator, Planner, Municipal Administrator, Consultant to Local Governments, First Nations and others
- Participants, name and position sought
- **DISCLAIMER** all of the materials being presented are mine and were not prepared by the staff, so I am responsible for errors or omissions

OBJECTIVE OF THIS SEMINAR

- Leave participants with a good understanding of what you may be getting into
- Most people, never having had the need before, don't have a lot of specific knowledge about what it takes to run a local government like the Regional District
- Improve your ability to discuss real issues during the campaign

SEMINAR FORMAT

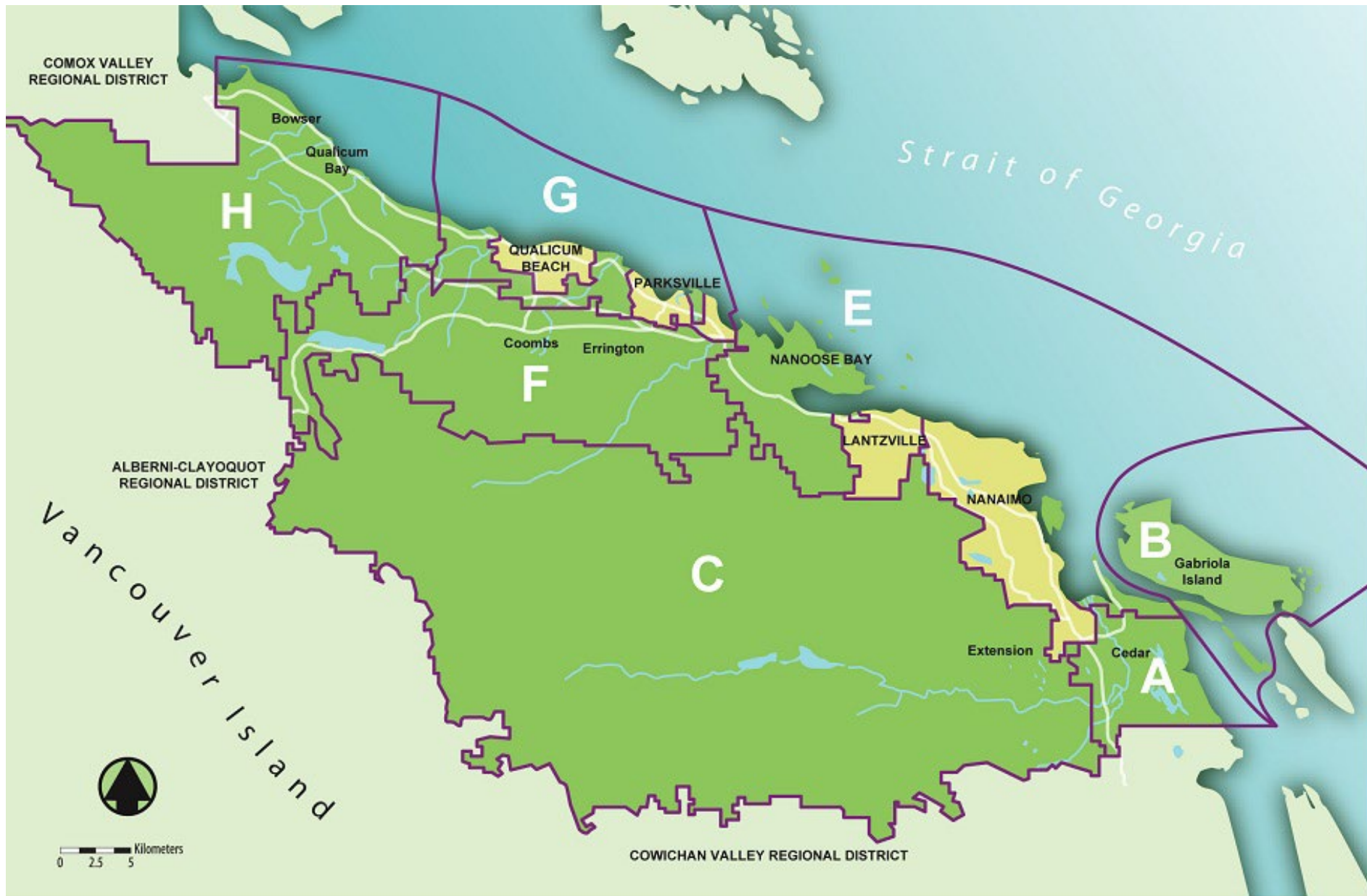
- Presentation of Materials
- OK to ask for clarification if you don't understand something
- At the end there will be an Opportunity for Questions & Answers on topics discussed
- Will move quickly as there is a lot of information to cover
- Won't get into great detail tonight, but other resources are available for people who want to dive deeper
- **No debate of the local Issues, that should happen during the actual campaign**

WHY OFFER THIS SEMINAR

- Electorate want and deserve an effective and efficient government
- Shorten the steep learning curve and make more effective use of everyone's time
- Leading to Good Governance
- Dispel myths
- Correct misunderstandings

CONSTITUTIONAL HIERARCHY

- In Canada all governmental powers rest with the Federal and Provincial Governments (changes underway respecting First Nations)
- Local Governments are created, regulated and controlled by the Provinces
- Regional Districts may only act in areas and ways as directed by Provincial Legislation



RDN Electoral Areas



Municipalities within the RDN



Other Regions

OVERVIEW OF THE RDN - FAST FACTS

156,000 residents

4 Member Municipalities

7 Electoral Areas

6 First Nations

Roughly \$140 million Annual Operating Budget

108 Distinct Service Areas

495 Employees

PURPOSE OF A REGIONAL DISTRICT



- Regional Districts serve the following three key purposes:
- They act as regional governments to regions by providing key services and activities for the entire region;
- They provide a political and administrative framework for joint/inter-local government service delivery, and;
- They act as local governments for Electoral Areas.

WHAT DOES THE REGIONAL DISTRICT NANAIMO DO?

- Planning, Energy and Sustainability, Building Inspection, and Bylaw Services
- Corporate Services (Legislative Services, Finance, Information Services, GIS/Mapping, Communications, and Human Resources)
- Recreation and Parks
- Solid Waste, Wastewater, and Recycling
- Water and Utility Services
- Drinking Water and Watershed Protection
- Transit and Emergency Services

ROLE OF DIRECTORS

- Identify and promote the service needs of the region.
- Participate in regional district decision making.
- Identify and promote the needs and interests of his or her electoral area or municipality.
- Provide for stewardship of public assets.
- Maintain confidentiality as required.
- Serve on the Nanaimo Regional Hospital District Board as required by the Hospital District Act.

ROLE OF THE CHAIR

- **Head and chief executive officer of the regional district.**
- **Presides over board meetings.**
- **Communicates to the Board and the Chief Administrative Officer.**
- **Reflects the will of the Board.**
- **Represents the Regional District.**

RULES GOVERNING THE BOARD

- RDN Board Procedure Bylaw No. 1754
- *Local Government Act*
- *Community Charter*
- *Freedom of Information and Protection of Privacy Act*
- ***Hospital District Act***
- and additional Legislation and Regulation set by the Province

WHY RUN FOR OFFICE?

- Good people are needed to govern the RD, especially those with a deep desire to serve the community
- It is the most accessible level of government
- Relatively easy to get involved
- Previous experience not necessary
- Can be an exciting and rewarding experience for both you and the community

REASONS NOT TO RUN

- Self interest, but you can't influence or participate in anything that personally affects you (more about this later)
- Focus on short term or single issues
- Interests are at a different level of Government
- Business or professional interests that are similar to those of the RD
- If no time available to do justice to the work required

TIME COMMITMENTS

- Board meetings, internal and external committees, board appointments, public appearances, guest requests
- Meeting preparation and reading agendas, follow up with staff and public, discussions with other elected officials
- A substantial portion of every week will be devoted to Regional District activities
- If not carefully managed, potential impacts on personal life, business and other employment
- You often hear politicians thanking their families for support, with good reason

COMPENSATION

- Always a difficult and controversial subject
- A Director can expect to spend a lot of time on RD business
- Loss of income should not preclude any one from participating in local government
- Community is best served by a body representing the broadest range of interests and abilities
- Rate of pay set by Board based on surveys
- 2022 rates are -Chair \$77,853.57; Director \$39,421.18; Municipal Directors \$19,710.59

COMMITTEES

Standing Committees

Established by the Chair for matters the Chair considers would be best dealt with by Committee:

- Committee of the Whole
- Executive Committee
- Electoral Area Services Committee

Select Committees

Appointed by the Board to inquire into any matter:

- Solid Waste Select Committee
- Transit Select Committee
- Regional Parks and Trails Select Committee
- Oceanside Services Committee

BOARD COMMITTEES

Advisory Committees and Commissions

- Parks and Open Space Advisory Committees
- Agricultural Advisory Committee

External Boards

- Englishman River Water Service Management Board
- Arrowsmith Water Service Management Board

Other

- Drinking Water/ Watershed Protection Technical Advisory Committee
- Climate Action Technical Advisory Committee

CODE OF CONDUCT

- Policy A1-37 which has been adopted by the Board establishes rules and procedures to govern the way the elected board members must act
- These rules apply to elected officials at all times
- Primarily based on promoting respectful behaviour
- Addresses such matters as integrity, respect, leadership and collaboration

CONFLICT OF INTEREST

- One of the only things that can get you removed from office
- Ultimately you alone decide if you are in conflict, although some decisions made by courts
- Pecuniary interests (relating to or consisting of money) is an issue that may prohibit you from participating in discussions with staff, other Directors and from voting
- If challenged can be very costly and embarrassing
- When in doubt seek legal advice

BIAS

- Reasonable expectation of bias is also problematic and if previously active in an issue may have to declare a conflict and abstain from participating in any discussion
- In discussions and hearings make sure that you have an open mind prior to the discussion – this will ensure that you do not have a bias or be perceived as having a bias
- It is okay to have an opinion but one that is subject to change based on new information

IMPACT ON PERSONAL LIFE

- When elected you become an “Elected Official”
- Press and the Public are always watching you and what you do, 24/7
- Nothing is ever “Off the Record” and you can never turn off being an elected official
- Expect to be spoken to, and even confronted, at the grocery store, movies and while having a relaxing dinner out
- Train your family how to respond to irate phone calls and negative personal attacks

COMPLEXITY OF ISSUES

- Local Governments have corporate powers and like any corporation, they are complex entities requiring acute skill sets of their “Executive Board” members
- Corporate responsibilities cover a diversity of issues: public utilities, construction, fire protection, public safety, catching dogs, transit, recreation, water supply and community health to name a few
- Intergovernmental relations with local, regional, First Nations, Provincial and even the Federal Government
- A wise person once said : be wary of people who offer simple solutions to complex problems

COMPLEXITY con't

- Everything is heavily regulated by Provincial statutes, regulations, local bylaws, policies and even federal statutes and even common law
- In the midst of all of this, the Board is expected to provide Leadership and Governance
- Leadership in terms of the way forward and Governance in terms of making the best decisions for the community today and for the future

PACE

- Effecting change can take some time
- You may be implementing changes started by previous Boards
- Alternatively there will also be urgent items that require swift action, but will require years of background research and plans
- Most actions lead by the budgets
- Delays can be expected if external funding required

DECISION MAKING CONSTRAINTS

- Bound by legislation
- May find that there is some rigidity and processes required for change
- Legislation, Bylaws, and Policies are set for the benefit of the Board and its communities
- Existing contractual obligations and bylaws set by previous Boards still impact the organization and must be adhered to.
- Procedures are in place to assist the Board in good decision making

GOOD BEHAVIOUR IS ESSENTIAL

- Be mindful of the campaign you are running as you will have to live and work together with the other successful candidates for four long years
- Once elected, you will now be a part of the system with you, fellow Directors and staff all on the same team
- Decisions when made, become a corporate decision and is the responsibility of all to support
- Healthy debate is positive, but stick to the issues and avoid personalities
- The community elects the entire Board to work for positive outcomes

EVERYBODY HAS AN OPINION

- Generally people associate with those who are similar to themselves
- As a politician the world opens up
- Everyone in the community may have a differing opinion on the issues
- They have just as much right as anyone else to express theirs
- Ultimately Directors must weigh all of the facts and come up with the decision that best serves the community

DEALING WITH THE PUBLIC

- Unrealistic for you or the public to expect you to know everything about every issue
- Don't believe everything you read in the papers, see on social media, or hear in the coffee shop
- Hardship stories from the public often have another side, get information from staff **before** coming to a conclusion and trying to take action
- Spend time getting the facts in order to have a good understanding of the issue at hand

LIABILITIES

- In most cases, Regional District indemnifies Directors when they act in good faith
- But some actions can attract personal liability
- Why many recommendations come forward with legal advice
- No such thing as “legislative immunity” at the local level

FREEDOM OF & ACCESS TO INFORMATION

- Legislation requires people to have access to information
- Includes notes, reports, correspondence (including emails), files
- May even have to provide personal emails
- **Everything** is on the public record
- The organization also has a responsibility to protect personal privacy

MEETINGS

- Regular advertised public meetings are where the business of the Board takes place and all Board decisions are made
- Where the citizens have the ability to engage Directors and affect change
- Where information and opinions are shared
- The proper place for open debate about issues

MAKING DECISIONS

- Different combinations of directors on the board are entitled to vote on different types of questions. On some matters, all directors are entitled to vote, whereas on other matters, only the directors representing jurisdictions that participate in the service being discussed receive a vote
- Each director on the board is assigned a specific number of votes based on the population of the jurisdiction the director represents. Voting on some issues is “weighted”, which means that the directors who are entitled to vote receive their full allotments of votes. On other issues, voting is “unweighted”. In these instances, every director who is entitled to vote receives only one vote, irrespective of the population of his or her jurisdiction
- To be effective a Director must be able to provide a convincing debate to other Directors to provide adequate rationale for others to vote with them
- No such thing as abstaining, if a vote is not given then it is counted in the affirmative

IN CAMERA

- Latin for “In Chambers”
- Rules laid out for what can and cannot be discussed
- Decisions made in camera must stay in camera unless a decision has been made by the Board to report out.
- Topics allowed in camera are set in legislation, and the three main issues are usually related to land, labour, and law with a number of others
- Also annual corporate planning

GENERAL CONFIDENTIALITY

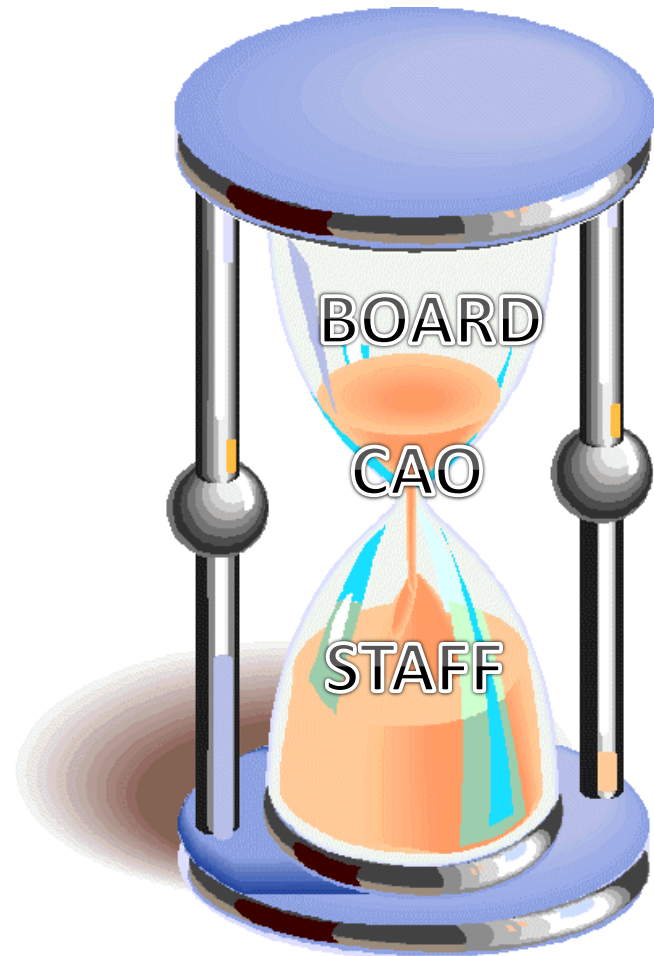
- Some discussions must remain in confidence until appropriate for release
- As an example, negotiations to purchase lands, if released too soon may increase costs to taxpayers
- Impossible to negotiate a deal in public
- A Director could face legal action if they deliberately reveal confidential information

ROLES & RESPONSIBILITIES

- Fundamental difference between Elected Officials and Staff
- Elected are the policy makers and decide on such matters as budgets, levels of services
- Officers are appointed to manage corporate affairs (ie. Finance Officer and Corporate Officer). General managers and other management ensure the appropriate implementation of Board direction and operation of day-to-day matters
- It is not the job of elected officials to micro-manage what and how the staff do their jobs
- Likewise, it is not the job of staff to make policy decisions or direct how the elected officials work

THE ORGANIZATION

- Structure and staff
- Loyal to the corporation and the institution
- Work with elected officials to achieve stated priorities
- The Board has one employee – the Chief Administrative Officer
- CAO is responsible for all staff
- Chair on behalf of the Board, may provide general direction



WORKPLACE SAFETY

- As an Employer, the RDN must comply with all relevant labour and other employment rules, regulations, and laws
- All staff deserve freedom from bullying and harassment
- Requirement under legislation
- Elected officials need to respect and promote this amongst themselves, staff and the public

THE BUDGET

- Everything costs money
- Five Year Financial Plan adopted by Bylaw
- Likely many 2023 commitments already in place
- Wage increases, fixed operating costs, capital projects, etc
- Little discretionary funds available

FINANCES

- 2021 Financial Plan total revenue is about \$147 million, \$66 million from Property and \$6 million from Parcel Taxes
- Capital expenditures funded from reserves is about \$5.5 million
- 1% tax increase equals about \$660,000
- Sources of revenue include property taxes, user fees, transfers from reserves, grants, and sale of services

TAXES

- Property taxation is a function of property assessment (set by BC Assessment) and mill rates (set by Ministry of Finance)
- The Regional District is responsible to set its budget
- A Regional District's taxes don't work the same way as a Municipality like City of Nanaimo or District of Lantzville. The Province sets the mill rates, and the tax breakdown for each property is unique depending on the services that property is eligible to receive. The breakdowns on the website according to electoral area/member municipalities are a good resource

USE OF TECHNOLOGY

- RD is moving to paperless agendas and use of laptops
- Much information flows by way of email, and other forms
- Even home computers, smartphones and other types of technology covered by access to information legislation

LOCAL ELECTIONS CAMPAIGN FINANCING

- Clarifies reporting obligations, defines what are contributions
- Applies to 3rd party sponsors
- Requirement to appoint a financial agent
- Restrictions and limits on campaign advertising
- Disclosure of contributions

ELECTION OFFENCES

- Vote buying, intimidation or use of threats;
- Advertising on voting day;
- Falsely withdrawing a candidate or an endorsement;
- Fraudulently voting;
- Interfering with ballots or ballot boxes;
- Canvassing, advertising or otherwise visibly supporting a candidate within 100 metres of a voting place on voting days;
- Contravening campaign finance rules; and
- Conducting any other activity contrary to the LGA

DISQUALIFICATION LIST

- The [Local Elections Campaign Financing Act](#) requires every declared candidate, elector organization and third party sponsor, to file a disclosure statement with Elections BC within 90 days following general voting day.
- If not done, a person may be disqualified from running
- A list is currently maintained and in effect for this election.
- No RDN resident is on the list

ELIGIBILITY OF VOLUNTEERS TO RUN

- Anyone who receives compensation such as hourly wages or honorariums is considered an employee and ineligible for seeking office
- In 2011, the BC Government amended legislation so that volunteers who receive no direct monetary compensation should not be considered to be “employees” for the purposes of determining eligibility to run for, and hold, elected office while continuing to volunteer.
- If wanting to run an individual must take a leave of absence

ELECTION DATES INFORMATION

2022 General Local Elections Important Dates	
Start of Election Period	Monday, January 1, 2022
Candidate Orientation Session	Tuesday, Aug 9, 2022 at 3:00 and 7:00 pm
Start of Nomination Period	Tuesday, August 30, 2022 at 9:00 am
End of Nomination Period	Friday, September 9, 2022 at 4:00 pm
Declaration of Candidates	Friday, September 9, 2022
Period to challenge candidate nominations ends	Tuesday, September 13, 2022 at 4:00 pm
End of Election Period	Friday, September 16, 2022
Start of Campaign Period	Saturday, September 17, 2022
Advance Voting Opportunity	Wednesday, October 5, 2022
Second Advance Voting Opportunity	Wednesday, October 12, 2022
End of Campaign Period	Saturday, October 15, 2022
General Voting Day	Saturday, October 15, 2022
Determination of Official Election Results	Monday, October 19, 2022
Financing Disclosure Statement Filing Deadline	Friday, January 13, 2023

LOCAL ELECTIONS LEGISLATION

The following legislation governs the General Local Elections in British Columbia:

- [Local Government Act](#)
- [Local Election Campaign Financing Act](#)
- [Community Charter](#)
- [School Act](#)
- [Offence Act](#)



REFERENCE GUIDES

Provincial Guides

- [General Local Elections 101](#) this brochure answers a few of the basic questions about local government elections.
- [Voter's Guide](#) this brochure answers basic questions about voting in local government elections.
- [Thinking About Running for Local Office?](#) this brochure helps potential candidates with answers to questions.
- [What Every Candidate Needs to Know](#) this brochure helps potential candidates with the nomination process.
- [Candidate's Guide to Local Elections 2018](#) more information about being a candidate.
- [Foundational Principles of Responsible Conduct](#)

Elections BC

- [Guide for Local Elections Third Party Sponsors in BC](#)
- [Guide to Local Elections Campaign Financing in BC](#)

RDN RESOURCES

The following information can be found on the RDN's website, www.rdn.bc.ca:

- [Financial Reports](#)
- [Protocol Agreements](#)
- [Board Procedure Bylaw](#)
- [Remuneration Bylaw](#)



CONCLUSION

- That concludes my presentation
- Hope materials were informative
- Hopefully we achieved objective of improving your understanding
- Further questions on materials presented are welcomed
- Thanks and Good Luck