



**RDOS Area “D” Governance Study
Options Sheets
June 2016**

LOCAL COMMUNITY COMMISSION

➤ **What is a local community commission?**

Regional district boards may, by bylaw, establish a local community commission (LCC) to oversee and administer services to a community within an electoral area. Commissions are typically used in communities that have distinct services or have remote locations and issues that are not well represented at the broader regional district or electoral area level. Local commissioners would be elected by the community at the same time as local government elections. The Electoral Area Director also sits on the LCC. By delegating decision-making authority for one or more services to an LCC, a regional board can ensure that local matters receive greater attention and facilitate local input and control. The bylaw to create an LCC must be approved by the electors in the community through a referendum.

➤ **Who is on a local community commission?**

Unlike the current Recreation Commission or Advisory Planning Commission, whose members are appointed, a local community commission’s members would be directly elected by voters. Elections for commissioners would be held every four years at the same time as the General Local Elections and the election would be administered by the RDOS. The *Local Government Act* allows for a total of either four or six commissioners in addition to the electoral area director, who also sits on the LCC. A Chair and Vice-Chair of the Commission are elected at the inaugural meeting.

➤ **What authority does a local community commission have?**

The LCC would have the authority that the RDOS Board chooses to delegate by bylaw, and that is approved by the community. The degree of

delegation can be considerable – the LCC can have authority to plan and operate local services, including approval of expenditures (within a budget agreed to by the RDOS Board), contracting, operational policies, procedures and even enforcement of the Board’s regulations. There are some powers the Board cannot delegate, such as the authority to adopt bylaws, and approve budgetary matters (although a local community commission can provide advice to the RDOS Board on these matters).

Alternatively, the Board could decide to create an LCC that is limited to advisory powers, more like an Advisory Planning Commission. Rather than deciding how to spend money, determining policies, enforcing regulations or entering into contracts, an advisory body would provide advice to the regional district on the services identified. It would then be the regional district’s responsibility to make decisions regarding the policies and operation of those services.

In addition to being delegated authority for specific services, an LCC can act as a “community council” for the local area, and provide a conduit for residents’ concerns and local service issues. In this way the LCC could provide support and direction for the electoral area director. At the same time, regional boards can ensure that the community is given the opportunity to participate in detailed discussions and deliberations around local issues. Whereas many committees, commissions and boards limit their scope to one service (parks and recreation, planning, water boards, etc.), the LCC can act as a forum to discuss multiple services, contemplate the relationship between services, as well as the multiple service providers. The LCC may not have authority to make operational decisions, but it can act as an important community voice that has a broader perspective, where topics and input is not restricted to specific services and service providers.

➤ **Where in Area “D” might a local community commission work?**

LCCs are typically considered where there is a demand for distinct services or service levels, a well-defined community, combined with sufficient population and interest from residents to support a commission. Given the population concentration, urban services, as well as a strong tradition of local control within Okanagan Falls, establishing an LCC for that community could be an option to enhance local representation and control. A local community commission could be an option to enable Okanagan Falls to address some the priorities and local issues identified by residents during this study process, and possibly consolidate the number of separate committees, boards and commissions currently providing services. The RDOS Board has the authority to create an LCC for Okanagan Falls, or for a wider area such as Okanagan Falls plus Skaha Estates, using (for example) the Okanagan Falls fire service area as the boundary. The commission could be asked to administer, advise on, or be delegated authority for services such as (but not limited to):

- sewer
- fire protection
- parks
- recreation
- unsightly premises, and
- animal control.

The services would be determined by the RDOS Board. Some services, such as sewer and fire protection are often more technical in nature, and the commission’s role may be more policy related, whereas other services such as recreation might involve more operational decisions. Currently the Okanagan Falls Irrigation District, given that it was the local government that existed prior to the creation of the regional district, operates and governs water, street lighting, cemetery and Centennial Park. There is the option of the authority for those services to be transferred to the RDOS, and added to the responsibility of an Okanagan Falls LCC for a more integrated approach to servicing and governing the community.

An Okanagan Falls LCC could also fulfill the role of the Advisory Planning Commission for those applications in the Okanagan Falls commission area. In this way there would be reduced number of commissions or committees (i.e. recreation

commission, advisory planning commission). An Advisory Planning Commission would still exist for areas within Electoral Area “D” that remain outside the LCC boundaries.

A commission could be an avenue for residents to share concerns and issues in one central location and assist the electoral area director in understanding the community’s wishes. It could also allow for increased community control over specific services, and allow locally elected representatives to address inter-related issues, and allocate budgets based on local priorities.

➤ **What would the impact be on services or governance?**

The amount of authority delegated to the LCC depends upon the RDOS Board. It would range from being an advisory body to making operational decisions on services. If the LCC was an advisory body, then it would primarily be a vehicle to facilitate community input and identify concerns, discussing priorities and making recommendations to both the electoral area director and the RDOS Board. If, however, operational decisions are delegated to the LCC for several services, it would be a locally elected body that oversees some services. There would not necessarily be a change in the level or cost of services, as the LCC would be required to work within the budget for each service assigned to it by the RDOS Board, but decisions on how that money is spent, as well as planning, contracts, policy and enforcement could be made by the LCC.

Where commissions look after multiple services, the LCC begins to resemble a local “town council.” While this can lead to the LCC discussing areas that are outside its jurisdiction, in some cases the airing of community concerns, whether the jurisdiction of the commission or not, and acting as a forum to share those concerns with the area director, can be one of the purposes (and advantages) of the LCC. The greater the number of services and authority delegated to a commission, the more akin it is to a municipal council.

➤ **What would the cost impact be?**

There is not necessarily an additional cost to creating and operating a LCC, given that the elections are done at the same time as the general

elections. Furthermore, Commission members are not paid, with the exception of some reimbursed expenses. The Area “D” Director, as a member of the Commission, would be paid for attending the meetings. There would also be some extra administration involved with coordinating, booking and taking minutes at meetings. Regional districts that have LCCs receive an additional \$5,000 as part of their unconditional Regional District grant from the Province. The \$5,000 can offset additional administration costs in having an LCC. In discussions with the RDOS, it is anticipated that the extra funds from the Province would, combined with the reduction of at least one existing commission (Okanagan Falls Parks and Recreation Commission), cover the administrative costs of having the LCC.

➤ **Are there examples of how an LCC works?**

The RDOS has one LCC that was established in 1995 in Olalla, a community with a population of about 400 people, located a 20 minute drive south of Kaledon on Highway 3A. That LCC has been delegated administrative powers to operate the local water system, which is owned by the RDOS and serves approximately 200 properties. The LCC prepares a budget for the water service each year, which is submitted to the RDOS Board, and it can approve payments from the water service accounts. The Olalla LCC must hold one meeting per year.

Other examples of LCCs include Bear Lake (Regional District of Fraser-Fort George), Coal Harbour (Mount Waddington), and Fort Fraser (Bulkley-Nechako). These communities are all relatively small compared to Okanagan Falls, and have anywhere from 150 to 400 people.

The Olalla LCC has struggled to find candidates interested in being on the commission, which is similar to problems experienced by other small water authorities such as irrigation and improvement districts. Other LCCs have noted limited interest from potential candidates, particularly in small communities and where the commission only operates one service. An LCC may generate more interest in an active and larger community such as Okanagan Falls, where the scope of services is broad enough to interest candidates. It is useful to remember that the success of any commission, as with all boards and committees, is dependent upon the desire and

commitment of the community to participate. While some commissions have active volunteers, other Area “D” boards have found it difficult to recruit candidates with the time and interest.

➤ **Are there other options to delegate authority?**

The RDOS can delegate authority without creating a LCC. It can create a commission that is not locally elected (similar to a parks and recreation commission), or what is called a Select Committee, and delegate it authority for services through a delegation bylaw. These committees or commissions are appointed by the Board, and representatives can be either political (elected officials) or non-political appointees. At least one member of each select committee must be a director. Committees and commissions can be advisory in nature or can be delegated some authority. Select Committees are typically formed to look into a specific matter and report findings to the Board.

The LCC is not much different from any other Commission that is established and delegated authority, other than the fact that the commissioners are elected and those elections are provided for in the *Local Government Act*. Small populations, or high percentages of part-time residents may limit the supply of potential commissioner candidates within a community. Elected commissions are therefore more appropriate for communities with larger populations from which to draw candidates.

➤ **Share your perspective!**

Establishing an LCC is just one option that could enable Okanagan Falls, or other Area “D” communities to communicate and provide advice to their electoral director. The Commission could also facilitate greater local input and control over specific services, how they are operated and how money is spent on those services. An LCC or similar local commission may help Okanagan Falls or other communities address local service issues that are perhaps not as relevant in other Area “D” communities.

An LCC can be created by the RDOS Board, but must receive approval through a referendum. If an LCC is supported by the RDOS Board, a bylaw

can be created that establishes the Commission and its role and boundaries. The bylaw would be put to a referendum prior to any bylaw being approved. The referendum would be for those affected by the LCC (i.e. those in Okanagan Falls or the community served by the LCC would have the opportunity to vote in the referendum).

This *Options Sheet* has raised some ideas regarding ways to facilitate more local control and input from the community, as well as broaden the focus of input to include multiple services. Please take a minute to consider the ideas, and the questions below, and provide your feedback on this issue through our survey.

- *What would be the benefits and drawbacks of having a locally-elected commission to oversee multiple services in any Area “D” community?*
- *If created, should a commission be delegated authority to operate services, or have a purely advisory role?*
- *Should a local services commission or committee be elected or appointed?*
- *In what parts of Area “D” do you think a commission or committee might make sense? Would it be advisory in nature or operate some services?*