



## STAFF REPORT

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**DATE:** April 22, 2021 **FILE:** 0550-04 Board

**TO:** Chair and Directors,  
Regional Board

**FROM:** Dave Leitch  
Chief Administrative Officer

**RE:** REGIONAL BOARD CHAIR – EXPENSE REIMBURSEMENT

### PURPOSE/PROBLEM

To consider an amendment to the Board's compensation bylaw to clarify that expenses incurred by the Board Chair in performing his or her duties of office can be reimbursed.

### EXECUTIVE SUMMARY

The attached Bylaw No. 167 sets out the rules and parameters for providing remuneration and reimbursement of expenses for directors while performing their duties of office. In the case of the Chair, special provisions were enacted by the Board to recognize that this position has responsibilities beyond those assigned to other directors. This would include the need to meet with representatives from other government and quasi-government agencies, as well interactions with the Chief Administrative Officer concerning meeting agenda content and emerging issues involving the Regional District. The Chair's responsibilities are defined in the *Local Government Act* as follows:

#### Responsibilities of Chair

216. (1) The chair is the head and chief executive officer of the regional district.
- (2) In addition to the chair's powers and duties as a board member, the chair has the following duties:
- (a) to see that the law is carried out for the improvement and good government of the regional district;
  - (b) to communicate information to the board;
  - (c) to preside at board meetings when in attendance;
  - (d) to recommend bylaws, resolutions and measures that, in the chair's opinion, may assist the peace, order and good government of the regional district in relation to the powers conferred on the board by an enactment;
  - (e) to direct the management of regional district business and affairs;
  - (f) to direct the conduct of officers and employees in accordance with sections 239 [*chair to direct and inspect officers and employees*] and 240 [*suspension of officers and employees*].

RS2015-1-216 (B.C. Reg. 257/2015)

The current bylaw does not cover expenses incurred by the Chair when interacting with the CAO on the above matters. This has not been of great concern previously when the Chair resided in proximity to the Regional District office. However, when the Chair does not reside in the immediate Campbell River area the costs of traveling to fulfill the duties of office can be more significant.

For the reasons outlined above it is recommended that Bylaw No. 167 be amended to provide reimbursement for the reasonable expenses incurred by the Chair when interacting with the CAO on matters of Regional District business.

**RECOMMENDATIONS**

1. THAT the report from the Chief Administrative Officer be received.
2. THAT a bylaw be prepared for the Board's consideration that would authorize reimbursement of expenses incurred by the Chair when interacting with the Chief Administrative Officer on matters of Regional District business.

Respectfully:



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Dave Leitch  
Chief Administrative Officer

***Prepared by: T. Yates, Corporate Services Manager***

Attachments: Bylaw No. 167 (consolidated)



**DIRECTOR COMPENSATION BYLAW 2013  
(CONSOLIDATED)**

The following is a consolidated version of Bylaw No. 167, which was adopted on April 25, 2013 and includes the following amendment bylaws:

<b>BYLAW No.</b>	<b>BYLAW NAME</b>	<b>ADOPTED</b>	<b>PURPOSE</b>
SRD 246	Director Compensation Bylaw 2013, Amendment No. 1	March 24, 2016	To amend the annual indemnity rates for municipal directors.
SRD 252	Director Compensation Bylaw 2013, Amendment No. 2	June 30, 2016	To amend the definition of 'public body'.
SRD 281	Director Compensation Bylaw 2013, Amendment No. 3	July 12, 2017	To amend the group benefit provisions applicable to directors.
SRD 336	Director Compensation Bylaw 2013, Amendment No. 4	November 7, 2018	To include an annual indemnity rate for the Vice Chair of the Board and to authorize unscheduled compensation reviews.
SRD 349	Director Compensation Bylaw 2013, Amendment No. 5	April 10, 2019	To amend the remuneration paid to directors for the performance of their duties of office.
SRD 376	Director Compensation Bylaw 2013, Amendment No. 6	February 12, 2020	To amend the annual indemnity rate for the Chair, adjustments to the annual indemnity rates, travel time for meetings, scheduled reviews and reimbursement limits for expenses.
SRD 425	Director Compensation Bylaw 2013, Amendment No. 7	March 24, 2021	To amend the remuneration paid to directors for the performance of their duties of office

**Unless certified on the last page, this bylaw should not be relied upon for legal purposes. There may be pending updates or revisions to this bylaw. Please contact the Corporate Services Department for the Strathcona Regional District for the most current version.**

**BYLAW NO. 167**

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**A BYLAW TO COMPENSATE DIRECTORS FOR PERFORMING THEIR DUTIES OF OFFICE**

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**WHEREAS** a Regional Board may, pursuant to sections 4 and 176 of the *Local Government Act*, exercise broad corporate powers with respect to the operation of its services including the services of general administration and electoral area administration;

**AND WHEREAS** the Regional District wishes to continue providing compensation to its directors for the performance of their duties of office;

**AND WHEREAS** the Regional District may, pursuant to section 796.2 of the *Local Government Act*, make different provisions for different circumstances and for different classes of persons, places or things established by bylaw;

**NOW THEREFORE** the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

**Definitions**

1. In this bylaw, unless the context otherwise requires:

**“annual indemnity”** means the financial compensation to which a director is entitled by virtue of holding office.

**“compensable meeting”** means a meeting for which a director is entitled to claim remuneration or reimbursement of expenses.

**“constituency expenses”** has the meaning set out in Schedule ‘D’, attached to and forming part of this bylaw.

**“consumer price index”** means the Consumer Price Index for British Columbia (all items) published by Statistics Canada.

**“duties of office”** means:

- (a) with respect to a director, the duties and responsibilities imposed by an enactment or by the Regional Board including, in the case of an electoral area director, those duties required to represent the interests of the director’s constituency, and
- (b) with respect to the Board Chair, representing the interests of the Regional Board at meetings with another government, first nation, government agency or public body without the prior approval of the Regional Board.

**“electoral area director”** means the person elected within an electoral area to sit on the Regional Board.

SRD 425

**“first nation director”** means a director who has been appointed by a treaty first nation to sit as a director on the Regional Board.

**“meeting remuneration”** means the compensation to which a director or alternate director is entitled for the time spent by them to attend a meeting.

**“municipal director”** means a person appointed by a municipality to sit on the Regional Board.

SRD 252

**“public body”** means an external agency, board, commission, society or other similar body to which a director has been nominated or appointed by resolution of the Regional Board to represent the Regional District.

**“reimbursement”** means a payment made to a director to cover the reasonable and necessary expenses incurred by that person in the performance of their duties of office.

**“travel time”** means the time spent by a director while in transit for a meeting but excludes the time spent in overnight accommodation or at the meeting.

**Annual Indemnity Rates**

2. (1) Each director shall be paid an annual indemnity in accordance with the terms of this bylaw.

SRD 246

(2) The annual indemnity rates for directors are:

SRD 425

(a) commencing in 2013, \$31,128 for electoral area directors and \$10,696 for municipal or first nations directors,

SRD 349

(b) commencing in 2015, \$12,072 for municipal or first nations directors.

(c) commencing in 2019, \$13,941 for municipal or first nations directors and \$36,268 for electoral area directors.

SRD 376

(3) In addition to the rates set out in subsection (2) the annual indemnity rate for the Chair of the Regional Board shall be set at \$34,179 for 2013, \$19,872 for 2014, \$23,154 for 2019 and \$28,473 for 2020.

SRD 336

(3A) In addition to the rates set out in subsection (2) the annual indemnity rate for the Vice Chair of the Board shall be set at \$3,275 for 2019.

(4) The annual indemnity amount or amounts to which a director is entitled shall be divided and paid in monthly instalments but the amount payable in any month shall be pro-rated in the event a director holds office for only a part of the month.

(5) Except as provided in sections 8 and 9 the annual indemnity to which a director is entitled may not be transferred or shared with another director or alternate director.

**Retroactive Payments**

3. (1) Each electoral area director shall be paid a lump sum indemnity amount at the rate of \$31,128 per year for 2012 and for that part of 2013 prior to the effective date of this bylaw.

SRD 349

(2) Before the amounts authorized in section 2 are paid to a director, they shall be reduced by the amounts previously paid to that director for the appropriate year.



### Adjustments to Indemnity Rates

4. (1) Commencing on January 1, 2014 and annually thereafter, the rates established in sections 2(2), 2(3) and 2(3A) shall, unless otherwise prescribed, be increased or decreased by a percentage equivalent to the change in the Consumer Price Index for the immediately preceding 12 months.

SRD 336

SRD 376

- (1A) In addition to the adjustment authorized by subsection (1), the indemnity rate for municipal or first nations directors shall be increased by 1.65 per cent commencing January 1, 2020 and annually thereafter.

SRD 425

SRD 246

- (2) [Repealed].

- (3) The rates adjusted pursuant to subsection (1) shall be rounded to the nearest dollar.

### Remuneration for Meeting Attendance

5. (1) Each director shall be entitled to claim remuneration for attendance at meetings in accordance with Schedule 'A', attached to and forming part of this bylaw.
- (2) For clarity, a person may not make more than one claim for attendance at any meeting regardless of the number of positions held.

### Business Expense Reimbursement

6. (1) Directors are entitled to claim reimbursement for such expenses as may reasonably be incurred in the performance of their duties of office in accordance with Schedule 'B', attached to and forming part of this bylaw.

SRD 349

- (2) Where the reimbursement of an expense is not authorized in this bylaw the Chair or the Chief Administrative Officer may, upon receipt of a written request from a director, pre-approve the reimbursement of the expense and advise the Board of such action at the next meeting.

### Group Benefit Coverage

7. The Regional District shall provide a package of group benefits for directors and alternate directors as outlined in Schedule 'C', attached to and forming part of this bylaw.

### Alternate Director Entitlements

8. The provisions of this bylaw apply to an alternate director when taking the place of a director except that an alternate director must take the place of a director for a period of at least 30 consecutive days in order to qualify for payment of the director's annual indemnity.

### Vice Chair Entitlements

9. (1) When taking the place of the Chair of the Regional Board, a Board committee, or another body established by the Regional District, the provisions of this bylaw apply to the

Vice Chair of the Board, committee or other body as if that person was the Chair rather than the Vice Chair.

(2) Despite subsection (1) the Vice Chair of the Regional Board must take the place of the Chair for a period of at least 30 consecutive days in order to qualify for payment of the Chair's annual indemnity.

### **Processing of Claims**

10. (1) A claim for remuneration or reimbursement of expenses must not be processed for payment until the claimant has completed, signed and submitted the claim on the prescribed form.

(2) Claims submitted for payment more than 30 days after the calendar year in which the meeting, event or other activity was held or the expense was incurred will not be processed.

(3) In the event that a claim for remuneration or reimbursement of expenses is disallowed or partially disallowed, the claimant may appeal the decision to the Regional Board which shall consider and rule on the matter.

(4) Notwithstanding any provision of this bylaw the Chief Administrative Officer may withhold payment of an indemnity amount, remuneration claim or expense reimbursement pending review by the Regional Board.

### **Compensation Review**

11. (1) An independent review of the compensation and benefit coverage provided by this bylaw shall be conducted in the first quarter of the second year following each general local election commencing in 2018.

SRD 336

SRD 376

(2) Despite subsection (1) the Board may authorize a review of this bylaw or any provision thereof to be undertaken independently of the scheduled review.

SRD 376

### **Effective Date**

12. This bylaw shall come into effect on the day after its adoption.

### **Repeal**

13. Bylaw No. 2922, being Strathcona Regional District Remuneration and Expenses Bylaw 2006, is repealed in its entirety.

### **Citation**

14. This bylaw may be cited for all purposes as Bylaw No. 167, being Director Compensation Bylaw 2013.

**Schedule 'A'**

SRD 349

**Meeting Remuneration**

**Meeting Attendance by Members**

1. Directors are entitled to claim remuneration for attendance at meetings for which they are members in accordance with the following table:

Meeting Type	Rates		Particulars
	Director	Chair*	
Regional Board	\$160 per meeting	\$256 per meeting	Meeting rate for Chair included in annual indemnity
Committee of the Whole	\$160 per meeting	\$256 per meeting	Chair rate includes director rate component
Electoral Areas Services Committee	\$160 per meeting	\$256 per meeting	Chair rate includes director rate component
Municipal Services Committee	\$160 per meeting	\$256 per meeting	Not claimable if meeting held on same day as Regional Board or Board committee
other standing, select or special committee of the Regional Board	\$160 per meeting	\$256 per meeting	Chair rate includes director rate component
Strathcona Gardens Commission	\$160 per meeting	\$256 per meeting	Chair rate includes director rate component
Parcel Tax Roll Review Panel	\$160 per sitting	\$256 per sitting	Chair rate includes director rate component
public hearing	\$160 per hearing	\$256 per hearing	Chair rate includes director rate component
public body	\$160 per day	n/a	Provided that public body does not pay meeting remuneration and subject to authorizing resolution of Regional Board

*\*Chair means Board Chair, committee Chair or other Chair as the context requires*

**Travel Time for Meetings**

2. Directors are entitled to claim \$30.00 for each hour of travel time to attend and return from a compensable meeting provided that the meeting is convened at a location that is more than 60 kilometres or one hour travel time from the director's home.

SRD 376

**Meeting Attendance by Non-Members**

3. Directors who are not members of a Regional District committee or commission are entitled to claim for their attendance at a meeting of the committee or commission as if they were a member, provided that the director has received a written invitation to attend the meeting by the Chair of the committee or commission.

**Election for Automatic Payment**

4. Except for the meetings of a public body, a director may elect in writing to have the meeting remuneration to which they are entitled paid automatically based on their attendance at one or more of the Regional Board, committee or other meeting types included in section 1.



**Schedule 'B'**  
**Expense Reimbursement**

SRD 376

**Reimbursement Limits for Expenses**

1. Directors are entitled to claim the following expenses up to the maximum specified:

Expense Type	Maximum Payable	Particulars
Commercial accommodation (single occupancy)	actual cost up to Province of B.C. rate limits	director discretion to be used when rates not applicable
Non-commercial accommodation	\$35.00 per day	no receipt required
Approved conferences & courses*	actual cost	includes registration fees and required course materials
Private motor vehicle use – hard surfaced roads	The lesser of: <ul style="list-style-type: none"> <li>• the rates established by the Canada Revenue Agency, and</li> <li>• return airfare and ground transportation equivalent</li> </ul>	no receipt required for private motor vehicle use
Private motor vehicle use – gravel roads	\$0.12 per km premium over hard surfaced rate	no receipt required for private motor vehicle use
Private motor vehicle insurance	difference between personal (Rate Class 002 or 003) and business class (Rate Class 007) premiums	
Ferry, airline or ground transportation	actual cost	includes public transit and commercial transportation
Meals	\$20.00 (breakfast) \$25.00 (lunch) \$35.00 (dinner)	no receipt required
Per diem while on travel status	\$125.00 per 24 hour period less meals provided	no receipt required
Information circulars	actual cost	includes printing and circulation
Meeting room rental	actual cost	
Communication charges	actual cost	includes one cellular phone line, one telephone line, one facsimile line and one internet connection
Photocopy charges and other office expenses	actual cost	

\* includes annual conventions for Association of Vancouver Island & Coastal Communities, Federation of Canadian Municipalities, Union of British Columbia Municipalities and other approved events of these organizations.

**Qualifying Expenses**

2. Only those costs necessarily incurred for the conduct of Regional District business are reimbursable.

**Qualifying Expenses**

3. [Repealed]

**Partner Expenses**

4. For convenience, in the event a director wishes to have their spouse or partner accompany them to a conference or other approved event, the Regional District may pay the applicable fees and charges associated with such spousal participation provided that those costs are subsequently deducted from one or more expense claims submitted by the director.

**Out of Province Expenses**

5. Except for expenses related to the annual Federation of Canadian Municipalities convention, approval by the Regional Board is required for the reimbursement of expenses incurred by a director for attendance at meetings, conventions or other events held outside the boundaries of British Columbia.

**Refund of Costs Paid on Director's Behalf**

6. Where the Regional District has incurred costs in relation to a director's attendance at a meeting, conference or other event and:
- (a) the director does not attend the meeting, conference or other event,
  - (b) the absence of the director was not due to illness or an emergency, and
  - (c) the Regional District is otherwise unable to recover some or all of the costs incurred,

the director shall refund 50% of the unrecoverable costs to the Regional District.

**Receipts and Documentation**

7. Unless otherwise indicated receipts are required to be included with all claims for expense reimbursement.

**Taxes and Levies**

8. Federal, Provincial and municipal taxes and levies are claimable expenses.

SRD 281

**Schedule 'C'**  
**Group Benefits**

**Group Benefit Coverage**

1. The following group benefits will be provided to participating directors and alternate directors on the basis specified:

Benefit Type	Coverage Details	Premium Payments	
		Directors	Alternate Directors
Medical Services Plan	basic coverage (if not otherwise provided)	100% by the Regional District	50% by the Regional District, 50% by the individual
Extended health	paramedical, dental, vision care, prescription drugs, ambulance, travel insurance, etc.		
Personal accident insurance (AD&D)	while on Regional District business only		100% by the Regional District
Life insurance (standard)	\$50,000 maximum		50% by the Regional District, 50% by the individual
Life insurance (optional)	above \$50,000 or spousal insurance		100% by the individual

**Coverage Limitations**

2. All benefit programs are subject to the plan limitations set by the provider.

**Schedule 'D'**  
**Constituency Expenses**

**Constituency Expenses Defined**

1. Constituency expenses are defined as the costs incurred by an electoral area director while conducting Regional District business related exclusively to the area represented by the director.

**Eligible Expenses**

2. Expenses which qualify as constituency expenses are those reimbursable expenses listed in Schedule 'B' and the following:
  - meeting facilitation costs
  - meetings which fall outside of the scope of Schedule 'A'
  - travel costs for constituency purposes subject to the limits set out in Schedule 'B'
  - postage and office expenses
  - advertising costs including business cards
  - membership in the Coastal Community Network

**Limit on Expenses**

3. Constituency expenses which exceed the limits set out in the adopted financial plan will not be reimbursed.

**Receipts and Documentation**

4. The requirements for providing receipts for claiming reimbursement of constituency expenses are the same as those set out in Schedule 'B'.

**Taxes and Levies**

5. Federal, Provincial and municipal taxes and levies are claimable expenses for the purposes of reimbursement of constituency expenses.