



Regional District of Central Kootenay
DIRECTORS REMUNERATION SELECT COMMITTEE
Open Meeting Agenda

Date: Tuesday, January 27, 2026
Time: 1:00 pm
Location: Hybrid Model - In-person and Remote

Directors will have the opportunity to participate in the meeting electronically. Proceedings are open to the public.

Pages

1. ZOOM REMOTE MEETING INFO

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

Meeting Time:

1:00 p.m. PST

Join by Video:

<https://rdck-bc-ca.zoom.us/j/96513046207?pwd=4MFEDywAn6AZtaAgQkzXEqjSbwnOR.1&from=addon>

Join by Phone:

855 703 8985 Canada Toll-free

*6 to unmute or mute

*9 to raise or lower your hand

Meeting ID: 965 1304 6207

Meeting Password: 201649

In-Person Location: RDCK Board Room, 202 Lakeside Drive, Nelson, BC

2. CALL TO ORDER

Chair Hanegraaf called the meeting to order at [Time] p.m.

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

4. ADOPTION OF AGENDA

RECOMMENDATION:

The agenda for the January 27, 2026 Directors Remuneration Select Committee meeting be adopted as circulated.

5. RECEIPT OF MINUTES

4 - 7

The December 8, 2025 Directors Remuneration Select Committee minutes, have been received.

6. OLD BUSINESS ARISING FROM MINUTES

6.1 Special Meeting Stipend

8 - 13

The RDCK Stipend Related Resolutions Report, re: Special Meeting Stipend, has been received.

6.2 Directors Cell Phones

Yev Malloff, General Manager of Finance, IT & Economic Development, will provide a verbal report to the Committee.

6.3 Director's Indemnification

6.3.1 Legislation

14 - 15

The Local Government Act - Legal Proceedings in Relation to Local Governments and Other Authorities information, has been received.

6.3.2 Bylaw

16 - 17

The Regional District of Central Kootenay Officers and Employees Indemnity Bylaw No. 2425, has been received.

6.4 Alternate Director Stipend

18

The RDCK Alternate Director Stipends Report, re: Alternate Directors Stipend, has been received.

6.5 Directors Expense Reimbursement - Carpooling

Yev Malloff, General Manager of Finance, IT & Economic Development, will provide a verbal report to the Committee.

7. NEW ITEMS

7.1 Directors Remuneration Select Committee Board Resolutions

Yev Malloff, General Manager of Finance, IT & Economic Development,

will provide an overview regarding Directors Remuneration Select Committee Board resolutions.

8. PUBLIC TIME

The Chair will call for questions from the public and members of the media at _____ p.m.

9. NEXT MEETING

The next North Kootenay Lake Services Committee meeting is scheduled for [Date], [Year] at [Time].

10. ADJOURNMENT

RECOMMENDATION:

The Directors Remuneration Select Committee meeting be adjourned at [Time].



Regional District of Central Kootenay
DIRECTORS REMUNERATION SELECT COMMITTEE
Open Meeting Minutes

Monday, December 8, 2025
 1:00 pm
 Hybrid Model - In-person and Remote

**COMMITTEE MEMBERS
 PRESENT**

Director H. Hanegraaf	Area J – Chair – In-person
Director C. Graham	Area E– In-person
Director M. McFaddin	City of Castlegar – In-person
Director S. Hewat	Village of Kaslo – In-person

GUEST DIRECTORS

Director T. Newell	Area F
Director J. Fyke	New Denver

STAFF PRESENT

Y. Malloff	Chief Financial Officer
C. Hopkyns	Corporate Administration Coordinator

1. ZOOM REMOTE MEETING INFO

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

Meeting Time:

1:00 p.m. PST

Join by Video:

<https://rdck-bc-ca.zoom.us/j/94051576765?pwd=Shifjxy4n66sZ7PufwrEM34HiqZbkY.1&from=addon>

Join by Phone:

- 855 703 8985 Canada Toll-free

*6 to unmute or mute

*9 to raise or lower your hand

Meeting ID: 940 5157 6765

Meeting Password: 134965

In-Person Location: RDCK Board Room, 202 Lakeside Drive, Nelson, BC

2. CALL TO ORDER

Chair Hanegraaf called the meeting to order at 1:00 p.m.

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

4. ADOPTION OF AGENDA

Moved and seconded,

And resolved:

The agenda for the December 8, 2025 Directors Remuneration Select Committee meeting be adopted with the Order of Business changed, with Item 6.2 Regional District's Director Remuneration & Expenses Comparison be considered after Item 6 New Business, before circulation.

Carried

Moved and seconded,

And resolved:

Director's Newell and Fyke have freedom of the floor.

Carried

5. RECEIPT OF MINUTES

The October 14, 2025 Directors Remuneration Select Committee minutes, have been received.

6. NEW BUSINESS

6.2 Regional District's Director Remuneration & Expenses Comparison

The Report dated December 4, 2025 from Yev Malloff, General Manager of Finance, IT & Economic Development, re: Regional District's Director Remuneration & Expenses Comparison, has been received.

Yev Malloff provided an overview regarding the Regional District's Director Remuneration & Expenses Comparison and answered the Committee asked questions.

The Committee had a discussion regarding meal allowance rates.

Moved and seconded,

And resolved that it be recommended to the Board:

That RDCK Directors meal allowance and incidental expense rates will be tied to the BC Provincial Employee Group II rates and round to the nearest dollar for administration ease, effective January 1, 2027.

Carried

6.1 RDCK Directors Remuneration Survey Results

The Report dated December 2025 from Yev Malloff, General Manager of Finance, IT & Economic Development, re: RDCK Directors Remuneration Survey Results, has been received.

The Committee reviewed the RDCK Directors Remuneration survey results. They examined and discussed the Recommended Committee Focus Areas section of the survey and staff answered the Committee's questions.

STAFF DIRECTION: That staff investigate the number of special meetings in this term that needed a Board recommendation to pay stipend and the length of these meetings. Staff will bring back the information to the next meeting.

Moved and seconded,

And resolved that it be recommended to the Board:

That Directors attending the Federation of Canadian Municipalities (FCM) Conference be restricted to two times per term, effective January 1, 2027.

Carried

STAFF DIRECTION: That staff investigate the cost for the RDCK to purchase organizational cellphones for Directors and review the potential legal risks. Staff will bring back the information to the next meeting.

STAFF DIRECTION: That staff investigate the insurance/indemnification coverage for Directors. Staff will bring back the information to the next meeting.

STAFF DIRECTION: That staff bring back information to the next meeting regarding Alternate Director and Director stipend when an Alternate attends meetings on behalf of the Director.

ORDER OF AGENDA Item 6.3 Specific Requests and Action Items for Staff was considered at this time.

RESUMED**6.3 Specific Requests And Action Items For Staff**

Staff reviewed the Committee's specific requests and actions items.

7. PUBLIC TIME

The Chair will call for questions from the public and members of the media at 3:01 p.m.

No public or media had questions.

8. NEXT MEETING

The next Directors Remuneration Select Committee will be held on January 27, 2026 at 1:00 p.m.

9. ADJOURNMENT

Moved and seconded,
And resolved:

The Directors Remuneration Select Committee meeting be adjourned at 3:02 p.m.

Carried

Digitally approved

Henny Hanegraaf, Chair

RDCK - Stipend Related Resolutions - Nov 2022 to Dec 2025

Board Date	Board Res #	Resolution Wording
11-Dec-25	675/25	That the Board approve the Directors' stipend and expenses for the Directors Input Organizational Review Workshop held on Friday, November 14, 2025; and that it be paid from General Administration Service S100.
11-Dec-25	641/25	That the Board appoint the following Directors to the 2026 Parcel Tax Roll Review Panel to sit in Creston, BC with stipends and usual expenses to be paid from the General Administration Service S100: Director Garry Jackman Director Roger Tierney
11-Dec-25	642/25	That the Board appoint the following Directors to the 2026 Parcel Tax Roll Review Panel to sit in Nelson, BC with stipends and usual expenses to be paid from the General Administration Service S100: Director Newell Director Hanegraaf
11-Dec-25	644/25	That the Board approves the following Directors as delegates to the 2026 Electoral Area Directors Forum held March 10-11, 2026 in Richmond, BC with stipends and expenses to be paid from the Rural Administration Service S101: (see minutes for full resolution)
11-Dec-25	645/25	That the Board approves the following Directors as delegates to the 2026 Local Government Leadership Academy Forum in Richmond, BC from March 11-13, 2026 with stipends and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
11-Dec-25	646/25	That the Board approves the following Directors as delegates to the 2026 Association of Kootenay and Boundary Local Governments Convention from April 17-19, 2026 in Trail, BC with stipends and expenses to be paid from the Rural Administration Service S101: (see minutes for full resolution)
11-Dec-25	648/25	That the Board approves the following Directors as delegates to the 2026 Federation of Canadian Municipalities Conference in Edmonton, Alberta from June 4-7, 2026 with stipends and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
11-Dec-25	650/25	That the Board approves the following Directors as delegates to the 2026 Union of BC Municipalities (UBCM) Conference in Victoria, BC from September 14-18, 2026 with stipends and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
11-Dec-25	634/25	That the Board appoint the following Directors as representatives to the Municipal Finance Authority for a term to end February 28, 2027, with stipends and usual expenses to be paid from General Administration Service S100: Director Hewat Director Newell (Alternate)
11-Dec-25	637/25	That the Board hereby appoint the following Director to the Selkirk College Regional Innovation Chair in Rural Economic Development - Regional Advisory Committee for a term to end December, 2026, with stipend and expenses to be paid from the General Administration Service S100: Director McLaren-Caux
11-Dec-25	639/25	The Board appoints the following Directors to the West Kootenay Transit Committee (excluding Directors for Electoral Area B and C and the Town of Creston) with the term to end December 31, 2026, with stipends and usual expenses to be paid from the Transit-Kootenay Lake West S239: Director M. McFaddin (Castlegar) Director Lockwood

RDCK - Stipend Related Resolutions - Nov 2022 to Dec 2025

Board Date	Board Res #	Resolution Wording
18-Sep-25	472/25	That the Directors appointed to the Directors Remuneration Select Committee received stipend and expenses to be paid from General Administration Service S100.
17-Apr-25	234/25	That the Board approve the West Resource Recovery Committee Director's stipend and expenses for a tour of the West Transfer Stations; and that, it be paid from S188 Refuse Disposal - West Subregion.
17-Apr-25	235/25	That the Board approve the East Resource Recovery Committee Director's stipend and expenses for a tour of the Ootischenia Landfill; and that, it be paid from S186 Refuse Disposal - East Subregion.
17-Apr-25	236/25	That the Board approve the Central Resource Recovery Committee Director's stipend and expenses for a tour of the Ootischenia Landfill; and that, it be paid from S187 Refuse Disposal - Central Subregion.
12/12/2024	655/24	That the Board appoint the following Directors to the Central Kootenay Food Policy Council for a term to end December 31, 2026, with stipends and usual expenses to be paid from General Administration Service S100: (see minutes for full resolution)
12/12/2024	656/24	The Board appoints the following Directors to the Columbia Basin Regional Advisory Committee with a term expiring December 31, 2026, with stipends and usual expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
12/12/2024	658/24	That the Board appoint the following Directors as representatives to the Municipal Finance Authority for a term to end February 28, 2026, with stipends and usual expenses to be paid from General Administration Service S100: (see minutes for full resolution)
12/12/2024	660/24	That the Board appoint the following Director to serve on the Regional Agriculture Liaison Services Steering Committee with a term expiring December 2026, with stipends and usual expenses to be paid from General Administration Service S100: (see minutes for full resolution)
12/12/2024	661/24	That the Board hereby appoint the following Director to the Selkirk College Regional Innovation Chair in Rural Economic Development - Regional Advisory Committee for a term to end December, 2025, with stipend and expenses to be paid from the General Administration Service S100: (see the minutes for full resolution)
12/12/2024	662/24	That the Board hereby appoint the following Directors to the Southern BC Regional Connectivity Committee for a term to end October 31, 2027, with stipend and expenses to be paid from the General Administration Service S100: (See minutes for full resolution)
12/12/2024	664/24	The Board appoints the following Directors to the West Kootenay Transit Committee (excluding Directors for Electoral Area B and C and the Town of Creston) with the term to end December 31, 2025, with stipends and usual expenses to be paid from the Transit-Kootenay Lake West S239: (see minutes for full resolution)

RDCK - Stipend Related Resolutions - Nov 2022 to Dec 2025

Board Date	Board Res #	Resolution Wording
12/12/2024	666/24	That the Board appoint the following Directors to the 2025 Parcel Tax Roll Review Panel to sit in Creston, BC with stipends and usual expenses to be paid from the General Administration Service S100: (See minutes for full resolution)
12/12/2024	667/24	That the Board appoint the following Directors to the 2025 Parcel Tax Roll Review Panel to sit in Nelson, BC with stipends and usual expenses to be paid from the General Administration Service S100: (See minutes for full resolution)
12/12/2024	669/24	That the Board approves the following Directors as delegates to the 2025 Electoral Area Directors Forum held February 6-7, 2024 in Richmond, BC with stipends and expenses to be paid from the Rural Administration Service S101: (see minutes for full resolution)
12/12/2024	670/24	That the Board approves the following Directors as delegates to the 2025 Local Government Leadership Academy Forum in Richmond, BC from March 13-14, 2025 with stipends and expenses to be paid from the General Administration Service S100: (See minutes for full resolution)
12/12/2024	671/24	That the Board approves the following Directors as delegates to the 2025 Association of Kootenay and Boundary Local Governments Convention from April 25-27, 2025 in Kimberley, BC with stipends and expenses to be paid from the Rural Administration Service S101: (see minutes for full resolution)
12/12/2024	673/24	That the Board approves the following Directors as delegates to the 2025 Federation of Canadian Municipalities Conference in Ottawa, Ontario from May 29 - June 1, 2025 with stipends and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
12/12/2024	675/24	That the Board approves the following Directors as delegates to the 2025 Union of BC Municipalities (UBCM) Conference in Victoria, BC from September 22-26, 2025 with stipends and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
12/12/2024	720/24	That stipend and expenses be paid to Rural Directors from Rural Administration Service S101 for attendance at the Rural Planning Workshop held on December 3, 2024.
11/14/2024	605/24	That the Board appoints the following Directors to the Economic Trust of the Southern Interior BC with a term expiring December 31, 2026, with stipend and usual expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
02/16/2024	119/24	That the Board approve that the salaries and benefits of staff and the Director's stipends be moved as presented in the 2024 Financial Plan document as they follow Board's policies and Employment Contracts.
02/15/2024	75/24	That the Board appoint the following Directors as representatives to the Municipal Finance Authority for a term to end February 28, 2025, with stipends and usual expenses to be paid from General Administration Service S100: (see minutes for full resolution)

RDCK - Stipend Related Resolutions - Nov 2022 to Dec 2025

Board Date	Board Res #	Resolution Wording
02/15/2024	90/24	That the Board approve stipend and expenses for the Climate Action Plan workshop to be paid from General Administration Service S100.
01/18/2024	06/24	That the Board approve Director Hewat be reimbursed for travel expenses and paid a stipend for the September 26, 2023 Imagine Kootenay Steering Committee meeting held in Nelson, BC to be paid from Kaslo and Area D Economic Development Commission Service S109.
14-Dec-23	743/23	That the Board hereby appoint the following Director to the Selkirk College Regional Innovation Chair in Rural Economic Development - Regional Advisory Committee for a term to end December, 2024, with stipend and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
14-Dec-23	744/23	That the Board hereby appoint the following Directors to the Southern BC Regional Connectivity Committee for a term to end October 31, 2024, with stipend and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
14-Dec-23	746/23	The Board appoints the following Directors to the West Kootenay Transit Committee (excluding Directors for Electoral Area B and C and the Town of Creston) with the term to end December 31, 2024, with stipends and usual expenses to be paid from the Transit-Kootenay Lake West S239: (see minutes for full resolution)
14-Dec-23	748/23	That the Board appoint the following Directors to the 2024 Parcel Tax Roll Review Panel to sit in Creston, BC with stipends and usual expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
14-Dec-23	749/23	That the Board appoint the following Directors to the 2024 Parcel Tax Roll Review Panel to sit in Nelson, BC with stipends and usual expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
14-Dec-23	751/23	That the Board approves the following Directors as delegates to the 2024 Electoral Area Directors Forum held January 30-31, 2024 in Richmond, BC with stipends and expenses to be paid from the Rural Administration Service S101: (see minutes for full resolution)
14-Dec-23	752/23	That the Board approves the following Directors as delegates to the 2024 Local Government Leadership Academy Forum in Richmond, BC from January 31 - February 2, 2024 with stipends and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
14-Dec-23	753/23	That the Board approves the following Directors as delegates to the 2024 Association of Kootenay and Boundary Local Governments Convention from April 19-21, 2024 in Radium Hot Springs, BC with stipends and expenses to be paid from the Rural Administration Service S101: (see minutes for full resolution)
14-Dec-23	755/23	That the Board approves the following Directors as delegates to the 2024 Federation of Canadian Municipalities Conference in Calgary, Alberta from June 6-9, 2024 with stipends and expenses to be paid from the General Administration Service S100: (See minutes for full resolution)
14-Dec-23	757/23	That the Board approves the following Directors as delegates to the 2024 Union of BC Municipalities (UBCM) Conference in Vancouver, BC from September 16-20, 2024 with stipends and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)

RDCK - Stipend Related Resolutions - Nov 2022 to Dec 2025

Board Date	Board Res #	Resolution Wording
14-Dec-23	768/23	That the Board approve stipend and expenses for the Emergency Services workshop held in January being paid from Emergency Consolidated Service A101.
19-Oct-23	645/23	That the Board approve stipend and expenses for the Regional Invasive Species Working Group to be paid from General Administration Service S100.
19-Oct-23	677/23	That staff be directed to prepare an amendment to the Chair, Directors and Alternate Directors Remuneration Bylaw No. 2710, 2021 to amend the expense for meals not covered by stipend amount to reflect the annual approved Canada Revenue Agency allowances for meals, and that the bylaw reflect that the meal allowances will be updated annually for any change to the CRA allowances.
15-Jun-23	415/23	That the Board endorse Director Suzan Hewat to apply to the FCM Standing Committees for the period starting June 2023 and ending May 2024; AND FURTHER, that stipend and travel expenses not covered by the UBCM Small Communities associated with Director Suzan Hewat attending FCM's Standing Committee meetings will be paid from the General Administration Service S100.
20-Apr-23	276/23	That the Board approve Directors' stipend and expenses for the 2023 Strategic Planning workshop held April 13 & 14, 2023 and that the funds be paid from General Administration Service S100.
16-Feb-23	108/23	The Board appoints the following Director to the Columbia Basin Regional Advisory Committee with a term expiring December 31, 2024, with stipends and usual expenses to be paid from the General Administration Service S100: Director Hanegraaf (Duncan Reservoir)
16-Feb-23	110/23	The Board appoint the following Director to the Highway #3 Mayors and Chair Coalition with a term expiring December 31, 2023, with stipends and usual expenses to be paid from the General Administration Service S100: Director Vandenberg
19-Jan-23	27/23	That the Board appoint the following Directors as representatives to the Municipal Finance Authority for a term to end February 28, 2024, with stipends and usual expenses to be paid from General Administration Service S100: (see minutes for full resolution)
8-Dec-22	747/22	That the Board appoint the following Directors to the Central Kootenay Food Policy Council for a term to end December 31, 2024, with stipends and usual expenses to be paid from General Administration Service S100: (See minutes for full resolution)
8-Dec-22	748/22	The Board appoints the following Directors to the Columbia Basin Regional Advisory Committee with a term expiring December 31, 2024, with stipends and usual expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
8-Dec-22	749/22	The Board appoints the following Directors to the Columbia River Treaty Local Governments Committee with a term expiring December 2026, with stipends and usual expenses to be paid from the General Administration service: (see minutes for full resolution)
8-Dec-22	751/22	That the Board appoint the following Director to the Kootenay Cannabis Council for a term to end December 31, 2024 with stipends and usual expenses to be paid from General Administration Service S100: (see minutes for full resolution)
8-Dec-22	752/22	That the Board appoint the following Directors as representatives to the Municipal Finance Authority for a term to end February 28, 2024, with stipends and usual expenses to be paid from General Administration Service S100: (see minutes for full resolution)

RDCK - Stipend Related Resolutions - Nov 2022 to Dec 2025

Board Date	Board Res #	Resolution Wording
8-Dec-22	755/22	That the Board appoint the following Director to serve on the Regional Agriculture Liaison Services Steering Committee with a term expiring December 2024, with stipends and usual expenses to be paid from General Administration Service S100: (see minutes for full resolution)
8-Dec-22	756/22	That the Board hereby appoint the following Director to the Selkirk College Regional Innovation Chair in Rural Economic Development - Regional Advisory Committee for a term to end December, 2023, with stipend and expenses to be paid from the General Administration Service S100: (See minutes for full resolution)
8-Dec-22	757/22	That the Board hereby appoint the following Directors to the Southern BC Regional Connectivity Committee for a term to end October 2023, with stipend and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
8-Dec-22	759/22	The Board appoints the following Directors to the West Kootenay Transit Committee (excluding Directors for Electoral Area B and C and the Town of Creston) with the term to end December 31, 2023, with stipends and usual expenses to be paid from the Transit-Kootenay Lake West S239: (see minutes for full resolution)
8-Dec-22	761/22	That the Board appoint the following Directors to the Parcel Tax Roll Review Panel to sit in Creston, BC with stipends and usual expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
8-Dec-22	762/22	That the Board appoint the following Directors to the Parcel Tax Roll Review Panel to sit in Nelson, BC with stipends and usual expenses to be paid from the General Administration Service S100: (See minutes for full resolution)
8-Dec-22	765/22	That the Board approves the following Directors as delegates to the 2023 LGLA Elected Officials Seminar from March 7 - 10, 2023 in Kimberley, BC with stipends and expenses to be paid from the General Administration Service S100: (See minutes for full resolution)
8-Dec-22	767/22	That the Board approves the following Directors as delegates to the 2023 Association of Kootenay and Boundary Local Governments Convention from April 21 - 23, 2023 in Cranbrook, BC with stipends and expenses to be paid from the Rural Administration Service S101: (See minutes for full resolution)
8-Dec-22	769/22	That the Board approves the following Directors as delegates to the 2023 Federation of Canadian Municipalities Conference in Toronto, Ontario from June 25 - 28, 2023 with stipends and expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
8-Dec-22	771/22	That the Board approves the following Directors as delegates to the 2023 Union of BC Municipalities (UBCM) Conference in Vancouver, BC from September 18 - 22, 2023 with stipends and expenses to be paid from the General Administration Service S100: (See minutes for full resolution)
8-Dec-22	779/22	That the Board approve stipend and expenses for the RDCK Climate Action Workshop to be paid from General Administration Service S100.
17-Nov-22	682/22	That the Board appoints the following Directors to the Economic Trust of the Southern Interior BC with a term expiring December 31, 2024, with stipend and usual expenses to be paid from the General Administration Service S100: (see minutes for full resolution)
17-Nov-22	699/22	That the Board approve stipend and expenses be paid for the continuing Directors and Directors elect for the RDCK Directors Orientation session on November 16, 2022 from the General Administration Services S100.

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Part 18 — Legal Proceedings in Relation to Local Governments and Other Authorities

Division 2 — Immunities and Indemnities

Immunity for individual local public officers

738 (1) In this section, "**local public officer**" means any of the following:

- (a) a member of a council;
- (b) a director of a regional board;
- (c) a trustee of an improvement district;
- (d) a commissioner for a local community commission under Division 9 [*Local Community Commissions*] of Part 6 [*Regional Districts: Governance and Procedures*];
- (e) a member of a commission established under section 263 (1) (g) [*regional district commissions*] of this Act or section 143 [*municipal commissions*] of the [Community Charter](#);
- (f) a member of a library board under the [Library Act](#);
- (g) a member of any greater board or of any board that provides similar services and is incorporated by letters patent;
- (h) a member of an advisory planning commission under section 461;
- (i) a member of a board of variance under Division 15 [*Board of Variance*] of Part 14 [*Planning and Land Use Management*];
- (j) a member of the Okanagan-Kootenay Sterile Insect Release Board or an officer or employee of that board;
- (k) a member of the Okanagan Basin Water Board;
- (l) a trustee of a body of the Islands Trust under the [Islands Trust Act](#);

(m) an officer or employee of a municipality, regional district, improvement district, library board under the [Library Act](#), a greater board referred to in paragraph (g), the trust council under the [Islands Trust Act](#) or the Okanagan Basin Water Board;

(n) an election official or a regional voting officer under section 179 [*assent voting conducted by more than one local government*];

(o) a volunteer firefighter or a special constable;

(p) a volunteer who participates in the delivery of services by a municipality, regional district or a body referred to in paragraphs (c) to (l) under the supervision of an officer or employee of the municipality, regional district or any of those bodies;

(q) a member of a board of trustees established or appointed by a municipality under section 37 [*local government operations*] of the [Cremation, Interment and Funeral Services Act](#);

(r) a member of a municipal committee, of a regional district board committee or of an improvement district committee under section 689 [*appointment of select and standing committees*] who is not also a member of the municipal council, regional district board or improvement district board, as applicable.

(2) No action for damages lies or may be instituted against a local public officer or former local public officer

(a) for anything said or done or omitted to be said or done by that person in the performance or intended performance of the person's duty or the exercise of the person's power, or

(b) for any alleged neglect or default in the performance or intended performance of that person's duty or the exercise of that person's power.

(3) Subsection (2) does not provide a defence if

(a) the local public officer has, in relation to the conduct that is the subject matter of the action, been guilty of dishonesty, gross negligence or malicious or wilful misconduct, or

(b) the cause of action is libel or slander.

(4) Subsection (2) does not absolve any of the corporations or bodies referred to in subsection (1) (a) to (l) from vicarious liability arising out of a tort committed by any of the individuals referred to in subsection (1) for which the corporation or body would have been liable had this section not been in force.

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BYLAW NO. 2425

A bylaw to amend "Regional District of Central Kootenay Officers and Employees Indemnity Bylaw No. 1953, 2008."

WHEREAS the Board of the Regional District of Central Kootenay has enacted Bylaw 1953, being the "Regional District of Central Kootenay Officers and Employees Indemnity Bylaw No. 1953, 2008", as amended, for the purpose of providing indemnification of its Board members, officers and employees against claims for damages and the legal costs incurred in a Court proceeding arising of the claim;

AND WHEREAS it is deemed appropriate to further amend Bylaw No. 1953;

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, ENACTS AS FOLLOWS:

1. REPEAL AND REPLACEMENT

Bylaw No. 1953 is hereby amended by replacing Section 2 *Indemnity* and Section 3 *Indemnity Against Members of the Board, Officers or Employees* with the following:

2. INDEMNITY

Subject to section 3 of this Bylaw, the RDCK will indemnify a Board member, an officer or an employee against payment of amounts required or incurred to defend an action or prosecution brought against him or her in connection with the exercise or intended exercise of the person's powers or the performance or intended performance of the person's duties or functions, including satisfaction of a judgment, award or penalty imposed in such an action or prosecution.

3. EXCLUSIONS FROM INDEMNITY

- (1) As a limit on indemnification under section 2, the RDCK will not pay a fine that is imposed as a result of a Board member's, officer's or employee's conviction for an offence that is not a strict or absolute liability offence.

- (2) Further, section 2 does not apply in any case where a court or tribunal determines that the Board member, officer or employee:
- a) Has acted outside the scope of his or her duties;
 - b) Has been grossly negligent or dishonest, or engaged in willful or malicious misconduct;
 - c) In the case of an officer or employee, has acted contrary to the terms and conditions of his or her employment, or contrary to law, or has acted contrary to an order given by a person in authority over him or her; and
 - d) In the case of a Board member, has acted while in a conflict of interest or otherwise not in accordance with his or her duties.
- (3) If a court or tribunal makes a finding listed in subsection 3 (2) of this Bylaw and the RDCK has already made payment of amounts required or incurred to defend an action or prosecution brought against the Board member, officer or employee, that person must repay those amounts to the RDCK.

2. CITATION

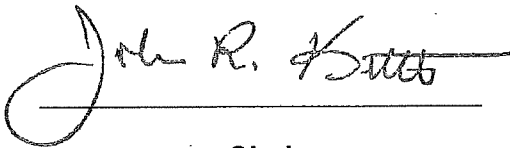
This Bylaw shall be cited for all purposes as “**Regional District of Central Kootenay Board Members, Officers and Employees Indemnity Amendment Bylaw No. 2425, 2014.**”

READ A FIRST TIME this 18th day of September, 2014.

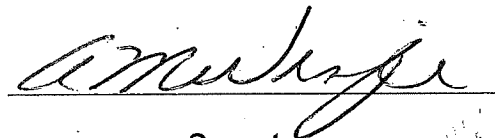
READ A SECOND TIME this 18th day of September, 2014.

READ A THIRD TIME this 18th day of September, 2014.

ADOPTED this 18th day of September, 2014.



Chair



Secretary



