

**QUALICUM BAY WATERWORKS DISTRICT**  
**BOARD TRUSTEE NOMINATION FORM**

Submit completed form to:  
Qualicum Bay Horn Lake Water District  
234 Lions Way  
Qualicum Beach, BC V9K 2E2  
Phone/Fax: 250-757-8507

***Nominee Information:***

Nominee Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

as a candidate for the office of Trustee of the Qualicum Bay Horn Lake Water District

Each of us declares that, to the best of our knowledge, information and belief, the person being nominated is:

- a) Age 18 or older, or will be on general voting day of the election;
- b) A Canadian citizen;
- c) An owner of land in the improvement district; alternately, the spouse of a landowner.
- d) A resident of British Columbia, as determined in accordance with Sec. 67 of the Local Government Act , and has been for at least 6 months immediately before today;
- e) Not disqualified by the Local Government Act or any other enactment from voting in an election in British Columbia or from being nominated for, being elected to or holding office, or otherwise disqualified by law;
- f) Not subject to any of the disqualifications set out in Sections 81(2) or 82 of the Local Government Act .

***Nominees should have the support of two property owners in the district:***

Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

***Consent of the nominee***

I agree to have my name submitted as a nominee for the position of Trustee for the Qualicum Bay Horn Lake Waterworks District Board.

\_\_\_\_\_  
Signature of nominee

\_\_\_\_\_  
Date

## Statutory Declaration

In the matter of the *Local Government Act* and the election of trustees for the Qualicum Bay – Horne Lake Waterworks District:

I, \_\_\_\_\_ a resident of \_\_\_\_\_, British Columbia, Canada, DO SOLEMNLY DECLARE that I meet the eligibility requirements for voting in the above stated improvement district by virtue of one of the three following sets of criteria:

1. I am a Canadian citizen; eighteen years of age or older; I have resided in the Province of British Columbia for the previous six months; and I am the lawful owner of the following lands by virtue that under the terms of the said agreement for sale, deed, or lease, I am liable for all taxes levied against the said lands and that I have not disposed of, or assigned my interest in the said lands namely,  
\_\_\_\_\_.
2. I am the authorized agent of a board or corporation namely, \_\_\_\_\_  
\_\_\_\_\_ that is an owner of land in the improvement district  
\_\_\_\_\_ with offices at \_\_\_\_\_  
\_\_\_\_\_.
3. I am the legal representative of an owner of land in the improvement district namely  
\_\_\_\_\_ who had died, become insolvent or insane and whose last address was, or whose current address is, AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that is of the same legal force and effect as if made under oath.

\_\_\_\_\_  
Signature of Declarant

I am satisfied the information given above is correct and the person stated appears qualified to vote. Declared before me this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Returning Officer

## Trustees – Duties and Responsibilities

The board has the authority to make decisions that will affect the services being provided to the residents by a majority vote. Each trustee has a single vote and their power lies in the ability to convince the other trustees to agree with their point of view. Therefore, one trustee cannot commit the district to any particular action, not even the chair. The powers of trustees are collective, rather than individual. For example, a trustee negotiating an agreement or contract on behalf of the district cannot make a commitment until the rest of the trustees have had the opportunity to review and vote on the matter.

Trustees are expected to act in the best interest of the community and strive to govern in the best interests of the residents. Trustees must not use their position to benefit personally or they may be in a conflict of interest. A person is likely to be in a conflict of interest where there is a reasonable perception, that the person's ability to exercise an official power or perform an official duty or function must have been affected by their private interests. Further information on this topic can be found in the Improvement District Manual

Trustees should strive to attend every meeting. A meeting can only be held, and decisions made, as long as a quorum is present. If a trustee is unable to attend meetings for an extended period of time they should consider resigning their position so that another person can be elected to fill the position. It is not possible for the other trustees, the landowners, or any other person, to remove a trustee from office because of poor attendance or for any other reason.

The duties of a trustee are statutory and cannot be delegated to anyone else. These include:

- Electing one of themselves as chair at the first meeting of the Board in each year and at the first meeting after a vacancy occurs in the office of the chair (Section 685).
- The appointment and dismissal of officers or employees and deciding the terms and conditions of their employment (Section 685.4).
- The passage of bylaws and resolutions, to exercise any of the powers granted to the trustees (Section 698).
- Sending a tax notice to every owner of land with sufficient information on assessment to show how the taxes were calculated (Section 715).
- Appointing three of themselves, or other persons, to constitute the Court of Revision to revise the assessment roll and consider complaints about assessment (Section 709).
- Fixing the date, time and place for a tax sale if a property has taxes that are more than 24 months in arrears (Section 718).
- Calling a meeting of the landowners once a year within the period stipulated in the district's Letters Patent and presenting them with the audited financial statement for the preceding calendar year (Section 690).
- Furnishing the Inspector of Municipalities with a true copy of the audited financial statements by May 15 each year (Section 691.5).

There is no requirement for a trustee to disclose his or her financial holdings under the *Financial Disclosure Act*.

The term of office for all trustees is three years unless they were elected to fill the remainder of the term for a position that became vacant before the end of the term. Any remuneration

(honorarium) paid to the trustees must be decided at each year's annual general meeting by the landowners and trustees.

### **NOMINATIONS FOR BOARD OF TRUSTEES**

The Board of Trustees meets on a monthly basis to address the ongoing business of the district. Trustees are required to attend meetings and should not miss more than two consecutive meetings in a row. The Qualicum Bay Horne Lake Waterworks District is responsible for the delivery of water and all related infrastructure. Periodic meetings are also held throughout the year with regards to specific committees such as Operations/Maintenance. Trustees also attend the AGM and any special public meetings.

The Trustee positions are strictly volunteer with a monthly honorarium as determined by the ratepayers at each AGM.

As outlined in our Letters Patents, persons qualified as candidates must be:

- A Canadian citizen
- Eighteen years of age, or older
- An owner of land in the improvement district

If you have any questions regarding this information, please do not hesitate to contact the office or any of the trustees.