



REPORT

To: Chair and Directors

Report Number: ENV-BRD-208

From: Environmental Services

Date: October 17, 2024

Subject: North Pine Television Rebroadcasting Services Asset Disposal

RECOMMENDATION: [Corporate Unweighted]

That upon acceptance of the North Pine Television Rebroadcasting Services Repeal Bylaw by the Inspector, that the Regional Board terminate Statutory Right-of Way PN34976 registered against title to land described as Lot 1, St John Indian Reserve No. 172, Township 85, Range 18, W6M, PRD, Plan 33906, PID: 014-477-629 and seek legal advice on transferring all existing infrastructure to the landowner; further, should the PRRD not obtain legal authority to do so, or the landowner deny the transfer of assets, that options for asset disposal and site rehabilitation be brought forward to a future Rural Budgets Administration Committee and Regional Board meeting for funding options.

BACKGROUND/RATIONALE:

On August 23, 2017, the Regional Board approved the following recommendation:

MOVED, SECONDED and CARRIED,

- a) That the provision of TB services within the North Pine TV function be discontinued and that the function be allowed to go dormant (i.e., no further taxation); and*
- b) That the Federal Department of Innovation, Science and Economic Development Canada (ISED) be notified of the decision to discontinue the function and withdraw the Regional District's broadcast re-certification for broadcast of TV Channels 26 and 27; and*
- c) That area residents be notified of the discontinuation of the North Pine TV services as it is no longer utilized.*

On October 29, 2017, the Regional Board approved the following recommendation:

MOVED, SECONDED and CARRIED,

That staff be directed to research options for residential use and rental to businesses of the North Pine TV Tower and prepare a report for review by the Electoral Area Directors' Committee.

On November 16, 2023, the Regional Board approved the following recommendations:

MOVED, SECONDED and CARRIED,

That the Regional Board authorize completion of a community needs assessment (service function review), for the North Pine TV Tower – Function 525.

MOVED, SECONDED and CARRIED,

That the Regional Board, upon receipt of the service function review, authorize that the Regional Board repeal Bylaw Numbers "603, 1988", "823, 1992", "946, 1994", "984, 1995, and "1072, 1996", as this function no longer provides television rebroadcasting services and as such, no taxation can be requisitioned.

On September 12, 2024, the Regional Board approved the following recommendation:

MOVED, SECONDED and CARRIED,

That the Regional Board dissolve Function 525 - North Pine Television Rebroadcasting, which historically provided an avenue to supply television rebroadcasting services to parts of Area B and C, further, that a bylaw to repeal all existing bylaws related to television rebroadcasting, namely Bylaw Numbers "603, 1988", "823, 1992", "946, 1994", "984, 1995, and "1072, 1996" be presented to the Regional Board for adoption in due course.

In 1999, a Statutory Right-of Way (SRW) was agreed upon by the PRRD and the existing landowner for placement of the North Pine Television Rebroadcasting Tower (NPTV) for three successive 10-year periods. The current infrastructure located on the property is the existing tower and its guy wires, a heated outbuilding, and a chain-link fence. The successor of the SRW agreement is open to having discussions around the acceptance of the assets.

ALTERNATIVE OPTIONS:

1. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- Asset and Infrastructure Management

FINANCIAL CONSIDERATION(S):

The current operational reserve balance as of August 2024 is \$32,464.71. These funds can be used towards the dissolution of a function, decommissioning of the infrastructure, and rehabilitation of the land. The current operating reserve balance, however, will be insufficient to cover the cost of deconstruction.

If the service establishment bylaw remains in force and is not repealed, the Regional Board cannot use service monies held in reserve or as accumulated surplus funds (including from the disposition of service assets) for non-service purposes. Currently, there are no capital reserve funds. Operational reserves could be used towards the decommissioning of the service, as well as the potential sale of the asset could also assist with the cost of decommissioning. However, other than the funds in the operating reserve, additional grant funding, or requisition from the service function area may be required to reclaim the existing property following the disassembly of the existing tower and removal of the guy wires.

Accordingly, if the PRRD wishes to use service monies and assets for non-service purposes and has no plans to continue with this service, the PRRD should proceed to repeal the service establishment

bylaw. As noted, participating Electoral Area Directors will be able to determine the use of remaining service assets (if not disposed of before bylaw repeal) and monies.

Since 2021, the following grant funds have been utilized to off-set the revenues required to operate the NPTV function:

2021: \$50,000 Peace River Agreement Funds

2023: \$2,777 Fair Share Funds

2024: \$15,435 Fair Share Funds

COMMUNICATIONS CONSIDERATION(S):

None at this time.

OTHER CONSIDERATION(S):

None at this time.