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**Minutes of a Meeting of the Capital Regional District Board
held Wednesday, March 12, 2014 in the Board Room, 625 Fisgard Street, Victoria, BC**

- PRESENT: Directors:** A. Bryson (Chair), D. Blackwell (Vice Chair), S. Brice, J. Brownoff, L. Cross, T. Daly, V. Derman, B. Desjardins, D. Fortin (1:35), C. Hamilton, J. Herbert (for N. Jensen), G. Hill, M. Hicks, D. Howe, B. Isitt, R. Kasper (for W. Milne), P. Madoff (for M. Alto), W. McIntyre, J. Ranns, K. Roessingh (for J. Mendum), L. Seaton, L. Wergeland and G. Young
Staff: R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; D. Lokken, General Manager, Finance and Technology; T. Robbins, General Manager, Integrated Water Services; P. Sparanese, Senior Manager, Integrated Water Services; S. Santarossa, Corporate Officer, and S. Norton, Deputy Corporate Officer (Recorder)
- ABSENT: Director:** F. Leonard

The Chair called the meeting to order at 1:33 pm.

1. APPROVAL OF THE AGENDA

MOVED by Director Blackwell, **SECONDED** by Director Brice,
That item 5.1.4 be withdrawn and the agenda be approved as amended.

CARRIED

2. ADOPTION OF MINUTES OF FEBRUARY 12, 2014

MOVED by Director Cross, **SECONDED** by Director Blackwell,
That the minutes of the meeting of February 12, 2014 be adopted.

CARRIED

Director Fortin entered the meeting at 1:35 pm.

3. REPORT OF THE CHAIR

Chair Bryson advised that he will ask the Governance Committee to amend its terms of reference to add broader membership; and that he has appointed Directors Hicks and Ranns to the Committee effective immediately.

4. PRESENTATIONS/DELEGATIONS – None.

5. REPORTS OF COMMITTEES

5.1 CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE – March 12, 2014

1. Correspondence from Brenda Eaton, Chair, Seaterra Program Commission, 4 March 2014

MOVED by Director Young, **SECONDED** by Director Derman,
That the correspondence be received for information.

CARRIED

2. Seaterra Program and Budget Update

MOVED by Director Young, **SECONDED** by Director Blackwell,
That the report be received for information.

CARRIED

3. Core Area Liquid Waste Management Plan – Colwood Wastewater Treatment Plant

MOVED by Director Young, **SECONDED** by Director Desjardins,
That required amendments and legislative changes be supported, in principle, to enable a separate wastewater treatment system to serve the City of Colwood, subject to:

- a) Colwood obtaining approval by December 2014 from the Provincial Government to proceed in the proposed direction without compromising existing funding agreements, and
- b) by December 2015, Colwood having acceptable solutions to the inter-municipal issues that arise from this proposal, such that the cost of the capacity required to be maintained on behalf of Colwood, as is necessary during the approval process, and in the event that the Province requires the CRD to maintain redundant capacity in the event of regulatory non-compliance, is fairly compensated, and
- c) Colwood having completed all necessary plans and approvals to enable commencing construction of the proposed components of the sewage system.

CARRIED

4. Motion for Which Notice has Been Received, Director Hamilton, re: an amendment to the Core Area Liquid Waste Management Plan (Amendment #10)

The item was withdrawn because it was not forwarded by the Committee since the previous item, 5.1.3, dealt with the request from the City of Colwood.

5.2 ELECTORAL AREA SERVICES COMMITTEE – February 19, 2014

1. Referral Request Beecher Bay First Nation Proposed Addition to Reserve

MOVED by Director Hicks, **SECONDED** by Director Howe,
That staff be directed to draft a letter of response to Aboriginal Affairs and Northern Development citing 'no objection' to the proposed Addition to Beecher Bay First Nation Reserve.

CARRIED

2. Mail Ballot Voting and Provincial Voters List

MOVED by Director McIntyre, **SECONDED** by Director Howe,
a) That staff work with the Islands Trust and the School Districts to obtain their commitment to implement mail ballot voting in the electoral areas for the 2014 Local Government Election; and
b) That staff amend the Elections Bylaw to allow for mail ballot voting and to permit the use of the Provincial Voters List to register resident electors only for use in General Local Elections and other voting opportunities.

CARRIED

3. Procurement of a Fire Truck for the North Galiano Island Fire Protection and Emergency Response Service

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That the procurement of a fire truck for the North Galiano Island Fire Protection and Emergency Response Service from Hub Fire Engines & Equipment Ltd. for the price of \$249,631.20 (including taxes) be approved.

CARRIED

5.3 FINANCE COMMITTEE – March 5, 2014

1. 2014 Finance Committee Terms of Reference

MOVED by Director Blackwell, **SECONDED** by Director Brice,
That the revised 2014 Finance Committee terms of reference as attached in Appendix A to the staff report be approved.

CARRIED

2. Bylaws No. 3939, 3940 and 3944 - Capital Reserve Funds for the Galiano Island Community Use Building Service, the Salt Spring Island Public Library Service, and the North Galiano Island Fire Protection and Emergency Response Service

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3939, "Galiano Island Community Use Building Capital Reserve Fund Bylaw No. 1, 2014" be introduced and read a first and second time.

CARRIED

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3939 be read a third time.

CARRIED

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3939 be adopted.

CARRIED

MOVED by Director McIntyre, **SECONDED** by Director Howe,
That Bylaw No. 3940, "Salt Spring Island Public Library Capital Reserve Fund Bylaw
No. 1, 2014" be introduced and read a first and second time.

CARRIED

MOVED by Director McIntyre, **SECONDED** by Director Howe,
That Bylaw No. 3940 be read a third time.

CARRIED

MOVED by Director McIntyre, **SECONDED** by Director Howe,
That Bylaw No. 3940 be adopted.

CARRIED

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3944, "North Galiano Island Fire Protection and Emergency
Response Capital Reserve Fund Bylaw No. 1, 2014" be introduced and read a first
and second time.

CARRIED

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3944 be read a third time.

CARRIED

MOVED by Director Howe, **SECONDED** by Director McIntyre,
That Bylaw No. 3944 be adopted.

CARRIED

3. Bylaws No. 3930, 3932 and 3933 for Administration of Reserve Funds

MOVED by Director Desjardins, **SECONDED** by Director Brice,
That Bylaw No. 3930, "Office Facilities Capital Reserve Fund Transfer Bylaw No. 1,
2014" be introduced and read a first and second time.

CARRIED

MOVED by Director Desjardins, **SECONDED** by Director Brice,
That Bylaw No. 3930 be read a third time.

CARRIED

MOVED by Director Desjardins, **SECONDED** by Director Hill,
That Bylaw No. 3930 be adopted.

CARRIED

MOVED by Director Desjardins, **SECONDED** by Director Hill,
That Bylaw No. 3932, “Family and Children’s Court Building Capital Reserve Fund
Bylaw No. 1, 2014” be introduced and read a first and second time.

CARRIED

MOVED by Director Desjardins, **SECONDED** by Director Hill,
That Bylaw No. 3932 be read a third time.

CARRIED

MOVED by Director Desjardins, **SECONDED** by Director Hill,
That Bylaw No. 3932 be adopted.

CARRIED

MOVED by Director Desjardins, **SECONDED** by Director Hill,
That Bylaw No. 3933, “Family and Children’s Court Building Capital Reserve Fund
Transfer Bylaw No. 1, 2014” be introduced and read a first and second time.

CARRIED

MOVED by Director Desjardins, **SECONDED** by Director Hill,
That Bylaw No. 3933 be read a third time.

CARRIED

MOVED by Director Desjardins, **SECONDED** by Director Hill,
That Bylaw No. 3933 be adopted.

CARRIED

**4. Bylaw No. 3942—Sooke Region Historical Society Service Establishment
Bylaw Amendment to Increase the Maximum Allowable Requisition**

MOVED by Alternate Director Kasper, **SECONDED** by Director Hicks,
That Bylaw No. 3942, “Sooke Region Historical Society Service Establishment Bylaw
No. 1, 2011, Amendment Bylaw No. 2, 2014” be introduced and read a first and
second time.

CARRIED

MOVED by Alternate Director Kasper, **SECONDED** by Director Hicks,
That Bylaw No. 3942 be read a third time.

CARRIED

5. Juan de Fuca (JDF) Electoral Area Director Travel Expenses

Director Hicks left the meeting at 1:46 pm after declaring a conflict of interest because he is the Juan de Fuca Electoral Area Director who made the reimbursement request.

MOVED by Director Isitt, **SECONDED** by Director Blackwell,
That the Juan de Fuca Electoral Area Director be reimbursed \$600 for travel relating to his involvement in the construction of the Juan de Fuca Administration Building.

CARRIED

Director Hicks returned to the meeting at 1:47 pm.

6. Service Fee Agreement Re Sewer Charges—City of Colwood

MOVED by Director Young, **SECONDED** by Director Hill,
That the CRD agree to terminate the existing Service Fee agreement and enter into and approve a new agreement with the City of Colwood to pay by annual service fee for their share of the annual sewer operating costs within the Liquid Waste Management Core Area and Western Communities on or before August 1.

CARRIED

5.4 GOVERNANCE COMMITTEE – March 5, 2014

1. Electronic Agendas—Additional Information

MOVED by Director Blackwell, **SECONDED** by Director Brice,
1) That the revised Electronic Agenda Governance Policy and Electronic Agenda Devices Policy be approved as attached to the staff report;
2) That staff roll out the modified version of Phase 1 of the eAgenda project for the remainder of 2014 for Directors that would like to participate; and
3) That the full launch (Phase 1 and 2) of the eAgenda project be scheduled for the new Board following the Local Government Election.

CARRIED

2. CRD Meeting Procedures—Additional Information

MOVED by Director Blackwell, **SECONDED** by Director Brice,
1) That staff be directed to prepare an amendment to Bylaw No. 3828, "CRD Board Procedures Bylaw, 2012" as follows:
a) Allow for electronic participation at local service committee, service committees and commission meetings as defined in the Procedures Bylaw with the following restrictions:
i) The member presiding must not participate electronically;
ii) Only one member may participate via electronic means at a meeting;
iii) If more than one member wishes to participate via electronic means then the member will be chosen by lot;

- iv) The member must advise the Corporate Officer or designate at least 24 hours in advance of the meeting; and
 - v) Electronic participation will only be permitted where technical capabilities currently exist;
 - b) Amend the time limit for delegations to four (4) minutes and allow for a maximum of 15 delegations per meeting;
 - c) Request that all delegations submit their comments in writing in advance of the meeting;
 - d) Require a Board or Committee resolution to allow for a meeting to extend beyond three hours;
 - e) Delete Section 22(6)(b) which allows a Notice of Motion to be presented seven days in advance for consideration at the upcoming meeting;
 - f) Include a section regarding the handling of correspondence from another government or government agency indicating that it shall be placed on an agenda in consultation with the Chair;
 - g) Require that the correspondence be accompanied by a staff report at the request of the Chair; and
 - h) Require that any other correspondence shall be placed on an agenda at the request of the Chair or by way of Notice of Motion; and
- 2) That staff, in consultation with the Chair of the Board, committee or commission, designate a location in the meeting room from which members of the public and press shall locate their recording devices.

On the motion, discussion ensued on the requirement for delegations to submit comments in writing prior to a meeting because this may be onerous given the short timeframe. It was noted that the intent was not to make it mandatory.

MOVED by Director Blackwell **SECONDED** by Director Isitt,
That 1) c) of the motion be amended to delete the word “request” and to add the word “may before “submit”.

CARRIED

Regarding 1) e), concern was expressed that by preventing a Notice of Motion to be put directly onto an agenda when received in advance of a meeting in order for a staff report to be prepared, would take away from a member’s right to add an item and would cause an unnecessary one month’s delay.

MOVED by Director Isitt, **SECONDED** by Director Hill,
That the motion be amended to delete 1) e): *Delete Section 22(6)(b) which allows a Notice of Motion to be presented seven days in advance for consideration at the upcoming meeting.*

CARRIED
Blackwell, Brownoff, Bryson **OPPOSED**

Discussion ensued regarding:

- striking a balance between receiving public input at a meeting and allowing enough time for member discussion and consideration of agenda items; and
- standardizing the time for a delegation to be heard.

MOVED by Director Ranns, **SECONDED** by Director Derman,
That the motion be amended to delete 1) b): *Amend the time limit for delegations to four (4) minutes and allow for a maximum of 15 delegations per meeting.*

CARRIED
Kasper, Young, OPPOSED

MOVED by Director Isitt, **SECONDED** by Alternate Director Madoff,
That the motion be amended to add: *Amend the time limit for delegations to four (4) minutes.*

MOVED by Director Derman, **SECONDED** by Director Blackwell,
That the above amending motion be referred to the Governance Committee for further discussion.

CARRIED
Howe, Isitt, Madoff, OPPOSED

The question was called on the main motion, as amended:

- 1) That staff be directed to prepare an amendment to Bylaw No. 3828, "CRD Board Procedures Bylaw, 2012" as follows:
 - a) Allow for electronic participation at local service committee, service committees and commission meetings as defined in the Procedures Bylaw with the following restrictions:
 - i) The member presiding must not participate electronically;
 - ii) Only one member may participate via electronic means at a meeting;
 - iii) If more than one member wishes to participate via electronic means then the member will be chosen by lot;
 - iv) The member must advise the Corporate Officer or designate at least 24 hours in advance of the meeting; and
 - v) Electronic participation will only be permitted where technical capabilities currently exist;
 - b) That all delegations may submit their comments in writing in advance of the meeting;
 - c) Require a Board or Committee resolution to allow for a meeting to extend beyond three hours;
 - d) Include a section regarding the handling of correspondence from another government or government agency indicating that it shall be placed on an agenda in consultation with the Chair;
 - e) Require that the correspondence be accompanied by a staff report at the request of the Chair; and
 - f) Require that any other correspondence shall be placed on an agenda at the request of the Chair or by way of Notice of Motion; and

- 2) That staff, in consultation with the Chair of the Board, committee or commission, designate a location in the meeting room from which members of the public and press shall locate their recording devices.

CARRIED

3. Freedom of Information and Protection of Privacy Act—Bylaw No. 3945

MOVED by Director Blackwell, **SECONDED** by Director Brownoff,
That Bylaw No. 3945, “Freedom of Information and Protection of Privacy Bylaw No. 1, 2014” be introduced and read a first and second time.

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Brownoff,
That Bylaw No. 3945 be read a third time.

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Brownoff,
That Bylaw No. 3945 be adopted.

CARRIED

5.5 JUAN DE FUCA LAND USE COMMITTEE – VOTING BLOCK A – February 18, 2014

1. Rezoning Application – Board Voting Block A

Z-02-12 - Lot B, District Lot 17, Renfrew District, Plan VIP88597 and that part of District Lot 17, Renfrew District shown outlined in red on Plan 347R (Three Point Properties (2006) Ltd. & 0932694 BC Ltd. – Baird Road)

MOVED by Director Hicks, **SECONDED** by Alternate Director Kasper,
That proposed Bylaw No. 3791, “Comprehensive Community Development Plan for Port Renfrew Bylaw No. 1, 2003, Amendment Bylaw No. 4, 2014” for Lot B, District Lot 17, Renfrew District, Plan VIP88597 and that part of District Lot 17, Renfrew District shown outlined in red on Plan 347R, be referred to a public information meeting and to the appropriate CRD departments and the following agencies for comment:

BC Hydro	Pacheedaht First Nation
Cowichan Valley Regional District	Port Renfrew Fire Department
Island Health	Port Renfrew Utilities Commission
Ministry of Transportation and Infrastructure	RCMP
	Sooke School District #62

CARRIED

2. Proposed Bylaw – Board Voting Block A
Bylaw No. 3849, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 112, 2014”

MOVED by Director Hicks, **SECONDED** by Director Kasper,
That proposed Bylaw No. 3849, “Juan de Fuca Land Use Bylaw, 1992, Amendment
Bylaw No. 112, 2014” be referred to appropriate CRD departments and agencies for
comment:

Agricultural Advisory Planning Commission	Otter Point Advisory Planning Commission
Agricultural Land Commission	Otter Point Fire Department
BC Hydro	Pacheedaht First Nation
District of Sooke	RCMP
East Sooke Advisory Planning Commission	Scia'new First Nation
East Sooke Fire Department	Shirley/Jordan River Advisory Planning Commission
Island Health	Shirley Fire Department
Ministry of Agriculture	Sooke School District #62
Ministry of Transportation and Infrastructure	T'Sou-ke First Nation

CARRIED

6. ADMINISTRATION REPORTS

6.1 Alternative Approval Process Results – Regional Water Supply Loan Authorization (Bylaw No. 3902)

MOVED by Director Derman, **SECONDED** by Director Blackwell,
That the Certificate of Results of Alternative Approval Process for Bylaw No. 3902,
attached to the staff report, be received.

CARRIED

MOVED by Director Derman, **SECONDED** by Director Blackwell,
That Bylaw No. 3902, “Regional Water Supply Water Works Facilities Loan Authorization
Bylaw No. 1, 2013”, be adopted.

CARRIED

6.2 Kinder Morgan’s Trans Mountain Pipeline Expansion Project – Approach for National Energy Board Public Hearing Process

MOVED by Alternate Director Kasper, **SECONDED** by Director Isitt,

A) That staff be directed to focus the gathering of evidence and documentation for the
National Energy Board Public Hearing process around the expansion of the Trans
Mountain Pipeline on Item 5:

- The potential environmental and socio-economic effects of marine shipping activities that would result from the proposed Project, including the potential effects of accidents or malfunctions that may occur;

- B) That the CRD's participation as an Intervenor in the NEB Public Hearing Process be funded from the Legislative and General budget and that staff be directed to amend the 2014 Financial Plan to requisition up to \$100,000 from the CRD member municipalities and electoral areas; and
- C) That staff collaborate with other local governments that have applied to participate in the process.

On the motion, there was general consensus on still trying for Intervenor status. However, there was concern about the \$100,000 estimated cost, especially without municipal council approval. It was felt that many of the Intervenors would be interested in Item 5, but that the CRD could have a different focus such as what safeguards are in place to prevent a spill and what would be the emergency response. A simpler approach in preparing the submission and garnering input was also discussed.

MOVED by Director Derman, **SECONDED** by Director Isitt,
That the motion be amended by replacing \$100,000 with \$50,000 in recommendation B).

MOVED by Director Fortin, **SECONDED** by Director Blackwell,
That the question on the amending motion be called.

DEFEATED
Brice, Bryson, Daly, Hicks, Howe, McIntyre, Ranns, Wergeland, Young **OPPOSED**

Director Howe left the meeting at 3:12 pm.

Since the budget would depend on both the focus and approach to be used, it was determined that a select committee should be established to work on how to proceed.

MOVED by Director Brownoff, **SECONDED** by Director Cross,
That the motion and the amendment be referred to a select committee to be established by the Board Chair.

CARRIED

6.3 Redistribution of Gas Tax - Regional Significant Projects Fund (RSPF)

MOVED by Director Seaton, **SECONDED** by Director Brice,
That the recommendation to redistribute \$750,000 of Regional Significant Project Fund to the following projects be endorsed:

\$80,000	Expansion of Lochside Trail Linkages and Solar Lighting
\$150,000	Wallace Drive Bike Lanes
\$260,000	Leigh Road Upgrade including Bike Lanes
\$260,000	Buffered Bike Lanes on Craigflower Road/Skinner Street.

CARRIED

7. BYLAWS

7.1 Bylaw No. 3720, “Comprehensive Community Plan for Willis Point Bylaw No. 1, 2002, Amendment Bylaw No. 1, 2013” – BOARD VOTING BLOCK B

MOVED by Director Hicks, **SECONDED** by Director Blackwell,
That Bylaw No. 3720 be adopted.

CARRIED

8. NEW BUSINESS – None.

9. MOTION TO CLOSE THE MEETING

MOVED by Director Brice, **SECONDED** by Director Blackwell,
That the Board close the meeting in accordance with the Community Charter, Part 4, Division 3, 90(1) (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district (Items 3.1.2 and 5.1); (c) labour relations or other employee relations (item 4.1) (e) the acquisition, disposition or expropriation of land or improvements, if the Board considers that disclosure could reasonably be expected to harm the interests of the regional district (Item 3.1.3, 3.1.4); (k) negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the Board, could reasonably be expected to harm the interests of the regional district if they were held in public (item 3.2.1); (m) a matter that, under another enactment, is such that the public may be excluded from the meeting (Item 3.1.1); and (2)(b) the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party (Item 3.1.5)

CARRIED

The Board closed the meeting at 3:20 and rose and reported at 4:27 pm.

10. RISE AND REPORT

1. Core Area and West Shore Sewage Treatment – Appointment of Technical and Community Advisory Committee Member

Janice Rose was appointed to the Core Area and West Shore Sewage Treatment Technical and Community Advisory Committee to represent the Esquimalt First Nation.

2. Appointments to CRD Committees and Commissions

The following persons were appointed to the **Malahat, Willis Point Area Board of Variance**, for a term to expire March 12, 2016: Robert Hall (Malahat), Donald Robin (Willis Point).

11. ADJOURNMENT

MOVED by Director Blackwell, **SECONDED** by Director Seaton,
That the meeting be adjourned at 4:27 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER