

Meeting Minutes
Capital Regional District Board

Wednesday, April 8, 2015

1:30 PM

6th Floor Boardroom

Present:

Directors: N. Jensen (Chair), D. Howe (Vice Chair), R. Atwell, M. Alto, D Blackwell, S. Brice, J. Brownoff, V. Derman, B. Desjardins, A. Finall, C. Hamilton, L. Helps, M. Hicks, B. Isitt, R. Kasper (M. Tait), P. Lake (for W. McIntyre), C. Plant, S. Price, J. Ranns, D. Screech, L. Seaton, K. Williams, R. Windsor (1:48) 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; K. Lorette, General Manager, Planning and Protective Services; A. Orr, Senior Manager, Corporate Communications; S. Santarossa, Corporate Officer, A. Bains, Manager, Information Services and S. Norton, Deputy Corporate Officer (Recorder)
Also Present: Alternate Director C. Day

The Chair called the meeting to order at 1:36 pm.

1. APPROVAL OF THE AGENDA

MOVED by Director Desjardins, **SECONDED** by Director Helps,
That the agenda and the supplementary agenda be approved.
CARRIED

MOVED by Director Isitt, **SECONDED** by Director Helps,
That the following late delegations be allowed to address the Board regarding item 9: Rupert Yakelashek, Franny Yakelashek and Victoria Councillor Jeremy Loveday.
CARRIED UNANIMOUSLY

2. ADOPTION OF MINUTES

2.1. 15-317 Minutes of Meeting of March 11, 2105

Moved by Director Screech, **seconded** by Director Brice,
That the minutes of the meeting of March 11, 2015 be adopted.
CARRIED

3. REPORT OF THE CHAIR

Chair Jensen noted that with the extension of the Conditional Financial Agreement for the Biosolids Energy Agreement by PPP Canada, and with the accomplishment of other matters related to the Core Area Wastewater Treatment Program, he will step down as Chair of the Core Area Liquid Waste Management Committee and Director Helps has

been appointed as Committee Chair.

4. PRESENTATIONS/DELEGATIONS

4.1 Presentations

4.2 Delegations

4.2.1 Delegation: Bryan Gilbert re Item 5.1 and 5.2

Bryan Gilbert, using a PowerPoint presentation, outlined how wastewater treatment and resource recovery could be a revenue generator. The delegation's presentation is on file with Legislative and Information Services.

Director Windsor entered the meeting at 1:47 pm.

4.2.2 Delegation: Rupert Yakelashek re Item 5.9

Rupert Yakelashek spoke in favour of the CRD endorsing the Declaration Recognizing the Right to a Healthy Environment being put forward by the David Suzuki Foundation. The delegation's speaking notes are on file with Legislative and Information Services.

4.2.3 Delegation: Franny Yakelashek re Item 5.9

Franny Yakelashek spoke in favour of the CRD endorsing the Declaration Recognizing the Right to a Healthy Environment being put forward by the David Suzuki Foundation. The delegation's speaking notes are on file with Legislative and Information Services.

4.2.4 Delegation: Victoria Councillor Jeremy Loveday

Victoria Councillor Jeremy Loveday spoke in favour of the CRD endorsing the Declaration Recognizing the Right to a Healthy Environment being put forward by the David Suzuki Foundation.

5. REPORTS OF COMMITTEES

Core Area Liquid Waste Management Committee

- | | | |
|-----|--------|---|
| 1. | 15-307 | Seatterra Program and Budget Update 21 |
| | | Moved by Director Derman, seconded by Director Blackwell,
That the Seatterra Program and Budget Update 21 be received for
information.
CARRIED |
| 2. | 15-329 | Core Area Wastewater Treatment and Resource Recovery Project -
Request for Technical Information |
| | | Moved by Director Desjardins, seconded by Director Derman,
That the report be received for information.
CARRIED |
| New | 15-333 | Biosolids Funding Agreement |

Moved by Director Brownoff, seconded by Director Alto,
That this report be received for information.
CARRIED

Electoral Area Services Committee

3. Grants-In-Aid

MOVED by Director Hicks, SECONDED by Director Howe,
That payment be made for the following grants in aid:
1) Juan de Fuca Grant in Aid as approved by Director Hicks
* Juan de Fuca Rural Publication Society \$2,000
* Otter Point, Shirley & Jordan River Resident and Ratepayers Assoc. \$600
2) Salt Spring Island Grant in Aid as approved by Director McIntyre
* Spirit Point Dragon Boat Club \$1,000
3) Southern Gulf Islands Grant in Aid as approved by Director Howe
* Galiano Allotment Society \$3,500
* Galiano Island Recycling Resources \$1,475
* Saturna Island Marine Research & Education Society (SIMRES) \$5,500
CARRIED

4. 15-254 Bylaws No. 3987 And 3993 - Fees and Charges Update for Utilities Within the Three Electoral Areas

Moved by Director Hicks, seconded by Director Howe,
That Bylaw No. 3987, cited as "Southern Gulf Islands and Juan de Fuca Electoral Areas Utilities and Street Lighting Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 3, 2015" be introduced and read a first and second time.
CARRIED

Moved by Director Hicks, seconded by Director Howe,
That Bylaw No. 3987 be read a third time.
CARRIED

Moved by Director Hicks, seconded by Director Howe,
That Bylaw No. 3987 be adopted.
CARRIED

Moved by Director Hicks, seconded by Director Howe,
That Bylaw No. 3993, cited as "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 4, 2015" be introduced and read a first and second time.
CARRIED

Moved by Director Hicks, seconded by Director Howe,
That Bylaw No. 3993 be read a third time.
CARRIED

Moved by Director Hicks, seconded by Director Howe,
That Bylaw No. 3993 be adopted.
CARRIED

5. 15-269 Toward a More Resilient Salt Spring - 2014 & 2015 Action Plan, Salt Spring Island Economic Development Commission

Moved by Alternate Director Lake, seconded by Director Howe,
That the 2014 and 2015 Action Plan, Salt Spring Island Economic
Development Commission be approved.
CARRIED

6. 15-280 Request for Gas Tax Funding for Juan de Fuca Recreation Projects in
2015

Moved by Director Hicks, seconded by Director Howe,
That the Juan de Fuca Area Parks and Recreation projects be funded as
appropriate Gas Tax initiatives.
CARRIED

Environmental Services Committee

7. 15-256 Award of Contract 15-1826 - Processing and Marketing Scrap Metals
and White Goods

Moved by Director Brownoff, seconded by Director Desjardins,
That Contract 15-1826, Processing and Marketing Scrap Metals and White
Goods, be awarded to Schnitzer Steel Canada Ltd. in the tendered amount of
\$97,020.00 (inclusive of GST) for the first year of the contract (12 months).
CARRIED

8. 15-262 The Partnership for Water Sustainability in BC - Inter-Regional
Education Initiative

Moved by Director Brownoff, seconded by Director Price,
That continued participation by the Capital Regional District in the Georgia
Basin Inter-Regional Education Initiative be endorsed and supported.
CARRIED

9. 15-263 Declaration Recognizing the Right to a Healthy Environment in the
Capital Regional District

Moved by Director Isitt, seconded by Director Hicks,
WHEREAS the Capital Regional District understands that people are part of
the environment, and that a healthy environment is inextricably linked to the
well-being of our community;
AND WHEREAS the David Suzuki Foundation Blue Dot Tour has inspired
many Canadians to request that the right to a healthy environment be
enshrined in the Canadian Charter of Rights and Freedoms;
THEREFORE BE IT RESOLVED THAT the Capital Regional District endorses the
following declaration:

"All people have the right to live in a healthy environment, including:
The right to breathe clean air;
The right to drink clean water;
The right to consume safe food;
The right to access nature;
The right to know about pollutants and contaminants released into the local
environment;
The right to participate in decision-making that will affect the environment.

The Capital Regional District has the responsibility, within its jurisdiction, to respect, protect, fulfill and promote these rights.

By December 31st, 2016, the Capital Regional District will consider objectives, targets, timelines and actions within its jurisdiction to fulfill residents' right to a healthy environment including options to:

- Ensure equitable distribution of environmental benefits and burdens within the region, preventing the development of pollution "hot spots";
- Ensure infrastructure and development projects protect the environment, including air quality;
- Address climate change by reducing greenhouse gas emissions and implementing adaptation measures;
- Responsibly increase density;
- Prioritize walking, cycling and public transit as preferred modes of transportation;
- Ensure adequate infrastructure for the provision of safe and accessible drinking water;
- Promote the availability of safe foods;
- Reduce solid waste and promote recycling and composting;
- Establish and maintain accessible green spaces in all residential neighbourhoods.

The Capital Regional District shall review these objectives, targets, timelines and actions every five (5) years, and evaluate progress towards fulfilling this declaration.

The Capital Regional District shall consult with residents as part of this process."

Moved by Director Brownoff, seconded by Director Isitt,
That the motion be amended to add the following before the paragraph beginning with the words "By December 31st, 2016...":
"The Capital Regional District will apply the precautionary principle. Where threats of serious or irreversible damage to human health or the environment exist, the Capital Regional District will take cost effective measures to prevent the degradation of the environment and protect the health of its citizens. Lack of full scientific certainty shall not be viewed as sufficient reason for Capital Regional District to postpone such measures."

Alternate Director Lake left the meeting at 3:05 pm.

15-263 Declaration Recognizing the Right to a Healthy Environment in the Capital Regional District

Moved by Director Finall, seconded by Director Price,
That the item be referred back to staff for further review and legal advice.

DEFEATED

OPPOSED Atwell, Alto, Blackwell, Brice, Brownoff, Derman, Desjardins, Hamilton, Helps, Hicks, Howe, Isitt, Jensen, Kasper, Plant, Ranns, Screech, Seaton, Williams, Windsor and Young

The question was called on the amendment to the motion.

DEFEATED

OPPOSED Atwell, Blackwell, Desjardins, Hamilton, Hicks, Howe, Jensen, Kasper, Plant, Price, Ranns, Screech, Seaton and Young

The question on the main motion was called.

DEFEATED

OPPOSED Atwell, Blackwell, Desjardins, Finall, Hamilton, Hicks, Howe, Jensen, Kasper, Price, Ranns, Seaton and Young

Moved by Director Plant, seconded by Director Desjardins,
That the modified staff declaration be approved.

Moved by Director Desjardins, seconded by Director Isitt,
That the motion be amended to add the following sentence:

"By December 31st, 2016 , the Capital Regional District will consider objectives, targets , timelines and actions within its jurisdiction to fulfill residents' right to a healthy environment."

CARRIED

OPPOSED Howe and Ranns

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

WHEREAS the David Suzuki Foundation Blue Dot Tour has inspired many Canadians to request that the right to a healthy environment be enshrined in the Charter of Rights and Freedoms through support of the following motion;
AND WHEREAS the Capital Regional District understands that people are part of the environment and that a healthy environment is inextricably linked to the well-being of our community;

AND WHEREAS the Capital Regional District has the opportunity to endorse the Declaration of the Right to a Healthy Environment, joining Canadian cities in reaffirming our commitment to social, environmental and economic sustainability;

THEREFORE BE IT RESOLVED THAT the Capital Regional District endorse the following declaration:

"That all people have the right to live in a healthy environment, including:

- The right to breathe clean air;
- The right to drink clean water;
- The right to consume safe food;
- The right to access nature;
- The right to know about pollutants and contaminants released into the local environment;
- The right to participate in decision-making that will affect the environment.

AND BE IT FURTHER RESOLVED THAT by December 31st, 2016 , the Capital Regional District will consider objectives, targets , timelines and actions within its jurisdiction to fulfill residents' right to a healthy environment;

AND BE IT FURTHER RESOLVED THAT the Capital Regional District Board forward this resolution to the Annual Meeting of the Association of Vancouver Island and Coastal Communities, the Union of British Columbia Municipalities and the Federation of Canadian Municipalities, requesting favourable consideration by delegates at the 2015 annual meetings of these Associations."

CARRIED

OPPOSED Blackwell, Ranns, Seaton

Finance Committee

10. 15-285 Capital Regional District (CRD) Grant Processes

Moved by Director Howe, seconded by Director Brice,
That the report be received for information.

CARRIED

Director Isitt left the meeting at 3:30 pm.

- 11. 15-286** Capital Regional District (CRD) Schedule of Capital Reserves

Moved by Director Howe, seconded by Director Desjardins,
That the report be received for information.

CARRIED

Director Isitt returned to the meeting at 3:33 pm.

- 12. 15-293** Capital Regional District (CRD) Board of Directors Remuneration

Moved by Director Howe, seconded by Director Ranns,

- 1) That a consulting firm be engaged to work with the Finance Committee to develop options for an updated compensation philosophy and proposed adjustments to the Board remuneration structure; and
- 2) That following receipt of the report by the consultant that the Finance Committee undertake to consider appropriate public input.

CARRIED

OPPOSED Alto, Atwell, Isitt, Kasper, Plant, Young

Directors Plant and Screech left the meeting at 4:02 pm.

Governance Committee

- 13. 15-258** 2015 Governance Committee Terms of Reference

Moved by Director Blackwell, seconded by Director Brice,

- 1) That section 2.0 - Establishment and Authority, first bullet, be replaced with the following: "The committee will make recommendations directly to the Capital Regional District Board for consideration";
- 2) That Section 2.0, third bullet, be replaced with the following: "It is expected the committee will meet quarterly or at the call of the chair"; and
- 3) That the terms of reference for the 2015 Governance Committee as attached in Appendix A of the staff report, as amended, be approved.

CARRIED

OPPOSED Alto, Isitt, Ranns, Williams

- 14. 15-282** Freedom of Information and Protection of Privacy Act (FOIPPA) - 2014 Overview

Moved by Director Blackwell, seconded by Director Windsor,

That the Freedom of Information and Protection of Privacy Act (FOIPPA) - 2014 Overview report be received for information.

CARRIED

- 15. 15-287** Meeting Procedures - Delegations, Presentations and Intergovernmental Relations

Moved by Director Blackwell, seconded by Director Windsor,

That Bylaw No. 4024, "Capital Regional District Board Procedures Bylaw,

2012, Amendment Bylaw No. 3, 2015", be amended under 1(c) 14.3 to change the wording from "agreed by 2/3 majority vote" to "approved by a majority vote" before "of those Members present".

CARRIED

Moved by Director Blackwell, seconded by Director Windsor,
That Bylaw No. 4024 "Capital Regional District Board Procedures Bylaw, 2012, Amendment Bylaw No. 3, 2015", as amended, be introduced and read a first and second time.

CARRIED

Moved by Director Blackwell, seconded by Director Windsor,
That Bylaw No. 4024, as amended, be read a third time.

CARRIED

Moved by Director Blackwell, seconded by Director Windsor,
That Bylaw No. 4024, as amended, be adopted.

CARRIED

- 16. 15-288** CRD Meeting Procedures - Sharing of Closed Meeting Information and Alternate Directors

Moved by Director Blackwell, seconded by Director Windsor,
That Alternate Directors be required to sign the Non-disclosure/Confidentiality Agreement attached to the staff report.

CARRIED

- 17. 15-289** Email Policy for CRD Directors and Alternate Directors

Moved by Director Blackwell, seconded by Director Windsor,
That the policy, attached to the staff report, recommending the use of a CRD email address by all Board Directors and Alternates when conducting CRD business, be approved

CARRIED

OPPOSED Alto, Isitt, Ranns, Williams,

Alternate Director Kasper left the meeting at 4:06 pm.

Juan De Fuca Land Use Committee

Director Hicks left the meeting at 4:07 pm stating that he had a conflict of interest because his daughter was the owner of restaurant involved in this application.

- 18. 15-302** Official Community Plan and Zoning Amendment for Lot 1, District Lot 17, Renfrew District, Plan VIP79040 - BOARD VOTING BLOCK A

Moved by Director Blackwell, seconded by Director Ranns,
That Bylaw No. 3986, "Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 7, 2014" be introduced and read a first and second time.

CARRIED

Director Brownoff left the meeting at 4:07 pm.

- 15-302** Official Community Plan and Zoning Amendment for Lot 1, District Lot 17, Renfrew District, Plan VIP79040 - BOARD VOTING BLOCK A

Moved by Director Blackwell, seconded by Director Ranns,
That, in accordance with the provisions of Section 890 and 891 of the Local Government Act, the Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 3986, "Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 7, 2014".

CARRIED

Director Hicks returned to the meeting at 4:07 pm. Director Price left the meeting at 4:07 pm.

- 19. 15-303** Bylaw No. 3941 "Juan de Fuca Electoral Area Soil Removal or Deposit Bylaw No. 2, 2015" (ALL DIRECTORS VOTE)

Moved by Director Hicks, seconded by Director Blackwell,
That proposed Bylaw No. 3941, "Juan de Fuca Electoral Area Soil Removal or Deposit Bylaw No. 2, 2015", as amended, which repeals and replaces Bylaw No. 3297, "Juan de Fuca Electoral Area Soil Removal or Deposit Bylaw No. 1, 2006" be referred to a public information meeting and appropriate CRD departments and the following agencies for comment:

Agricultural Land Commission
Archaeology Branch (FLNRO)
BC Hydro
City of Colwood
City of Langford
Cowichan Tribes
Cowichan Valley Regional District
District of Central Saanich
District of Highlands
District of Metchosin
District of Saanich
District of Sooke
Island Health
Malahat First Nation
Managed Forest Land Council
Ministry of Agriculture
Ministry of Energy and Mines
Ministry of Environment
Ministry of Forests, Land and Natural Resource Operations (FLNRO)
Ministry of Transportation and Infrastructure
Pacheedaht First Nation
School District #62, # 63 and #79
Scia'new First Nation
T'Sou-ke First Nation

CARRIED

Planning, Transportation and Protective Services Committee

- 20. 15-246** Determination of Regional Growth Strategy Consistency for the Comprehensive Community Plan for Willis Point

Moved by Director Finall, seconded by Director Helps,
That the proposed Bylaw No. 3996, Comprehensive Community Plan for Willis
Point Bylaw No. 1, 2002 Amendment Bylaw No. 4, 2015, be reviewed as it
relates to the Regional Growth Strategy (RGS) and deemed consistent with
the RGS.
CARRIED

6. ADMINISTRATION REPORTS

- 6.1. 15-272 Public Hearing Report on Bylaw No. 3973, "Juan de Fuca Land Use Bylaw,
1992, Amendment Bylaw No. 122, 2014" - BOARD VOTING BLOCK A

Moved by Director Hicks, seconded by Director Blackwell,
That the minutes that form the Report of the Public Hearing, which is certified as
a fair and accurate summary of the representations that were made at the Public
Hearing held on March 2, 2015 for Bylaw No. 3973, "Juan de Fuca Land Use
Bylaw, 1992, Amendment Bylaw No. 122, 2014" be received.
CARRIED

Moved by Director Hicks, seconded by Director Blackwell,
That Bylaw No. 3973 be read a third time.
CARRIED

Director Price returned to the meeting at 4:09 pm.

- 6.2. 15-299 Magic Lake Estates Wastewater System Assent Voting for Bylaw No.
4008

Moved by Director Howe, seconded by Director Hicks,
1) That Thomas F. Moore be appointed as Chief Election Officer with the power to
appoint a Deputy Chief Election Officer(s);
2) That the wording of the bylaw question for the purposes of the ballot shall be
as follows:

Are you in favour of the Capital Regional District (CRD) Board adopting Bylaw No.
4008, "Magic Lake Estates Wastewater System Loan Authorization Bylaw No. 1,
2015", authorizing the Capital Regional District to borrow an amount up to but
not to exceed SIX MILLION FIFTY THOUSAND DOLLARS (\$6,050,000) for the
purpose of administering, planning, designing, acquiring and constructing the
capital renewal and upgrade of the Magic Lake Estates Wastewater System.
YES or NO?;

3) That General Voting Day be held on Saturday, June 27, 2015 with the Advance
Voting opportunities held on Wednesday, June 18 and Wednesday, June 25 at
voting places to be determined by the Chief Election Officer;

4) That the synopsis of Bylaw No. 4008, attached as Appendix A, be approved for
advertising purposes.

CARRIED

Director Brownoff returned to the meeting at 4:11 pm. Director Price left the meeting at 4:12 pm.

- 6.3. 15-323 Board Strategic Plan Update

Moved by Director Helps, seconded by Vice Chair Howe,
That the staff report PPS/RSP 2015-08 Board Strategic Plan Update be received

for information and staff be directed to gather additional information on identified possibilities and organize a follow-up Board exercise to determine priorities.

CARRIED

7. BYLAWS

- 7.1. 15-316 Bylaw No. 3964, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 121, 2014" - BOARD VOTING BLOCK A

Moved by Director Hicks, seconded by Director Blackwell,
That Bylaw No. 3964 be adopted.

CARRIED

8. NEW BUSINESS

9. MOTION TO CLOSE THE MEETING

- 9.1. 15-322 Motion to Close the Meeting

Moved by Director Derman, seconded by Director Brice,
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.

(CARRIED)

The Board moved to closed session at 4:13 pm and rose and reported at 4:58 pm.

10. RISE AND REPORT

The following person was appointed to the Beddis Water Service Commission for a term to expire December 31, 2016: Geoff Bartol.

The following persons were appointed to the CREST Board for a term to expire May 31, 2017: Jeri Grant (Juan de Fuca Electoral Area), Rob Reeleder (Southern Gulf Islands Electoral Area), Elizabeth Zook (Salt Spring Island Electoral Area).

The following persons were appointed to the Southern Gulf Islands Public Library Commission for a term to expire December 31, 2015: Gitte Nelson (representing as Alternate, Saturna Island Eddie Reid Memorial Library), Mairi Munro-Kerr (representing Mayne Island Reading Centre Society).

11. ADJOURNMENT

Moved by Director Helps, seconded by Director Brice,
That the meeting be adjourned at 4:58 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER