

Meeting Minutes
Capital Regional District Board

Wednesday, May 11, 2016

1:30 PM

6th Floor Boardroom

Present:

Directors: B. Desjardins (Chair), D. Howe (Vice Chair), M. Alto, R. Atwell, D. Blackwell, S. Brice, J. Brownoff, V. Derman, A. Finall, C. Hamilton, L. Helps, M. Hicks, B. Isitt, N. Jensen, R. Kasper, W. McIntyre, C. Plant, S. Price, J. Ranns, D. Screech, L. Seaton, K. Williams, R. Windsor and G. Young

Staff: R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; D. Lokken, General Manager, Finance and Technology; K. Lorette, General Manager, Planning and Protective Services; T. Robbins, General Manager, Integrated Water Services; R. Sharma, Acting Chief Financial Officer; A. Orr, Senior Manager, Corporate Communications; D. Telford, Senior Manager, Environmental Engineering; B. Reems, Corporate Officer; and S. Norton, Deputy Corporate Officer (Recorder)

Also Present:

Chief A. Thomas, Esquimalt Nation; Councillor J. Albany, Songhees Nation; The Honourable Peter Fassbender, Minister, and J. Dawes, Deputy Minister, of Community, Sport and Cultural Development; P. Sandhur, Minister's Assistant; H. Glover, Media Relations Officer; G. Rhodes, Communications Director; A. Farrell, President and CEO, Partnerships BC; P. Milburn, Provincially Appointed Facilitator; Alternate Directors C. Day, F. Haynes, L. Hundleby and L. Wergeland

The meeting was called to order at 1:30 PM.

1. APPROVAL OF THE AGENDA

Director Alto spoke to the urgency of considering Item 11.1 at today's meeting in order to proceed with the invitations and preparations for the Forum of Councils scheduled for June 11.

There was discussion on closing the meeting for the provincial presentation.

**MOVED by Director Alto, SECONDED by Director Kasper,
That the agenda be approved, as amended with the addition of New Business item 11.1 Remuneration of First Nations' Representatives to CRD Forums of Councils.**

**MOVED by Director Plant, SECONDED by Director Isitt,
That the agenda be further amended to add Item 11.2 Support for Regional Fundraising Initiatives for Wildfire Losses in Northern Alberta.
CARRIED**

The question was called on approving the agenda, as amended.
CARRIED
OPPOSED Derman, Ranns

2. MOTION TO CLOSE THE MEETING

2.1. [16-619](#) Motion to Close the Meeting

Discussion ensued on the need to close the meeting for the provincial presentation and who would be present during the closed meeting.

Chair Desjardins advised that the reasons for closing the meeting and who will be present will be discussed in closed meeting.

MOVED by Director Price, SECONDED by Director Blackwell,
That the Board close the meeting in accordance with the Community Charter, Part 4, Division 3, 90(1)(i) the receipt of advice this is subject to solicitor-client privilege, including communications necessary for that purpose; 90(1)(m) a matter that, under another enactment, is such that the public may be excluded from the meeting (Freedom of Information and Protection of Privacy Act, s.16, Disclosure harmful to intergovernmental relations or negotiations; 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.

MOVED by Director Plant, SECONDED by Director Finall,
That the Board close the meeting in accordance with the Community Charter, Part 4, Division 3, 90(1) (n) the consideration of whether a Board meeting should be closed under a provision of subsection 90(1) or (2); and (o) the consideration of whether the authority under section 91 should be exercised in relation to a Board meeting.

CARRIED
OPPOSED Derman

The Board moved to the closed session at 1:39 pm.

The Board rose from the closed session at 1:49 pm.

The question was called on the previous motion, as amended:
MOVED by Director Price, SECONDED by Director Blackwell,
That the Board close the meeting in accordance with the Community Charter, Part 4, Division 3, 90(1)(e) the acquisition, disposition or expropriation of land or improvements; (i) the receipt of advice this is subject to solicitor-client privilege, including communications necessary for that purpose; 90(1)(m) a matter that, under another enactment, is such that the public may be excluded from the meeting (Freedom of Information and Protection of Privacy Act, s.16, Disclosure harmful to intergovernmental relations or negotiations; 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.

CARRIED
OPPOSED Atwell, Derman, Finall, Hamilton, Isitt, Plant, Ranns

The Board moved to the closed session at 1:50 pm and rose and reported from the closed session at 4:08 pm.

Directors Hamilton and Finall had left the meeting during the closed session.

3. RISE AND REPORT

16-643 Rise and Report: Project Board Approach to Core Area Wastewater Project

Chair Desjardins reported the following:

The Minister of Community, Sport and Cultural Development is assisting the CRD in finding a way forward to address the need for a sewage treatment solution for the Region and made the following observations and recommendations:

Observations

- The Project has a complex governance model.
- Project governance needs to be separated from other organizational governance as responsibilities are currently divided between committees.
- While the work to date has identified a diversity of interests and produced a wealth of information, there is still no final project plan or schedule.
- The CRD has the legal obligation to provide sewage treatment for the partner municipalities in the region by January 1, 2021.
- There is a clear timeline within which these legal obligations must be met, with significant consequences arising if there is a failure to do so.
- The Project is currently out of compliance with Provincial funding requirements and a new business case is required by September 2016.
- Without the Board's consideration of the recommendations and an agreement in principle to move forward, it is a very real possibility that the provincial funding could be withdrawn, together with Federal financial support.

Recommendations

- Establish a Project Board with delegated authority to undertake all aspects of planning, site acquisition, project management and expenditures.
- Enable the Project Board to hire a Project Director who would lead the project and be responsible for putting a team together.
- Complete a Project Plan and Schedule.
- Confirm sites before going back to the market place.
- Develop a new Business Case.

The following are the CRD Board decisions and directions to staff:

- The recommendations from the Minister of Community, Sport and Cultural Development were approved in principle.
- Staff were directed to work with the provincial representatives to prepare draft Terms of Reference incorporating a vision and objectives that reflect the Board Strategic Priority for integrated resource management.
- Staff were directed to prepare a new CALWM Project Board Bylaw, pursuant to the *Local Government Act*, that incorporates the Terms of Reference.
- Appendix A: CRD Wastewater Treatment Project: Observations and Recommendations on Project Governance, prepared by the provincial government, was released.

This will also include how we can continue to involve and work with our First Nations Partners on this initiative.

Board Chair Desjardins left the meeting at 4:12 pm and Vice Chair Howe chaired the meeting.
Directors Atwell and Ranns left the meeting at 4:12 pm.
Director Finall returned to the meeting at 4:12 pm.

4. ADOPTION OF MINUTES

- 4.1. [16-622](#) Minutes of CRD Board Meeting of April 13, 2016

MOVED by Director Blackwell, **SECONDED** by Director Helps,
That the minutes of the April 13, 2016 meeting be adopted as circulated.
CARRIED

- 4.2. **16-628** Minutes of CRD Board Meeting of April 20, 2016

MOVED by Director Blackwell, **SECONDED** by Director Helps,
That the minutes of the April 20, 2016 meeting be adopted as circulated.
CARRIED

5. REPORT OF THE CHAIR - None

6. PRESENTATIONS/DELEGATIONS - None

7. REPORTS OF COMMITTEES

Electoral Area Services Committee (April 20, 2016)

- 7.1. [16-450](#) Appointment of Officers

MOVED by Director Blackwell, **SECONDED** by Director Windsor,
That for the purpose of Section 200 of the Local Government Act and Section 28(3) of the Offence Act and in accordance with Capital Regional District Bylaw No. 2681, Andrew Britton and Shane MacDonald be appointed as Park Patrol Officers.
CARRIED

- 7.2. [16-487](#) Amendment to Bylaw No. 3803, A Bylaw to Establish a Community Economic Development Commission for the Southern Gulf Islands Electoral Area (Amending Bylaw No. 4072)

MOVED by Director Hicks, **SECONDED** by Director McIntyre,
Bylaw No. 4072, Southern Gulf Islands Community Economic Sustainability Commission Bylaw No. 1, 2012, Amendment Bylaw No. 1, 2016", be introduced and read a first time and read a second time.
CARRIED

MOVED by Director Hicks, **SECONDED** by Director McIntyre,
Bylaw No. 4072 be read a third time.
CARRIED

MOVED by Director Hicks, **SECONDED** by Director McIntyre,

Bylaw No. 4072 be adopted.
CARRIED

7.3. [16-537](#)

Grants-in-Aid

MOVED by Director Hicks, SECONDED by Director McIntyre,

That the following grant-in-aid applications be approved:

- JDF Rural Publication Society (JDF): \$2,000 (To help defray publication and distribution costs of the Rural Observer)
- Otter Point and Shirley Residents and Ratepayers Association (JDF): \$1,000 (A project to deal with illegal dumping in Otter Point, Shirley and Jordan River)
- Zero Waste Sooke (JDF): \$250 (To help cover the cost of an Open Space Community Symposium)
- Pender Island Golf and Country Club (SGI): \$2,000 (To help fund construction of an access ramp/walkway)
- Moving About Pender (SGI): \$2,265 (To plan/implement a community bus project in conjunction with Tour des Isles)
- Gandharva Loka School of World Music and Sound (SGI): \$2,500 (To create and install a peace wind chime on Galiano Island)
- Rotary Club of Sooke (JDF): \$1,000 (To develop a community edible garden)
- Salt Spring Gymnastics Association (SSI): \$4,000 (To purchase gymnastics equipment for community fitness classes)

CARRIED

7.4. [16-546](#)

BC Rural Dividend Program

MOVED by Director Hicks SECONDED by Director Windsor,

That the BC Rural Dividend Program report be received for information.

CARRIED

Environmental Services Committee (April 27, 2016)

7.5. [16-558](#)

Hartland Landfill - Award of Contract 16-1869

MOVED by Director Blackwell, SECONDED by Director Derman,

That Contract 16-1869, Hartland Landfill - Phase 2, Cell 3 - Underdrain and Liner System, be awarded to Cantex-Okanagan Construction Ltd. in the amount of \$1,408,390.00 and that a construction contingency of \$50,000 be approved.

CARRIED

7.6. [16-559](#)

Hartland Landfill Tipping Fee Amendment Bylaw

MOVED by Director Derman, SECONDED by Director Hicks,

That Bylaw 3881, Hartland Tipping Fee and Regulation Bylaw No. 6, 2013, Amendment Bylaw No. 4100, be introduced and read a first and second time.

CARRIED

MOVED by Director Derman, SECONDED by Director Hicks,

That Bylaw 3881 be read a third time and be advertised.

CARRIED

Finance Committee (May 4, 2016)

- 7.7. [16-574](#) Capital Regional District (CRD) Grants Update
**MOVED by Director Blackwell, SECONDED by Director Plant,
That report be received for information.
CARRIED**
- 7.8. [16-581](#) Capital Regional District Investment Portfolio Annual Update
Divesting from investments related to fossil fuels was raised.
**MOVED by Director Blackwell, SECONDED by Director Williams,
That the report be received for information.
CARRIED**
- 7.9. [16-570](#) Community Works Fund (CWF) Request - Galiano Island and North Pender Island Community Bus Vehicles
**MOVED by Director Hicks, SECONDED by Director McIntyre,
A contribution of \$50,000 from the Southern Gulf Islands Community Works Fund for the purchase of two vans for the Mayne Island Bus Society for service on Galiano Island and for North Pender Island be authorized.
CARRIED**

Juan De Fuca Land Use Committee (April 19, 2016)

- 7.10. [16-484](#) Zoning Amendment Application for Strata Lots 5, 15, 16, 17, 22 and 25, Section 16, Otter District, Strata Plan VIS7096
**MOVED by Director Hicks, SECONDED by Director Blackwell,
That the referral of proposed Bylaw No. 4054 to the Otter Point Advisory Planning Commission, BC Hydro, the District of Sooke, Island Health, the Ministry of Transportation & Infrastructure (MoTI), the RCMP, School District No. 62, T'Sou-ke First Nation, CRD Building Inspection and CRD Protective Services be approved.
CARRIED**
**MOVED by Director Hicks, SECONDED by Director Blackwell,
That proposed Bylaw No. 4054, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 127, 2016", as included in Appendix E, be introduced and read a first time and second time.
CARRIED**
**MOVED by Director Hicks, SECONDED by Director Blackwell,
That in accordance with the provisions of Section 469 of the Local Government Act, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4054.
CARRIED**
- 7.11. [16-486](#) Development Permit with Variance and Floodplain Exemption for Lot 3, Section 32, Otter District, Plan 25866
**MOVED by Director Hicks, SECONDED by Director Blackwell,
That Steep Slopes, Foreshore and Sensitive Ecosystem Development Permit**

with Variance and Floodplain Exemption, DV000046, as specified in Appendix E, for Lot 3, Section 32, Otter District, Plan 25866, for the purpose of constructing a dwelling and attaching an existing cottage, be approved.
CARRIED

Planning, Transportation and Protective Services Committee (April 27, 2016)

7.12. [16-549](#) 2016/17 Public Health Service Agreement between the CRD and Island Health

MOVED by Director Finall, **SECONDED** by Director Alto,
That the 2016/17 Service Agreement between the Capital Regional District (CRD) and the Vancouver Island Health Authority be approved and authorize the CRD Board Chair and Corporate Officer to execute the Agreement.
CARRIED

8. NO ITEMS

9. ADMINISTRATION REPORTS

9.1. [16-585](#) Bylaw No. 4052 "Sooke and Electoral Area Recreation and Facilities Loan Authorization Bylaw No. 1, 2016" - Presentation of Assent Voting (Referendum) Results

MOVED by Director Hicks, **SECONDED** by Director Kasper,
That the Chief Election Officer's Proclamation of Official Results be received for information.
CARRIED

MOVED by Director Hicks, **SECONDED** by Director Kasper,
That Bylaw No. 4052 "Sooke and Electoral Area Recreation and Facilities Loan Authorization Bylaw No. 1, 2016" be adopted.
CARRIED

9.2. [16-599](#) Temporary Borrowing Bylaw for Capital Financing (Magic Lake Estates Wastewater System Service)

MOVED by Director Blackwell, **SECONDED** by Director Hicks,
That Bylaw No. 4095, "Temporary Loan (Magic Lake Estates Wastewater System) Bylaw No. 1, 2016", be introduced and read a first and second time.
CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Hicks,
That Bylaw No. 4095 be read a third time.
CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Hicks,
That Bylaw No. 4095 be adopted.
CARRIED

9.3. [16-607](#) Chart Drive Septic System Replacement Receipt of Tenders 2016-149 and 2016-150 - Award of Contract

MOVED by Director McIntyre, **SECONDED** by Director Hicks,

That Staff be directed to:

1. Cancel Tender No. 2016-149; and
2. Award a contract for Chart Drive Septic Disposal System Replacement Project (Contract 2016-150) to Stone Pacific Contracting Ltd in the amount of \$539,298.90, including \$30,000 construction contingency and taxes.

CARRIED

9.4. [16-614](#) BC Rural Dividend Program - Proposed Applications

MOVED by Director McIntyre, **SECONDED** by Director Williams,

1. That the Capital Regional District Board authorize the submission of an application to the BC Rural Dividend Program for the Port Renfrew Tourism Trail and that the Board support this project through its duration.
2. That the Capital Regional District Board authorize the submission of an application to the BC Rural Dividend Program for the Salt Spring Island Rural Accelerator and that the Board support this project through its duration.

CARRIED

9.5. [16-602](#) Bylaw No. 4099, "Capital Regional District Water Conservation Bylaw No. 1, 2016"

MOVED by Director Blackwell, **SECONDED** by Director Hicks,
That Bylaw No. 4099 cited as "Capital Regional District Water Conservation Bylaw No. 1, 2016" be introduced, read a first and second time.

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Hicks,
That Bylaw No. 4099 be read a third time.

CARRIED

MOVED by Director Blackwell, **SECONDED** by Director Hicks,
That Bylaw No. 4099 be adopted.

CARRIED

9.6. [16-603](#) Implications to the CRD of a Salish Sea "Particularly Sensitive Sea Area" Designation

MOVED by Director Isitt, **SECONDED** by Director Helps,
That the staff report be received for information.

CARRIED

9.7. [16-499](#) Designation of Salish Sea as a Particularly Sensitive Sea Area - Director Isitt

Discussion ensued regarding the large area involved and international support for the designation.

MOVED by Director Isitt, **SECONDED** by Director Helps,
That the Capital Regional District Board supports the nomination of the Salish Sea as a Particularly Sensitive Sea Area and requests that the Chair write to the International Maritime Organization indicating this support.

CARRIED

9.8. **16-626** Bylaw No. 4105: 2016-2020 Financial Plan Amendment

MOVED by Director Blackwell, SECONDED by Director Kasper,
That Bylaw No. 4105, cited as “2016 to 2020 Financial Plan, Amendment Bylaw
No. 1, 2016”, be introduced and read a first and second time.
CARRIED

MOVED by Director Blackwell, SECONDED by Director Kasper,
That Bylaw No. 4105 be read a third time.
CARRIED

MOVED by Director Blackwell, SECONDED by Director Kasper,
That Bylaw No. 4105 be adopted.
CARRIED

10. BYLAWS

- 10.1. [16-584](#) Bylaw No. 4058, “Capital Regional District Climate Action and Adaptation
Service Establishment Bylaw, 2008, Amendment Bylaw No. 1, 2016”

MOVED by Director Derman, SECONDED by Director Windsor,
That Bylaw No. 4058 be adopted.
CARRIED

11. NEW BUSINESS

- 11.1 **16-636** Remuneration for First Nations’ Representatives to CRD Forums of
Councils

Director Alto spoke to the request and the need to approve it today.

Chair Desjardins returned to chair the meeting at 4:29 pm.
Directors Derman and Jensen left the meeting at 4:29 pm.

R. Sharma advised on the need for an additional motion regarding the
remuneration policy.

MOVED by Director Alto, SECONDED by Director Windsor,
Be it resolved that, when attending CRD Forums of Councils, First Nations Chiefs
and Councillors be compensated in the same manner and amount as local
government Mayors and Councillors.
CARRIED

MOVED by Director Alto, SECONDED by Director Plant,
That, as an exception to the Board remuneration policy, payment be made to the
First Nations members that participate at the June 11, 2016 Forum of Councils.
CARRIED

- 11.2 [16-637](#) Support for Regional Fundraising Initiatives for Wildfire Losses in Northern
Alberta

Director Plant presented the following Notice of Motion to be considered at the
next meeting.

Be it resolved that the CRD will support regional fundraising initiatives or
activities to support those in need as a result of the loss caused by wildfires in

Northern Alberta.

12. MOTION TO CLOSE THE MEETING

The Board did not close the meeting.

13. ADJOURNMENT

MOVED by Director Windsor, **SECONDED** by Director Kasper,
That the meeting be adjourned at 4:34 pm.
CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER