

**Meeting Minutes**  
**Core Area Liquid Waste Management**  
**Committee**

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Wednesday, September 9, 2015

9:00 AM

6th Floor Boardroom

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PRESENT:

DIRECTORS: L. Helps (Chair), S. Brice (Vice-Chair), M. Alto, R. Atwell, D. Blackwell, J. Brownoff, V. Derman, B. Desjardins, C. Day (for C. Hamilton), B. Isitt (9:04), N. Jensen, C. Plant, L. Seaton, D. Screech, G. Young

ALSO PRESENT: B. Eaton, Chair, Core Area Wastewater Treatment Program Commission; T. Coady, Chair, Technical Oversight Panel; A. Gibbs, Public Assembly; C. Houghton, Westside Solutions; E. Lee, Urban Systems

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; S. Santarossa, Corporate Officer; A. Orr, Senior Manager, Corporate Communications; L. Taylor, Communications Coordinator; D. Telford, Senior Manager, Environmental Engineering; A. Genero, Manager, Accounting Services; S. Hallatt, Manager, Aboriginal Initiatives; S. Henderson, Manager, Risk & Real Estate; A. Boyd, Committee Clerk (recorder)

The meeting was called to order at 9:00 a.m.

## 1. Approval of Agenda

*Chair Helps noted that the agenda will begin with item 5.1, as we have scheduled a phone call with the Fairness and Transparency Advisor, Kim Cholette. She also noted the supplementary Agenda with delegations.*

**MOVED by Director Plant, SECONDED by Director Brice,  
That the agenda and supplementary agenda be approved as amended.  
CARRIED**

## 2. Adoption of Minutes

2.1. 15-916 Adoption of the Minutes of August 12, 2015

**MOVED by Director Derman, SECONDED by Director Alto,  
That the minutes of August 12, 2015 be adopted.  
CARRIED**

## 3. Chair's Remarks

*Chair L. Helps remarked that we are defining our roles and responsibilities to set the groundwork for this phase of the project.*

*Director Isitt arrived at 9:04 a.m.*

#### 4. Presentations/Delegations

##### 5.1. 15-929 Role of Fairness and Transparency Advisor and Terms of Reference

*Via teleconference, K. Cholette, Fairness and Transparency Advisor, provided an overview of her report with recommendations. She noted that she will be providing monthly reports to the committee that will provide a summary of the complaints received but will not include any personal information.*

**MOVED by Director Isitt, SECONDED by Director Desjardins,  
That the Core Area Liquid Waste Management Committee recommend to the  
CRD Board:**

**Issue 1: Investigations**

**It is recommended that the committee support the approach to “own-initiative investigations as described.**

**Issue 2: Advisory vs. Complaints Role of FTA - (Decision Required)**

**The committee is asked to support both an ex-ante an ex-post approach, with priority placed on advice up-front. Such an approach ensures that a priority will be placed on actions that inform a process either before it is actioned; or if a complaint is received as a process is unfolding, there would be a commitment to allow the FTA to provide advice in order to affect the process. Implicit in this approach is cooperation by all parties to work with the FTA up-front in the process design stage.**

**Issue 4: Exclusions**

**It is recommended that there be no exclusions.**

**Issue 5: “Project “ timelines**

**All process-related complaints must relate to the individual processes within the existing timelines. FTA will not review the fairness of timelines imposed on the project by external parties (e.g., funders).**

**CARRIED**

**Issue 3 was separated out for further discussion:**

**MOVED by Director Isitt, SECONDED by Director Screech,  
That the Core Area Liquid Waste Management Committee recommend to the  
CRD Board:**

**Issue 3: Scope and Application of role of FTA**

**It is recommended that the committee support objective (a) which is that the primary objective is to ensure that “the project” overall, is fair and transparent, inclusive of site proposals from host jurisdictions.**

**1. It is recommended that the committee approve outcome statements (a) through (c). (This implies that as it relates to Issue 3(1) –How Broad Should the Scope of Fairness be - , that the committee chose option (a) - To ensure that all processes related to the Core Area Sewage Treatment project (“the project”) are fair and transparent).**

**2. Issue 2 above, discussed the advantages and disadvantages of the timing associated with when the FTA would become involved – ex-post or ex-ante. Given these considerations as well as the considerations proposed under Issue 3 - Scope & Application of the role of the FTA, it is recommended that the committee support objective (c) – to comment on a process after it has occurred with a view to affecting future similar processes; AND to attempt to affect/inform the process in its path.**

MOVED by Director Derman, SECONDED by Director Desjardins,  
That the Core Area Liquid Waste Management Committee refer Issue 3 to  
municipal councils for comment.

MOVED by Director Isitt, SECONDED by Director Young,  
That the motion be amended to request feedback no later than October 1, 2015.  
CARRIED  
OPPOSED Derman

Question was called on the referral motion as amended:  
That the Core Area Liquid Waste Management Committee refer issue 3 to  
municipal councils and request feedback no later than October 1, 2015.  
OPPOSED Atwell, Blackwell, Isitt, Plant, Screech, Seaton, Young  
CARRIED

MOVED by Director Derman, SECONDED by Alternate Director Day,  
Issue 3: Scope and Application of role of FTA (Decision Required)  
1. It is recommended that the committee support objective (b) which is that the  
primary objective is to ensure that all CRD processes related to "the project" are  
fair and transparent.  
2. It is recommended that the committee approve outcome statements (a) through  
(c). (This implies that as it relates to Issue 3(1) How Broad Should the Scope of  
Fairness be , that the committee chose option (b) To ensure that all CRD  
processes related to the Core Area Sewage Treatment project ("the project") are  
fair and transparent).  
3. Issue 2 above, discussed the advantages and disadvantages of the timing  
associated with when the FTA would become involved ex post or ex ante.  
Given these considerations as well as the considerations proposed under Issue 3  
Scope & Application of the role of the FTA, it is recommended that the committee  
support objective (c) to comment on a process after it has occurred with a view  
to affecting future similar processes; AND to attempt to affect/inform the process  
in its path.  
4. And that the scope and application of the role may be expanded after  
receiving comments from the participating municipalities.  
CARRIED

4.1. 15-961 Delegation: David Langley Re: Items 5.2, 5.4 and 5.6

*D. Langley spoke to items 5.2 Project Charter, 5.4 Technical Oversight Panel Report and 5.6 Funding Update with his notes provided and on file at Legislative and Information Services. Mr. Langley is in support of the Project Charter, showing the responsibilities and reporting however, he feels that Committee must regain control over the select committees to be able to move forward. On item 5.4, Technical Oversight Panel, Mr. Langley emphasized that the plan is short notice and showing a lack of foresight by the Committee. With regards to the Funding Update Report he questioned whether the March 2016 deadline can still be met.*

4.2. 15-963 Delegation: John Farquharson re: Item 5.2

*Mr. Farquharson spoke to item 5.2 with his notes provided and on file at Legislative and Information Services.  
He had concerns that:  
- the Technical Oversight Panel being asked to "advise as to how best canvas the private sector", was too late and the decisions already made to date will preclude an open*

*mind examination,*

- *the decentralized tertiary option was not brought forward as a third option, and*
- *the September 4th draft Project Charter for Phase 2 - Analysis & Options, did not mention of the "private sector".*

*He recommended an addition to the roll of the Technical Oversight Panel, after the first sentence:*

*"Fundamental to providing independent technical oversight and confirming due diligence is to ensure that the evaluation of all private sector solutions is informed by, but not necessarily bound by, decision to date regarding sites, option sets, timelines, definitions of treatment and other potentially premature limitations on analysis and costing."*

**4.3. 15-964** Delegation: Norma Brown re: Items 5.2 and 5.3

*N. Brown spoke to items 5.2 and 5.3 with support to the Project Charter with her notes provided and on file at Legislative and Information Services.*

*She reflected back at the previous planning process, and would like to see an infrastructure success similar to that of the Sooke Reservoir project. She noted three distinct project specialities 1) project design 2) engineering and 3) extensive long range financial modelling, and would like these to be considered by the Committee.*

**5. Committee Business**

**5.2. 15-952** Project Charter for the Options Phase of the Core Area Wastewater and Resource Recovery Project - Draft for Input

*L. Hutcheson noted that the Project Charter is in draft form for comments. She also noted that the Project Lead is vacant at this time, and D. Telford has been reassigned as the Project Manager. Pinton Forrest & Madden (PFM) is conducting a search for the Project Lead.*

*The Chair noted this Project Charter applies to the implementation of the planning phase. Staff are working on the broader Project Charter.*

**MOVED by Director Derman, SECONDED by Director Desjardins,  
That the Core Area Liquid Waste Management Committee refer the draft Project Charter to the Westside and Eastside Wastewater and Resource Recovery Select Committees, the Technical Oversight Panel and to regional and municipal staff for input and direct staff to bring the document back to committee for adoption at its October 2, 2015 meeting.**

**CARRIED**

**5.3. 15-934** Core Area Wastewater Treatment Program Commission Lessons Learned

*B. Eaton, Chair of the Core Area Wastewater Treatment Program Commission, provided five main points regarding lessons learned.*

- 1. Importance of having clear roles and responsibilities*
- 2. Importance of education, with consultation and stakeholder relations*
- 3. Building Trust; still room for trust to be built*
- 4. Importance of Integration; build the plant with whomever is going to have to operate and maintain the system for years*
- 5. Dispute Resolution Process; have a mechanism in place as it is not always possible to come to consensus*

**MOVED by Director Atwell, SECONDED by Director Alto,**

That the report be received for information.  
**CARRIED**

**5.4. 15-951** Technical Oversight Panel - Status Report No. 1

*T. Coady, Chair, Technical Oversight Panel (TOP), noted that she has spoken to the team, and their first meeting is September 14th and 15th. She also noted that the TOP is not hiring out anything, but they are there to identify the gaps in quality assurance, management and control. They have identified gaps and have six recommended actions:*

- 1. Complete contracts*
- 2. Develop Policy and Procedures Plan*
- 3. Develop schedule and critical path*
- 4. Integrate schedule and deliverables*
- 5. Prepare Organization Chart - to indicate who is reporting to whom*
- 6. Develop Pro Active Communications Plan*

*Discussion ensued relative to the role of the TOP and the need for a communications plan. It was noted that the TOP will make recommendations through the Core Area Liquid Waste Management Committee.*

*T. Coady mentioned the TOP will have a forward looking perspective and they will engage the public and stakeholders to ensure the best outcome.*

**MOVED by Director Alto, SECONDED by Director Brice,  
That the Technical Oversight Panel report be received for information.  
CARRIED**

*The meeting recessed for 5 minutes at 10:40 a.m.  
Director Jensen left the meeting at 10:40 a.m.  
The meeting resumed at 10:45 a.m.*

**5.5. 15-925** Core Area Wastewater Treatment Program and Budget Update No. 27

*D. Lokken reported that this report includes expenses for the month of July. Until a formal 'reset' this is the number as at the first of the year.*

*Director Desjardins requested her disappointment be noted that the Core Area Wastewater Treatment Program Report No. 27 update prepared by the commission includes a comment that additional sites will result in additional costs.*

**MOVED by Director Derman, SECONDED by Director Plant,  
That the Core Area Liquid Waste Management Committee receives this report  
and recommends to the Capital Regional District Board:  
That Core Area Wastewater Treatment Program and Budget Update No. 27 be  
received for information.  
CARRIED**

**5.6. 15-939** Core Area Wastewater Treatment Program Funders' Update

*D. Lokken provided an overview of the Program Funders Update report and emphasized a focus on the deadlines.*

*B. Lapham noted that the award of contract for the Technical Feasibility and Costing*

*Study was well received by P3 Canada. He also noted that there is a significant amount of staff turnover within the Ministries, and that CRD staff are working to orientate the new staff. B. Lapham noted that this will be a regular reporting item for the Committee and briefing notes are sent out weekly to CAO's.*

**MOVED by Director Isitt, SECONDED by Director Brice,  
That the Core Area Liquid Waste Management Committee receives this report  
and forwards to the Capital Regional District Board for information.  
CARRIED**

**5.7. 15-935 Urban Systems Contract 15-1834 - Scope Change No. 1**

*L. Hutcheson noted this change in scope reflects a change to the Terms of Reference for the Technical Oversight Panel after the request for proposal was issued.*

*The Committee needs to ensure the Technical Oversight Panel views are communicated to Urban Systems through Core Area Liquid Waste Management Committee in the form of written communications, and not face to face meetings.*

**MOVED by Director Desjardins, SECONDED by Alternate Director Day,  
That the Core Area Liquid Waste Management Committee recommend to the  
CRD Board to approve the Request for Scope Change No. 1, as outlined in Urban  
Systems' letter of submittal dated September 3, 2015 in the amount of \$68,000  
(excluding GST).  
CARRIED  
OPPOSED Young**

**5.8. 15-942 Marigold Pump Station Standby Generator Controller Replacement**

*T. Robbins provided an overview of the report noting that the expense would be paid from the District of Saanich share of the Core Trunk Sewer Capital Reserve Fund.*

**MOVED by Director Plant, SECONDED by Director Alto,  
That the Core Area Liquid Waste Management Committee recommend to the  
CRD Board to direct staff to proceed with the replacement of the Marigold Pump  
Station standby generator controller, utilizing up to \$360,000 from the District of  
Saanich share of the Core Trunk Sewer Capital Reserve Fund  
CARRIED**

**5.9. 15-915 Westside Wastewater Treatment and Resource Recovery Select  
Committee Agenda Packages for August 17th and 24th for information.**

**MOVED by Director Desjardins, SECONDED by Director Screech,  
That the Westside Wastewater Treatment and Resource Recovery Select  
Committee Agenda Packages for August 17th and 24th be received for  
information.  
CARRIED**

**6. Correspondence**

**6.1. 15-919 Letter from Chair Helps to Pam Elardo, Director, Wastewater Treatment  
Division, King County, Washington, Regarding Resignation from Core  
Area Wastewater Program Commission (August 18, 2015)**

6.2. 15-920 Letter from Chair Helps to Christie True, Director, Department of Natural Resources and Parks, King County, Washington, regarding Pam Elardo's Participation on Core Area Wastewater Program Commission (August 21, 2015)

6.3. 15-828 Correspondence From Ms. Pam Elardo, P.E. July 23, 2015

**MOVED** by Director Desjardins, **SECONDED** by Director Alto,  
That the correspondence in 6.1, 6.2, and 6.3 be recieved for information.  
**CARRIED**

## 7. Notice of Motion

7.1. 15-311 Motion for Which Notice Has Been Given: Options for Wastewater Treatment (Director Hamilton)

**MOVED** by Alternate Director Day, **SECONDED** by Director Desjardins,  
that consideration of the following motion be postponed to the next meeting:  
"WHEREAS: It is critical that there be positive action taken to meet funding deadlines and regulatory requirements for waste water treatment for the Capital Regional District;  
**BE IT RESOLVED** that: Capital Regional District (CRD) staff be directed to support municipalities and First Nations who want to explore options for waste water treatment that are economically responsible, technically feasible, environmentally sound and meet current provincial and federal deadlines;  
**AND THAT** funding be provided from the sewage treatment budget to support an independent assessment of alternative locations to McLoughlin and Hartland, with full and regular engagement of staff and elected representatives from participating municipalities, First Nations and the public;  
**AND THAT** any decisions taken to amend the Liquid Waste Management Plan be done in an open and transparent public process;  
**AND THAT** any further money spent be recoverable under the funding arrangement with the Provincial and Federal Governments and that clarity be sought that the funding arrangement with Provincial and Federal governments be able to support the communities to the extent it supported the CRD driven process."  
**CARRIED**

## 8. New Business

## 9. Motion to Close the Meeting

9.1. 15-918 Motion to Close the Meeting

**MOVED** by Alternate Director Day, **SECONDED** by Director Desjardins,  
That the meeting be closed 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**

**10. Adjournment**

**MOVED** by Director Brice, **SECONDED** by Director Desjardins,  
The Committee moved to the closed session at 11:20 a.m.

The Committee rose from the closed session at 11:40 a.m. without report.

**CARRIED**

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**CHAIR**

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**RECORDER**