

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, October 12, 2011 at 6:07 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey, M. Dorey, L. Duncan,
B. Harrison, D. Haywood, R. Hutchins, P. Kent,
L. Iannidinardo, K. Kuhn, M. Marcotte, I. Morrison,
G. Seymour, T. Walker and
Alternate Director B. Day

ALSO PRESENT: Warren Jones, Chief Administrative Officer
Joe Barry, Corporate Secretary
Jacob Ellis, Manager, Corporate Planning
Sybille Sanderson, A/General Manager, Public Safety
Ron Austen, General Manager
Parks, Recreation and Culture

ABSENT: Director T. McGonigle

APPROVAL OF AGENDA

11-510

It was moved and seconded that the agenda be amended with the addition of New Business items as follows:

NB1 Staff Report from the Corporate Secretary re: 2011/12 Treaty Advisory Committee Operational Funding Grant.

CSNB1 Personal Information {Sub (1) (a)}

and that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

11-511

It was moved and seconded that the minutes of the September 14, 2011 Regular Board meeting be adopted.

MOTION CARRIED

BUSINESS ARISING OUT OF MINUTES

Director Morrison noted that Resolution No. 11-456-3, from the September 14, 2011 Board minutes, did not address a maximum expenditure for the South Cowichan Eco Depot Communications Strategy.

It was moved and seconded that the South Cowichan Eco Depot Communications Strategy budget not exceed \$20,000.

11-512

It was moved and seconded that the discussion of the South Cowichan Eco Depot Communications Strategy budget be referred to the October 26, 2011 Engineering & Environmental Services Committee meeting.

Opposed: Directors Cossey, Kent, Haywood, Morrison, Giles,
and Seymour

MOTION CARRIED

11-513 **It was moved and seconded that Resolution No. 11-512 be rescinded.**

MOTION CARRIED

11-514 **It was moved and seconded that matter of the South Cowichan Eco Depot Communications Strategy budget be referred to a Special Board meeting to be held Tuesday, October 18, 2011 at 7:30 pm.**

MOTION CARRIED

DELEGATIONS

D1 Joe Allan, CVRD Resident
Re: CVRD Management/Corporate Structure – Presentation of Views on Current Corporate Structure

Joe Allan introduced former CVRD Chair and Town of Lake Cowichan Mayor, Jack Peake, who spoke to the concern of the delegate members present about the current CVRD management structure and *“requested that the new incoming board of directors implement an immediate independent public review of the current management structure of the Cowichan Valley Regional District”*.

Chair Giles advised that the Board directed that a review occur four months ago and referred the delegation to the recent Ipsos Reid poll that showed that the majority of CVRD residents are satisfied with the CVRD’s governance.

REPORT OF CHAIRPERSON

RC1 Chair Giles commented on the visit from the His Excellency the Right Honourable David Johnston, Governor General of Canada, on Tuesday, September 28, 201 to the Kinsol Trestle.

11-515 **It was moved and seconded that the Chair send a letter to His Excellency the Right Honourable David Johnston, Governor General of Canada, and Mrs. Johnston, thanking them for taking time out of their busy schedule to visit the Cowichan Region and the Kinsol Trestle.**

MOTION CARRIED

6:45 pm Director Seymour left the Board Room at 6:45 pm.

COMMITTEE REPORTS

CR1 The report and recommendations of the Electoral Area Services Committee meeting of September 20 2011 listing five items were

considered.

11-516

It was moved and seconded:

1. That the Ticketing Information Authorization Bylaw No. 3209 be further amended to include changes in the new Building Bylaw as well as the Thetis Island Wharf Regulation Bylaw, and that the appropriate amendment bylaw be forwarded to the Regional Board for consideration of three readings and adoption.
2. That a grant in aid, Electoral Area A – Mill Bay/Malahat, in the amount of \$1,500 be given to CMS Food Bank to assist with replenishing food supplies.

MOTION CARRIED

11-517

It was moved and seconded:

3. That application No. 3-I-11DVP by Andrew Ketch for a development permit with a variance to Section 3.20 of Bylaw No. 2465 in order to reduce the required watercourse setback from 15 metres down to 12.5 metres to allow for the construction of a roof over an existing deck on Strata Lot 7, Block 136, Cowichan Lake District, VIS 3604 (PID 023-012-749) be approved; and further, that the Board elects not to enforce restrictive covenant EJ13118 in order to approve this permit.
4. That the CVRD advise the Regional District of Nanaimo that they accept the proposed update to the RDN Growth Management Strategy, and offers, for the consideration of RDN, the comment that the document should mention inter-regional cooperation in the Transportation and “Cooperation Among Jurisdictions” sections.
5. That proposed Advisory Planning Commission Establishment Bylaw No. 3544 be amended by changing the word “persons” to “applicant” in Section 6.6, and that Bylaw No. 3544 be forwarded to the Regional Board for consideration of three readings and adoption.

MOTION CARRIED

CR1

The report and recommendations of the Electoral Area Services Committee meeting of October 4, 2011 listing seven items were considered.

6:48 pm

Director Seymour returned to the Board Room at 6:48 pm.

11-518

2. That \$50,000 of Community Works Funds be allocated to develop a strategic energy management plan for the Cowichan Valley Regional District.
3. That a grant in aid, Electoral Area C – Cobble Hill, in the amount of \$500 be given to South Island Mountain Biking Society, to

assist with costs to host their “Take a Kid Mountain Biking” day.

5. That the Board Chair send a congratulations letter to the Island Savings Credit Union, the Rotary Club of South Cowichan, Mill Bay Lions Club, Shawnigan Lake RCMP, and the South Cowichan Community Policing Society in recognition of their Positive Ticketing Program.
6. That the CVRD forward a letter of thanks to Sergeant Webb of the Shawnigan Lake RCMP for his efforts to have improvements made to various dangerous intersections in the South Cowichan area, and as well forward a letter to the Ministry of Transportation and Infrastructure congratulating them on the improvements being made.

MOTION CARRIED

11-519

It was moved and seconded:

1. That the Cowichan Valley Regional District Board of Directors support the adoption and implementation of a Federal Vessel Operation Restriction Regulation in Cowichan Bay along with exemptions for the following activities: First Nations FSC (Food, Social and Ceremonial), search and rescue, marine research and education, habitat restoration, kayaking/canoeing tour support, and waterfront property access; and to support the implementation of a clearly marked navigation channel to access the marinas and boat launch in Cowichan Bay.

MOTION CARRIED

11-520

(Amended from original Committee recommendation):

It was moved and seconded:

4. That the CVRD send a letter to BC Hydro, with a copy to the Premier, requesting a moratorium on the mandatory installation of Smart Meters.

MOTION CARRIED

7:05 pm

Director Hutchins left the Board Room at 7:05 pm.

11-521

It was moved and seconded:

7. That Application No. 1-D-11DVP by Gordon Fraser for a variance to Section 10.1 (b)(3) of Zoning Bylaw No. 1015 by reducing the minimum interior-side parcel line setback from 6 metres to 4 metres for Lot A, Section 3, Range 3, Cowichan District, Plan VIP78945 (PID: 026-301-482), be approved subject to the applicant providing a legal survey confirming compliance with approved setbacks.

MOTION CARRIED**CR2**

The report and recommendations of the Engineering & Environmental Services Committee meeting of September 21, 2011 listing four items were considered.

11-522

It was moved and seconded:

1. 1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Honeymoon Bay Water Debt Repayment Service Area be received.
2. That the boundaries of the Honeymoon Bay Water Debt Repayment Service Area be amended to include "*PID 001-974-726, Lot 9, Section 13, Renfrew District, Plan 1074*".
3. That "CVRD Bylaw No. 3555 – Honeymoon Bay Water System Debt Repayment Service Amendment Bylaw, 2011" be forwarded to the Board for three readings and adoption.
2. 1. That the *Certificate of Sufficiency*, confirming that a sufficient petition requesting inclusion into the Cowichan Bay Sewer Service Area be received.
2. That "CVRD Bylaw No. 3560 – Cowichan Bay Sewer System Service Area Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
based on the following conditions:
 - One sewer capacity unit be transferred from Cowichan Bay Estates to service this property.
 - A covenant be placed on this property, confirming only one sewer capacity unit is available for this property and further development requiring sewer service not be allowed until additional sewer capacity is available.
 - A Statutory Right-of-Way is placed on this property for sanitary sewer construction and maintenance of the sewer collection main and for public access for a walking trail.
3. That CVRD Bylaw 3559 – Brulette Place Sewer System Service Temporary Borrowing Bylaw, 2011 be forwarded to the Board for consideration of three readings and adoption.
4. That, as approved in the 2011 Budget, the Board authorize short-term borrowing for an amount not to exceed \$47,000.00 for purchase of a new electric Nissan Leaf, plus charging station, for the Engineering & Environmental Services Department; to be paid back within five years under the Liabilities Under Agreement, Section 175 of the *Community Charter*.

MOTION CARRIED

- 7:06 pm** Director Hutchins returned to the Board Room at 7:06 pm.
- CR3** The report and recommendations of the Transit Committee meeting of September 21, 2011 listing two items were considered.
- 11-523** **It was moved and seconded:**
- 1. That the CVRD support BC Transit's recommendation for additional annual service hours totalling 1,600 for handyDART transit service commencing September 1, 2012, and that staff be authorized to include the associated costs in the Operating Reserve for the 2012 budget.**
- Recommendation No. 2 was not put forward based on a decision made at the October 12, 2011 Transit Committee meeting.
- CR3** The report and recommendations of the Transit Committee meeting of October 12, 2011 listing three items were considered.
- 11-524** **It was moved and seconded:**
- 1. That the CVRD Board:**
 - 1. Approve BC Transit's recommendation for additional annual service hours totaling 2,500 for conventional transit routes commencing February 1, 2012, and authorize staff to include the associated costs in the 2012 budget.**
 - 2. Authorize the CVRD Board Chair and Corporate Secretary to sign the amended Annual Operating Agreement with BC Transit, FirstCanada ULC and the CVRD.**
 - 2. That the CVRD Board support moving forward to complete the Transit Future Plan and endorse the following components of the Plan:**
 - 1. Vision and Goals.**
 - 2. Transit Future Network.**
 - 3. Implementation Strategy.**
 - 3. That cash fares be reduced to zero on the Cowichan Valley Conventional and handyDART Regional Transit Systems on the following days:**
 - 1. Remembrance Day, November 11, 2011.**
 - 2. During the Remembrance Day week for Veterans and Armed Forces personnel only.**
 - 3. The Friday, Saturday and Sunday before Christmas, December 16, 17 and 18, 2011.**
- MOTION CARRIED**
- 7:21 pm** Alternate Director Day left the Board Room at 7:21 pm.
- CR4** The report and recommendation of the Environment Commission meeting of September 15, 2011 listing one item was considered.

11-525

(Amended from original Commission recommendation):

1. That the Environment Commission endorses the work of the CVRD Green Team and recommends that the CVRD Board direct staff to develop a work plan such that:

- a) low-flow toilets are installed in all CVRD buildings;
- b) planting of annuals be replaced with planting of food plants; and
- c) fossil fuel heating/cooling units be replaced with heat pumps or other non-fossil fuel devices;

and further, that Surplus funds, if any, from the 2011 Environment Commission budget be used to help fund these initiatives.

MOTION CARRIED

7:24 pm

Alternate Director Day returned to the Board Room at 7:24 pm.

STAFF REPORTS

SR1

The Staff Report from the Manager, Corporate Planning dated October 4, 2011 re: 2011 Corporate Strategic Plan Progress Report was considered for information.

11-526

It was moved and seconded that the “2011 Corporate Strategic Plan Progress Report” be referred to the Communications Committee to consider:

- 1. a process to communicate the Plan objectives, and
- 2. branding of the Plan.

MOTION CARRIED

7:50 pm

Directors Walker and Seymour left the Board Room at 7:50 pm.

BYLAWS

B1

11-527

It was moved and seconded that “CVRD Bylaw No. 3518 – Lambourn Estates Water System Service Amendment, 2011”, be adopted.

MOTION CARRIED

B2

11-528

It was moved and seconded that “CVRD Bylaw No. 3519 – Fern Ridge Water System Service Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

B3

11-529

It was moved and seconded that “CVRD Bylaw No. 3521 – Cherry Point Water System Service Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

B4

11-530

It was moved and seconded that “CVRD Bylaw No. 3522 – Kerry Village Water System Service Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

B5
11-531 It was moved and seconded that “CVRD Bylaw No. 3523 – Youbou Water System Service Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

B6
11-532 It was moved and seconded that “CVRD Bylaw No. 3554 – Ticket Information Authorization Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B6
11-533 It was moved and seconded that “CVRD Bylaw No. 3554 – Ticket Information Authorization Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

B7
11-534 It was moved and seconded that “CVRD Bylaw No. 3555 – Honeymoon Bay Water System Debt Repayment Service Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

7:55 pm Director Walker returned to the Board Room at 7:55 pm.

11-535 It was moved and seconded that Section 5, subsection 10 of Bylaw No. 3544 be amended by changing the word “persons” to “applicants”.

MOTION CARRIED

B8
11-536 It was moved and seconded that “CVRD Bylaw No. 3544 – Advisory Planning Commission Establishment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B8
11-537 It was moved and seconded that “CVRD Bylaw No. 3544 – Advisory Planning Commission Establishment Bylaw, 2011”, be adopted.

MOTION CARRIED

7:56 pm Director Seymour returned to the Board Room at 7:56 pm.

B9
11-538 It was moved and seconded that “CVRD Bylaw No. 3549 – South Cowichan Official Community Plan Amendment Bylaw (Mill Bay Marina), 2011”, be adopted.

Opposed: Director Duncan

MOTION CARRIED

B10 It was moved and seconded that “Cowichan Valley Regional District

11-539 Bylaw No. 3454 – Area A – Mill Bay/ Malahat Zoning Amendment Bylaw (Mill Bay Marina), 2010”, be adopted.

Opposed: Director Duncan

MOTION CARRIED

B11
11-540 It was moved and seconded that “CVRD Bylaw No. 3551 – Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Urban Edge Properties Ltd.), 2011”, be granted 1st and 2nd reading.

MOTION CARRIED

B12
11-541 It was moved and seconded that “CVRD Bylaw No. 3552 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Urban Edge Properties Ltd.), 2011”, be granted 1st and 2nd reading.

MOTION CARRIED

NEW BUSINESS

NB1 The Staff Report from the Corporate Secretary dated October 12, 2011 re: 2011/12 Treaty Advisory Committee Operational Funding Grant was considered.

11-542 It was moved and seconded that the Board supports the submission of an application to the Union of British Columbia Municipalities for Treaty Advisory Committee (TAC) Operational Funding of \$10,000 under the Supporting Treaty Implementation Program for the 2011/12 fiscal year.

MOTION CARRIED

RESOLVING INTO CLOSED SESSION

11-543
8:07 pm It was moved and seconded that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90, Subsection (1) (e) Land Acquisition and (1) (a) Personal Information.

MOTION CARRIED

RISE FROM CLOSED SESSION

11-547
8:16 pm It was moved and seconded that the Board rise with report on CSNB1 Personal Information only at this time and that CSCR1 Land Acquisition be announced at the appropriate time, and adjourn and return to the Regular portion of the meeting.

MOTION CARRIED

CSNB1
Personal It was moved and seconded that the following appointment to the

Information
{Sub (1) (a)}
11-546

Environment Commission be approved:
Appointed for a Term to Expire October 31, 2013:
Janna Jorgensen

MOTION CARRIED

ADJOURNMENT

11-548
8:23 pm

It was moved and seconded that the Regular Board meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 8:23 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____