

Minutes of the regular meeting of the Engineering and Environmental Services Committee held in the Boardroom, 175 Ingram Street, Duncan, on January 28, 2009 at 3:00 p.m.

PRESENT: Director Cossey, Chair
Directors Dorey, Duncan, Giles, Harrison, Kuhn and Morrison, Iannidinardo (3:16 p.m.)

ABSENT: Director Haywood, Vice-Chair

ALSO W. Jones, CAO

PRESENT: B. Dennison, P. Eng., General Manager, E & E
D. Leitch, AScT., Manager, Water Management
B. McDonald, Manager, Recycling & Waste Management
J. Bath, Recording Secretary

**APPROVAL
OF AGENDA**

The Committee agreed by consensus that the meeting time be limited to a duration of 1 to 1 ½ hours.

The agenda was amended as follows:

1. Item R8 was struck from agenda.
2. NB1 - Burning Bylaw was added to the agenda.

It was moved and seconded that the agenda be approved as amended.

MOTION CARRIED

**ADOPTION
OF MINUTES**

It was moved and seconded that the minutes of the November 12, 2008 regular Engineering Services Committee meeting be adopted.

MOTION CARRIED

**BUSINESS ARISING
OUT OF MINUTES**

No business arising.

**RESOLVE INTO
CLOSED SESSION
3:04 p.m.**

It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, Sections 90 (j).

MOTION CARRIED

**RISE FROM
IN CAMERA
3:15 p.m.**

It was moved and seconded that the Committee rise without report.

MOTION CARRIED

REPORTS

R1

Approval in-principle for takeover of Mill Springs sewer, streetlighting and sidewalks:

It was suggested that the following amendments be made to the staff recommendation:

10. Add: "*and that necessary environmental studies be undertaken.*"

12. "*That the developer provide suitable reserve fund for each of the utilities.*"

Change last paragraph to read: "and further that an assessment of the tree systems be carried out, funded to a maximum cost of \$20,000, with \$10,000 from the CVRD Feasibility Study Function, *to be paid upfront by the developer, and*"

Director Giles requested that public input be carried out prior to CVRD approval-in-principle being granted.

It was moved and seconded that a public consultation meeting be held regarding expansion of Mill Springs Development with the following staff recommendations being used as the guidelines for discussion:

- 1. Previous board resolution No. 98-246, approved in 1998, be rescinded.**
- 2. A review of the concepts, design and installation for existing sewer system and future expansion must be conducted and approved by CVRD engineering staff to ensure compliance with CVRD Design Standards and Subdivision Bylaw 1215 and the South Sector Liquid Waste Management Plan;**
- 3. Sewage disposal field capacity must be technically confirmed by the developer;**
- 4. All lands on which infrastructure works are located be transferred to the CVRD, except where not practical, in which case will be placed within registered Statutory Rights-of-way using the CVRD's standard charge terms;**
- 5. The owners transfer any reserve funds for the sewer system to the CVRD.**
- 6. A utility transfer agreement be executed between the CVRD and the owners/developer;**
- 7. The developer provides all sewer servicing infrastructure for future upgrades, including sewage treatment works, disposal system, pumps, controls, gensets, SCADA system and mainlines for the proposed development;**
- 8. The developer undertakes to provide a two-year warranty on any future sewer works, backed by an irrevocable letter of credit;**
- 9. Take-over of the sidewalk system is dependent upon a modification to provincial legislation allowing the CVRD to transfer liability for sidewalk snow and leaf removal to homeowners;**

10. Further expansion of the service area beyond the Mill Springs development be subject to public consultation and that necessary environmental studies be undertaken;
11. A public consultation process regarding CVRD takeover must be undertaken by the owner, and petitions completed by at least 50% of the owners of parcels within the proposed service areas and the total value of their parcels represent at least 50% of the net taxable value of all land and improvements in the service areas.
12. That the developer provide suitable reserve funds for each of the utilities.

and further that an assessment of the three system be carried out, funded to a maximum cost of \$20,000, with \$10,000 paid up front from the developer, and \$10,000 from a Provincial Feasibility Study Grant, and that, upon completion of a successful petition process, bylaws be prepared to create service areas for these utilities.

MOTION CARRIED

R2

Approval in principle for takeover of Cherry Blossom Estates sewer system:

Director Duncan asked that the following two points be added to staff's recommendation:

1. *"That the system be developed to Class A standards and discharged to ground disposal.*
2. *"That the developer provide an irrevocable letter of credit to be held as a contingency fund in the event that the development negatively impacts neighbouring wells at which time it be connected to a municipal system using the developer's contingency fund."*

It was moved and seconded that that it be recommended to the Board that the CVRD grant approval in principle for takeover of the water and sanitary sewer systems for a proposed 90 lot strata subdivision, described as *"Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157"*, as requested in a letter from Robin Mayo, Ana Sona Investments Ltd., dated December 8, 2008, subject to the following conditions and without prejudice to the rezoning process:

1. The preliminary concepts, detailed design and installation must be approved by Engineering Services staff to ensure compliance with CVRD Design Standards and Subdivision Bylaw 1215, and further that the treatment system meet a Class A standard.
2. The developer must have a qualified professional prepare and submit the Registration of Discharge form, Operation Plan and Environmental Impact Study, and all other necessary documentation, to the Ministry of Environment for the sewage treatment and disposal system.

3. That the developer provide a two-year warranty on the completed works, backed by an irrevocable Letter of Credit.
4. All lands on which infrastructure works are located are transferred to the CVRD, except where not practical, in which case will be placed within registered Statutory Rights-of-way using the CVRD's standard charge terms.
5. All sewage disposal capacities must be confirmed by the developer and disposal of effluent must be to ground.
6. The developer is required to provide a suitable reserve fund to start the water and sewer functions.
7. The developer is required to provide all water and sewer servicing infrastructure, including but not limited to, pumps, reservoir, SCADA system, fire protection, controls and mainlines, and sewage treatment works, disposal system, pumps, controls, gensets, and mainlines for the proposed development.
8. The developer shall pay all costs associated with monitoring and sampling requirements for the sewer system for the initial intensive monitoring period.
9. A utility transfer agreement must be executed between the CVRD and the owner/developer.
10. That the water source, treatment, reservoir and distribution works have adequate capacity and fire flow and have received approval from the Vancouver Island Health Authority.
11. That the developer provide an irrevocable letter of credit to be held as a contingency fund for up to two 2-years after 80% build-out of the development, in the event that it negatively impacts neighbouring wells, at which time it would be connected to a municipal system, using the developer's contingency fund.
12. That a successful petition process be carried out for establishment of service areas for the water and sewage systems; and further that the necessary bylaws be prepared to create water and sewer service areas for these systems.

MOTION CARRIED

R3

Approval in principle for takeover of Arbutus Ridge water and sewer systems:

It was moved and seconded that it be recommended to the Board that the CVRD grant approval in principle for takeover of the water, sanitary sewer and storm drainage systems for the existing Arbutus Ridge strata subdivision in Cobble Hill, as requested in the attached letter from the owners, Arbutus Ridge Strata Corporation VIS 1601, subject to the following conditions:

1. All lands on which infrastructure works are located will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;

- 2.A utility transfer agreement must be executed between the CVRD and the owners/developer;
- 3.A public consultation process regarding CVRD takeover must be undertaken by the owner, and petitions completed by at least 50% of the owners of parcels within the proposed service area and the total value of their parcels represent at least 50% of the net taxable value of all land and improvements in the service area.
- and further that, upon completion of a successful petition process, bylaws be prepared to create a service area for these utilities.

MOTION CARRIED

R4

2009 capital expenditures prior to budget approval:

It was moved and seconded that the Board provide approval to incur expenses against the following capital accounts prior to approval of the 2009 budget:

- Cobble Hill Sewer System: \$ 75,000
- Shawnigan Beach Estates Sewer System \$105,000

MOTION CARRIED

R5

Tender award for pickup truck purchase:

Discussion took place regarding looking at the carbon footprint when purchasing vehicles.

It was moved and seconded that the Board approve:

1. The purchase of a new Utilities truck for the Water Management Division in the amount of \$29,000.00, prior to the adoption of the CVRD 5-year Financial Plan.
2. Up to \$29,000.00 in short term borrowing for 2009 in the Water Management Division to be paid back over five years, under the Liabilities Agreement Section 175 of the Community Charter.

MOTION CARRIED

R6

Shawnigan Lake School agreement regarding use of well:

It was moved and seconded that it be recommended to the Board that the CVRD grant approval in principle to develop a partnership agreement for the development, ownership and usage of Wells A and B, located on the Shawnigan Lake School property subject to the following:

1. Shawnigan Lake School will provide 100% of the funding for the initial pump testing, hydrological report and assessment of the wells.
2. The CVRD will transfer ownership of the wells to the Shawnigan Lake School.

3. An agreement is created that will outline all cost sharing, allowable daily, monthly, yearly flows and volumes of each partner as well as the operation and maintenance costs.
4. Shawnigan Lake School will provide a statutory right-of-way to the CVRD over their property that will enable access to the wells for operation and maintenance purposes.
5. Both parties will be responsible for the treatment of their allocated water.

MOTION CARRIED

R7 "Towns for Tomorrow" grant application for Kerry Village Sewer System:

It was moved and seconded that the Board designate the Kerry Village sewer treatment plant and disposal field repair and remediation as the sole Cowichan Valley Regional District application for the 2009 "Towns for Tomorrow" Provincial Grant Program.

MOTION CARRIED

R8 Deferred due to new information received by staff.

R9 Potential provision of economic relief to local recycling facility.

It was moved and seconded this matter be referred back to staff to undertake an analysis of available options.

MOTION CARRIED

R10 Waste Energy Feasibility Study, prepared by Gartner Lee:

Staff provided the Committee with a PowerPoint presentation regarding the Waste Energy Feasibility Study.

The Chair asked staff to provide this report to member municipalities and CVRD Board members.

It was moved and seconded that CVRD staff to continue to work with the Regional District of Nanaimo and other local jurisdictions towards joint waste management solutions.

MOTION CARRIED

R11 Solid Waste 2007 Annual Monitoring Report:

It was moved and seconded that this report be received and filed and that it be provided to all CVRD Board members and member municipalities.

MOTION CARRIED

R12

Cobble Hill Drainage System amendment to service area:

It was moved and seconded that:

- 1. 3rd Reading of CVRD Bylaw No. 3085 - Cobble Hill Village Drainage System Establishment Bylaw, 2008 be RESCINDED.**
 - 2. Section 6 - Maximum Requisition be deleted in its entirety and replaced with the following:
The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$9,912, or an amount that equals the amount raised by applying a property value tax rate of \$0.1434 per \$1,000.00 of the net taxable value of land and improvements in the service area.**
 - 3. Schedule A of CVRD Bylaw No. 3085 be amended to include an additional 32 lots within the service area boundary.**
 - 4. CVRD Bylaw No. 3085 – Cobble Hill Village Drainage System Establishment Bylaw, 2008 be forwarded to the Board for 3rd reading, as amended; and following provincial and voter approval, adoption.**
- and further that this Bylaw be effective for the 2010 Assessment Roll.**

MOTION CARRIED

R13

Provincial Infrastructure Planning Study Grant applications:

It was moved and seconded that it be recommended to the Board that the CVRD support application of five infrastructure planning grants for the following utilities:

- 1) Mill Springs Sewer Study Grant**
- 2) Shawnigan Lake Water Source Study Grant: 4-3-2-1 Compliance with Vancouver Island Health Authority**
- 3) Saltair Water Source Study Grant: 4-3-2-1 Compliance with Vancouver Island Health Authority**
- 4) Communications Study for Shawnigan Lake Water System**
- 5) Communications Study for Saltair Water System**

MOTION CARRIED

R14

Recycling of feedbags:

Mr. McDonald provided the Committee with background concerning recycling of feedbags. Many of these bags are lined with plastic or wax, therefore the Contractor is not required to accept them, but they have been advised to leave a note with reason why a product is not accepted. The Contractors will accept feedbags that are not lined, if the resident slits the bag open to show that it is not lined.

Moved and seconded that an education program be developed to provide customers with information regarding recycling of feedbags.

MOTION CARRIED.

IN1 Court ruling regarding Section 102 of the Health Act – 100 feet setback for septic systems:

That the information regarding Section 102 of the Health Act be received and filed and referred to staff to provide an impact analysis.

MOTION CARRIED

NEW BUSINESS Burning Bylaw:

Staff provided the Committee with an update on this issue, advising that it now has been re-drafted and will be presented to the Committee in the near future.

**RESOLVE INTO
IN CAMERA
4:55 p.m.**

It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, Sections 90{ (1)(g)}.

MOTION CARRIED

**RISE FROM
IN CAMERA
5:20 p.m.**

It was moved and seconded that the Committee rise without report.

MOTION CARRIED

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5:20 p.m.

Chair

Recording Secretary

Dated: _____