

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, March 11, 2009 at 6:06 pm.

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

ALSO Warren Jones, Administrator
PRESENT: Joe Barry, Corporate Secretary
Mark Kueber, General Manager Corporate Services
Ron Austen, General Manager Parks, Recreation & Culture
Kathleen Harrison, Deputy Corporate Secretary
Sharon Moss, Manager Finance Division

ABSENT: Director D. Haywood

GUESTS: Former Director J. Allan
Former Director J. Lefebure
Former Director G. Ridgway
Former Director M. Tansley
Former Director M. Walker
Former CVRD Administrator, F. Raimondo

APPROVAL OF AGENDA

09-107 It was moved and seconded that the agenda be amended with the addition of the following New Business items:

NB1 Correspondence from Jean Crowder, MP
NB2 Transit Committee Report and Recommendations of March 11, 2009

And Closed Session New Business items:

CSNB1 Law Enforcement {Sub (1) (f)} and Land Acquisition {Sub (1) (e)}
CSNB2 Land Acquisition {Sub (1) (e)}

and that the agenda, as amended, be adopted

MOTION CARRIED

**RECOGNITION
CEREMONY**

Chair Giles welcomed the assembled former CVRD Directors and with the assistance of the Corporate Secretary, distributed commemorative recognition gifts to each of the former directors.

Selected speakers provided a brief history of the political CVRD career of each of the former Directors.

Director Dorey reflected on the statesman-like demeanor of former Director Tansley and the seriousness with which he carried out his responsibility as a CVRD Director.

Director Cossey encapsulated the effect and inspiration that former Director Walker brought to his role as a former CVRD Director and the impact Mr. Walker had on the Mill Bay/Malahat area.

Alternate Director Hartmann provided a thoughtful summarization of former Director Lefebure's accomplishments and life.

Director Walker captured the reflective irreverence and foresight of former Director Ridgway's delivery at the Committee and Board level.

Former Administrator Raimondo touched upon the highlights and achievements of former Director Allan's political life and his service to his community and the strong regional vision former Director Allan had as Chairman of the Board.

**ADOPTION OF
MINUTES**

09-108 It was moved and seconded that the minutes of the Special Board meeting of February 10, 2009 be adopted.

MOTION CARRIED

09-109 It was moved and seconded that the minutes of the Regular Board meeting of February 11, 2009 be adopted.

MOTION CARRIED

09-110 It was moved and seconded that the minutes of the Special Board meeting of February 12, 2009 be adopted.

MOTION CARRIED

**REPORT OF
CHAIRPERSON**

RC1 Appointment of the Nanaimo Airport Commission.

09-111 It was moved and seconded:

- 1. That the CVRD solicit interest in the local newspapers for qualified candidates to represent the CVRD on the Nanaimo Airport Commission.**
- 2. That a committee be struck comprised of Directors Hutchins, Dorey, Marcotte, Kent and Giles to make the candidate selection.**

MOTION CARRIED

RC2 2009 Prestige Awards presented by the Canadian Sport Tourism Alliance for sport tourism events that have taken place in 2008.

09-112

It was moved and seconded that the Cowichan Valley Regional District nominate the 2008 Cowichan North American Indigenous Games (NAIG) Society for the "20008 CSTA (Canadian Sport Tourism Alliance) Sport Event of the Year Award (budget over \$250,000)".

MOTION CARRIED

CORRESPONDENCE

C1 Memorandum from the General Manager, Corporate Services dated March 4, 2009 re: 2009 Budget Revision was considered for information purposes.

COMMITTEE REPORTS

The Corporate Secretary advised that NB1 should be considered at the same time as CR1 recommendation number 5.

CR1 The report and recommendations of the Regional Services Committee meeting of February 25, 2009 listing seventeen items was considered.

09-113 It was moved and seconded:

- 1. That the Chairperson and Corporate Secretary be authorized to sign the Engagement Letter with the Auditors for the 2008 Audit.**
- 2. That the CVRD provide tax exemption to the Capital Regional District for 2009 for parcel #4-765-11914.200.**

- 3. That the CVRD Asset Disposal Policy be waived and that the Regional District donate the Cowichan SAR 1989 Ford Bus to the CRD Salt Spring Emergency Program for use by amateur radio, emergency program and search and rescue personnel as a radio communications link during emergency events.**
- 4. That the 2009 Regional Grant in Aid request from the Chesterfield Sports Society dated December 17, 2008 for the Cowichan Sportsplex be approved for \$80,000. and be included in the 2009 Budget.**
- 5. That the 2009 Regional Grant in Aid request from O.U.R. Ecovillage/O.U.R. Community Association dated September 1, 2008 for \$20,000. be included in the 2009 Budget.**
- 6. That the 2009 Regional Grant in Aid request for the Olympic Torch Relay project be approved for \$20,000. and be included in the 2009 Budget.**
- 7. That funding in the amount of \$75,000. for the South Cowichan Water Plan Study Function be included in the 2009 Budget.**
- 8. That funding in the amount of \$27,500. for the Safer Futures Function be included in the 2009 Budget.**
- 9. That funding in the amount of \$50,000. for the Social Planning Cowichan Function be included in the 2009 Budget.**
- 10. That funding in the amount of \$25,000. for SAR Base of Operations, under Function 205 – Emergency Planning, be included in the 2009 Budget.**
- 11. That the Town of Lake Cowichan's contribution to Function 472 – Senior Centre Grant be increased from \$4,500. to \$5,000. and that this amendment be included in the 2009 Budget.**
- 12. That the requisition, under Function 113 – Grants-in-Aid Area C, be increased from \$9,994. to \$10,994. and that this amendment be included in the 2009 Budget.**
- 13. That under Function 282 – South End Parks: Transfer/General Capital Fund be reduced by \$10,000.; an Expenditure be created for the Cobble Hill Cenotaph in the amount of \$10,000.; and that these amendments be included in the 2009 Budget.**
- 14. That the requisition, under Function 115 – Grants-in-Aid Area E, be reduced to \$0. And that this amendment be included in the 2009 Budget.**

15. That the requisition, under Function 111 - Grants-in-Aid Area A, be increased by \$3,500. and that this amendment be included in the 2009 Budget.

16. That under Function 355 – Fire Protection Malahat: Donations – Firemans Fund be increased to \$15,000.; Transfer/Reserve Fund be reduced by \$12,500.; and that these amendments be included in the 2009 Budget.

MOTION CARRIED

09-114 It was moved and seconded:

17. That the requisition for Function 285 - Regional Parkland Acquisition be reduced from \$500,000. to \$300,000. and that this amendment be included in the 2009 Budget.

Opposed: Directors Duncan and Morrison

MOTION CARRIED

09-115 It was moved and seconded:

- 1. That the requisition, under Function 111 - Grants-in-Aid Area A, be increased by \$2,000.**
- 2. That the requisition, under Function 112 - Grants-in-Aid Area B, be increased by \$2,000.**
- 3. That the requisition, under Function 113 - Grants-in-Aid Area C, be increased by \$3,000.**

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee meeting of February 17, 2009 listing seventeen items were considered.

09-116 It was moved and seconded:

- 2. That the CVRD compensate Ian & Kelli Anderson \$450 for their loss of livestock due to an attack by unknown dog(s).**
- 3. That a grant-in-aid (Electoral Area E – Cowichan Station/ Sahtlam/Glenora) in the amount of \$250 be given to The Cowichan Spirit of Women to assist with funding their programs and projects.**

4. That a grant-in-aid (Electoral Area B – Shawnigan Lake) in the amount of \$1,500 be given to Cowichan Secondary School to provide two bursaries (\$750 each) to students living in Electoral Area B.
5. That a grant-in-aid (Electoral Area B – Shawnigan Lake) in the amount of \$1,800 be given to the Cowichan Family Caregivers Support Society to assist with the operation of the various Society Caregiver programs.
6. That a grant-in-aid (Electoral Area B – Shawnigan Lake) in the amount of \$1,000 be given to Frances Kelsey School to provide one bursary to a student living in Area B.
7. That a grant-in-aid (Electoral Area B – Shawnigan Lake) in the amount of \$250 be given to The Cowichan Spirit of Women to assist with funding their programs and projects.
8. That CVRD Bylaw No. 2057, Electoral Area B - Shawnigan Lake Parks and Recreation Commission Establishment Bylaw, 2000 be amended to increase the membership from seven (7) to nine (9) members and that the amendment bylaw be forwarded to the Board for three readings and adoption.
9. That a Part Time position in Bylaw Enforcement Function 328 be re-affirmed, and that \$25,000 be added to General Expenditures/Salaries/Part Time Regular.
10. That the proposed 2009 Area C Community Parks Budget Function 233 be amended by increasing the Revenue by \$365,000 with \$150,000 included as a bank loan and \$215,000 included as a transfer from reserve fund, and that the General Capital Fund under Expenditures be increased by \$365,000.
11. That the proposed 2009 Area H Community Parks Budget Function 238 be amended to reduce the Miscellaneous Equipment Budget Expenditures by \$9,884 and to increase the Transfer to Reserve by \$9,884.
12. That the proposed 2009 Area B Community Parks Budget Function 232 be amended by increasing the requisition by \$152,000 to \$372,000 and that the General Capital Fund under Expenditures be increased by \$152,000.
13. That a Reserve Fund be established for Bright Angel Park Function 281.

MOTION CARRIED

(Amended from original Committee recommendation)

It was moved and seconded:

1. That the following Regional Board Policy be adopted:
“That relocated modular and mobile homes must be manufactured under the CSA Z-240 Standard for Mobile Homes, or A-277 Standard for Manufactured Homes. Further, that homes manufactured under the A-277 Standard, when relocated within the CVRD electoral areas, must be placed on a permanent foundation. Z-240 mobile homes, single and doublewide, are permitted to be placed on strip footings and blocking.”

09-117 It was moved and seconded that the proposed Regional Board Policy be referred back to the Electoral Area Services Committee.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

09-118 It was moved and seconded:

- 14. That Application No. 8-I-08DP be approved, and the Development Services Division be authorized to issue a development permit to Lucy and Doug Denham for the reconstruction of the principal residence on Lot 1, Section 45, Renfrew District, (situate in Cowichan Lake District), Plan VIP19229, subject to:**
 - **Strict compliance with RAR Report # 840 by Harry Williams, RP Bio, and**
 - **The 15 m Streamside Protection and Enhancement Area is flagged by a surveyor prior to construction and snow fencing is established separating the construction area from the SPEA;**
 - **The reconstruction is to be located outside the 15 metre Streamside Protection and Enhancement Area, measured from the 164 metre high water mark.**
- 15. That Application No. 4-E-08ALR (Brant Raymond Weninger & Gwen Anne Siciliano) for a subdivision within the Agricultural Land Reserve, be forwarded to the Agricultural Land Commission with a recommendation to deny.**

16. That the CVRD enter into a restrictive covenant with 613711 BC Ltd; T. A. Williams; P. A. Faganello, and D. J. Preston, which would protect the Streamside Protection and Enhancement Area of Strata Lots 1 through 11, Block 488, Cowichan Lake District, Plan VIS6095 in accordance with RAR Report No. 159 and establish a rent charge in the favour of the CVRD for the ongoing monitoring of the SPEA and related matters, and that the rent charge monies be directed to the *Protection of Waters and Riparian Areas on Cowichan Lake Fund*, established under CVRD Bylaw No. 2805.
17. That Official Community Plan Amendment Bylaw No. 3139 (Kaelble) and Zoning Amendment Bylaw 3140 (Kaelble) be referred back to the Board for consideration of third reading in their present form, with a recommendation to defeat, AND FURTHER that the question of the land use designation and zoning on this property be examined at the time of the Cowichan-Koksilah Official Community Plan review, presently scheduled to commence in 2010.

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee meeting of March 3, 2009, listing fifteen items were considered.

09-119 It was moved and seconded:

1. That a Notice Against Land Title be filed for property owned by Erik & Margaret Simensen and Arild and Astrid & Solbakken, located at 11420 Youbou Road and legally described as PID 000-486-248, Plan 1736, Lot 35, Block 8, Cowichan Lake District.
2. That Notice Against Land Title be filed for property owned by Richard & Barbara Temple, located at 3579 Yellow Point Road and legally described as That part of parcel B (DD 12263N) of District Lot 36, Oyster District, Shown outlined in red on Plan 880R; and further, that legal action be held in abeyance at this time.
3. That a grant-in-aid (Electoral Area C – Cobble Hill) in the amount of \$500 be given to Cowichan Foundation to assist with on-going community work.
4. That a grant-in-aid (Electoral Area C – Cobble Hill) in the amount of \$1,000 be given to Cowichan Secondary School for two bursaries (\$500 each) to be awarded to students living in Electoral Area C.

5. That a grant-in-aid (Electoral Area C – Cobble Hill) in the amount of \$250 be given to Cowichan Spirit of Women to assist with operation costs of the Womens Resource Centre.
6. That a grant-in-aid (Electoral Area C – Cobble Hill) in the amount of \$1,500 be given to Frances Kelsey Secondary School for bursaries to be awarded to students living in Electoral Area C.
7. That a grant-in-aid (Electoral Area C – Cobble Hill) in the amount of \$500 be given to Cowichan Family Caregivers Society to assist with ongoing community work.
8. That a grant-in-aid (Electoral Area E – Cowichan Station-Sahtlam-Glenora) in the amount of \$375 be given to Bike to Work Cowichan to assist with program operation costs.
9. That a grant-in-aid (Electoral Area E – Cowichan Station-Sahtlam-Glenora) in the amount of \$500 be given to BC Coalition for Health Promotion to assist with production costs of an educational documentary.
10. That a grant-in-aid (Electoral Area D – Cowichan Bay) in the amount of \$500 be given to BC Coalition for Health Promotion to assist with production costs of an educational documentary.
11. That a grant-in-aid (Electoral Area B – Shawnigan Lake) in the amount of \$300 be given to BC Coalition for Health Promotion to assist with production costs of an educational documentary.
- 12.1. That the 2009-2010 Electoral Area F Community Parks Maintenance Services Contract be awarded to Easy Living Holdings Ltd. of Duncan in the amount of \$69,999.99 including GST, based on the RFP bid received Friday February 13, 2009.
2. That the 2009-2010 Electoral Area I Community Parks Maintenance Services Contract be awarded to Easy Living Holdings Ltd. of Duncan in the amount of \$67,999.99 including GST, based on the RFP bid received Friday February 13, 2009.
13. That the Purchasing Policy be waived to allow the following list of works to proceed prior to the adoption of the CVRD 2009 Five Year Financial Plan in order to ensure the projects are completed prior to mid-spring when public use becomes very active at these parks and in particular at Saltair Centennial Park where the league play on the ball fields is scheduled to commence:

1. Area C – Construction of Bike Skills Park at Quarry Nature Park;
2. Area F – Emergency Repairs to Bear Lake Park Swim Float and approach ramp; and
3. Area G – Installation of Irrigation system at Saltair Centennial Park ball field.

14. That Director K. Kuhn and Director I. Morrison be authorized to attend the next FCM conference to be held in Whistler, subject to budget funding.

MOTION CARRIED

09-120 It was moved and seconded:

15. That Development Variance Permit Application No. 1-E-09DVP be approved, and that the Planning Division be authorized to issue a Development Variance Permit to Werner and Maureen Schwan with respect to Lot 3, Section 3, Range 1, Cowichan District, Plan 25530 that would vary Section 7.3(b)(4) of Zoning Bylaw No. 1840 by 1.2 metres for the construction of an accessory building 1.8 metres from the interior side parcel line.

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee Special meeting of March 3, 2009, listing seventeen items were considered.

09-121 It was moved and seconded:

1. That Community Planning Function 325, 2009 Annual Budget, be approved.
2. That Building Inspection Function 320, 2009 Annual Budget, be approved.
3. That Area F Grants-in-Aid Function 116, 2009 Annual Budget, be amended by increasing the requisition amount by \$3000 from \$7072 to \$10,072, and that budget Function 116, as amended, be approved.
4. That Area C Grants-in-Aid Function 113, 2009 Annual Budget, be amended by a further increase of \$2000 (total increase \$3000), and that budget Function 113, as amended, be approved.
5. That Area I Grants-in-Aid Function 118, 2009 Annual Budget, be increased by \$5000 to \$10,000, and that budget Function 118, as amended, be approved.

- 6. That Area F Community Parks Function 236, 2009 Annual Budget, be amended by increasing the requisition to \$144,000 with a corresponding increase to Capital, and that budget Function 236, as amended, be approved.**
- 7. That Bright Angel Park Function 281, 2009 Annual Budget, be approved.**
- 8. That Animal Control Function 310, 2009 Annual Budget, be approved.**
- 9. That North Oyster Fire Protection Function 350, 2009 Annual Budget, be amended by increasing the requisition to \$239,000 with increase directed to Transfer to Reserve, and that budget Function 350, as amended, be approved.**
- 10. That Mesachie Lake Fire Protection Function 351, 2009 Annual Budget, be approved.**
- 11. That Cowichan Lake Fire Protection Function 352, 2009 Annual Budget, be approved.**
- 12. That Saltair Fire Protection Function 353, 2009 Annual Budget, be approved.**
- 13. That Sahtlam Fire Protection Function 354, 2009 Annual Budget, be approved.**
- 14. That Malahat Fire Protection Function 355, 2009 Annual Budget, be approved.**
- 15. That Eagle Heights Fire Protection Function 356, 2009 Annual Budget, be approved.**
- 16. That Honeymoon Bay Fire Protection Function 357, 2009 Annual Budget, be approved.**
- 17. That Youbou Fire Protection Function 358, 2009 Annual Budget, be approved.**

MOTION CARRIED

CR3 The report and recommendations of the Engineering Services Committee meeting of February 25, 2009, listing ten items, were considered.

09-122 It was moved and seconded:

1. That the CVRD provide the following relief to Vancouver Island Recycling Centre:
 1. Waive the \$400.00 monthly payment required under the current contract for a period not to exceed six months; and
 2. Impose a \$10 per tonne tipping fee for material accepted under the multi-bin program for a period not to exceed six months.
3. That the CVRD Board support the proposed workshop on environmental aspects to planning decisions, Saturday, March 28, 2009, and encourage appropriate CVRD and member municipal staff, advisory planning commission and park commission members and others to attend.
4.
 1. That "CVRD Bylaw No. 3253 – Cowichan Bay Sewer System Management Amendment Bylaw, 2009" be forwarded to the Board for three readings and adoption.
 2. That "CVRD Bylaw No. 3254 –Eagle Heights Sewer System Management Amendment Bylaw, 2009" be forwarded to the Board for three readings and adoption.
 3. That "CVRD Bylaw No. 3255 – Cobble Hill Sewer System Management Amendment Bylaw, 2009" be forwarded to the Board for three readings and adoption.
5.
 1. That CVRD Bylaw No. 3257 – Youbou Water System Management Amendment Bylaw, 2009, amending Schedule B – Metered Water Rates and Charges be forwarded to the Board for consideration of three readings and adoption.
 2. That Bylaw No. 3240 – Arbutus Mountain Estates Water System Management Amendment Bylaw, 2009 be forwarded to the Board for consideration of three readings and adoption.
6. That the Board approve the purchase of a new Skidsteer Loader for the Recycling and Waste Management Division in the amount of \$45,808.00, prior to the adoption of the CVRD 2009 Five-year Financial Plan.
7. That the CVRD Board authorize staff time to investigate takeover of the existing Douglas & Moth Water System located in Electoral Areas C and D, as requested in the attached correspondence from Leighton Mellemstrand, Secretary, Douglas Hill Ratepayers Association, 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 be executed between the CVRD and the owners;
 3. A CVRD in-house review of the system be undertaken in order to address deficiencies in the water system;
 4. The owner of the Douglas and Moth Water Utility be willing to sell and/or transfer the system to the CVRD;
 5. A public consultation process regarding CVRD takeover be undertaken;
 6. A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing 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 this utility.

8. That the following projects be submitted for funding under the Canada-British Columbia Building Canada Fund – Communities Component:
 1. Shawnigan Lake North Water System Upgrades
 2. Bings Creek Organics Tipping Floor.
9. That the following amendments be made to the 2009 budgets and forwarded to the Board for consideration:
 1. Budget 670 – Cherry Point Estates Water Fund: Set Parcel Tax Requisition to \$18,750 and transfer \$3,327 to reserve.
 2. Budget 800 – Cowichan Bay Sewer Fund: Set Parcel Tax Requisition to \$147,620 and transfer \$56,295 to reserve.
 3. Budget 860 – Youbou Sewer Fund: Set Parcel Requisition to \$37,000 and transfer \$4,079 to reserve.
10. That the Board provide approval to incur a sole source expense of a Salness Filter against the Shawnigan Beach Estates Sewer System capital budget in the amount of \$105,000, prior to approval of the 2009 budget.

MOTION CARRIED

7:30 pm Director McGonigle left the meeting at 7:30 pm.

It was moved and seconded:

2. 1. That "CVRD Bylaw No. 2942 - Air Pollution Control Service Establishment Bylaw, 2007", not be proceeded with.
2. That staff prepare a new bylaw for air pollution control with the nine electoral areas as the participating areas.

3. That "CVRD Bylaw No. 3258 - Air Pollution Control Service Establishment Bylaw, 2009", be forwarded to the Board for consideration of three readings, and following Provincial approval, adoption.

09-123 It was moved and seconded that recommendation number 2 be referred to the Electoral Area Services Committee.

Opposed: Chair Giles, Directors Hutchins, Seymour, Iannidinardo, Harrison, Cossey, Kent and Alternate Director Hartmann

MOTION DEFEATED

09-124 VOTING RESUMED ON THE ORIGINAL MOTION

Motion restated for clarification:

It was moved and seconded:

2. 1. That "CVRD Bylaw No. 2942 - Air Pollution Control Service Establishment Bylaw, 2007", not be proceeded with.
2. That staff prepare a new bylaw for air pollution control with the nine electoral areas as the participating areas.
3. That "CVRD Bylaw No. 3258 - Air Pollution Control Service Establishment Bylaw, 2009", be forwarded to the Board for consideration of three readings, and following Provincial approval, adoption.

Opposed: Directors Marcotte and Cossey

MOTION CARRIED

CR4 The report and recommendations from the Parks Committee Special meeting of February 25, 2009 listing two items, were considered.

09-125 It was moved and seconded:

1. That the 2009 Regional Parks Budget, Function No. 280, be approved.

MOTION CARRIED

Parks Committee recommendation #2 was dealt with previously under CR2 recommendation number 17.

CR4 The report and recommendations of the Kinsol Trestle Revitalization Committee meeting of March 3, 2009 listing two items, were considered.

09-126 It was moved and seconded:

1. 1) That the Board recognize the Kinsol Trestle as having heritage value and character, and that it be placed on a Community Heritage Register in the Cowichan Valley Regional District.
- 2) That, pursuant to Section 974 of the *Local Government Act*, the CVRD notify the owner of the heritage property of the CVRD Board's intention to register the Kinsol Trestle on a Community Heritage Register in the Cowichan Valley Regional District.
- 3) That, pursuant to Section 977 of the *Local Government Act*, the CVRD notify the Minister responsible for the *Heritage Conservation Act*, that the CVRD recognizes the Kinsol Trestle as having heritage value and character and that it be placed on a Community Heritage Register in the Cowichan Valley Regional District.
2. That the Board authorize final payment in the amount of \$13,617.14 to Commonwealth Historic Resource Management for consulting services to prepare the Kinsol Trestle Rehabilitation Phase II report.

MOTION CARRIED

CR5 The report and recommendation from the Island Savings Centre Commission meeting of February 19, 2008 listing one item was considered.

09-127 It was moved and seconded that the Board provide approval to incur the capital expense of purchasing the Arena Score Clock to a maximum of \$40,000, prior to the adoption of the 2009 CVRD Budget.

MOTION CARRIED

CR5 The report and recommendation from the Island Savings Centre Commission Special meeting of March 3, 2009 listing one item was considered.

09-128 It was moved and seconded that the Board accept the revised 2009 Island Savings Centre Budget that reflects a budget reduction of \$258,090 from Function 421 to Function 438 inclusive, and that the amendments be included in the 2009 Budget.

MOTION CARRIED

CR6 The report and recommendations from the Cowichan Lake Recreation Commission meeting of February 19, 2009 listing two items were considered.

09-129 It was moved and seconded:

1. That the CVRD Purchasing Policy be waived, and that the Chair and Corporate Secretary be authorized to sign an agreement with CEI Architecture Planning Interiors, for a cost of \$385,560, for the completion of architectural services for the Cowichan Lake Sports Arena project.
2. That the Board approve adding the following items back into Function 405 Cowichan Lake Recreation:

Salaries and Benefits	\$58,263
Miscellaneous Equipment	\$50,000
Capital Machinery and Equipment	\$6,000

for a total Function 405 increase of \$114,263 for a proposed 2% decreased requisition of \$1,364,566., and that the budget amendments be included in the 2009 Budget.

Opposed: Director Kuhn

MOTION CARRIED

CR7 The report and recommendations from the Kerry Park Recreation Commission meeting of February 24, 2009 listing four items were considered.

09-130 It was moved and seconded:

1. That the Cowichan Valley Regional District Board support the grant application to the Celebrate Canada Committee for British Columbia c/o Canadian Heritage for funds to host the Canada Day Celebration in the South Cowichan Area.
2. That the requisition, under Function 411 – Cost of Referendum - be increased by \$18,000 to a total of \$1,010,289 and that this amendment be included in the 2009 budget.
3. That the requisition, under Function 412 – Machinery and Equipment- be decreased by \$13,000 to a total of \$172,055 and that this amendment be included in the 2009 budget.
4. That the requisition, under Function 413 – Buildings - be decreased by a total of \$24,500 to a total of \$221,500, and that this amendment be included in the 2009 budget.

MOTION CARRIED

STAFF REPORTS

SR1 Staff Report from the Legislative Services Coordinator dated February 17, 2009 re: Amendments to CVRD Bylaw No. 3085 - Cobble Hill Drainage Service was considered.

09-131 **It was moved and seconded that the Staff Report from the Legislative Services Coordinator dated February 17, 2009 re: Amendments to CVRD Bylaw No. 3085 - Cobble Hill Drainage Service be received and filed.**

MOTION CARRIED

SR2 Staff Report from the Deputy Corporate Secretary dated February 24, 2009 re: Results of Alternative Approval Process - Bylaw No. 3138 - South Cowichan Water Plan Study Service was considered .

09-132 **It was moved and seconded that the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw No. 3138 be received.**

MOTION CARRIED

SR3 Staff Report from the General Manager, Corporate Services dated March 3, 2009 re: Strategic Community Investment Funds was considered.

09-133 **It was moved and seconded that the Chair and Corporate Secretary be authorized to execute the Province of British Columbia's, Strategic Community Investment Funds agreement on behalf of the CVRD.**

MOTION CARRIED

SR4 Staff Report from the Parks Operations Superintendant dated March 3, 2009 re: Rescinding of February 11, 2009 Board Resolution 09-067 Purchase of Used 4x4 Parks Truck was considered.

09-134 **It was moved and seconded:**

- 1. That Board Resolution No. 09-067 dated February 11, 2009, be rescinded.**
- 2. That up to a maximum of \$30,000 in short term borrowing for the purchase of a used 4x4 six passenger Crew Cab truck and biodiesel storage tank for the Parks and Trails Division, be approved, and that the loan be paid back over five years under the Liability Under Agreement Section 175 of the *Community Charter*.**

MOTION CARRIED

SR5 Staff Report from the Short Range Planner dated March 3, 2009 re: Zoning Amendment Bylaw No. 3241 (Cottyn Developments Ltd.) was considered for information.

09-135 It was moved and seconded that the Staff Report from the Short Range Planner dated March 3, 2009 re: Zoning Amendment Bylaw No. 3241 (Cottyn Developments Ltd.) be received and filed.

MOTION CARRIED

SR6 Staff Report from the Manager, Development Services dated March 2, 2009 re: First and Second Reading of Zoning Amendment Bylaw 3234 (Bahler) was considered.

09-136 It was moved and seconded:

1. That Rezoning Application 4-F-07RS (Bahler) be approved;
2. That Zoning Amendment Bylaw No. 3234 to rezone Lot 10, Section 10, Range 4, Sahtlam District, Plan 46107 from F-1 (Forestry Resource 1) to F-2A (Forestry Residential) be forwarded to the Regional Board for consideration of first and second reading;
3. That a public hearing be scheduled for Zoning Amendment Bylaw No. 3234 and that Directors Morrison, Duncan and Kuhn be delegated to the hearing.

MOTION CARRIED

SR7 Staff Report from the Division Manager, South Cowichan Recreation dated March 4, 2009 re: Shawnigan Lake Community Centre 2009 Budget was considered.

09-137 It was moved and seconded that the following amendments to the Shawnigan Lake Community Centre 2009 Budget be approved:

- Increase the Tax Requisition of Function 464 to a total of \$529,171,
- Increase the Transfer from Reserve Fund to a total of \$43,475,
- Increase Rentals to a total of \$24,000,
- Increase Telephone to a total of \$5,000,
- Increase fuel to a total of \$5650,
- Increase Electricity to a total of \$17,300,
- Increase Capital Buildings to a total of \$533,900,

and, that the budget amendments be included in the 2009 Budget.

MOTION CARRIED

- 09-138** It was moved and seconded that the CVRD 2009 Annual Budget be approved as amended.

Opposed: Directors Marcotte, Kuhn, Duncan and Morrison

MOTION CARRIED

- SR8** Staff Report from the Administrator dated March 4, 2009 re: Recommended Projects for Application to the Canada-BC Building Canada Fund was considered.

- 09-139** It was moved and seconded that the following projects for application to the *Canada-British Columbia Building Canada Funding Program (BCF-CC)* be approved:

1. Lake Cowichan Arena & Training Facility Upgrade
2. Trans Canada Trail (North) Completion
3. Historic Kinsol Trestle Rehabilitation
4. Shawnigan Lake North Water Conservation and Quality Enhancements
5. Peerless Road Ashfill Reclamation and Recycling Project
6. Saltair Water Conservation & Quality Project
7. Mesachie Lake Waste Water & Habitat Protection Project.

MOTION CARRIED

- SR9** Staff Report from the Planner III, dated March 10, 2009, re: OCP Amendment Bylaw No. 3222 and Zoning Amendment Bylaw No. 3223 (Elkington Estates/Macaroff/Gates).

- 09-140** It was moved and seconded that SR9, Staff Report from the Planner III, dated March 10, 2009, re: OCP Amendment Bylaw No. 3222 and Zoning Amendment Bylaw No. 3223 (Elkington Estates/ Macaroff/Gates), and Bylaws No. 3222 and No. 3223 be referred to the Special Board meeting scheduled for March 25, 2009.

MOTION CARRIED

PUBLIC HEARINGS

- PH1** Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3231 and Zoning Amendment Bylaw No. 3232 (Industrial Development Permit Area/Loken), applicable to Electoral Area B - Shawnigan Lake were considered.

- 09-141** It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3231 and Zoning Amendment Bylaw No. 3232 (Industrial Development Permit Area/Loken), applicable to Electoral Area B - Shawnigan Lake be received.

MOTION CARRIED

PH2 Public Hearing Report and Minutes re: Zoning Amendment Bylaw No. 3241 (Cottyn Developments Ltd.) applicable to Electoral Area B - Shawnigan Lake were considered.

09-142 It was moved and seconded that Public Hearing Report and Minutes re: Zoning Amendment Bylaw No. 3241 (Cottyn Developments Ltd.) applicable to Electoral Area B - Shawnigan Lake be received.

MOTION CARRIED

BYLAWS

B1 It was moved and seconded that "CVRD Bylaw No. 3085 - Cobble Hill
09-143 Drainage System Service Establishment Bylaw, 2008", 3rd reading be RESCINDED.

MOTION CARRIED

B1 It was moved and seconded that "CVRD Bylaw No. 3085 - Cobble Hill
09-144 Drainage System Service Establishment Bylaw, 2008", be amended in accordance with Item SR1.

MOTION CARRIED

B1 It was moved and seconded that "CVRD Bylaw No. 3085 - Cobble Hill
09-145 Drainage System Service Establishment Bylaw, 2008", be granted 3rd reading as amended.

MOTION CARRIED

B2 It was moved and seconded that "CVRD Bylaw No. 3138 - South Cowichan
09-146 Water Plan Study Service Establishment Bylaw, 2008", be adopted.

MOTION CARRIED

B3 It was moved and seconded that "CVRD Bylaw No. 3231 - Area B -
09-147 Shawnigan Lake Official Community Plan Amendment Bylaw (Industrial Development Permit Area/Loken), 2008", be granted 3rd reading.

MOTION CARRIED

B3 It was moved and seconded that "CVRD Bylaw No. 3231 - Area B -
09-148 Shawnigan Lake Official Community Plan Amendment Bylaw (Industrial Development Permit Area/Loken), 2008", be adopted.

MOTION CARRIED

**B4
09-149** It was moved and seconded that "CVRD Bylaw No. 3232 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Loken), 2008", be granted 3rd reading.

MOTION CARRIED

**B4
09-150** It was moved and seconded that "CVRD Bylaw No. 3232 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Loken), 2008", be adopted.

MOTION CARRIED

**B5
09-151** It was moved and seconded that "CVRD Bylaw No. 3234 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Bahler), 2009", be granted 1st and 2nd reading.

MOTION CARRIED

**B6
09-152** It was moved and seconded that "CVRD Bylaw No. 3241 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Cottyn Developments Ltd.), 2008", be granted 3rd reading as amended in accordance with Item SR5.

MOTION CARRIED

B7 Referred to the Special Board meeting of March 25, 2009 with Item SR9.

B8 Referred to the Special Board meeting of March 25, 2009 with Item SR9.

RESOLUTIONS

**RES1
09-153** It was moved and seconded that the following appointments to the Electoral Area C - Cobble Hill Parks and Recreation Commission be approved:

Term to expire December 31, 2010:

Elected:

Alan Seal

Ian Sparshu

MOTION CARRIED

**RES2
09-154** It was moved and seconded that the following appointments to the South End Parks Commission be approved:

Term to expire November 30, 2010:

Appointed:

Ian Sparshu

Lynn Wilson

MOTION CARRIED

**RES3
09-155** It was moved and seconded that the following appointment to the Electoral Area G - Saltair/Gulf Islands Advisory Planning Commission be approved:

Term to expire December 31, 2009:
David Thomas

MOTION CARRIED

**RES4
09-156** It was moved and seconded that the following appointments to the Electoral Area D - Cowichan Bay Parks and Recreation Commission be approved:

Term to expire December 31, 2010:
Elected:
Steve Garnett
Megan Stone
Val Townsend

Term to expire December 31, 2010:
Appointed:
Danica Rice
Kerri Talbot

MOTION CARRIED

**RES5
09-157** It was moved and seconded that the following appointments to the Electoral Area H - North Oyster/Diamond Parks and Recreation Commission be approved:

Term to expire March 31, 2011:
Elected:
Don Pigott

Term to expire March 31, 2011:
Appointed:
Barbara Waters
Bruce Mason

MOTION CARRIED

**RES6
09-158** *(Amended from original recommendation):*

It was moved and seconded that the following appointment to the Electoral Area F - Cowichan Lake South/Skutz Falls Parks and Recreation Commission be approved:

Term to expire December 31, 2009:
Appointed:
Winn Peters

MOTION CARRIED

UNFINISHED BUSINESS

Director Kent asked about the status of the Cowichan Basin Water Management Plan.

The Administrator reported that the CVRD is still attempting to meet with the Honourable Barry Penner, Minister of Environment and Minister responsible for Water Stewardship and Sustainable Communities and are continuing to work to pull funding together from a variety of sources.

The Administrator will ensure that copies of the Cowichan Basin Water Management Plan are provided to the new Directors as well as have Kate Miller, Manager, Regional Environmental Policy Division, provide an update and presentation of the Plan.

NEW BUSINESS

NB1 Dealt with earlier under agenda item CR1 recommendation number 5.

NB2 The report and recommendations of the Transit Committee meeting of March 11, 2009 listing five items, were considered.

09-159 It was moved and seconded:

1. That the Board approve the restructured Transit service proposal for the Cowichan Valley Regional Transit System; and that potential for schedule integration with Commuter service be reviewed; and further, that public consultation with stakeholders for information and input prior to implementation be initiated.
2. 1. That the CVRD proceed with the implementation of Route 5 - Eagle Heights Cowichan Commons, effective September 2009 subject to funding from BC Transit.
2. That the CVRD proceed with the introduction of a Community bus Route serving Cowichan Station and other rural areas south of the Cowichan River including Telegraph Road, Satellite Park, Arbutus Ridge and Glenora effective September 2009 subject to funding from BC Transit.
3. 1. That cash fares on the local Cowichan Valley Regional Transit System be reduced to zero (no charge) on Wednesday, June 3, 2009 in support of Clean Air Day and on Friday, December 18, 2009 to celebrate the holiday season.
2. That free transit be offered to veterans on Remembrance Day, November 11, 2009.
3. That free transit be offered on HandyDART Service to veterans on Remembrance Day, November 11, 2009.

4. That the Chair and Corporate Secretary be authorized to sign the Cowichan Valley Regional Transit System: 2008/09 Annual Operating Agreement - Amendment #1.
5. That the Chair and Corporate Secretary be authorized to sign the Cowichan Valley Regional Transit System: 2008/09 Annual Operating Agreement - Amendment #2.

MOTION CARRIED

**RESOLVING INTO
CLOSED SESSION**

09-160

8:34 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), (f), and (g) be approved.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

09-168

8:59 pm

It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.

MOTION CARRIED

ADJOURNMENT

**09- 169
8:59 pm**

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

MOTION CARRIED

The meeting adjourned at 8:59 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____