

Minutes of the Special meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, August 26, 2009 at 5:08 pm

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

ALSO PRESENT: Warren Jones, Administrator
Joe Barry, Corporate Secretary
Ron Austen, General Manager
Parks, Recreation & Culture
Dave Leitch, Division Manager
Water Management Division
Dominique Beesley, Secretary I

APPROVAL OF AGENDA

09-445

It was moved and seconded that the agenda be amended with the addition of the Chair's Report and New Business items:

NB1 Issues relating to "CVRD Bylaw No. 3300 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Service Establishment Bylaw, 2009"
CSNB1 Land Acquisition {Sub (1) (e)} and
CSNB2 Land Acquisition {Sub (1) (e)}

and that the agenda, as amended, be approved.

MOTION CARRIED

REPORT OF THE CHAIRPERSON

RC1 The Chair reported that there will be a Cowichan Water Basin River Tour on Sunday, September 13th from 9 am to 3 pm.

RC2 The Chair noted that an Environmental Workshop is being planned for September 24th from noon to 5 pm with further information to come.

COMMITTEE REPORTS

CR1 The report and recommendation of the Kerry Park Recreation Centre Commission meeting of August 18, 2009 listing one item was considered.

09-446 It was moved and seconded that the Vice Chair of the Board and the Corporate Secretary be authorized to sign the South Cowichan Recreation Funding Agreement of August 9, 2009 between the CVRD and Electoral Areas A, B, C, and D respecting the allocation of costs for certain recreation facilities in the South Cowichan area.

MOTION CARRIED

STAFF REPORTS

SR1 Staff Report from the Corporate Secretary dated August 19, 2009 re: Kerry Park Capital Renovation and Aquatic Centre Referendum was considered.

09-447 It was moved and seconded:

- 1. That the Kerry Park Capital Renovation and Aquatic Centre Referendum be held on Saturday, November 21, 2009.**
- 2. That the following question be submitted to the electors of Electoral Area A - Mill Bay/Malahat; Electoral Area B - Shawnigan Lake; and Electoral Area C - Cobble Hill:**

"Are you in favour of the Board of the CVRD adopting "Cowichan Valley Regional District Bylaw No. 3300 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Service Establishment Bylaw, 2009", which would establish a service for the capital renovation of the Kerry Park Recreation Centre and construction and operation of an Aquatic Centre, and provide for annually requisitioning up to Two Million Three Hundred and Fifty-Five Thousand Dollars (\$2,355,000.) for the service;

and

adopting "Cowichan Valley Regional District Bylaw No. 3301 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Loan Authorization Bylaw, 2009" which would permit the CVRD to borrow up to Twenty-Five Million Dollars (\$25,000,000.) to renovate the Kerry Park Recreation Centre and construct an Aquatic Centre"?

YES or NO?

3. That participating area approval for the Kerry Park Capital Renovation and Aquatic Centre Referendum is to be obtained for the entire proposed service area.
4. That the Board approves the following synopsis of Bylaws No. 3300 and No 3301 to be used for the Notice of Voting:

Bylaw No. 3300 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Service Establishment Bylaw. This bylaw provides for the following:

- establishing a service to provide for the capital renovation of the Kerry Park Recreation Centre and construction and operation of an Aquatic Centre;
- establishing the boundaries of the service area as the whole of: Electoral Area A - Mill Bay/Malahat; Electoral Area B - Shawnigan Lake; and Electoral Area C - Cobble Hill;
- annually requisitioning the greater of \$0.7481 per \$1,000 of net taxable value of land and improvements within the service area or Two Million Three Hundred and Fifty-Five Thousand Dollars (\$2,355,000.).

Bylaw No. 3301 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Loan Authorization Bylaw. This bylaw authorizes borrowing up to Twenty-Five Million Dollars (\$25,000,000.) for the renovation of the Kerry Park Recreation Centre and the construction of an Aquatic Centre. The funds would be borrowed on a 30-year term.

5. That Kathleen Harrison be appointed Chief Election Officer and Rosa Johnston be appointed Deputy Chief Election Officer for the Kerry Park Capital Renovation and Aquatic Centre Referendum to be held on Saturday, November 21, 2009.

MOTION CARRIED

SR2

Staff Report from the Manager, Island Savings Centre dated August 19, 2009 re: Recommendation to Approve an Application to the BC Liquor Control and Licensing Branch to Allow Alcohol Consumption the Cowichan Arena and West Suites was considered.

09-448

It was moved and seconded:

1. That the Cowichan Valley Regional District Board request that the Liquor Control and Licensing Branch approve the amendment to allow alcohol consumption in the Cowichan Arena bleachers and the West Suites.
2. That, as required by the LCLB, the Board of the Cowichan Valley Regional District has considered the following items: the potential for noise; the impact on the community; whether the amendment will result in the establishment being operated in a manner that is contrary to its primary purpose; and the views of the residents; and offers the following comments:
 1. Noise: as the facility is surrounded by Green Belt, the surrounding residents are not impacted. The license change will allow alcohol consumption in not only the Heritage Hall, but also the Cowichan Arena bleachers and West Suites.
 2. Impact on the Community: history of arena events and Cowichan Valley Capital hockey games has been well received and supported by the community.
 3. Purpose: to bring past practice into compliance with LCLB regulations and requirements.
 4. Impact on Residents: the amendment does not affect nearby residents as the nature of the expanded area is contained entirely within the existing arena.
3. The Cowichan Valley Regional District Board supports the application amendment to expand licensing to include the Cowichan Arena bleachers and the West Suites.

MOTION CARRIED

SR3

Staff Report from the Corporate Secretary dated August 19, 2009 re: CVRD Bylaw No. 3303 - Fireworks Sale and Discharge Regulation Amendment Bylaw, 2009" was considered for information.

SR4

Staff Report from the Corporate Secretary dated August 20, 2009 re: CVRD Bylaw No. 3294 - North Oyster Local Service (Fire Protection) Area Amendment Bylaw, 2009" was considered.

09-449 It was moved and seconded that Resolution No. 04-443 be rescinded.

MOTION CARRIED

BYLAWS

B1
09-450 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3303 - Fireworks Sale and Discharge Regulation Amendment Bylaw, 2009" be granted 1st, 2nd and 3rd reading as amended with the addition of "*or equivalent*" after "Fireworks Operator Certificate" in Section 4.

Opposed: Director Marcotte

MOTION CARRIED

B1
09-451 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3303 - Fireworks Sale and Discharge Regulation Amendment Bylaw, 2009", be adopted.

Opposed: Director Marcotte

MOTION CARRIED

B2
09-452 It was moved and seconded that "CVRD Bylaw No. 3294 - North Oyster Local Service (Fire Protection) Area Amendment Bylaw, 2009" be adopted.

MOTION CARRIED

NEW BUSINESS

NB1
09-453 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3300 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Service Establishment Bylaw, 2009", 3rd reading be rescinded.

MOTION CARRIED

09-454 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3300 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Service Establishment Bylaw, 2009" be amended by changing the maximum annual requisition from Two Million Eight Hundred and Thirty-Eight Thousand Dollars (\$2,838,000.) to Two Million Three Hundred and Fifty-Five Thousand Dollars (\$2,355,000.), and changing the rate from "0.9015 per 1,000" to "0.7481 per 1,000".

MOTION CARRIED

09-455 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3300 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Service Establishment Bylaw, 2009" be granted 3rd reading as amended.

MOTION CARRIED

Director Iannidinardo reported that discussions have been taking place regarding the involvement of Electoral Area D - Cowichan Bay with the Cowichan Aquatic Centre.

09-456 It was moved and seconded that an Annual Financial Contribution Service be created for Electoral Area D - Cowichan Bay for the purpose of contributing to the cost of operation and maintenance of the Cowichan Aquatic Centre with a maximum requisition limit of \$132,000.

MOTION CARRIED

09-457 It was moved and seconded that Electoral Area D - Cowichan Bay acknowledges its forthcoming financial contribution to the Cowichan Aquatic Centre, subject to public approval, based upon the understanding that the current two-tier fee structure at the Cowichan Aquatic Centre will remain in place for non-participating areas, and that a letter be sent to the District of North Cowichan and the City of Duncan confirming such.

Opposed: Directors Cossey, Morrison, McGonigle and Harrison

MOTION CARRIED

**RESOLVING INTO
CLOSED SESSION**

09-458 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.
5:40 pm

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

**09-461
5:45 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- 62
5:45 pm**

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

MOTION CARRIED

The meeting adjourned at 5:45 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____