

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, May 12, 2010 at 6:12 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** Warren Jones, Administrator  
**PRESENT:** Joe Barry, Corporate Secretary  
Tom Anderson, General Manager  
Planning & Development Department  
Dan Derby, General Manager, Public Safety  
Brian Dennison, General Manager  
Engineering & Environmental Services

#### **APPROVAL OF AGENDA**

**10-242**

**It was moved and seconded that the agenda be amended with the deletion of agenda item SR3 and the addition of New Business items:**

**NB1 Commission Appointment - Electoral Area D - Cowichan Bay Parks & Recreation Commission**  
**NBCS1 Land Acquisition {Sub (1) (e)} and Freedom of Information {Sub (1) (j)}**

**and that the agenda, as amended, be approved.**

**MOTION CARRIED**

#### **ADOPTION OF MINUTES**

**10-243**

**It was moved and seconded that the minutes of the April 14, 2010 Regular Board meeting be adopted.**

**MOTION CARRIED**

**10-244**

**It was moved and seconded that the minutes of the April 28, 2010 Special Board meeting be adopted.**

**MOTION CARRIED**

#### **DELEGATIONS**

**D1** Rodger Hunter representing the Cowichan Watershed Board  
Re: Support to Implement Specific Elements of the Cowichan Basin Water Management Plan.

Rodger Hunter requested CVRD support for the Cowichan Watershed Board's 2010 recommended actions pertaining to Demand Management, Water Supply, Habitat and Flood Management.

**10-245** **It was moved and seconded that the CVRD support in principle the four Cowichan Watershed Board 2010 Goals pertaining to Demand Management, Water Supply, Habitat and Flood Management, subject to a review by staff, and engaging the Cowichan Tribes; with a report back that contains recommendations for the implementation of the four Cowichan Watershed Board 2010 Goals.**

Opposed: Director Marcotte

**MOTION CARRIED**

#### **CORRESPONDENCE**

**C1** Correspondence from the City of Duncan, Director of Corporate Services, dated April 22, 2010 re: Lower Cowichan - Koksilah River Integrated Flood Management Plan was considered.

**10-246** **It was moved and seconded that the correspondence from the City of Duncan, Director of Corporate Services, dated April 22, 2010 re: Lower Cowichan - Koksilah River Integrated Flood Management Plan be received.**

**MOTION CARRIED**

#### **REPORT OF THE CHAIRPERSON**

**RC1** The Chair reported on the following:

1. Corporate Strategic Plan: the Chair requested the Directors to please respond to Jacob Ellis, Corporate Planning, regarding his email.
2. The sod-turning event on Tuesday, May 11<sup>th</sup> for the construction at Bings Creek of an Operations Base for the Cowichan Valley Search and Rescue Association. Chair Giles extended the Association's appreciation to the Board for providing the facility.

**COMMITTEE REPORTS**

**CR1** The report and recommendations from the Electoral Area Services Committee meeting held April 20, 2010 listing 11 items were considered.

- 10-247**
- 1. That the irrevocable letter of credit provided for Development Permit No. 1-E-08DP (Parhar Property Management Ltd.) be drawn upon respecting non-compliance of landscaping requirements.**
  - 2. 1. That an annual financial contribution service be created for the Mill Bay/Malahat Historical Society with a maximum requisition limit of \$10,000 to assist with costs associated with the collection, preservation, restoration and presentation of historical artifacts and archives of Mill Bay/Malahat and the surrounding South Cowichan area.**
  - 2. That CVRD Bylaw No. 3380 – Mill Bay/Malahat Historical Society annual Financial Contribution Service Establishment Bylaw, 2010, be forwarded to the Board for consideration of three readings and following provincial and voter approval, be considered for adoption.**
  - 3. That voter approval to establish the Mill Bay/Malahat Historical Society Annual Financial Contribution Service be obtained through an alternative approval process.**
  - 3. 1. That the services of Bob Hamilton Enterprises Inc. be obtained to undergo negotiations, inspection and purchase of a used fire tender on behalf of the CVRD Malahat Fire Rescue Service.**
  - 2. That the Board approve the sole source purchase of a used fire tender for the Malahat Volunteer Fire Rescue Service, the overall expenditure of which will not exceed \$100,000.**
  - 3. That a Reserve Fund expenditure bylaw be prepared authorizing expenditure of no more than \$36,308 from the Malahat Fire Protection Specified (Local Service) Area Machinery and Equipment Reserve Fund (CVRD Establishment Bylaw No. 1301, cited as the Malahat Fire Protection Specified (Local Service) Area Machinery and Equipment Reserve Fund Establishment By-law No. 1, 1990) for the purpose of purchasing machinery and equipment, and that the reserve fund bylaw be forwarded to the Board for consideration of three readings and adoption.**
  - 4. That CVRD Bylaw No. 3384 – Nature and Habitat Fund Establishment Bylaw, 2010 be forwarded to the Board for consideration of three readings and adoption.**

5. That the 2010 Major and Minor Capital Work Program revised Schedule dated April 18<sup>th</sup> for Community and Sub-Regional Parks be further revised to remove Area C Manley Creek Box Steps Installation, Area C Beach Accesses Rip Rap Improvements, and Area C Cenotaph Rock Retaining Wall (if funding for the Area C washroom building involves parks), and that the further revised Schedule be adopted as the order and priority list for undertaking completion of capital project work approved in the 2010 budget.
6. That the resignation of Linden Collette from the Area C Parks Commission be accepted and that a letter of appreciation be forwarded to Linden Collette.
7. That the following grant in aid requests be approved:
  - Grant-in-aid (Area D) to Cowichan Bay Improvement Area in the amount of \$500 to support their second annual prawn festival.
  - Grant-in-aid (Area I) to Cowichan Lake Salmonid Enhancement in the amount of \$1,000 to support their Coho south study.
  - Grant-in-aid (Area I) to Lake Days Society in the amount of \$300 to assist with costs to hold the Lake Days dance.
  - Grant-in-aid (Area I) to Lake Days Society in the amount of \$500 to assist with costs to hold the “Breakfast in the Town” event.
  - Grant-in-aid (Area I) to Lake Cowichan Secondary School in the amount of 250to assist with Grad 2010 dry grad costs.
  - Grant-in-aid (Area I) to Cowichan Lake District Chamber of Commerce in the amount of \$4,000 to assist the Tourist Info Centre costs.
  - Grant-in-aid (Area I) to Cowichan Lake Lady of the Lake Society in the amount of \$1,200 to assist with costs related to the Ambassador Programme.
  - Grant-in-aid (Area I) to Wilderness Watch in the amount of \$750 to assist with truck insurance costs.
  - Grant-in-aid (Area I) to Cowichan Lake Secondary School Grad 2010 (Chris Friesen) in the amount of \$500 to assist with prom night costs.
  - Grant-in-aid (Area D) to Cowichan Music Festival Society in the amount of \$500 to assist with hosting the Performing Arts BC Provincial Finals.
  - Grant-in-aid (Area C) to Frances Kelsey School in the amount of \$500 to provide a third bursary to a graduating Cobble Hill student.
  - Grant-in-aid (Area C) to Cowichan Music Festival Society in the amount of \$500 to assist with costs to stage the Performing Arts BC Provincial Finals.

- Grant-in-aid (Area C) to Cobble Hill LERN Program in the amount of \$250 to assist with costs in developing Cobble Hill's LERN Program.
  - Grant-in-aid (Area A) to Cowichan Music Festival Society in the amount of \$500 to assist with hosting the Performing Art BC Provincial Finals.
  - Grant-in-aid (Area E) to Cowichan Music Festival Society in the amount of \$500 to assist with hosting the Performing Art BC Provincial Finals.
8. That the resignation of Donna Einarsson from the Area D Parks Commission be accepted and that a letter of appreciation be forwarded to Ms. Einarsson.
  9. That a letter be forwarded to the Mayor of Powell River expressing sincere thanks and appreciation for the excellent job hosting the recent AVICC conference.

**MOTION CARRIED**

10-248

It was moved and seconded:

10. 1. That Official Community Plan and Zoning amendment bylaws for Application No. 4-A-09RS (Baranti Developments) be prepared that would permit a bare-land subdivision of 40 lots, and that the bylaws be forwarded to the Regional Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings.
2. That a public hearing be scheduled with Directors Harrison, Cossey, and Giles appointed as Board delegates, following submission of a draft covenant by the applicants committing to the dedication 4.39 ha of land on the southern portion of the property at the time of subdivision.
3. That application referrals to the Ministry of Transportation and Infrastructure, the Vancouver Island Health Authority, the Ministry of Environment, the Ministry of Community and Rural Development, School District No. 79, Malahat First Nation, Cowichan Tribes, Mill Bay Waterworks District, CVRD Public Safety Department, CVRD Parks and Trails Division, and the CVRD Water Management Division, be accepted.
11. That a letter be forwarded to the Minister of Agriculture and Lands and/or appropriate Minister requesting a meeting with the Minister, Area D Director L. Iannidinardo, and the CVRD Board Chair, to explain the CVRD's position that expiring Lease No. 105062 (Block A of District Lot 160, Cowichan District - Hokensen/boat repair business) not be renewed due to existing OCP review process.

**MOTION CARRIED**

**CR2**

The report and recommendations of the Electoral Area Services Committee meeting held May 4, 2010 listing 11 items were considered.

**10-249**

**It was moved and seconded:**

- 1. That the Regional District Board establish an Agricultural Advisory Committee comprised of government, community, farmers and other stakeholders to address the issues and actions identified in the Area Agriculture Plan; and to advise the Board on issues of importance to the agricultural community, and on ALR exclusion applications as well as other matters referred to it.**
- 3. 1. That the Regional Board appoint Brian Duncan as a Bylaw Enforcement Official.**
  - 2. That the Regional Board appoint Grant Breckenridge as a Bylaw Enforcement Official.**
  - 3. That the Regional Board appoint Norm Knodel as a Bylaw Enforcement Official.**
  - 4. That the Regional Board appoint Ian McDonald as a Bylaw Enforcement Official.**
  - 5. That the Regional Board appoint Gary Anderson as a Bylaw Enforcement Official.**
- 4. That a grant in aid (Area C) be given to Evergreen Independent School in the amount of \$3,500 to assist with repair and upgrading of the original Cobble Hill School.**
- 5. That the Board Chair and Corporate Secretary be authorized to execute an agreement with the Mill Bay Waterworks District to permit the maintenance and operation of a short section of CVRD's Mill Springs Trail located on property owned by Mill Bay Waterworks District, legally described as Lot 4, District Lots 46&60, VIP 68911, Malahat District to address issues pertaining to liability and indemnification, insurance coverage provisions and use of the lands for community trail purposes.**
- 6. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to release Covenant FB307700 in favour of the Cowichan Valley Regional District concurrent with the transfer of lands to the Regional District for park purposes, per the conditions of the covenant, at time of registration of the subdivision of Lot 3, District Lot 96, Malahat District, Plan 32725.**
- 7. That a Reserve Fund Expenditure bylaw be prepared authorizing the expenditure of no more than \$20,000 from the Community Parks General Reserve Fund (Area F – Cowichan Lake South/Skutz Falls) for the purpose of completing the Mesachie Lake Park ball field expansion upgrade; and that the bylaw be forwarded to the Board for consideration of three readings and adoption.**

**MOTION CARRIED**

The Chair advised that the issue noted in Recommendation 2 has already been dealt with and a resolution from the Board is not required.

10-250

It was moved and seconded:

8. That Application No. 4-G-10DP be approved, and that a development permit be issued to Brian Tassell, on behalf of, Robert Boscher, for that part of Lot 12, District Lot 34, Oyster District, Plan 2519, shown outlined in red on Plan 298R, except part in Plan 33268, to permit repair of a 10 metre section of a  $\pm 3$  metre tall riprap retaining wall, repair 28 metres of scour protection along the retaining wall footings, and removal of 2-3 trees along the bank subject to the development complying with the recommendations noted in Simpson Geotechnical Ltd report, dated April 12<sup>th</sup>, 2010.
9. That Application No. 1-B-10DVP by Charles and Jill Bell for a variance to Section 8.3(b)(2) of Zoning Bylaw No. 985, by increasing the height limit for an accessory building from 7.5 metres (24.6 ft.) to 9.5 metres (31 ft.) on Lot 1, Shawnigan Lake Suburban Lots, Malahat District, Plan 32805, be approved.
10. That the request by Dwain and Lynda Walerius to allow the accessory building fixture in the workshop located at 5175 Lee Road, be approved, and that one bathing facility (bathtub) and one sink be permitted to remain in the accessory building subject to the land owner registering a covenant re-affirming that the structure will not be used as a dwelling.
11. That Application No. 3-G-10DP be approved and that a development permit be issued to Murray Archdekin and Gwen Robinson, for Lot 1, District Lot 34, Oyster District, Plan 4347, to construct a single family dwelling and garage, subject to complying with the recommendations noted in the Lewkowich Engineering Associates Ltd. report dated April 26, 2010.

**MOTION CARRIED**

CR3

The report and recommendations of the Engineering & Environmental Services Committee held April 28, 2010 listing six items were considered.

10-251

It was moved and seconded:

1. That a *critical location* streetlight be installed at the corner of Cameron Taggart and Lovers Lane in Electoral Area B – Shawnigan Lake, as requested by a local resident, with endorsement from the RCMP.

2.
  - .1 That the *Certificate of Sufficiency*, confirming that a sufficient petition, requesting inclusion into the Shawnigan Lake North Water System Service Area, be received.
  - .2 That the boundaries of the Shawnigan Lake North Water System Service Area be amended to include "*PID 009-480-901, District Lot 12, Shawnigan District except that part in Plans 10129, 24926, 32212 & 37171*".
  - .3 That "CVRD Bylaw No. 1967 – Shawnigan Lake North Water System Service Establishment Bylaw, 1999", be amended to include *PID 009-480-901, District Lot 12, Shawnigan District except that part in Plans 10129, 24926, 32212 & 37171*, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.
3.
  - .1 That "CVRD Bylaw No. 3385 – Satellite Park Water System Management Amendment Bylaw, 2010" be forwarded to the Board for three readings and adoption.
  - .2 That billings be sent via e-mail for this pilot project and that customers be given the ability to pay online.
4.
  - .1 That the *Certificate of Sufficiency*, confirming that a sufficient petition requesting inclusion into the Brulette Sewer System Service Area be received.
  - .2 That the boundaries of the Brulette Sewer System Service Area be amended to include "*PID 025-382-667, Lot 1, Section 4, Range 8, Shawnigan District, Plan VIP73512*".
  - .3 That "CVRD Bylaw No. 3296 – Brulette Place Sewer System Service Establishment Bylaw, 2009", be amended to include *PID 025-382-667, Lot 1, Section 4, Range 8, Shawnigan District, Plan VIP73512*, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.
6.
  - .1 That staff apply for funding under the Federation of Canadian Municipalities' Green Municipal Fund, to assist in the completion of the Meade Creek Ash Landfill Remediation Project; and further
  - .2 That should the application for funding from the Green Municipal Fund be approved, that the Chair and Corporate Secretary be authorized to enter into the funding agreement on behalf of the CVRD.

**MOTION CARRIED**

It was moved and seconded:

5. That the Board provide first stage approval and authorize staff time to continue with the process of investigating takeover of the water and sanitary sewer systems for a proposed 147 lot manufactured home strata subdivision, described as: "*District Lot 51, Oyster District, Except the Right-of-Way of the Esquimalt & Nanaimo Railway Company, except part coloured red on plan deposited under*

*DD27279I & except part shown outlined in red on plan deposited under DD28555I, AND, that part of District Lot 51, Oyster District, shown coloured red on plan deposited under DD27279I”, as requested in a letter from Bruce Muir for Heart Lake Developments Ltd., dated April 13, 2010, 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;
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;
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 a successful petition process be carried out for establishment of service areas for the water and sewage systems;
12. This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed.
13. That the treatment system be designed to meet “effluent re-use standards”.
14. That use of recycled wastewater for irrigation purposes be investigated.

and further that the necessary bylaws be prepared to create water and sewer service areas for these systems.

10-252

It was moved and seconded that the motion be amended by deleting item 13, renumbering item 14 to 13, and adding a new item 14 as follows:

**14. That upon investigation, if it is deemed to be feasible and desirable to use recycled wastewater for irrigation purposes, the treatment system be designed to meet "effluent re-use standards".**

Opposed: Directors Cossey, Dorey, Duncan, Giles, Harrison, Hutchins, Iannidinardo, Kent, Kuhn, Seymour, and Walker

**MOTION DEFEATED**

10-253

**VOTING RESUMED ON THE ORIGINAL MOTION**

Motion restated for clarification:

**5. That the Board provide first stage approval and authorize staff time to continue with the process of investigating takeover of the water and sanitary sewer systems for a proposed 147 lot manufactured home strata subdivision, described as: "*District Lot 51, Oyster District, Except the Right-of-Way of the Esquimalt & Nanaimo Railway Company, except part coloured red on plan deposited under DD27279I & except part shown outlined in red on plan deposited under DD28555I, AND, that part of District Lot 51, Oyster District, shown coloured red on plan deposited under DD27279I*", as requested in a letter from Bruce Muir for Heart Lake Developments Ltd., dated April 13, 2010, 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.**
- 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;**
- 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 a successful petition process be carried out for establishment of service areas for the water and sewage systems;
  12. This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed.
  13. That the treatment system be designed to meet “effluent re-use standards”.
  14. That use of recycled wastewater for irrigation purposes be investigated.

and further that the necessary bylaws be prepared to create water and sewer service areas for these systems.

Opposed: Directors Marcotte and Morrison

**MOTION CARRIED**

**CR3**

The report and recommendations of the Parks Committee meeting held May 12, 2010 listing four items were considered.

**10-254**

It was moved and seconded:

1. That the Vancouver Island Spine Relay in June 2010 be endorsed, inclusive of the use of the Cowichan Valley Trail June 24<sup>th</sup> and 25<sup>th</sup>, for hikers/runners and equestrians involved with the length of Vancouver Island promotional event.
2. That approval be given for the use of sections of the Cowichan Valley Trail between Waters Road area in Glenora and the trail section south of Mountain Road to the BC Competitive Trail Ride Association for an organized equestrian competitive ride event the weekend of July 3<sup>rd</sup> and 4<sup>th</sup>, 2010.
3. That, if necessary, up to a maximum of \$155,000 in short term borrowing for the construction of sections of the Cowichan Valley Trail - Northern Completion, be approved, in order to fully match grant funding contributions awarded to the project; and that the loan be paid back over five years under the Liability Under Agreement Section of 175 of the *Community Charter*; and that the adopted 2010 Budget be amended to reflect the Cowichan Valley Trail - Northern Completion funding changes.

4. That the CVRD continue with the existing Parks Bylaw Policies, which do not permit the use of motorized vehicles on Regional District trails.

**MOTION CARRIED**

**CR4**

The report and recommendations of the Cowichan Lake Recreation Commission meeting held April 16, 2010 listing three items was considered.

**10-255**

**It was moved and seconded:**

1. .1 That the CVRD Board request that the Liquor Control and Licensing Branch approve the temporary change of location to Liquor License #300537 so that staff may run the Annual Youbou Regatta Dance on August 14, 2010.
  - .2 That the CVRD has taken into account:
    - The potential for noise if the application is approved: Noise is kept at a minimum as the dance will be held indoors.
    - The impact on the community if the application is approved: This is an annual community event that has been occurring since the 1940s. The community will be involved through participation and volunteer activities.
    - Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose: This facility will still be operated as a liquor primary facility for the purpose of this event.
  - .3 And further, should the CVRD Board give approval to proceed with the application process, that the Chair and Corporate Secretary be authorized to sign a copy of the resolution required to accompany the application form.
2. That the CVRD Board approve and support Cowichan Lake Recreation staff obtaining a Special Occasion License in order to host the Youbou Annual New Year's Eve Dance as the Youbou Bowling Alley Liquor Primary License is not in effect on Fridays.
3. That the CVRD Board approve the renewal of the Rental Agreement with Canada Post Outlet within the Honeymoon Bay Community Hall for a term of five (5) years commencing on June 1, 2010 and terminating May 31, 2015, and further, that the Chair and Corporate Secretary be authorized to enter into the rental agreement on behalf of the CVRD should the request be approved.

**MOTION CARRIED**

**STAFF REPORTS**

**SR1** The Staff Report from the Legislative Services Coordinator dated May 5, 2010 re: Shawnigan Creek Drainage System Service - Notice of Alternative Approval Process and Elector Response Form was considered.

**10-256** **It was moved and seconded:**

- 1. That the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3344, be approved.**
- 2. That, due to the large number of Non-resident Property Electors within the proposed Shawnigan Creek Drainage System Service Area, individual distribution of the *Notice of Alternative Approval Process*, *Elector Response Form* and *Backgrounder* also occur by direct mail.**

**MOTION CARRIED**

**SR2** The Staff Report from the General Manager, Public Safety dated May 3, 2010 re: Application for Grant Funding for an Operational Fuel Treatment Program for Bald Mountain Repeater Site was considered.

**10-257** **It was moved and seconded that an application to the Union of British Columbia Municipalities for a Grant for a "Community Operational Fuel Treatment Program" for Bald Mountain Repeater Site be approved for submission and further, that should the application for funding to the UBCM be approved, that the Chair and Corporate Secretary be authorized to enter into the funding agreement on behalf of the CVRD.**

**MOTION CARRIED**

**SR3** Deleted upon Adoption of Agenda.

**SR4** The Staff Report from the Administrator dated May 4, 2010 re: "Gas Tax" Regionally Significant Projects - 2010 to 2014 was considered.

**10-258** **It was moved and seconded that Item 7 Cowichan Basin Implementation Plan, of Appendix A, be amended by increasing the Gas Tax Contribution from \$50,000 to \$150,000 and reducing the reserve funding from \$385,550 to \$285,550.**

**MOTION CARRIED**

**10-259** **It was moved and seconded that the Board approve the amended Tier I and II Regional Gas Tax projects as identified in the Report of the Administrator dated May 4, 2010 and that \$285,550 of Regional Gas Tax funding be reserved for future Regional Gas Tax projects.**

**MOTION CARRIED**

**PUBLIC HEARINGS**

**PH1** The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3354 (Area E OCP Maintenance Bylaw) applicable to Electoral Area E - Cowichan Station/Sahtlam/Glenora; Zoning Amendment Bylaw No. 3355 (Area E Zoning Maintenance Bylaw), applicable to Electoral Area E - Cowichan Station/Sahtlam/Glenora; and Bylaw No. 3356 Subdivision for a Relative Amendment Bylaw (Area E and G Deletion), applicable to Electoral Area E - Cowichan Station/Sahtlam/Glenora and Electoral Area G - Saltair/Gulf Islands were considered.

**10-260** **It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3354 (Area E OCP Maintenance Bylaw) applicable to Electoral Area E - Cowichan Station/Sahtlam/Glenora; Zoning Amendment Bylaw No. 3355 (Area E Zoning Maintenance Bylaw), applicable to Electoral Area E - Cowichan Station/Sahtlam/ Glenora; and Bylaw No. 3356 Subdivision for a Relative Amendment Bylaw (Area E and G Deletion), applicable to Electoral Area E - Cowichan Station/Sahtlam/Glenora and Electoral Area G - Saltair/Gulf Islands be received.**

**MOTION CARRIED**

**PH2** The Public Hearing Report and Minutes re: Official Community Plan Amendment bylaw No. 3316 and Zoning Amendment Bylaw No. 3317 - Wiggins (applicable to Electoral Area H - North Oyster/Diamond) were considered.

**10-261** **It was moved and seconded that Public Hearing Report and Minutes re: Official Community Plan Amendment bylaw No. 3316 and Zoning Amendment Bylaw No. 3317 - Wiggins (applicable to Electoral Area H - North Oyster/Diamond) be received.**

**MOTION CARRIED**

**BYLAWS**

**B1**  
**10-262** **It was moved and seconded that "CVRD Bylaw No. 3323 - Sahtlam Fire Protection Specified Service Area Capital Reserve Fund Expenditure Mobile Water Tender) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B1**  
**10-263** **It was moved and seconded that "CVRD Bylaw No. 3323 - Sahtlam Fire Protection Specified Service Area Capital Reserve Fund Expenditure Mobile Water Tender) Bylaw, 2010", be adopted.**

**MOTION CARRIED**

**B2  
10-264** It was moved and seconded that "CVRD Bylaw No. 3348 - Brulette Place Sewer System Service Area Amendment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B3  
10-265** It was moved and seconded that "CVRD Bylaw No. 3373 - Emergency Programs Reserve Fund Expenditure (Two Bays at Bings Creek) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B3  
10-266** It was moved and seconded that "CVRD Bylaw No. 3373 - Emergency Programs Reserve Fund Expenditure (Two Bays at Bings Creek) Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B4  
10-267** It was moved and seconded that "CVRD Bylaw No. 3374 - Electoral Area E Community Parks Park Land Acquisition Reserve Fund Expenditure (\$35,000) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B4  
10-268** It was moved and seconded that "CVRD Bylaw No. 3374 - Electoral Area E Community Parks Park Land Acquisition Reserve Fund Expenditure (\$35,000) Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B5  
10-269** It was moved and seconded that "CVRD Bylaw No. 3375 - Electoral Area E Community Parks Capital Reserve Fund Expenditure (\$165,000) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B5  
10-270** It was moved and seconded that "CVRD Bylaw No. 3375 - Electoral Area E Community Parks Capital Reserve Fund Expenditure (\$165,000) Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B6  
10-271** It was moved and seconded that "CVRD Bylaw No. 3380 - Mill Bay/Malahat Historical Society Annual Financial Contribution Service Establishment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B7  
10-272** It was moved and seconded that "CVRD Bylaw No. 3381 - Shawnigan Lake North Water System Service Amendment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B8  
10-273**                    **It was moved and seconded that "CVRD Bylaw No. 3384 - Nature and Habitat Fund Establishment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

Opposed: Directors Morrison and McGonigle

**MOTION CARRIED**

**B9  
10-274**                    **It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3385 - Satellite Park Water System Management Amendment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B9  
10-275**                    **It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3385 - Satellite Park Water System Management Amendment Bylaw, 2010", be adopted.**

**MOTION CARRIED**

**B10  
10-276**                    **It was moved and seconded that "CVRD Bylaw No. 3386 - Cowichan Lake Arena Capital Reserve Fund Expenditure (Zamboni) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B10  
10-277**                    **It was moved and seconded that "CVRD Bylaw No. 3386 - Cowichan Lake Arena Capital Reserve Fund Expenditure (Zamboni) Bylaw, 2010", be adopted.**

**MOTION CARRIED**

**B11  
10-278**                    **It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3316 - Area H - North Oyster/Diamond Official Community Plan Amendment Bylaw (Clifford/Wiggins), 2009", be granted 3<sup>rd</sup> reading.**

Opposed: Directors Cossey, Dorey, Duncan, Giles, Harrison, Iannidinardo, Kuhn, Marcotte and Morrison

**MOTION DEFEATED**

**B12  
10-279**                    **It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3317 - Area H - North Oyster/Diamond Zoning Amendment Bylaw (Clifford/Wiggins), 2009", be granted 3<sup>rd</sup> reading.**

Opposed: Directors Cossey, Dorey, Duncan, Giles, Harrison, Iannidinardo, Kuhn, Marcotte and Morrison

**MOTION DEFEATED**

**B13  
10-280**                    **It was moved and seconded that "CVRD Bylaw No. 3354 - Area E - Cowichan Koksilah Official Community Plan Amendment Bylaw (Area E OCP Maintenance Bylaw), 2010", be granted 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B14  
10-281** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3355 - Electoral Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Area E Zoning Maintenance Bylaw), 2010", be granted 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B14  
10-282** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3355 - Electoral Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Area E Zoning Maintenance Bylaw), 2010", be adopted.

**MOTION CARRIED**

**B15  
10-283** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3356 Subdivision for Relative Amendment Bylaw (Area E and G Deletion), 2010", be granted 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B15  
10-284** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3356 Subdivision for Relative Amendment Bylaw (Area E and G Deletion), 2010", be adopted.

**MOTION CARRIED**

**B16  
10-285** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3387 - Area A - Mill Bay/Malahat Official Community Plan Amendment Bylaw (Baranti Developments), 2010", be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**B17  
10-286** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3388 - Area A - Mill Bay/Malahat Zoning Amendment Bylaw (Baranti Developments), 2010", be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**NEW BUSINESS**

**NB1  
10-287** It was moved and seconded that the following appointment to the Electoral Area D - Cowichan Bay Parks & Recreation Commission be approved:

**Appointed:  
Bruce Clarke**

**Term to expire: December 31, 2010.**

**MOTION CARRIED**

**RESOLVING INTO  
CLOSED SESSION**

**10-288  
8:16 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) Land Acquisition (e) and Freedom of Information (j).**

**MOTION CARRIED**

**RISE FROM  
CLOSED SESSION**

**10-294  
8:45 pm**

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

**MOTION CARRIED**

**ADJOURNMENT**

**10-295  
8:45 pm**

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

**MOTION CARRIED**

The meeting adjourned at 8:45 pm

Certified Correct:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary

Dated: \_\_\_\_\_