

**REGIONAL DISTRICT OF NANAIMO**

**SPECIAL BOARD MEETING  
TUESDAY, JANUARY 11, 2005  
7:00 PM**

*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

**CALL TO ORDER**

**PRESENTATION**

Senior Certificate in Local Government Administration to Bob Lapham, General Manager, Development Services.

**COMMUNICATIONS/CORRESPONDENCE**

- 2                    **Shirley Hine, City of Parksville**, re 2005 Council Voting Representative – District 69 Recreation Commission.
- 3                    **Shirley Hine, City of Parksville**, re 2005 Council Voting Representative – Arrowsmith Water Service Management Committee.

**UNFINISHED BUSINESS**

**BYLAWS**

**For Adoption.**

**Bylaw No. 1391** – Barclay Crescent Sewer Service Establishment Bylaw – Area G. (All Directors – One Vote)

**Bylaw No. 1392** – Barclay Crescent Sewer Loan Authorization Bylaw – Area G. (All Directors – One Vote)

**ADMINISTRATOR'S REPORTS**

- 4-8                    Board Appointments to Standing, Select and Advisory Committees. (All Directors – One Vote)
- 9-10                    Electoral Area 'E' By-Election. (All Directors – One Vote)
- 11-14                    Regional District Participation in the Nature Trust's Acquisition of Block 602 – Englishman River. (All Directors – Weighted Vote)

**ADDENDUM**

**NEW BUSINESS**

**ADJOURNMENT**

**IN CAMERA**



# City of PARKSVILLE

PO Box 1390, 100 E. Jensen Avenue, Parksville, BC, V9P 2H3  
Telephone: (250) 248-6144 Fax: (250) 248-6650  
www.city.parksville.bc.ca

REGIONAL DISTRICT OF NANAIMO	
DEC 7 0 2004	
CHAIR	GMCRS
	GMCRS
CAO	GMDS
	GMES

December 7, 2004

Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

Dear Sir/Madam:

**Re: Year 2005 Council Voting Representative - District #69 Recreation Commission**

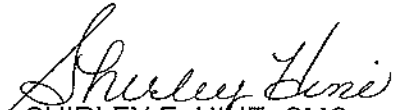
At the meeting of Council held on Monday, December 6, 2004, Councillor Chris Burger was appointed Council voting representative to the District #69 Recreation Commission for the period December 7, 2004 to December 5, 2005 inclusive.

Councillor Burger may be contacted at City Hall or at:

Councillor Chris R. Burger  
253 McKinnon Street  
Parksville, BC V9P 1J1

954-3649 (h)  
email: [chris.burger@shaw.ca](mailto:chris.burger@shaw.ca)

Yours very truly,

  
SHIRLEY E. HINE, CMC  
Director of Administrative Services

SEH\*mjg

c: Councillor C. R. Burger



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REGIONAL DISTRICT OF NANAIMO			
DEC 7 0 2004			
CAO		GMDS	
		GMES	

December 7, 2004

Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

Dear Sir/Madam:

**Re: Year 2005 Council Voting Representative - Arrowsmith Water Service Management Committee**

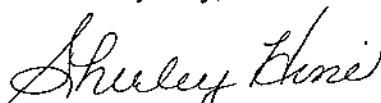
At the meeting of Council held on Monday, December 6, 2004, Councillor Marc Lefebvre was appointed Council voting representative to the Arrowsmith Water Service Management Committee for the period December 7, 2004 to December 5, 2005 inclusive.

Councillor Lefebvre may be contacted at City Hall or at:

Councillor Marc Lefebvre  
#11 – 450 Bay Avenue  
Parksville, BC V9P 2K2

248-2292(h)  
email: janmar@island.net

Yours very truly,

  
SHIRLEY E. HINE, CMC  
Director of Administrative Services

SEH\*mjg

c: Councillor M. Lefebvre  
Town of Qualicum Beach



## ***2005 Board Appointments Scheduled Standing Committees***

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### ***Regional District of Nanaimo Board Appointments***

	<b><i>Appointment</i></b>	<b><i>Alternate</i></b>
Arrowsmith Water Project Management Committee	J. Stanhope	H. Webster
Deep Bay Harbour Authority	D. Bartram	
District 69 Recreation Commission	D. Bartram	L. Biggemann
Island Corridor Foundation	J. Stanhope	
Mt. Arrowsmith Biosphere Foundation	L. Biggemann	
Municipal Finance Authority	J. Stanhope	D. Haime
Municipal Insurance Association (MIA)	L. McNabb	
North Island 911 Corporation	J. Stanhope	T. Westbroek
RDN Emergency Planning Committee	L. Biggemann	H. Kreiberg
Regional Library Board	H. Kreiberg	J. Stanhope
Regional Transportation Advisory Committee	T. Krall	
Treaty Advisory Committee	E. Hamilton	H. Kreiberg
Vancouver Island Biosphere Centre	L. Biggemann	

### ***Nanaimo Regional Hospital District Board Appointments***

Vancouver Island Health Authority Project Building Committee	L. Sherry	J. Stanhope
Vancouver Island Health Authority Joint Capital Planning Committee	T. Krall	E. Hamilton

***ELECTORAL AREA PLANNING STANDING COMMITTEE***

(4th Tuesday 6:30 pm)

(Current & Community Planning)

E. Hamilton (Chair)  
H. Webster  
J. Stanhope  
H. Kreiberg

D. Haime (Deputy)  
L. Biggemann  
D. Bartram

***COMMITTEE OF THE WHOLE***

(4th Tuesday 7:00 pm)

(Corporate & Community/Development/Environmental Services)

J. Stanhope (Chair)  
H. Kreiberg  
E. Hamilton  
H. Webster  
D. Bartram  
T. Westbroek  
G. Korpan  
R. Cantelon  
L. Sherry

L. McNabb (Deputy)  
G. Lund  
D. Haime  
L. Biggemann  
R. Longmuir  
C. Haime  
T. Krall  
B. Holdom

***EXECUTIVE COMMITTEE***

J. Stanhope (Chair)  
L. Sherry  
E. Hamilton  
T. Krall

L. McNabb (Deputy)  
H. Kreiberg  
T. Westbroek

***REGIONAL HOSPITAL DISTRICT SELECT COMMITTEE***

T. Krall (Chair)  
L. Sherry  
R. Longmuir

J. Stanhope  
E. Hamilton

***CLIMATE CHANGE SELECT COMMITTEE***

L. Sherry (Chair)	L. Biggemann
R. Longmuir	D. Bartram

***PUBLIC CONSULTATION SELECT COMMITTEE***

J. Stanhope (Chair)	H. Kreiberg
R. Cantelon	C. Haime
R. Longmuir	

***TRANSIT BUSINESS PLAN SELECT COMMITTEE***

T. Krall (Chair)	J. Stanhope
H. Kreiberg	T. Westbroek
R. Cantelon	B. Holdom
<i>L. McNabb (alternate)</i>	D. Haime

***REGIONAL PARKS PLANNING COMMITTEE***

L. McNabb (Chair)	D. Bartram
H. Kreiberg	

***Electoral Area 'A' Parks & Open Space Advisory Committee***

H. Kreiberg

***Electoral Area 'B' Parks & Open Space Advisory Committee***

G. Lund

***Nanoose Bay Parks & Open Space Advisory Committee***

P. Bibby

***Electoral Area 'G' Parks & Open Space Advisory Committee***

J. Stanhope

***Grants-in-Aid Advisory Committee***

E. Hamilton

***Regional Growth Monitoring Advisory Committee***

B. Holdom (Chair)

D. Bartram

***Regional Waste Advisory Committee***

L. Sherry (Chair)

L. Biggemann

R. Longmuir

D. Haime





REGIONAL DISTRICT OF NANAIMO	
JAN - 5 2005	
CHAIR	GMCMS
	GMCrs
CAO	GMDS
	GMES

**MEMORANDUM**

**TO:** C. Mason  
General Manager, Corporate Services

**FROM:** M. Pearse  
Manager, Administrative Services

**SUBJECT:** Electoral Area 'E' By-Election

**DATE:** January 4, 2005

**FILE:**

**PURPOSE:**

To appoint a Chief Election Officer and Deputy Chief Election Officer and to advise the Board of the date to undertake a by-election in Electoral Area 'E'.

**BACKGROUND:**

Pursuant to s.37(1)(d) of the *Local Government Act*, the Regional District must initiate a by-election to fill the vacancy for the position of Electoral Area 'E' Director. A by-election must be held within 80 days of the appointment of the Chief Election Officer; March 19, 2005 has been identified as the preferred date for running this election.

**ALTERNATIVES:**

1. That Maureen Pearse, Manager, Administrative Services, be appointed as the Chief Election Officer and Linda Burgoyne, Administrative Assistant, be appointed as the Deputy Chief Election Officer for the purpose of the Electoral Area 'E' by-election.
2. That the Board contract externally for the services of Chief Election Officer and/or Deputy Chief Election Officer.

**FINANCIAL IMPLICATIONS:**


The cost of running a by-election in Electoral Area 'E' will be approximately \$10,000. The 2005 Electoral Areas annual budget will need to include this amount to undertake the by-election. Additional costs would be required if the Board wished to externally contract the services of Chief Election Officer.



**SUMMARY:**

With the resignation of Director Pauline Bibby effective December 31, 2004, there is a requirement under the *Local Government Act* to hold a by-election to fill this office. Staff are recommending that the by-election be held on March 19, 2005.

**RECOMMENDATION:**

That Maureen Pearse, Manager of Administrative Services, be appointed as the Chief Election Officer and Linda Burgoyne, Administrative Assistant, be appointed as the Deputy Chief Election Officer for the purpose of conducting the Electoral Area 'E' By-Election to be held on March 19, 2005.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
General Manager Corporate Services  
  
\_\_\_\_\_  
C.A.O. Concurrence

**COMMENTS:**



REGIONAL DISTRICT OF NANAIMO	
JAN - 5 2005	
CMOR	GMCRS
	GMCRS
CAO	GMDS
	GMES
Sp. Bud	

MEMORANDUM

TO: Kelly Daniels  
Chief Administrative Officer

DATE: January 5, 2005

FROM: Neil Connelly  
General Manager, Community Services

FILE: 6150-20-BL602

SUBJECT: **Regional District Participation in the Nature Trust's Acquisition of Block 602 - Englishman River**

PURPOSE

To finalize arrangements and payment for the transaction with the Nature Trust of BC.

BACKGROUND

In June 2003 the Regional Board passed the following resolution:

*That the purchase of Block 602 in partnership with the Nature Trust with a payment of \$300,000 over three years from the Regional Parks Acquisition Program and \$50,000 from the Electoral Area 'G' Community Parks Acquisition Reserve Fund, be approved.*

The Nature Trust, as the lead agency, was successful in acquiring the 439-acre parcel fronting the north side of the Englishman River in Electoral Area 'G' from TimberWest. Funding assistance was obtained from a variety of groups, in addition to the Regional District, including the Pacific Salmon Foundation, Ducks Unlimited Canada, the Vancouver Foundation, the Ministry of Water, Land and Air Protection, Fisheries and Oceans Canada, the Pacific Estuary Conservation Program, the City of Parksville and various private donations.

Regional District interest in the parcel related to its significant recreational and environmental value as a major regional park and the use of the Englishman River as a domestic water supply through the Arrowsmith Water Service with a future water intake, water treatment plant and transmission lines and related works to be located on the parcel.

Final arrangements with the Nature Trust for the use of the parcel as a regional park and the securing of the public works infrastructure interests for water were delayed over the last year. As part of completing the funding for the property purchase, the Nature Trust in return for a contribution of \$292,000 from the Ministry of Water, Land and Air Protection was required to subdivide and transfer to the Crown an 85-acre parcel within the parent parcel. This generated new and unanticipated requirements for the Regional District to enter into agreements with the Province. The parcel owned by the Province, Lot 1 and the remainder of Block 602, owned by the Nature Trust, is outlined on the map in Attachment 1.

After discussion with the Province all of the Regional District's interest have now been secured in a manner satisfactory to staff. They take the form of three legal documents between the Nature Trust and

the RDN with respect to the land owned by the Nature Trust (Block 602) and two legal documents between the Province and the RDN with respect to the land owned by the Crown (Lot 1 of Block 602).

With respect to Block 602 (the Nature Trust land):

1. The Declaration of Trust provides for the RDN to be declared the beneficial owner of 350,000/1,356,000 share of the Nature Trust land.
2. A Statutory Right-of-Way document permits access by the RDN in perpetuity for regional parks and trail purposes.
3. A Statutory Right-of-Way document permits Regional District access to the Nature Trust land in perpetuity for water utility purposes.

With respect to Lot 1 of Block 602 (the Province's land):

1. The Lease document with the Province provides for a Regional District lease for regional park purposes for a term of twenty-five (25) years with a right of renewal for a further twenty-five (25) years.
2. A Statutory Right-of-Way document permits Regional District access to the Province's land in perpetuity for water utility purposes.

In summary, in consideration of the payment of a contribution of \$350,000, the Regional District becomes the beneficial owner of a share of the interest in Block 602 that corresponds with its contribution. In addition it obtains statutory rights-of-way over both parcels for water utility purposes. The Regional District's use of the area as a regional park is secured by a statutory right-of-way over Block 602 for regional park and trail purposes and by a leasehold interest in the Province's lot. Copies of the five legal documents that have been prepared by the RDN solicitor in consultation with staff are available at the Regional District office.

## **ALTERNATIVES**

1. That the following documents to complete the Regional District's participation in the acquisition of Block 602 be approved for execution. They are with the Nature Trust of BC the (1) Declaration of Trust document, (2) the Statutory Right-of-Way document for regional park and trail purposes and (3) the Statutory Right-of-Way document for water utility purposes. With respect to the Province, they are the (1) Lease document for regional park purposes and (2) the Statutory Right-of-Way for water utility purposes.
2. That the Regional District not approve the documents and decline to complete its participation in the acquisition partnership or provide for changes prior to providing approval.

## **FINANCIAL IMPLICATIONS**

\$300,000 in funding from the Regional Parks Acquisition Program is included in the 2005 Regional Parks Budget. It is composed of the \$200,000 that was in the reserve fund in 2003 when the initiative was initially approved and allocations of \$50,000 in 2004 and 2005. The \$50,000 in funding from the

Electoral Area 'G' Community Parks Reserve Fund has been previously allocated to the acquisition with the Board's adoption of Electoral Area 'G' Parkland Acquisition Reserve Fund Expenditure Bylaw No. 1355 in July, 2003.

Funding of the \$15,000 has also been included in the 2005 budget to provide for the development of a management plan for the park in conjunction with the Nature Trust. The Arrowsmith Water Service and the Nature Trust, who will be key participants in the planning process along with the Regional and Parks Department, are scheduled to assist with the project, along with other stakeholders.

### SUMMARY

In October 2003 the Nature Trust announced that together with eleven funding partners it had acquired a 439-acre property from TimberWest on the Englishman River. Regional District participation based on a June 2003 Board resolution had provided for \$350,000 in funding to assist with the initiative. In addition the Nature Trust had agreed that the RDN would operate the site as a regional park and there would be provision on the property for a future upgrade of the public water supply infrastructure by the Arrowsmith Water Service.

After lengthy discussions between the Province, the Regional District and the Nature Trust, the appropriate legal documents between the parties have been drafted to allow for the transaction to be finalized by the Regional District. They secure the Regional District's interests in consideration of the payment of \$350,000 in a manner that is consistent with the Board's resolution of June 2003.

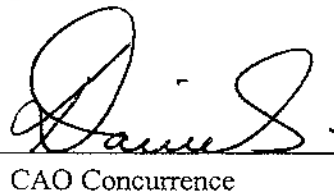
### RECOMMENDATION

That the Regional Board authorize the acquisition by the Regional District of:

- (a) a beneficial 350,000/1,356,000ths share in Block 602, Nanoose District, except the part included in Plan VIP76721 in consideration of a Regional District contribution of \$350,000;
- (b) a leasehold interest in Lot 1, Block 602, Plan VIP76721 for regional park and trail for a term of 25 years with a right of renewal for 25 years;
- (c) a Statutory Right-of-Way over Block 602 for regional park and trail purposes;
- (d) Statutory Rights-of-Way over Block 602 and Lot 1 for water utility purposes associated with the bulk water service;

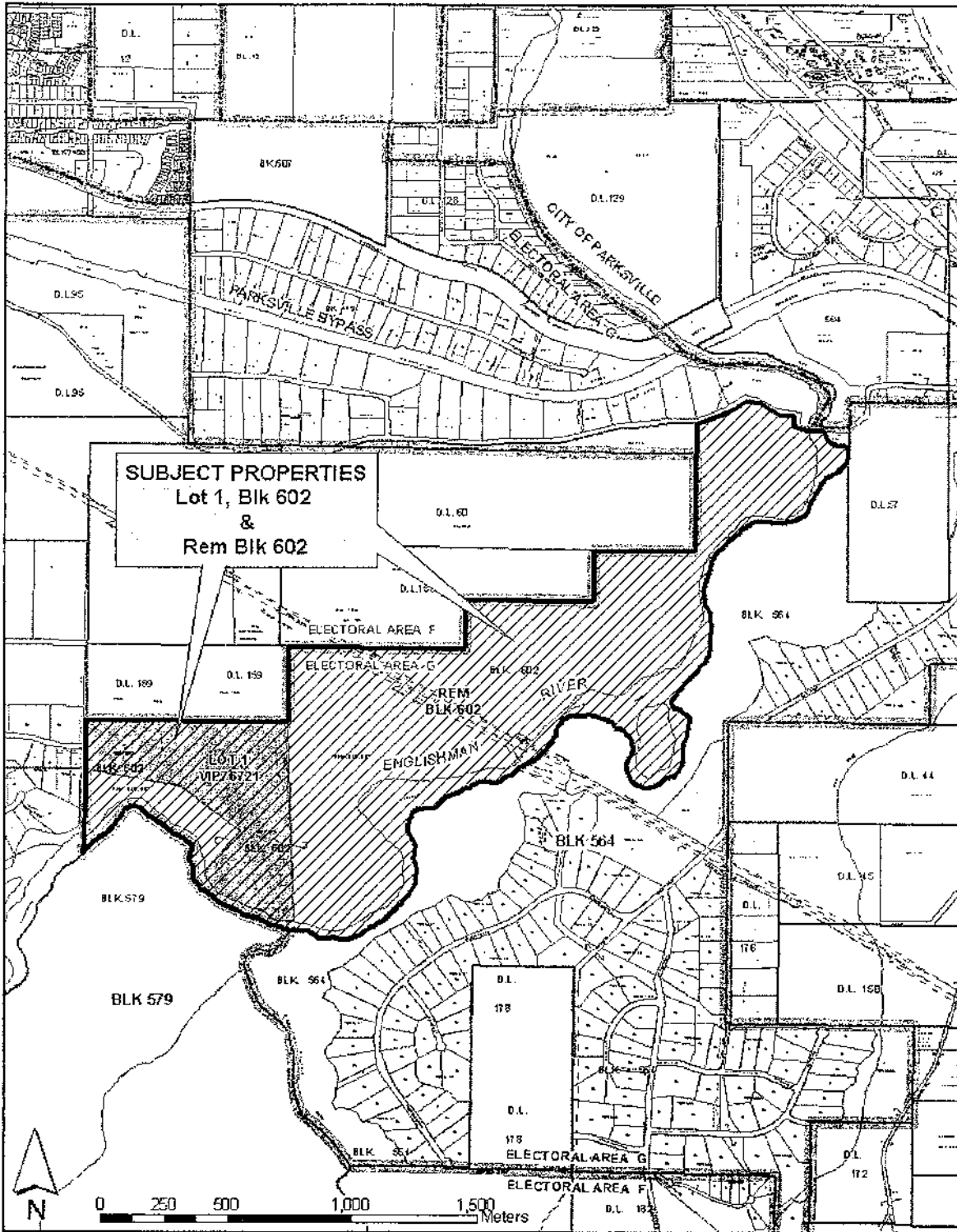
and authorize the execution of the associated lease and right-of-way documents.

  
Report Writer

  
CAO Concurrence

COMMENTS:

ATTACHMENT 1



BCGS Map Sheet No. 92F.023.4.5