

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE REGULAR MEETING OF THE BOARD OF THE REGIONAL DISTRICT OF NANAIMO HELD ON TUESDAY, APRIL 28, 2009, AT 7:03 PM IN THE RDN BOARD CHAMBERS

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Alternate	
Director V. Hartman	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Alternate	
Director C. Burger	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Alternate	
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director B. Holdom	City of Nanaimo
Alternate	
Director M. Unger	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director L. Sherry	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Mgr., Corporate Administration
J. Finnie	Gen. Mgr., Water & Wastewater Services
P. Thorkelsson	Gen. Mgr., Development Services
T. Osborne	Gen. Mgr., Recreation & Parks
W. Idema	A/Gen. Mgr., Finance & Information Services
D. Trudeau	Gen. Mgr., Transportation & Solid Waste Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Hartman, Burger, Dempsey and Unger to the meeting.

DELEGATIONS

Chris Vrabel, North Island 9-1-1 Corporation, re Overview of Operations.

Mr. Vrabel provided a visual and verbal overview of the North Island 9-1-1 Corporation including history, communication sites and advancement, and the availability of 9-1-1 service on Vancouver Island as well as the Province as a whole.

Andrew Speed & Colin Catton, Errington Volunteer Fire Department, re Construction of a Communications Tower at Fire Hall #1.

Mr. Speed, Errington Volunteer Fire Department presented the department's proposal to investigate the feasibility of installing a radio communications tower at the site of their No. 1 Fire Hall. Board support for this initiative was requested.

Elaine Miller & Sharon Cox-Gustavson, re Relocation of Frontiersman Pub & Liquor Store.

Ms. Miller and Ms. Cox-Gustavson raised their concerns regarding the proposed re-location of the Frontiersman Pub & Retail Store to 2484/2494 Alberni Highway and the transfer of their liquor license to that location.

BOARD MINUTES

MOVED Director Holme, SECONDED Director McNabb, that the minutes of the regular Board meeting held March 24, 2009 and the Special Board meeting held April 14, 2009 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Petition, re Transfer of Liquor License – Frontiersman Pub & Liquor Store.

MOVED Director Johnstone, SECONDED Director Biggemann, that the petition regarding the transfer of the Frontiersman Pub and Retail Liquor Store to the proposed site of 2484/2494 Alberni Highway, be received.

CARRIED

Chuck & Linda Addison, re Zoning & OCP Amendment Application No. AA0604 – Myles Lake Road – Area 'C'.

MOVED Director Johnstone, SECONDED Director Biggemann, that the correspondence from Chuck and Linda Addison regarding Amendment Application No. AA0604 be received.

CARRIED

Joy Sheldon-Maxwell, re Transfer of Liquor License – Frontiersman Pub & Liquor Store.

MOVED Director Johnstone, SECONDED Director Biggemann, that the correspondence from Joy Sheldon-Maxwell regarding the Frontiersman Pub & Liquor Store's proposed transfer of liquor license, be received.

CARRIED

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 500.348.

MOVED Director Holme, SECONDED Director Bartram, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.348, 2009" be adopted.

CARRIED

Bylaw No. 804.05.

MOVED Director Biggemann, SECONDED Director Burnett, that “Electoral Area ‘F’ Community Parks Local Service Amendment Bylaw No. 804.05, 2009” be adopted.

CARRIED

STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS

ELECTORAL AREA PLANNING STANDING COMMITTEE

MOVED Director Bartram, SECONDED Director Ruttan, that the minutes of the Electoral Area Planning Committee meeting held April 14, 2009 be received for information.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60811 – Lewin – 1505 Mason Trail – Area ‘G’.

MOVED Director Bartram, SECONDED Director Biggemann, that Development Permit Application No. 60811 submitted by JE Anderson, BCLS, on behalf of D & W Lewin, in conjunction with the subdivision on the parcel legally described as Lot 24, District Lot 38, Nanoose District, Plan 25031 and designated within the Sensitive Lands Development Permit Area pursuant to the “French Creek Official Community Plan Bylaw No. 1115, 1998”, be approved, subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

Development Permit Application No. 60848 – Beyeler – 204 Kinkade Road – Area ‘G’.

MOVED Director Bartram, SECONDED Director Biggemann, that Development Permit Application No. 60848, to permit the construction of a dwelling unit and detached garage and to legalize the siting of an existing storage building on the property legally described as Lot 1, District Lot 9, Newcastle District, Plan 20326, be approved subject to the conditions outlined in Schedules No. 1 to 4.

CARRIED

COMMITTEE OF THE WHOLE STANDING COMMITTEE

MOVED Director Holme, SECONDED Director Bestwick, that the minutes of the regular Committee of the Whole meeting held April 14, 2009 be received for information.

CARRIED

DELEGATIONS

Russell Tibbles, Fairwinds Community & Resort, re Sidewalk Function at Fairwinds – Community & Resort.

MOVED Director Holme, SECONDED Director Bartram, that the Board authorize staff to explore the potential to adopt a sidewalks function, as follows:

1. Participate in a working group with Fairwinds and Ministry of Transportation, utilizing the services of a third-party engineer to be retained at Fairwinds’ cost, to:

- a) evaluate the condition of existing sidewalks and estimate the repairs and associated cost required to address deferred maintenance issues;
 - b) estimate ongoing annual maintenance costs (perhaps using \$/ft. statistics from nearby municipalities);
 - c) objectively explore the legal and administrative arrangements that have been used by other unincorporated areas to accomplish the sidewalk function, e.g., Cowichan Valley RD, Alberni-Clayoquot RD, East Kootenay RD (Panorama Mountain Village), Tofino, Ucluelet and Saltspring Island; and
 - d) undertake a risk assessment to understand the practical magnitude and likelihood of exposure relating to snow removal and other perceived risks (consider utilizing the MIA database).
2. Prepare a list of appropriate regulatory powers that are reasonably required for the purpose of sidewalk maintenance and, in consultation with legal counsel, if/how such could be procured.
 3. Report back to the Board to advise on the above with supporting financial analysis, timelines and a plan of action which could be followed subject to direction from the Board.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Brian Hunter, Royal Canadian Mounted Police, re 2009 Funding for Victim Services and Restorative Justice.

MOVED Director Westbroek, SECONDED Director Biggemann, that the correspondence from the Royal Canadian Mounted Police regarding disbursement of the 2009 funding for Victim Services and Restorative Justice be received.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

Regional District of Nanaimo – 2008 Annual Report (Audited Financial Statements).

MOVED Director Westbroek, SECONDED Director Ruttan, that the 2008 Consolidated Financial Statements, associated financial schedules and Auditors' Report to the Chief Administrative Officer be received.

CARRIED

Directors' & Committee Members' Remuneration & Expenses – 2008 Report.

MOVED Director Westbroek, SECONDED Director Holdom, that the 2008 report on remuneration and expenses for Board and Committee members be received.

CARRIED

Use of Reserve Funds for Expansion of Transit & Administration Buildings.

MOVED Director McNabb, SECONDED Director Burnett, that an amount of \$1,670,000 be drawn from the Administration Building Reserve Fund for the Administration building project.

CARRIED

MOVED Director McNabb, SECONDED Director Burnett, that \$614,670 be transferred from the Solid Waste Management reserve funds to the Administration Building Reserve Fund for the purposes of the Administration building project.

CARRIED

MOVED Director McNabb, SECONDED Director Burnett, that \$876,950 be transferred from the Solid Waste Management reserve funds to the Southern Community Transportation capital reserve fund for the purposes of the Transit building project.

CARRIED

MOVED Director McNabb, SECONDED Director Burnett, that the amounts transferred from the Solid Waste reserve funds be repaid over a ten year period with interest charged monthly on a simple declining balance at a rate equivalent to the rate earned on the Regional District's consolidated cash balances.

CARRIED

New Model for Fire Services Delivery.

MOVED Director Bartram, SECONDED Director McNabb, that staff arrange a working committee comprised of fire department representatives and the Directors for Electoral Areas 'C', 'E', 'F', 'G' and 'H' to review the recommendations from the report titled "Proposed Fire/Rescue System Model" and provide feedback which the Regional Board can forward to the UBCM and LGMA.

CARRIED

Seismic Review of Rural Firehalls.

MOVED Director Holme, SECONDED Director Young, that the Board receive the reports for information only and direct staff to arrange a meeting(s) with the fire departments to discuss the report conclusions.

CARRIED

DEVELOPMENT SERVICES

BUILDING & BYLAW

Amendment Bylaw No. 787.10 – Building Inspection Service Boundary Extension to Include Area 'H' Property.

MOVED Director Bartram, SECONDED Director Burger, that "Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.10, 2009" be introduced and read three times.

CARRIED

EMERGENCY PLANNING

2008 Farmed Animal Mass Carcass Disposal Plan.

MOVED Director Bartram, SECONDED Director Bestwick, that the report and the 2008 Farmed Animal Mass Carcass Disposal Plan be received for information and that a copy of the report be forwarded to the Agricultural Advisory Committee for their information.

CARRIED

Hazard Vulnerability Risk Analysis – 2009 Update.

MOVED Director Bestwick, SECONDED Director McNabb, that the report and the 2009 Hazard Vulnerability Risk Analysis update be received for information.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

SOLID WASTE

Solid Waste Disposal Service – Regional Landfill Design & Operations Plan Approval.

MOVED Director Holme, SECONDED Director McNabb, that the Board approve the Regional Landfill Design & Operations Plan for submission to the Ministry of Environment as an amendment to the Solid Waste Management Plan.

CARRIED

Assessment of New Waste Treatment Technologies – Final Report.

MOVED Director Holme, SECONDED Director Ruttan, that the Board receive the Assessment of New Treatment Technologies Report for information and continue to monitor developments in new treatment technologies from a cost and technology perspective.

CARRIED

Illegal Dumping Enforcement Program – 2008 Report.

MOVED Director Holme, SECONDED Director McNabb, that the Board receive the 2008 Illegal Dumping Prevention Program report for information.

CARRIED

Residential Food Waste Collection – Field Test Final Report.

MOVED Director Holme, SECONDED Director Bestwick, that the Board receive the Residential Food Waste Collection Field Test Final Report for information.

CARRIED

WATER AND WASTEWATER SERVICES

WATER

Innovative Options & Opportunities for Sustainable Water Use Study.

MOVED Director Bartram, SECONDED Director Young, that the Board receive the “Innovative Options and Opportunities for Sustainable Water Use” study for information.

CARRIED

MOVED Director Bartram, SECONDED Director Young, that the Board direct staff to develop an implementation strategy with budget implications for the proposed initiatives for the Board’s consideration.

CARRIED

Vancouver Island Health Authority Regional Drinking Water Team Annual Report.

MOVED Director Bartram, SECONDED Director Holdom, that the Vancouver Island Health Authority Regional Drinking Water Team 2008 Annual Report be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Burger, that the Board support the Regional District’s continued participation on the Vancouver Island Health Authority Regional Drinking Water Team.

CARRIED

Convening for Action on Vancouver Island Leadership in Water Sustainability – 2008 Activities Summary.

MOVED Director Bartram, SECONDED Director Burnett, that the Board receive the report on the summary of CAVI's (Convening for Action on Vancouver Island) 2008 activities for information.

CARRIED

MOVED Director Bartram, SECONDED Director Burnett, that the Board continue to support staff participation in CAVI and attendance at CAVI learning activities associated with promoting water sustainability.

CARRIED

Nanoose Bay Peninsula Water Service – Capital Planning Report.

MOVED Director Holme, SECONDED Director Bartram, that the Nanoose Peninsula Water System Capital Planning report be received for information.

CARRIED

MOVED Director Holme, SECONDED Director McNabb, that the Board direct staff to consider the report recommendations when developing capital plans for future infrastructure improvements in the Nanoose Bay Peninsula Water Service Area.

CARRIED

WASTEWATER

Southern Community Sewer Treatment Service – Award of Tenders for Cogeneration Equipment at Greater Nanaimo Pollution Control Centre.

MOVED Director Holme, SECONDED Director Bestwick, that an equipment procurement contract be awarded to ESC Corporation to provide a biogas conditioning system for the tendered price of \$624,411.

CARRIED

MOVED Director Holme, SECONDED Director Bestwick, that an equipment procurement contract be awarded to Waterous Power Systems to provide a cogeneration system for the tendered price of \$950,400.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission.

MOVED Director Bartram, SECONDED Director Burger, that the minutes of the District 69 Recreation Commission meeting held March 19, 2009 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Holdom, that the Memorandum of Cooperation between the Regional District of Nanaimo and Lighthouse Recreation Commission be approved.

CARRIED

MOVED Director Bartram, SECONDED Director Westbroek, that the revisions to the District 69 Recreation Grants program be approved as detailed in Appendix 1 of the staff report "District 69 Recreation Grants Program Review".

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that the current District 69 Recreation Grants funding allocation of 50% to Youth Grants and 50% to Community Grants be maintained.

CARRIED

Electoral Area ‘A’ Parks, Recreation and Culture Commission.

MOVED Director Burnett, SECONDED Director Ruttan, that the minutes of the Electoral Area ‘A’ Parks, Recreation and Culture Commission meeting held March 11, 2009 be received for information.

CARRIED

Nanoose Bay Parks and Open Space Advisory Committee.

MOVED Director Holme, SECONDED Director Biggemann, that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held February 2, 2009 be received for information.

CARRIED

Regional Liquid Waste Advisory Committee.

MOVED Director Holme, SECONDED Director Bestwick, that the minutes of the Regional Liquid Waste Advisory Committee meeting held March 12, 2009 be received for information.

CARRIED

Regional Solid Waste Advisory Committee.

MOVED Director Holme, SECONDED Director Sherry, that the minutes of the Regional Solid Waste Advisory Committee meeting held March 19, 2009 be received for information.

CARRIED

MOVED Director Holme, SECONDED Director Sherry, that the Regional Landfill Design and Operations Plan be submitted to the Ministry of Environment.

CARRIED

Sustainability Select Committee.

MOVED Director Westbroek, SECONDED Director Holdom, that the minutes of the Sustainability Select Committee meeting held March 18, 2009 be received for information.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that the report “2009 Progress Report on Implementation of the Regional Growth Strategy” be received.

CARRIED

MOVED Director Holdom, SECONDED Director Unger, that the report “Housing Need Overview”, Phase 1 of the Regional Housing Affordability Study be received.

CARRIED

MOVED Director Holdom, SECONDED Director Young, that the staff report “Community Emissions Reduction Measures” be received for information.

CARRIED

MOVED Director Holdom, SECONDED Director Bartram, that staff prepare a report on what is needed to undertake a communications strategy for public awareness and education on green house gas (GHG) emission reductions (Greensmart).

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Regional Parks & Trails Advisory Committee.

MOVED Director McNabb, SECONDED Director Johnstone, that the minutes of the Regional Parks & Trails Advisory Committee meeting held April 7, 2009 be received for information.

CARRIED

MOVED Director McNabb, SECONDED Director Hartman, that the proposed campground fee increases, as listed in Appendix 1 of the staff report titled "RDN Campground Fees – Horne Lake & Descanso Bay Regional Parks", be approved for inclusion in the Park Use Regulation Bylaw 1399.

CARRIED

Selection Select Committee.

Electoral Area 'B' Parks and Open Space Advisory Committee.

MOVED Director Bartram, SECONDED Director Hartman, that Tom Cameron and Lisa Dowding Carter be appointed to the Electoral Area 'B' Parks and Open Space Advisory Committee for a term ending December 31, 2010.

CARRIED

ADMINISTRATOR'S REPORTS

Solid Waste Disposal Service – Food & Yard Waste Processing Contract.

MOVED Director Holdom, SECONDED Director Unger, that the Board direct staff to negotiate a contract with International Composting Corporation to process food and yard waste delivered to RDN disposal facilities.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

Construction of a Communications Tower at Errington Fire Hall.

MOVED Director Biggemann, SECONDED Director McNabb, that the proposal presented by the Errington Volunteer Fire Department to construct a communications tower at Fire Hall No. 1 be referred to staff for a full report including options for the Board's consideration.

CARRIED

Zoning & OCP Amendment Application No. AA0604 – Myles Lake Road – Area 'C'.

MOVED Director Young, SECONDED Director Burnett, that Amendment Application No. AA0604, for the property legally described as Lot 1, Section 7, Range 3, Cranberry District, Plan VIP68949 and located at 2610 Myles Lake Road, Electoral Area 'C', be reactivated and considered as a site specific zoning amendment application, and further that Amendment Application No. AA0604 be referred to staff for a report to the Electoral Area Planning Committee.

CARRIED

NEW BUSINESS

Banning of Plastic Bags.

MOVED Director Holme, SECONDED Director Westbroek, that staff investigate the banning of plastic bags from the RDN solid waste service and prepare a report for the Board's consideration.

CARRIED

IN CAMERA

MOVED Director Holme, SECONDED Director McNabb, that pursuant to Sections 90(1)(e) and 90(1)(g) of the *Community Charter* the Board proceed to an In Camera meeting to consider items related to land and legal issues.

CARRIED

ADJOURNMENT

MOVED Director Holme, SECONDED Director McNabb, that this meeting adjourn to allow for an In Camera meeting.

CARRIED

TIME: 8:12 PM

RISE AND REPORT

Private Wells on RDN Parkland in French Creek.

MOVED Director Biggemann, SECONDED Director Burnett, that the Board receive the report on Private Wells on RDN Parkland in French Creek and that a letter be sent to the Ministry of Transportation & Infrastructure Approving Officer opposing any new subdivision approvals that would require a supply of surface and/or ground water that might affect water levels or flows in French Creek, and in particular wells located in proximity to French Creek on Lot B, District Lots 28 & 29, Nanoose District, Plan VIP60349.

CARRIED

Land Use Regulation Options for Little Qualicum River.

MOVED Director Biggemann, SECONDED Director Johnstone, that staff be directed to contact the developer of Little Qualicum River Village building strata development to register a revised land use covenant applicable to all properties owned by the 528872 BC Ltd.

CARRIED

MOVED Director Biggemann, SECONDED Director Burnett, that staff be directed to initiate a rezoning application for the 40 lots within the existing RC 3.1 zone pursuant to "Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" to restrict the permitted land use to reflect the revised land use covenant subject to the consultation requirements of the *Local Government Act*.

CARRIED

MOVED Director Biggemann, SECONDED Director Burnett, that staff be directed to consult with the strata council for VIS4673 (Little Qualicum River Village) regarding outstanding issues including septic disposal, provision of potable water and building inspection services.

CARRIED

ADJOURNMENT

MOVED Director Holme, SECONDED Director McNabb, that this meeting adjourn to allow for an In Camera meeting.

CARRIED

TIME: 8:27 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION