

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR COMMITTEE MEETING OF THE WHOLE
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MAY 14, 2013 AT 7:03 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director J. Stanhope	Chairperson
Director D. Brennan	Deputy Chairperson
Director A. McPherson	Electoral Area A
Director H. Houle	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director J. Fell	Electoral Area F
Director B. Veenhof	Electoral Area H
Director B. Dempsey	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director G. Anderson	City of Nanaimo
Director B. Bestwick	City of Nanaimo
Director T. Greves	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director M. Lefebvre	City of Parksville
Director D. Willie	Town of Qualicum Beach

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
W. Idema	Director of Finance
T. Osborne	Gen. Mgr. Recreation & Parks
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Armet	Mgr. Building, Bylaw & Emergency Planning Services
J. Hill	Mgr. Administrative Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

DELEGATIONS

Judith Roux, Island Futures / Gabriola Community Bus Committee, re Proposed Funding of \$30,000 for Buses on Gabriola Island.

Judith Roux, Bob Andrews, Bob McKechnie, and Fay Weller, speaking on behalf of the Island Futures / Gabriola Community Bus Committee, provided an overview of the bus transportation proposal including a history of the research done over the past five years and the launching of their three year pilot study to test the feasibility of a public transit service on Gabriola Island. The Committee requested funding for Electoral Area 'B' under the Community Works Fund, for a capital expenditure to purchase two used buses, their retrofit and communication equipment.

Cory Vanderhorst, Meyers Norris Penney LLP, re 2012 Audited Financial Statements and Audit Findings Report.

Mr. Vanderhorst provided a verbal and visual overview of the 2012 Audited Financial Statements and Audit Findings Report.

COMMITTEE OF THE WHOLE MINUTES

MOVED Director Ruttan, SECONDED Director Bestwick, that the minutes of the Regular Committee of the Whole meeting held April 9, 2013, be adopted.

CARRIED

COMMUNICATION/CORRESPONDENCE

Debra Oakman, North Island 9-1-1 Corporation, re North Island 9-1-1 Corporation Articles – Amendment.

MOVED Director Veenhof, SECONDED Director Anderson, that the correspondence from the North Island 9-1-1 Corporation regarding amendments to the North Island 9-1-1 Articles be received.

CARRIED

James G. Smith, StopSmartMeters.ca Society, re Support for a Citizens' Initiative Petition for Democratic Process on the BC Hydro Smart Metering Program.

MOVED Director Veenhof, SECONDED Director Anderson, that the correspondence from the StopSmartMeters.ca Society regarding support for a Citizens' Initiative Petition for Democratic Process on the BC Hydro Smart Metering Program be received.

CARRIED

Len Walker, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

MOVED Director Veenhof, SECONDED Director Anderson, that the correspondence from Len Walker regarding Official Community Plan Application No. 2011-060 be received.

CARRIED

David G. Wallace, J.E. Anderson & Associates, re 1155 Leffler Road, Electoral Area 'F' – Building Bylaw Contravention.

MOVED Director Veenhof, SECONDED Director Anderson, that the correspondence from J.E. Anderson & Associates regarding a request to speak on behalf of the owners at 1155 Leffler Road, Electoral Area 'F' be received.

CARRIED

UNFINISHED BUSINESS

BYLAW ADOPTION

Bylaw No. 975.58 – Pump & Haul Bylaw Amendment to Include Lot 18, District Lot 78, Nanoose District, Plan 19688 (Electoral Area 'E').

MOVED Director Brennan, SECONDED Director Holme, that "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.58, 2013" be adopted.

CARRIED

FINANCIAL SERVICES

2012 Financial Statements and Audit Findings Report.

MOVED Director Veenhof, SECONDED Director Willie, that the Audit Findings Report and the financial statements of the Regional District of Nanaimo for the year ended December 31, 2012 be received.

CARRIED

MOVED Director Veenhof, SECONDED Director Willie, that the consolidated financial statements of the Regional District of Nanaimo for the year ended December 31, 2012 be approved as presented.

CARRIED

Operating Results for the Period Ending March 31, 2013.

MOVED Director Holme, SECONDED Director McPherson, that the summary report of financial results from operations to March 31, 2013 be received for information.

CARRIED

Recommendations for 2013 Applications to the Regionally Significant Projects Program (Gas Tax Revenue Transfer Programs).

MOVED Director Houle, SECONDED Director Veenhof, that the Board support the projects as outlined in the staff report for the allocation of the \$7,451,489 identified by the Union of BC Municipalities for Regionally Significant Project funding.

CARRIED

MOVED Director Houle, SECONDED Director Veenhof, that staff be directed to forward the list of projects to the Union for BC Municipalities for funding under the Regionally Significant Project Funding Program.

CARRIED

Recommendations for the 2013 Use of Community Works Program Funds.

MOVED Director Houle, SECONDED Director Lefebvre, that the 2013 Community Works Funds program attached as Schedules A and B to the staff report be approved and that staff be authorized to commence work immediately.

CARRIED

MOVED Director Houle, SECONDED Director Lefebvre, that staff be directed to complete an agreement with the North Cedar Improvement District to transfer Community Works funding allocated to Electoral Area 'A' for their Water Supply and Storage Infrastructure Study.

CARRIED

MOVED Director Houle, SECONDED Director Lefebvre, that staff be directed to complete an agreement with the Island Futures Society to transfer Community Works funding allocated to Electoral Area 'B' for their purchase of buses to be used in the Gabriola Island Community Bus system.

CARRIED

MOVED Director Houle, SECONDED Director Lefebvre, that the report on the use of Community Works Funds in 2012 be received for information.

CARRIED

Strategic Community Investment Funds Agreement.

MOVED Director Holme, SECONDED Director Bestwick, that the staff report be received as the final public statement of the use of \$184,075 of Strategic Investment funds for 2012.

CARRIED

Gabriola Island Recreation Service Reserve Fund Establishment Amending Bylaw 1671.01.

MOVED Director Houle, SECONDED Director Veenhof, that "Gabriola Island Recreation Service Reserve Fund Establishment Amendment Bylaw No. 1671.01, 2013" be introduced and read three times.

CARRIED

MOVED Director Houle, SECONDED Director Veenhof, that "Gabriola Island Recreation Service Reserve Fund Establishment Amendment Bylaw No. 1671.01, 2013" be adopted.

CARRIED

STRATEGIC AND COMMUNITY DEVELOPMENT

LONG RANGE PLANNING

Industrial Land Supply and Demand Study.

MOVED Director Veenhof, SECONDED Director Lefebvre, that the report titled "Industrial Land Supply and Demand Study" be received.

CARRIED

MOVED Director Veenhof, SECONDED Director Lefebvre, that copies of the study be forwarded to the member municipalities and economic development organizations.

CARRIED

BUILDING, BYLAW AND EMERGENCY SERVICES

872 Reid Road, Electoral Area 'G' – Unsightly Premises.

MOVED Director Holme, SECONDED Director Ruttan, that the Board direct the owner of the property at 872 Reid Road, to remove from the premises those items as set out in the Resolution attached to the staff report within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo's agents at the owner's cost.

CARRIED

1802 Stalker Road, Electoral Area 'B' – Unsightly Premises.

John Bishop, owner of the property at 1802 Stalker Road, noted the difficulties in removing the items from his property and requested that the Board extend the deadline to ninety (90) days to enable him to satisfy the requirements.

MOVED Director Houle, SECONDED Director Veenhof, that the Board direct the owner of the property at 1802 Stalker Road, to remove from the premises those items as set out in the Resolution attached to the staff report within ninety(90) days, or the work will be undertaken by the Regional District of Nanaimo's agents at the owner's cost.

CARRIED

1155 Leffler Road, Electoral Area 'F' – Building Bylaw Contravention.

Mr. Dave Wallace, J.E. Anderson & Associates, spoke on behalf of the property owners and provided a chronological order of events regarding the building bylaw contravention and the owners' proposed plan to rectify the non-compliance issues.

MOVED Director Fell, SECONDED Director Holme, that staff be directed to take no further legal action against the property at 1155 Leffler Road until such time as the matter of exclusion of the property from the Agricultural Land Reserve has been concluded with the Agricultural Land Commission.

DEFEATED

MOVED Director Ruttan, SECONDED Director Brennan, that staff be directed to register a Notice of Bylaw Contravention on the title of the subject property legally described as Lot 1, District Lot 139, Plan 18583, Nanoose District (1155 Leffler Road), pursuant to Section 57 of the *Community Charter*.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER SERVICES

Nanaimo Community Gardens Society Agreement – Greater Nanaimo Pollution Control Centre Greenhouses.

It was noted that within the staff report, the words "Bowen Park" should be replaced with the words "Beban Park".

MOVED Director Johnstone, SECONDED Director McPherson, that the Regional District of Nanaimo enter into a one year agreement from September 1, 2013 to August 31, 2014 with the Nanaimo Community Gardens Society for the use of the greenhouses at Greater Nanaimo Pollution Control Centre.

CARRIED

Bylaw 975.59 – Pump and Haul Bylaw Amendment – 610 Gallagher Way, Gabriola Island, Electoral Area 'B'.

MOVED Director Houle, SECONDED Director Veenhof, that the boundaries of the Regional District of Nanaimo Pump and Haul Local Service Area Bylaw No. 975 be amended to include Lot 61, Section 18, Plan 21586, Gabriola Island, Nanaimo District (Electoral Area 'B').

CARRIED

MOVED Director Houle, SECONDED Director Veenhof, that "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.59, 2013" be introduced and read three times.

CARRIED

UTILITIES

Bylaws No. 813.50, 869.09 and 889.64 – Inclusion of 691 Wembley Road into Sewer and Streetlighting Service Areas, Electoral Area ‘G’.

MOVED Director Holme, SECONDED Director Lefebvre, that “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.50, 2013” be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Lefebvre, that “Morningstar Streetlighting Local Service Area Boundary Amendment Bylaw No. 869.09, 2013” be introduced and read three times.

CARRIED

MOVED Director Holme, SECONDED Director Lefebvre, that “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.64, 2013” be introduced and read three times.

CARRIED

RECREATION AND PARKS

RECREATION SERVICES

Cedar Heritage Centre Lease and Site Licence Agreement (2013-15) / Cedar School and Community Enhancement Society.

MOVED Director McPherson, SECONDED Director Fell, that the proposed Lease and Site Licence agreement (Appendix ‘A’) between the Regional District of Nanaimo and the Cedar Community School and Enhancement Society for the operation and use of the Cedar Heritage Centre for a two (2) year, seven (7) month Term from June 1, 2013 – December 31, 2015 be approved.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE MINUTES AND RECOMMENDATIONS

Transit Select Committee.

MOVED Director Brennan, SECONDED Director McPherson, that the minutes of the Transit Select Committee meeting held Thursday, April 18, 2013 be received for information.

CARRIED

Director Veenhof requested that the Transit Select Committee meeting minutes be amended as follows:

NEW BUSINESS

RDN Future Plan

Director Veenhof asked that the RDN look into the service that the Comox Valley Regional District provides to Fanny Bay and extending it to Electoral Area ‘H’. D. Pearce noted that it would be addressed in the RDN Future Plan.

Cruise Ship Shuttle Service – 2013.

MOVED Director Brennan, SECONDED Director Willie, that the application made by the Nanaimo Port Authority for the Regional District of Nanaimo to provide bus service for cruise ships arriving in Nanaimo on May 11, 2013, May 12, 2013 and September 15, 2013, at the cost of the Nanaimo Port Authority, be approved.

CARRIED

Annual Operating Agreement Amendment #1 Between Regional District of Nanaimo and BC Transit for 2012-2013.

MOVED Director Brennan, SECONDED Director McPherson, that the 2012/2013 Conventional and Custom Annual Operating Agreement (AOA) Amendment #1 with BC Transit be approved.

CARRIED

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

North Island 9-1-1 Corporation Articles – Amendment.

MOVED Director Brennan, SECONDED Director Ruttan, that the Regional District of Nanaimo authorizes the execution of the special resolution (appendix 'A') to make select alterations to the Articles of North Island 9-1-1 Corporation, as recommended by Singleton Urquhart LLO; and further that a waiver of notice (appendix 'B') be executed.

CARRIED

Notice of Motion – Use of Actuary.

Director Willie noted that the following motion will be brought forward to the May 28, 2013 Board Agenda:

That staff be directed to prepare a report that examines the cost effectiveness of utilizing the services of an Actuary to more accurately project the unfunded liabilities related to employee benefits for the Regional District of Nanaimo.

StopSmartMeters.ca Society, re Support for a Citizens' Initiative Petition for Democratic Process on the BC Hydro Smart Metering Program.

MOVED Director Fell, SECONDED Director Young, that Director Fell follow up with StopSmartMeters.ca Society regarding the matter of smart meters and produce, if appropriate, a motion for the Board's consideration.

CARRIED

NEW BUSINESS

Notice of Motion – Community Library Branch within Electoral Area 'A'.

Director McPherson noted that the following motion will be brought forward to the May 28, 2013 Board Agenda:

That staff be directed to contact Vancouver Island Regional Library and to enter into discussions on requirements to establish a new community library branch within Electoral Area 'A', and more specifically, within the Cedar Rural Village Centre.

BOARD INFORMATION

Mary Sjostrom, Union of BC Municipalities, re 2013 UBCM Provincial Election Platform.

MOVED Director Holme, SECONDED Director Brennan, that the correspondence from the Union of BC Municipalities regarding UBCM's 2013 Provincial Election Platform be received.

CARRIED

IN CAMERA

MOVED Director Holme, SECONDED Director Brennan, that pursuant to Section 90 (1) (e), (f), (i), and (j) of the *Community Charter* the Board proceed to an In Camera meeting for discussions related to land acquisition, law enforcement, solicitor-client privilege and third-party interests.

CARRIED

TIME: 8:48 PM

CHAIRPERSON

CORPORATE OFFICER