

Tuesday, November 23, 2021

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on November 23, 2021 in the Civic Room of the Comox Valley Regional District offices located at 770 Harmston Avenue, Courtenay, BC commencing at 4:00 pm.

MINUTES

Present:

Chair:	J. Ketler	Village of Cumberland
Vice-Chair:	A. Hamir	Lazo North (Area B)
Directors:	W. Cole-Hamilton	City of Courtenay
	E. Grieve	Puntledge/Black Creek (Area C)
	D. Hillian	City of Courtenay
	M. McCollum	City of Courtenay
	W. Morin	City of Courtenay
	M. Swift	Town of Comox
	B. Leigh	Oyster Bay – Buttle Lake (Area D)
Alt. Director:	I. Munro	Baynes Sound-Denman/Hornby Islands (Area A)
Staff:	J. Warren	Deputy Chief Administrative Officer
	K. Douville	Manager of Financial Planning
	D. DeMarzo	General Manager of Community Services
	J. Martens	General Manager of Corporate Services
	M. Rutten	General Manager of Engineering Services
	A. Mullaly	General Manager of Planning and Development
	L. Dennis	Manager of Legislative Services

Absent:

Directors:	K. Grant	Town of Comox
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ATTENDANCE:

Director Morin attended via electronic means.

CALL TO ORDER:

James Warren, Corporate Legislative Officer, and presiding member, called the meeting to order at 4:00 pm and acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

ELECTION OF THE BOARD CHAIR:

Pursuant to the Comox Valley Regional District Procedure Bylaw No. 1, 2008, nominations were called for the position of Board Chair, and Director Ketler was nominated. As the only nomination, Director Ketler was acclaimed Chair of the Comox Valley Regional District Board.

ELECTION OF THE BOARD VICE-CHAIR:

Pursuant to the Comox Valley Regional District Procedure Bylaw No. 1, 2008, nominations were called for the position of Board Vice-Chair and Director Hamir was nominated. As the only nomination, Director Hamir was acclaimed Vice-Chair of the Comox Valley Regional District Board.

REMARKS FROM THE CHAIR:

Chair Ketler provided opening remarks following the election.

IN-CAMERA MEETING:

E. Grieve/W. Cole-Hamilton: THAT the board adjourn to an in-camera session pursuant to the following sub-sections of section 90 of the Community Charter:

90(1)(e) The acquisition, disposition or expropriation of land or improvements, if the committee/board considers that disclosure might reasonably be expected to harm the interests of the municipality; and,

90(1)(k) Negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the committee/board, could reasonably be expected to harm the interests of the regional district if they were held in public;

AND FINALLY THAT the in-camera portion convene immediately following the open portion of the meeting.
208 Carried

D. Hillian/E. Grieve: THAT the agenda be varied to bring forward agenda item J.5 - "Recommendation for Bylaw No. 682 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 10" .
208 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 682 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 10" be adopted.
209 Carried

Director Leigh left the meeting at 4:07 pm.

ADOPTION OF MINUTES:

W. Cole-Hamilton/M. McCollum: THAT the Comox Valley Regional District Board minutes dated October 26,

2021 be adopted.

208

Carried

REPORTS:

BOARD CODE OF CONDUCT POLICY REVIEW

In accordance with the Board Code of Conduct Policy, J. Martens, General Manager of Corporate Services, provided an overview of the policy for consideration of the Board.

ELECTORAL AREAS SERVICES COMMITTEE – NOVEMBER 8, 2021

E. Grieve/I. Munro: THAT the Electoral Areas Services Committee minutes dated November 8, 2021 be received.

208

Carried

E. Grieve/A. Hamir: THAT Comox Valley Emergency Program Service Administration Contract and Mutual Aid Agreement be extended for two years;

AND FINALLY THAT written consent be received from the City of Courtenay, Town of Comox and the Village of Cumberland in support of the extensions.

209

Carried

A. Hamir/W. Cole-Hamilton: THAT the board endorse the updates to the Comox Valley Regional District Fire Department Operational Guidelines Manual as per Appendix A attached to the Comox Valley Regional District Fire Department Operational Guidelines staff report, dated October 25, 2021.

207

Carried

E. Grieve/M. McCollum: THAT Bylaw No. 685 being "Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016 Amendment No. 1" and Bylaw No. 686 being "Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021", be introduced and read a first, second and third time;

AND FURTHER THAT the Board authorize participating area approval for Bylaw No. 685 to be given by the electoral area director consenting in writing in accordance with Section 349 of the Local Government Act;

AND FURTHER THAT the Corporate Officer be directed undertake an alternative approval process to determine the opinion of the electors with regard to Bylaw No. 686;

AND FINALLY THAT Bylaw No. 685 and Bylaw No. 686, together with the associated staff reports, be forwarded to the Inspector of Municipalities for approval.

207

Carried

A. Hamir/W. Cole-Hamilton: THAT upon receiving approval of the Inspector of Municipalities of Bylaw No. 686 and as soon as applicable publication deadlines allow, Comox Valley Regional District (CVRD) staff be directed to publish the Notice of Alternative Approval Process in accordance with section 86(3)(a) of the Community Charter including the following information, as generally outlined in the staff report dated November 4, 2021;

a. 542 as the total number of eligible electors within the Mount Washington Resort Community Fire Protection Service Area as established by Bylaw No. 433 being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016”, to which the Alternative Approval Process applies;

b. the Notice of Alternative Approval Process shall be published in the Comox Valley Record, as well as additional notice provided via the CVRD website;

c. the deadline for receiving elector responses shall be established as 4:30 pm on the next business day following the 30-day statutory elector response period, with the start date of the 30-day statutory elector response period being the first business day following the second publication date in the newspaper noted above;

d. the elector response form will provide for only a single elector response on each form and will be available at the CVRD offices and on the CVRD website from the first publication date of the Notice of Alternative Approval Process until the deadline of the elector response period as determined above; and

e. elector response forms are able to be submitted in any one of the following manners:

i. In person at: 770 Harmston Avenue, Courtenay, BC (Monday to Friday, 8:30 am - 4:30 pm, excluding Statutory Holidays);

ii. Via mail to: 770 Harmston Avenue, Courtenay, BC, V9N 0G8;

iii. Via fax at: 250-334-4358; or

iv. Via email attachment to: elections@comoxvalleyrd.ca

207

Carried

E. Grieve/A. Hamir: THAT the Electoral Areas Services Committee Chair write to the Comox Valley Regional District member municipalities to advise of efforts to establish a policy concerning communications towers and encourage cooperation and regional alignment.

208 and 213

Carried

A. Hamir/W. Cole-Hamilton: THAT the following resolution be submitted to the Association of Vancouver Island and Coastal Communities 2022 Convention for consideration:

WHEREAS the Ministry of Transportation and Infrastructure maintains a network of rest areas along highways that include public amenities such as washrooms and waste receptacles;

AND WHEREAS increased travel and tourism throughout the province has led to rest areas and roadside stops, many without such services and facilities, being inundated with litter and general waste that pollutes

adjacent forests, beaches and waters;

THEREFORE BE IT RESOLVED THAT that the UBCM request the Ministry of Transportation and Infrastructure to work with local governments, including regional districts and municipalities, to identify additional locations for provincial highway amenities to be established

208

Carried

COMOX VALLEY RECREATION COMMISSION -NOVEMBER 9, 2021

D. Hillian/W. Cole-Hamilton: THAT the Recreation Commission minutes dated November 9, 2021 be received

208

Carried

COMMITTEE OF THE WHOLE - NOVEMBER 9, 2021

E. Grieve/M. McCollum: THAT the Committee of the Whole minutes dated November 9, 2021 be received.

208

Carried

A. Hamir/W. Cole-Hamilton: THAT staff provide support to the Community Substance Use Strategy on future grant applications;

AND THAT a member of the Board be delegated to the Substance Use Collaborative;

AND FURTHER THAT staff develop options for financial support of Phase Two of the Substance Use Strategy and report back to the Board.

208

Carried

A. Hamir/D. Hillian: THAT Director Grieve be appointed to the Comox Valley Substance Use Collaborative for a term ending October 14, 2022;

AND FURTHER THAT remuneration and expenses be paid for meeting attendance provided remuneration and/or expenses are not paid directly by the external organization.

208

Carried

W. Cole-Hamilton/A. Hamir: THAT the 2021-2025 financial plan and capital expenditure program for the Homelessness Supports Service, function 451, be amended by including in the 2021 budget year provincial conditional grant revenue of \$1,093,173.60 to be offset by an increase in expenses for conditional grants to local agencies totalling the same amount;

AND FURTHER THAT these funds will provide urgent and temporary support to unsheltered homeless populations and will aim to address other related community impacts.

209

Carried

ZERO EMISSIONS FLEET VEHICLES

M. McCollum/W. Cole-Hamilton: THAT the report dated November 10, 2021 regarding the introduction of a proposed amendment to the Comox Valley Regional District's (CVRD's) fleet policy in order to pursue Zero Emissions Vehicles, where practical in consideration of operational requirements, for the CVRD fleet be received.

208

Carried

M. Zbarsky, Manager of Transit and Sustainability, presented an overview of the staff report regarding the introduction of a proposed amendment to the Comox Valley Regional District's (CVRD's) fleet policy in order to pursue Zero Emissions Vehicles, where practical in consideration of operational requirements, for the CVRD fleet.

D. Hillian/A. Hamir: THAT the amended Comox Valley Regional District Fleet Policy, attached as Appendix A of the staff report dated November 10, 2021, be approved.

208

Carried

REVENUE ANTICIPATION BORROWING

A. Hamir/M. McCollum: THAT the report dated November 19, 2021 regarding a proposed revenue anticipation borrowing bylaw that would allow the CVRD to borrow funds to meet lawful current year expenditures before the current year revenues have been collected, be received.

208

Carried

E. Grieve/D. Hillian: THAT the Comox Valley Regional District Board approve the Revenue Anticipation Borrowing Bylaw No. 684 for the 2022 fiscal year.

210

Carried

BYLAWS AND RESOLUTIONS:

D. Hillian/A. Hamir: THAT Bylaw No. 665 being "Comox Valley Regional District Procedure Bylaw No. 1, 2008, Amendment No. 6" be given first and second readings concurrently.

208

Carried

A. Hamir/M. McCollum: THAT Bylaw No. 665 being "Comox Valley Regional District Procedure Bylaw No. 1, 2008, Amendment No. 6" be read a third time.

208

Carried

D. Hillian/M. McCollum: THAT Bylaw No. 684 being "Revenue Anticipation Borrowing Bylaw No. 684, 2022" be given first and second readings concurrently.

210

Carried

E. Grieve/W. Cole-Hamilton: THAT Bylaw No. 684 being "Revenue Anticipation Borrowing Bylaw No. 684, 2022" be read a third time.

210

Carried

M. McCollum/A. Hamir: THAT Bylaw No. 685 being “Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016 Amendment No. 1” be given first and second readings concurrently.

208

Carried

Alternate Director Munro left the meeting at 5:08 pm.

D. Hillian/M. McCollum: THAT Bylaw No. 685 being "Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016 Amendment No. 1" be read a third time.

208

Carried

W. Cole-Hamilton/E. Grieve: THAT Bylaw No. 686 being “Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021” be given first and second readings concurrently.

210

Carried

D. Hillian/W. Cole-Hamilton: THAT Bylaw No. 686 being "Mount Washington Resort Community Fire Protection Service Loan Authorization Bylaw No. 686, 2021" be read a third time.

210

Carried

Alternate Director Munro returned to the meeting at 5:10 pm.

NEW BUSINESS:

ANNUAL ONE-ON-ONE CHAIR TO DIRECTOR MEETING RESULTS

D. Hillian/M. McCollum: THAT the report dated November 15, 2021 from Chair Ketler providing a summary of the annual one-on-one Chair to Director meeting results, be received.

208

Carried

A. Hamir/M. McCollum: THAT the comments included in the Chair's annual one-on-one sessions be referred to staff for consideration for the budget process.

208

Carried

VANCOUVER ISLAND REGIONAL LIBRARY (VIRL) BOARD - 2022 APPOINTMENT

A. Hamir/M. McCollum: THAT the correspondence dated October 22, 2021 from Ben Hyman, Executive Director, Vancouver Island Regional Library (VIRL) requesting appointments to the VIRL Board for 2022, be received.

208

Carried

W. Morin/D. Hillian: THAT the following appointments be made to the 2022 Vancouver Island Regional Library Board:

- Member: Director Arbour; and
- Alternate member: Director Grieve;

AND FURTHER THAT remuneration be paid for meeting attendance in accordance with CVRD Bylaw No. 236 being “Comox Valley Regional District Remuneration and Expenses Bylaw 2012” provided that remuneration is not paid directly by the Vancouver Island Regional Library.

208

Carried

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 5:25 pm.

RISE AND REPORT:

The board rose from its in-camera session at 5:36 pm and reported the following:

THAT the board rise and report on the matter of funding contributions towards the extension of sewer services south, including the staff report dated November 5, 2021 and the following resolutions endorsed at the March 31, April 7 and June 23, 2020 in-camera meetings:

“THAT the Electoral Areas Services Committee support in principle the expansion of sewer services south through participation in the Comox Valley Sewage Service and support continued work with project partners to submit an application under the Investing in Canada Infrastructure Program Environmental Quality Program”.

“THAT the existing Part Area A Baynes Sound and Electoral Area C (Puntledge – Black Creek) community works funds allocations to the South Sewer Project budgeted in the 2020-2024 proposed financial plan for the Feasibility Studies – Area A Baynes Sound Service, function 151, in the amounts of \$846,391 and \$408,874 respectively be reallocated for the extension of sewer services south”.

“THAT the Electoral Areas Services Committee agree to a \$542,791 contribution towards Comox Valley Sewer Service assets, on the condition that access to Comox Valley Sewer Service works continues to be available for Electoral Area A while public consultation, analysis, planning, and local approvals occurs;

AND FURTHER THAT \$542,791 in Electoral Area A community works funds, previously allocated to the South Sewer Project, be transferred to the Comox Valley Sewer Service, function 335;

AND FINALLY THAT, upon the transfer of said funds to the Comox Valley Sewer Service, correspondence be requested from the Comox Valley Sewage Commission confirming that the matter of contribution to existing Comox Valley Sewer Service infrastructure for Electoral Area A Phase 1 sewer connection areas is resolved to the satisfaction of all parties”.

“THAT the Puntledge – Black Creek (Electoral Area C) community works funds allocation to the extension of

sewer services south budgeted in the 2020-2024 financial plan for the Feasibility Studies – Electoral Area A Baynes Sound service, function 151, be reduced by \$100,000 to be replaced by a contribution from Lazo North (Electoral Area B) community works funds in the same amount”.

“THAT the 2020-2024 financial plan for the Electoral Area A (Baynes Sound) Feasibility Studies Service, function 151, be amended by decreasing Federal Gas Tax funding revenue in 2020 by \$542,791, as part of Electoral Area A’s contribution to the extension of sewer services south, to be offset by a reduction in professional fee expenses of the same amount.”

TERMINATION:

W. Cole-Hamilton/A. Hamir: THAT the meeting terminate.

208

Carried

Time: 5:36 pm.

Confirmed this _____ day of _____ 20____:

Jesse Ketler
Chair

Certified Correct and Recorded By:

Lisa Dennis
Manager of Legislative Services