

Meeting Minutes

Capital Regional District Board

Wednesday, November 8, 2023

1:00 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

PRESENT

DIRECTORS: C. Plant (Chair), M. Alto (EP), J. Bateman (for M. Tait), J. Brownoff, J. Caradonna, C. Coleman, Z. de Vries, B. Desjardins, R. Fenton (for P. Brent), S. Goodmanson, G. Holman, P. Jones, D. Kobayashi, M. Little, C. McNeil-Smith, K. Murdoch, D. Murdock, L. Szpak, D. Thompson, S. Tobias, M. Westhaver (for S. Brice), A. Wickheim (EP), K. Williams, R. Windsor

STAFF: T. Robbins, Chief Administrative Officer; N. Chan, Chief Financial Officer; A. Fraser, General Manager, Integrated Water Services; L. Hutcheson, General Manager, Parks and Environmental Services; K. Lorette, General Manager, Planning and Protective Services; K. Morley, General Manager, Corporate Services; M. Barnes, Senior Manager, Health and Capital Planning Strategies; D. Elliott, Senior Manager, Regional Housing; S. Henderson, Senior Manager, Real Estate; C. Nielson, Senior Manager, Human Resources; M. Lagoa, Deputy Corporate Officer; S. Orr, Senior Committee Clerk (Recorder)

EP - Electronic Participation

Guest: R. Bortolin; Stewart McDannold Stuart, Barristers & Solicitors

Regrets: Directors Brent, Brice, Tait

The meeting was called to order at 1:00 pm.

1. TERRITORIAL ACKNOWLEDGEMENT

The Chief Administrative Officer provided the Territorial Acknowledgement.

2. CALL TO ORDER

The Chief Administrative Officer called the meeting to order.

3. ELECTION OF CRD BOARD CHAIR

The Chief Administrative Officer called for nominations for the position of Chair of the Capital Regional District Board for 2024.

Director Szpak nominated Director Kobayashi. Director Kobayashi accepted the nomination.

The Chief Administrative Officer called for nominations a second time.

Director McNeil-Smith nominated Director Plant. Director Plant accepted the nomination.

The Chief Administrative Officer called for nominations a third time.

Hearing no further nominations, the Chief Administrative Officer invited each nominee to address the Board.

Ballots were distributed by K. Morley and M. Lagoa, and collected by M. Lagoa.

The ballots were counted by K. Morley, M. Lagoa, and R. Bortolin, Solicitor.

The Chief Administrative Officer declared Director Plant Chair of the Capital Regional District Board.

**MOVED by Director Coleman, SECONDED by Director Browhoff
That the ballots be destroyed.
CARRIED**

4. ELECTION OF CRD BOARD VICE CHAIR

Chair Plant called for nominations of Vice Chair of the Capital Regional District Board for 2024.

Director Kobayashi nominated Director Little. Director Little accepted the nomination.

Chair Plant called for nominations a second time.

Chair Plant called for nominations a third and final time.

Hearing no further nominations, Chair Plant declared Director Little Vice Chair of the Capital Regional District Board by acclamation.

5. RECESS FOR MEETING OF THE CAPITAL REGION HOUSING CORPORATION BOARD AND THE CAPITAL REGIONAL HOSPITAL DISTRICT BOARD

MOVED by Director Williams, **SECONDED** by Director Tobias,
That the meeting be recessed for the meetings of the Capital Region Housing Corporation Board and Capital Regional Hospital District Board.
CARRIED

The meeting recessed at 1:20 pm.
The meeting reconvened at 1:41 pm.

Director Goodmanson left the meeting at 1:41 pm.

6. INAUGURAL ADDRESS OF THE CHAIR

I truly appreciate the confidence you have collectively shown in me and I thank Director Kobayashi for offering to serve as Board Chair. It is healthy for organizations, and a good sign for democracy, when there is a campaign for Chair as it allows for the Board to choose a way forward. Equally important is that we now move forward united. I pledge to work with all of you in a way that is respectful and purposeful. When I did my master's degree in educational leadership I learned about the concept of Servant leadership. It is a system of leadership where leadership style that prioritizes the growth, well-being, success and empowerment of those they lead. It is a way of operating that I believe works well on a Board such as ours. While I have said many things already during my speech I want to add a few items. While it is my intention to solicit your input, it is not my intention to change any committee leadership positions or committee membership. I think two years in a committee is a good length of time to fully understand the portfolio of issues that are overseen by a committee. While I acknowledge that we will be reviewing our strategic priorities in the spring, I think the topic of First Nations Relations remains important. What I want to offer is that I believe the opportunity to develop Memorandums of Understanding with each nation should be something we pursue. This shows our First Nations partners that we are moving beyond talk and are interested in formalizing our relationships so that they can flourish and grow over time beyond that which we as elected officials sit together. Over the next few months we are going to face some difficult decisions but I would ask you to please remember that while we can disagree on policy, let's keep the debate elevated and never make it personal. To me this is a sign of a healthy board and the past year has largely been a very successful year. And finally I want to encourage both the board and staff in their work in the upcoming year to reflect on our renewed vision statement.

7. APPROVAL OF THE AGENDA

MOVED by Director Desjardins, **SECONDED** by Director Coleman,
That the agenda for the November 8, 2023 Session of the Capital Regional District Board be approved.
CARRIED

8. ADOPTION OF MINUTES

- 8.1. [23-841](#) Minutes of the October 11, 2023 and the minutes of the October 25, 2023 Capital Regional District Board meetings

MOVED by Director Szpak, **SECONDED** by Director Little,
That the minutes of the Capital Regional District Board meetings of October 11, 2023 and October 25, 2023 be adopted as circulated.
CARRIED

- 8.2. [23-843](#) Minutes of Previous Committee and Commission Meetings

MOVED by Director Szpak, **SECONDED** by Director Little,
That the minutes of the of the Committee of the Whole meeting of October 25, 2023 be adopted as circulated.
CARRIED

9. PRESENTATIONS/DELEGATIONS

There were no presentations or delegations.

10 CONSENT AGENDA

MOVED by Director McNeil-Smith, **SECONDED** by Director Szpak,
That consent agenda items 10.1. through 10.9. be approved.
CARRIED

- 10.1. [23-804](#) Appointment of Officers

That for the purpose of Section 233 of the Local Government Act and Section 28(3) of the Offence Act and in accordance with Capital Regional District Bylaw No. 2681, Michael Simard and Dania Vivash, be appointed as Assistant Bylaw Enforcement Officers.
CARRIED

- 10.2. [23-828](#) Community Emergency Preparedness Fund Grant: Volunteer & Composite Fire Department Training & Equipment 2023 Application

That staff be instructed to apply for, negotiate, and if successful, enter into an agreement, and do all such things necessary for accepting grant funds and overseeing grant management for the proposed project.
CARRIED

10.3. [23-829](#) British Columbia Active Transportation Network Planning Grant Application
- Active Transportation Network Plan for Juan de Fuca

- 1) That an application to the British Columbia Active Transportation Network Planning Grant Program for the purpose of developing an Active Transportation Network Plan for the Juan de Fuca Electoral Area, be supported;
- 2) That the funding provided through the British Columbia Active Transportation Network Planning Grant Program will be matched by an equal amount from the Juan de Fuca Electoral Area Parks and Recreation service; and
- 3) That staff be instructed to apply for, negotiate, and if successful, enter into an agreement and do all such things necessary for accepting the British Columbia Active Transportation Network Planning Grant funds and overseeing grant management for the proposed project.

CARRIED

10.4. [23-818](#) British Columbia Active Transportation Infrastructure Grant Application -
Schooner Way School Trail for Southern Gulf Islands

- 1) That an application to the British Columbia Active Transportation Infrastructure Grant Program for the purpose of constructing the shovel-ready, priority Schooner Way School Trail on North Pender Island be supported;
- 2) That the funding provided through the British Columbia Active Transportation Infrastructure Grant Program will be matched by an equal or greater amount from the Southern Gulf Islands Electoral Area, Pender Island Parks and Recreation service; and
- 3) That staff be instructed to apply for, negotiate, and if successful, enter into an agreement and do all such things necessary for accepting the British Columbia Active Transportation Infrastructure Grant funds and oversee grant management for the proposed project.

CARRIED

10.5. [23-851](#) Salt Spring Island Candidate Disqualification (Elections BC)

This report was received for information.

10.6. [23-713](#) Implications of Regulating Curbside Organics Collection

That staff continue implementing the organics diversion strategy as currently outlined in the new Solid Waste Management Plan, and evaluate and report to committee on pathways to mandatory separation of curbside collection and diversion of organics.

CARRIED

10.7. [23-649](#) Capital Regional District External Grants Update

This report was received for information.

10.8. [23-526](#) 2024 Budget for the Royal Theatre Service and the McPherson Playhouse Service

1. That the maximum allowable contribution amount of \$580,000 be approved for the Royal Theatre service; and
2. That the maximum allowable contribution amount of \$750,000 be approved for the McPherson Playhouse service.

CARRIED

10.9. [23-584](#) 2023/24 B.C. Active Transportation Infrastructure Grant Application - Merchant Mews Pathway

That approval be given to submit a 2023/24 Active Transportation Infrastructure grant application for the Salt Spring Island Merchant Mews pathway project in the amount of \$160,000; and further that the project proceed as soon as project funding is approved and local weather conditions allow.

CARRIED

11. ADMINISTRATION REPORTS

11.1. [23-746](#) Bylaw No. 4572 - Management of Onsite Sewage Systems Service Establishment Bylaw, 2007, Amendment Bylaw No. 1, 2023

L. Hutcheson spoke to Item 11.1.

MOVED by Director Jones, **SECONDED** by Director Windsor,

1. That Bylaw No. 4572, "Management of Onsite Sewage Systems Service Establishment Bylaw, 2007, Amendment Bylaw No. 1, 2023", be introduced and read a first, second and third time.

CARRIED

MOVED by Director Jones, **SECONDED** by Director Windsor,

2. That participating area approval be obtained from two-thirds consent of participants;
3. That Bylaw No. 4572 be forwarded to the local public health officer for comment; and
4. That Bylaw No. 4572 be referred to the Inspector of Municipalities for approval.

CARRIED

11.2. [23-819](#) British Columbia Active Transportation Infrastructure Grant Application -
Regional Trestles Renewal, Trails Widening and Lighting Project (Section
A, Phase A)

L. Hutcheson spoke to Item 11.2.

Discussion ensued regarding the grant application prioritization related to the regional district and electoral areas.

MOVED by Director Murdock, SECONDED by Director Szpak,

- 1) That the Board support the application to the British Columbia Active Transportation Infrastructure Grant Program for the priority Regional Trestles Renewal, Trail Widening and Lighting Project (Section A, Phase A);**
- 2) That the funding provided through the British Columbia Active Transportation Infrastructure Grant Program will be matched by an equal or greater amount from the Regional Parks service; and**
- 3) That staff be instructed to apply for, negotiate, and if successful, enter into an agreement and do all such things necessary for accepting British Columbia Active Transportation Infrastructure Grant funds and oversee grant management for the proposed project.**

CARRIED

12. REPORTS OF COMMITTEES

Finance Committee

- 12.1. [23-750](#) Bylaw Nos. 4585, 4583 and 4584: Amendments to Operating Reserve Fund Bylaw Nos. 4102, 4144 and 4146.

MOVED by Director Jones, **SECONDED** by Director Williams,

1. That Bylaw No. 4585 cited as the “Capital Regional District Regional Services Operating Reserve Fund Bylaw No. 1, 2016, Amendment Bylaw No. 4, 2023” be introduced and read a first, second and third time.

CARRIED

Director Windsor left the meeting at 1:59 pm.

MOVED by Director Jones, **SECONDED** by Director Williams,

2. That Bylaw No. 4585 be adopted.

CARRIED

MOVED by Director Jones, **SECONDED** by Director Williams,

3. That Bylaw No. 4583 cited as the “Capital Regional District Sewer and Water Services Operating Reserve Fund Bylaw No. 1, 2016, Amendment Bylaw No. 3, 2023” be introduced and read a first, second and third time.

CARRIED

MOVED by Director Jones, **SECONDED** by Director Williams,

4. That Bylaw No. 4583 be adopted.

CARRIED

MOVED by Director Jones, **SECONDED** by Director Williams,

5. That Bylaw No. 4584 cited as the “Capital Regional District Electoral Area Services Operating Reserve Fund Bylaw No. 1, 2016, Amendment Bylaw No. 4, 2023” be introduced and read a first, second and third time.

CARRIED

MOVED by Director Jones, **SECONDED** by Director Williams,

6. That Bylaw No. 4584 be adopted.

CARRIED

Directors Goodmanson and Windsor returned to the meeting at 2:01 pm.

- 12.2. [23-744](#) Bylaw No. 4577: Revenue Anticipation (General Purpose) Bylaw No. 1, 2023

MOVED by Director Jones, **SECONDED** by Director Windsor,

1. That Bylaw No. 4577, “Revenue Anticipation Borrowing (General Purpose) Bylaw No. 1, 2023” be introduced and read a first, second, and third time.

CARRIED

MOVED by Director Jones, **SECONDED** by Director Windsor,

2. That Bylaw No. 4577 be adopted.

CARRIED

Planning & Protective Services Committee

12.3. [23-696](#)

Canvas Local Governments for Participants in the Foodlands Access Service

MOVED by Director de Vries, **SECONDED** by Director Windsor,
That staff be directed to canvas local governments for interest in participation in a new Foodlands Access Service, receive feedback about the proposed service and draft a service establishment bylaw based on input, and that additional cost apportionment be a part of the package and available to municipalities and electoral areas based on full regional participation.

Discussion ensued regarding:

- consultation with farmers market producers and conveners related to the proposed service
- consultation process with local governments and regional participation

MOVED by Director McNeil-Smith, **SECONDED** by Director Jones,
That the main motion be amended to replace it in its entirety with the following:
Staff bring forward a Foodlands Access Service Bylaw with options for Bylaw approval.

CARRIED

Opposed: Holman, Kobayshi, Murdoch, Williams, Wickheim

The question was called on the main motion as amended:

Staff bring forward a Foodlands Access Service Bylaw with options for Bylaw approval.

CARRIED

Opposed: Holman, Kobayshi, Wickheim

13. BYLAWS

There were no bylaws for consideration.

14. NOTICE(S) OF MOTION**14.1. [23-810](#)**

Motion with Notice: Regional Growth Strategy Update (Director de Vries)

Discussion ensued regarding:

- impact of housing targets on regional growth strategy
- 2026 regional growth strategy update

MOVED by Director de Vries, **SECONDED** by Director Windsor,
That staff report back on the timing and implications of the work required to consider an update to the Regional Growth Strategy in 2026.

CARRIED

14.2. 23-910 Notice of Motion: Performing Arts Facilities Select Committee (Chair Plant)

Chair Plant provided the following Notice of Motion for consideration at the next meeting of the Capital Regional District Board meeting:

"That staff report back to the Capital Regional District Board on the work completed by past select committees on establishing a regional performing arts facilities service and recommend a scope of work for re-establishing a new Performing Arts Facilities Select Committee".

14.3. 23-869 Notice of Motion: Class Action Lawsuit Sue Big Oil (Director Holman)

Director Holman proposed the following Notice of Motion for consideration at the next meeting of the Environmental Services Committee:

"That staff report on the feasibility and merits of joining other local governments in a proposed class action lawsuit to recover a fair share of climate costs from 'big oil'."

15. NEW BUSINESS

There was no new business.

16. MOTION TO CLOSE THE MEETING

16.1. [23-728](#)**Motion to Close the Meeting**

MOVED by Director Little, **SECONDED** by Director Murdoch,

1. That the meeting be closed for Appointments in accordance with Section 90(1) (a) of the Community Charter. CARRIED

MOVED by Director Little, **SECONDED** by Director Murdoch,

2. That the meeting be closed for Labour Relations in accordance with Section 90(1)(c) of the Community Charter.

CARRIED

MOVED by Director Little, **SECONDED** by Director Murdoch,

3. That the meeting be closed for Proposed Service in accordance with Section 90(1)(k) of the Community Charter.

CARRIED

MOVED by Director Little, **SECONDED** by Director Murdoch,

4. That such disclosures could reasonably be expected to harm the interests of the Regional District.

CARRIED

MOVED by Director Little, **SECONDED** by Director Murdoch,

5. That the meeting be closed for Intergovernmental Negotiations in accordance with Section 90(2)(b) of the Community Charter.

CARRIED

The Capital Regional District Board moved to the Closed Session at 2:40 pm.

17. RISE AND REPORT

The Capital Regional District Board rose from the closed session at 3:26 pm and reported on the following:

- That staff issue an Invitational Request for Proposals (RFP) to the six proponents that have demonstrated their abilities to thermally process biosolids and or mixed feed stocks and that the RFP require a triple bottom line analysis: Pyrocal, VOW ASA, Waste Management, Green Impact Partners, IQ Energy and Pivotal IRM.

- In accordance with the Technical and Community Advisory Committee Terms of Reference, that the following be appointed to the Technical and Community Advisory Committee for a term to expire December 31, 2024: Edward Brown and Richard Ding.

18. ADJOURNMENT

MOVED by Director Coleman, **SECONDED** by Director Little,

That the November 8, 2023 Capital Regional District Board meeting be adjourned at 3:27 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER