

**DEEP BAY IMPROVEMENT DISTRICT**  
**MINUTES OF THE REGULAR BOARD MEETING**

**April 21, 2022**

**Trustees:** Tony Botica, Chair  
Claire Hilscher  
Bob Leggett  
Colin Thompson  
Robert Hale (phoned in)  
Diane Koch  
Susan Mielke

**Staff:** Leslie Carter, Administrator  
George Lenz, Fire Chief  
Don Buchner, Water System Operator (phoned in)

**Guests:** 7

**Call to Order:** 7:00 pm

The chair acknowledged the Qualicum First Nation on whose traditional territory the meeting took place.

**Election of chair:** Tony Botica was elected to serve as chair until the 2023 AGM.

**Introduction of late items:**

Correspondence in:

April 20, 2022 – Ratepayer, wish to donate rhododendrons to DBID for fire hall landscape

April 20, 2022 – Ratepayer, request for break out of legal fees

**Motion: to approve introduction of late items as correspondence in**

**Claire Hilscher            Seconded: Susan Mielke            Vote: Carried**

New Business:

Review of DBID policies that require signed acknowledgements and review of AGM

**Motion: to approve the introduction of late items as new business**

**Robert Hale            Seconded: Claire Hilscher            Vote: Carried**

**Motion: to approve agenda as amended for current meeting**

**Diane Koch            Seconded: Susan Mielke            Vote: Carried**

**Petitions and Delegations:**

George Cousineau - regarding schedules & particulars of slope erosion work

The owner spoke of his concerns regarding the issues on his property concerning the right of way for the waterline and took issue with how these concerns have been handled by the board. Mr. Cousineau commented about the possible expropriation of a portion of his property. As well, he indicated that a court appointed appraiser from Cunningham Rivard had attended his property and has determined that at least 32 trees are to come down on the right of way in question, which he feels is significant. Trustees were invited to view areas of concern on the owner's property.

Owner has asked to have a geo technical report for the slope remediation; McElhanney determined that this was not required. This report would be for the contractor's benefit and the DBID will be negligent should any issues arise.

The owner was thanked for the information presented and it was noted that the board is not able to provide comment or response on matters that are currently in-camera.

**Motion: to approve the minutes of Regular Board Meeting of March 21, 2022**

**Susan Mielke                      Seconded: Robert Hale                      Vote: Carried**

**Motion: to approve the Annual General Meeting minutes of April 12, 2022**

**Susan Mielke                      Seconded: Claire Hilscher                      Vote: Carried**

**Business arising from the minutes: none**

Don Buchner joined the meeting by phone

**Operator Monthly Report:**

**Operations & Maintenance Report for March 9 – April 13, 2022**

Water Delivery: March 9 – April 13, 2022: 2,105,400 Imp. Gal.

Average daily use/connection (620 connections):97 Imp. Gal.                      Previous Month: 99

Observation Well #310 Levels (meters): Apr. 13, 2022: 7.55                      Previous Month: 7.49

Testing requirements for Well #1 to be brought back on-line for production have been completed. An updated GARP assessment needs to be completed and the hydrogeologist that had taken on the project is now in the process of closing down his business and will not be able to complete this.

Operator has been receiving calls regarding information about supplying water to Bowser Waterworks District. An emergency connection is something that has been asked in the case of an emergency in either district and would be a benefit to all.

The operator has also been getting calls from ratepayers regarding information discussed at the AGM regarding moving of a watermain and concern regarding the cost of this. Operator has informed people to contact the board with their concerns but some have expressed reluctance due to behaviour at the AGM.

Misinformation is going to be addressed later on the agenda. Operator was thanked for his ongoing support.

Trustee raised point that the wording on the information about sharing water with Bowser was that there may be a "potential request".

**Motion: to direct Administrator to contact new hydrogeologist for updated GARP report for well #1**

**Susan Mielke                      Seconded: Bob Leggett                      Vote: Carried**

**Motion: to receive the Operator's report as presented**

**Susan Mielke                      Seconded: Bob Leggett                      Vote: Carried**

**Operations & Maintenance Committee: April 1, 2022 meeting**

**Motion: to direct McElhanney to proceed with detailed design for the concrete reservoir option as outlined in the March 11, 2022 Technical Memo**

**Bob Leggett                      Seconded: Diane Koch                      Vote: Carried**

**Motion: to approve the Operations & Maintenance Committee Terms of Reference as presented**

**Bob Leggett                      Seconded: Claire Hilscher                      Vote: Carried**

**Motion: to accept the Operations & Maintenance report as presented**

**Bob Leggett                      Seconded: Susan Mielke                      Vote: Carried**

**Fire Chief's Report:**

Call outs for month of March: 6 (2 MVI, 4 First Responder, 0 Fire, 0 Misc.)

Call outs for the first quarter of 2022: 31 (14 MVI, 14 First Responder, 0 Fire, 3 Misc.)

With the resurfacing project on Gainsberg, the road markings for hydrants will be covered. George would like a different sort of hydrant marker to be considered that would be more visible at night and when snow is on the ground.

Upside, from CHEK TV, organized a last minute visit to the fire department today. Five members were present and a segment promoting the new fire hall will air on May 5, 2022.

Report on mechanical issues with 8-2 was discussed. The department is recommending the purchase of a 10-12 year old used apparatus and selling current vehicle.

**Motion: to refer the issue of 8-2 replacement and hydrant markers to the Fire Protection committee**

**Bob Leggett                      Seconded: Colin Thompson                      Vote: Carried**

Committee and fire department members will also need to meet to look at proposals received from the RFP for a new fire engine. RFP closes April 28, 2022 at noon.

**Motion: to receive the Fire Chief's report as submitted**

**Susan Mielke                      Seconded: Claire Hilscher                      Vote: Carried**

**Fire Protection Committee:** no meeting

**Finance/HR Committee:** no meeting

Total payments issued for March 2022 Water: **\$13,147.06**

Total payments issued for March 2022 Fire: **\$13,395.75**

**Motion: to accept the Finance/HR Committee report as presented**

**Susan Mielke                      Seconded: Diane Koch                      Vote: Carried**

**Bylaw Committee:** no meeting

Committee meeting to be scheduled to review policies.

**Environment and Emergency Committee:** no meeting

**Facilities Committee:** no meeting

Quotations for signs have been received and will need to be reviewed by committee. Robert is clarifying the details of the quotes early next week.

**Motion: to approve quote from McCormack & sons for \$2832.90 for electrical work on HRV units**

**Claire Hilscher      Seconded: Colin Thompson      Vote: Carried**

**Planning Committee:** no meeting

**FireSmart Program Report:**

**Motion: to accept the FireSmart Program report as presented**

**Susan Mielke      Seconded: Robert Hale      Vote: Carried**

**Correspondence In:**

April 14, 2020 – Ministry of Forests, Section 11 notification, authorization to proceed with work on Thompson Clarke Dr. West, conditions of authorization

Copy of Section 11 notification to be provided to property owners. Dates of reports to be clarified with Ministry of Forests.

**Motion: to accept correspondence in from Ministry of Forest**

**Susan Mielke      Seconded: Robert Hale      Vote: Carried**

April 19, 2022 – Lighthouse Country Living, D. Harrison, request for break out of legal fees and cost of moving waterline pertaining to Thompson Clarke Dr. West/Ocean Trail connection

Information on legal fees is covered under the Freedom of Information policy. The 2021 Consolidated Financial Statements show a budget in Professionals Fees of \$16,243 (which consist of the Audit \$15,243 and professional fees \$1,000). 2021 Expenses for Professional fees show \$40,350 of which the difference indicates being over budget by approximately \$24,000. According to the Auditors comments at the AGM, this line item would be for a combination of legal, consulting and engineering fees.

With regards to the cost of moving the watermain, the district does not have a current costing as this pipe is not a project identified on the current engineering report. An update to our Water System report has been requested and this project should be addressed on that update.

**Motion: to accept correspondence from Lighthouse Country Living**

**Susan Mielke      Seconded: Claire Hilscher      Vote: Carried**

April 19, 2022 – Ratepayer, questions received from ratepayers regarding information provided by trustee at AGM and information included in trustee election bio

With regards to whether the board is against development – the board is not for or against development in the area

Questions regarding statements made at the AGM and on trustee election bio should be addressed with items under New Business

**Motion to accept correspondence with questions from ratepayers**

**Susan Mielke      Seconded: Robert Hale      Vote: Carried**

April 20, 2022 – Rate payer, wish to donate rhododendrons to DBID for fire hall landscape

A machine will be required to move these plants that will be a DBID expense and they will require care if moved (watering 3-4 times/week or daily during excessive heat).

**Motion: to refer discussion of the offer of rhododendrons to the Facilities Committee**

**Bob Leggett                      Seconded: Susan Mielke                      Vote: Carried**

April 20, 2022 – Rate payer, request for break out of legal fees

**Motion: to accept correspondence in and inform letter writer of how to submit a Freedom of Information request**

**Diane Koch                      Seconded: Susan Mielke                      Vote: Carried**

**Motion: to include in response to letter writer that DBID cannot address any conflict of interest with ratepayers**

**Diane Koch                      Seconded: Colin Thompson                      Vote: Carried**

Administrator to provide draft to board to be reviewed in office or via email.

**Correspondence Out:** none

Don Buchner left the meeting at this point.

A break was taken at 8:45 pm and the meeting was resumed at 8:53 pm

**Old Business:**

Slope stabilization project, 4891 Thompson Clarke Dr. West – Section 11 authorization received from Ministry of Forests. Waiting on response from McElhanney  
Reservoir replacement project: discussed under Operations & Maintenance Committee

**New Business**

Committee membership review and update:

Bylaw: Tony, Bob, Colin

Environment & Emergency: Tony, Claire, Bob

Facilities: Robert, Bob

Finance/HR: Tony, Robert, Diane

Fire Protection: Robert, Bob, Colin

Operations & Maintenance: Claire, Diane, Susan

Signing authority updates:

**Motion: to remove Tom Plensky as Authorized Signatory for the Deep Bay Improvement District accounts with First Credit Union**

**Susan Mielke                      Seconded: Robert Hale                      Vote: Carried**

**Motion: to appoint current trustees, namely, Tony Botica, Robert Hale, Claire Hilscher, Diane Koch, Bob Leggett, Susan Mielke, and Colin Thompson and the Administrator, Leslie Carter, as Authorized Signatories for all Deep Bay Improvement District accounts with First Credit Union**

**Susan Mielke                      Seconded: Diane Koch                      Vote: Carried**

**Motion: to appoint Finance Committee trustees, namely, Tony Botica, Robert Hale and Diane Koch and the Administrator, Leslie Carter, as Authorized Signatories for the Deep Bay Improvement District accounts with RBC Dominion Securities**

**Claire Hilscher                      Seconded: Susan Mielke                      Vote: Carried**

Don Buchner rejoined the meeting by phone at this point.

Discussion regarding posting of bios for election candidates.

Trustee apologized for the error in voting date information included in their election bio.

**Motion: to refer the issue of posting of bios for election candidates to the bylaw committee for review of recommendations and elections policy due within 9 months**

**Claire Hilscher                      Seconded: Bob Leggett                      Vote: Carried**

Meeting hall ambiance

**Motion: to refer to Facilities Committee to discuss clean up and painting of meeting room**

**Robert Hale                      Seconded: Bob Leggett                      Vote: Carried**

Request for advertising budget for Fire Hall grand opening

**Motion: to approved budget of \$200 for promotion/advertising of Fire Hall opening on June 11, 2022**

Staff report: Replacement of photocopier

**Motion: to approve recommendation to authorize the expenditure to opt into a lease agreement with Next Gen for a Ricoh Certified MP C3004 refurbished photocopier**

**Colin Thompson                      Seconded: Bob Leggett                      Vote: Carried**

Quotes received for building signage from ABC Printing and SpeedPro to be reviewed by Facilities Committee to bring back recommendation to the board

Review of DBID policies that require signed acknowledgements. Trustees were reminded to sign and return acknowledgments for the following DBID policies:

1. Confidential Information – Privacy Rights of Personal Information Policy
2. Respectful Workplace Policy
3. Human Rights and Harassment Policy

Review of AGM – Tony acknowledged he is new to the chair position and is open to suggestions as to how to improve meetings etc. Info that was introduced during the question period should have been brought in as a new item.

**Question Period:**

Q: When the board passes a vote on an item, should trustees go along with the vote or bring it up again? Board has never voted on moving of the pipeline.

A: In-camera confidentiality needs to be honoured and the board needs to work on common goals which include only water and fire. Votes need to be respected and supported and board decisions need to be respected.

Q: With regards to requesting a budget for advertising for the open house, Lighthouse Country Living (LCL) has 5 x's the distribution of the Parksville Qualicum Beach (PQB) News. An ad in this paper will be buried. Ads and DBID information, other than ad the AGM, has been provided free of charge and LCL will be happy to provide open house ad for no charge

A: PQB news was a suggestion for advertising but not the only option being considered. Motion passed was not specific to any publication.

Q: There is concern about use of Freedom of Information. Reflection on board decisions is good. The board has a fiduciary duty to all rate payers. Invoking a lawyer is a bullying tactic. The board needs to bury personal issues, step back and reconsider decisions. Money being spent is everybody's.

There is a letter that is being published in the LCL and a response based on feedback from this board meeting.

The board needs to take ownership of issue and move forward.

A: While the board would like to speak on the issue of the right of way, trustees are prevented from doing so while the issue is still being dealt with in-camera. There have been items that have been brought out of in-camera:

1. 2021 Agreement with owner resolving outstanding issues of existing right of way
2. Notice of claim brought against the district
3. Maintenance of pipeline through the right of way.

Q: DBID's engineer said pipeline had to be realigned and offered to mediate. The home owner has repeatedly asked to negotiate an agreement. The recent work to Thompson Clarke Drive West required bend in the watermain, the same could be done for this section.

Where is the accountability of the board? Homeowner would like to see water main moved to edge of his property and would like to get issue settled for estate planning.

A: The letter that was presented at the AGM by Stuart McLean has not yet been discussed by the board. The board is working towards a resolution.

Q: Is the board going along with the statement made at the AGM against development?

A: Opinions presented by a trustee at the AGM were not the view of the board.

Q: How does that message get out to ratepayers? It is not the board's place to oppose development.

A: Present and former trustees can articulate to the public what the mandate of the board is. We don't want conflicts or misinformation, the board wants to move forward.

The board has a lot of issues to deal with currently and doesn't have time to address issues outside of our mandate.

Q: Will the reservoir replacement involve twinning for the main going up to the reservoir?

A: The line is not being twinned as part of this project but the reservoir will be designed to have a top in, bottom out feed to facilitate turnover.

Q: How much did it cost to put in the jogs on the Thompson Clarke West project?

A: Cost to the district for engineering and material was about \$40,000. Labour was supplied by MOTI as part of the work that required the move.

Q: There is a document available from the province that outlines what improvement districts can and cannot do.

A: This is the improvement District Manual and copies are provided to all trustees when they join the board.

Q: Has there been any progress on the exterior elevator?

A: A company came today to look at the location and will be providing a cost estimate. Initial indications are that the cost will exceed currently budgeted funds.

Q: Is the heat pump proceeding and what was the cost?

A: Heat pump is being installed in the DBID office next week. The approved quote was \$6577 + GST.

Q: Where is the board at with the fencing issue?

A: Three firms have attended the property to provide quotes. One quote has been received and we are waiting on the remaining two.

There being no further business the meeting was adjourned to move in-camera at 10:16 pm.

The above minutes were approved by the Board of Trustees on May 19, 2022.

By: \_\_\_\_\_  
Chair of the Trustees

\_\_\_\_\_  
Officer

	TOTAL PRICE:	DETAILS:	BUDGET:	FORECAST:	ACTUAL COSTS:
1	General Conditions	Professionals, first aid, clean-up, porta-potties, temporary utilities, geotech, site survey, disposals, insurance, site office	300,500.00	376,037.00	376,036.19
2	Site Construction	Excavation	86,000.00	118,180.00	118,179.04
3	Concrete	Forming, rebar, concrete	135,512.00	158,990.00	158,989.02
4	Masonry	Block wall	64,800.00	57,530.00	57,530.00
5	Metals	Steel Building	589,172.00	515,484.86	515,484.86
6	Woods & Plastics	Framing & Painting	88,754.00	135,196.66	135,196.93
7	Thermal & Moisture Protection		10,000.00	22,531.00	22,531.63
8	Doors & Windows	Doors - interior, overhead x 4	4,200.00	39,702.00	39,701.55
9	Finishes	Drywall, built-ins, cabinetry	88,400.00	146,860.00	146,813.64
10	Specialties	Turn out gear rack	15,000.00	19,700.00	19,699.77
15	Mechanical	Heating & plumbing	190,253.00	224,660.20	224,659.07
16	Electrical	(includes alarm system)	74,755.00	133,991.00	133,990.25
	Second Floor Deck	funded through donations	0.00	27,838.00	27,837.62
		<b>SUBTOTAL</b>	<b>1,647,346.00</b>	<b>1,976,700.72</b>	<b>1,976,649.57</b>
		Contingency 10%	164,735.00		
		Escalation 5%	82,367.00		
		<b>MAGNUM CONSTRUCTION BUDGET APR 18/19</b>	<b>1,894,448.00</b>	<b>1,976,700.72</b>	<b>1,976,649.57</b>
	Borrowing Costs	RBC	40,000.00	21,271.00	21,270.92
		5% Additional Contingency for Borrowing Limit	82,367.00		
		<b>BOARD ADJUSTED BUDGET MAY 25/19</b>	<b>2,016,815.00</b>	<b>1,997,971.72</b>	<b>1,997,920.49</b>
	Design Work	Prof. work to develop budget	74,375.00	73,621.81	73,621.81
	Administration costs	Staff time, DBID office costs	0.00	8,000.00	7,020.27
		Includes Referendum costs: \$2382.45 (not capitalized)			
		<b>TOTAL PROJECT COSTS:</b>	<b>\$2,091,190.00</b>	<b>\$2,079,593.53</b>	<b>\$2,078,562.57</b>
		Less 2019 Costs			-\$77,352.05
		Less 2020 Costs*			-\$1,178,180.76
		Less 2021 Costs**			-\$792,327.68
		2022 Costs			\$30,702.08

\*Holdbacks to Dec 31/20: \$74,818

\*\*Holdbacks to Dec 31/21: \$10,418

RBC Drawdown	
Total available funds:	\$2,000,000
Draws to date	\$1,757,513
	<b>Loan paid out Mar 15/22</b>

Fire Hall Building Fund	
Building Fund Dec 31/21	63,591.21
Building Tax 2022	0.00
2022 Expenses	-8,861.17
Applied to loan	-45,191.07
	<b>\$9,538.97</b>

Capital Tax Advances	
Spring 2021	\$1,300,000
Fall 2021	\$365,000
Spring 2022	\$92,513
<b>Total Borrowing</b>	<b>\$1,757,513</b>

Building Donations		Second floor	
To Dec 31/20	102,825.00		21,000.00
2021 to date	11,000.00		10,000.00
	<b>\$113,825.00</b>		<b>\$31,000.00</b>
<b>Applied to loan</b>	<b>-\$108,825.00</b>		<b>-\$3,162.00</b>
Remainders:	For signs: \$5,000	Deck Exp: \$27,838.00	