

DEEP BAY IMPROVEMENT DISTRICT
MINUTES OF THE REGULAR BOARD MEETING

August 18, 2022

Trustees: Tony Botica, Chair
Claire Hilscher
Bob Leggett
Colin Thompson
Robert Hale
Diane Koch
Susan Mielke

Staff: Leslie Carter, Administrator

Guests: 14

1. Call to Order: 7:00 pm

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

2. Introduction of late items:

Correspondence in:

9.4 August 18, 2022 – W. Sutherland, fire concern

11.3 Proposed lift discussion

3. Approval of agenda for current meeting

Motion: to approve agenda as amended for current meeting

Robert Hale Seconded: Susan Mielke Vote: Carried

4. Petitions & Delegations: none

5. Approval of minutes

5.1. Regular meeting minutes of July 21, 2022

5.2. Special meeting minutes of July 26, 2022

Motion: to adopt the minutes of Regular Board Meeting of July 21, 2022 and the minutes of Special Board Meeting of July 26, 2022

Diane Koch Seconded: Robert Hale Vote: Carried

6. Business arising from the minutes:

- Truck 8-2 is in this week for required repairs
- Facilities Committee meeting is still pending
- Drawings indicate the east culvert was installed as part of the watermain installation
- Soil scientist has not been hired. Recommended geotechnical work should address any soil issues.
- Fencing project will be towards end of August or early September

7. Monthly Reports

Motion: to receive the following reports for information:

7.1. Operator's Report

Incident as Well 310 occurred after report was completed: – Provincial monitoring equipment was stolen from locked enclosure. Police report was filed.

7.2. Fire Chief's Report

7.3. Financial Reports

Total cheques issued for Water for July 2022: \$20,918.89

Total cheques issued for Fire for July 2022: \$23,265.45

7.4. FireSmart Program Report

Claire Hilscher Seconded: Susan Mielke Vote: Carried

8. Committee Minutes

Motion: to receive the following minutes for information:

8.1. Finance / HR Committee meeting – July 26, 2022

Susan Mielke Seconded: Diane Koch Vote: Carried

9. Correspondence In

9.1. July 25, 2022 – T. Plensky, Right of Way at 4891 Thompson Clarke Drive West

Motion: to accept correspondence in from T. Plensky

Susan Mielke Seconded: Robert Hale

In favour: Susan Mielke, Robert Hale, Claire Hilscher, Tony Botica; Opposed: Colin Thompson, Bob Leggett, Diane Koch Vote: Carried

Corrections noted to information provided in correspondence from T. Plensky:

- Colin Thompson: has been on the board since January 12, 2021
- Bob Leggett: statement is not accurate that states he has endeavoured to have DBID abandon a legally established right of way
- Diane Koch: did not state that it was illegal to abandon or remove a right of way but that it may require a court order.

9.2. July 29, 2022 – McElhanney, Reservoir preliminary site layout sketch

Motion: to approved proposed layout for new reservoir as presented in preliminary layout sketch dated July 28, 2022

Claire Hilscher Seconded: Bob Leggett Vote: Carried

Trustee questioned whether DBID has engaged anyone who does reservoir repairs to determine feasibility. Condition of existing reservoir was reviewed and discussed at a meeting with engineers. An assessment by Herold Engineering was completed in 2009 and repairs undertaken several years ago.

9.3. August 5, 2022 – D. Harrison, regarding waterline connecting Ocean Trail and Thompson Clarke Dr. West

Motion: to receive correspondence in from D. Harrison

Diane Koch Seconded: Claire Hilscher Vote: Carried

It was noted that this correspondence was received by the office via email and was cc'd to trustee's confidential email addresses.

All trustees confirmed they did not share email addresses with Mr. Harrison. A trustee did ask Mr. Harrison how their email address was obtained but did not receive a reply.

Current policy is that trustee personal contact information is confidential.
Correspondence for the board should be submitted via mail or email to the office.

Motion: to convene a special public meeting to address issues brought to the board's attention, details to be determined within 30 days

Colin Thompson Seconded: Diane Koch

In favour: Colin Thompson, Diane Koch, Bob Leggett, Robert Hale, Claire Hilscher, Tony Botica; Opposed: Susan Mielke Vote: Carried

Motion: that DBID will not be relocating the pipe between Ocean Trail and Thompson Clarke Dr. West from its current location to closer to the tracks

Claire Hilscher Seconded: Robert Hale Vote: Carried

9.4. August 18, 2022 – W. Sutherland, fire concern

Correspondence was read out.

Motion: to accept correspondence in from W. Sutherland

Claire Hilscher Seconded: Susan Mielke Vote: Carried

Motion: to send reply from the board letting owner know that Fire Chief or Deputy will investigate and to also suggest contacting the RDN regarding bylaw infractions

Susan Mielke Seconded: Robert Hale Vote: Carried

10. Old Business

10.1. Thompson Clarke Dr. West

10.1.1. August 15/22, Technical memo, McElhanney site visit and comments for further consideration

Motion: to accept the technical memo from McElhanney dated August 15, 2022

Claire Hilscher Seconded: Bob Leggett Vote: Carried

11. New Business:

11.1. Submission from Trustee Diane Koch

Motion: to accept submission from Trustee Diane Koch

Claire Hilscher Seconded: Robert Hale Vote: Carried

Motion: that the board authorizes McElhanney Engineering to provide an up-to-date Capital Works Cost estimate for the DL 28 Main (200 mm) and verify that this line can take the place of the Thompson Clarke Drive West to Ocean Trail 250 mm.

Diane Koch Seconded: Robert Hale

In favour: Colin Thompson, Bob Leggett, Diane Koch; Opposed: Susan Mielke, Robert Hale, Claire Hilscher, Tony Botica
Vote: Defeated

Motion: that the board defers to the 2023 construction window, the "slope remediation" project and authorizes a temporary water line be installed from Thompson Clarke Drive West to Ocean Trail for an emergency bypass line in case of an event

Diane Koch Seconded: Robert Hale Vote: Carried

Motion: that the board develops an Asbestos Cement pipe replacement program to provide for the over 9500 meters of Asbestos Cement pipe that is going to be required to be replaced in the next 5-25 years

Diane Koch Seconded: Claire Hilscher Vote: Carried

Motion: to submit forthcoming Asbestos Cement pipe replacement plan to the Regional District of Nanaimo for community gas tax funds

Claire Hilscher Seconded: Susan Mielke Vote: Carried

11.2. Budget meeting scheduling (Planning, Finance/HR., Fire Protection)

11.3. Proposed lift discussion

Trustee suggested that the funds that were provided for a lift be returned to the Deep Bay Fire/Rescue Society given the reluctance to move ahead with the lift project. Given the issues around the stairs (point of egress, dignity to users) this does not seem to be a viable option.

Motion: to return funds to the Deep Bay Fire/Rescue Society that were provided for a lift

Robert Hale Seconded: Bob Leggett Vote: Carried

12. Question Period

Q: Is the DBID releasing all issues from in-camera for the public meeting?

A: Current discussions that are public will be addressed, confidentiality is being maintained. DBID will release in-camera information as they are able.

Q: Rate payer finds it painful to sit and should not have been told to sit down.

A: Apologies were offered by both a trustee and the chair.

Q: Clarification requested on vote taken regarding the public meeting.

A: Motion was carried and vote was confirmed as recorded.

Q: Is the response issued for a recent FOI for monies spent to date accurate?

A: FOI response is as written

Q: Are legal fees included in the Professional Fees budget line?

A: Yes

Q: Statement that 2021 audited financials has over \$40,000 in professional fees

Mr. Harrison read out his email response that he provided to a trustee with regards to the privacy breach of trustee emails.

A: This incident will be further investigated.

Q: Why is the slope remediation the responsibility of the DBID?

A: DBID is responsible for providing water and any maintenance issues that need to be done.

Q: RDN undertook repairs in 2020 around the public trail. Are the current issues a result of the work completed or the watermain?

A: This is not known.

Q: The board has stated that the slope stabilization at 4891 Thompson Clarke Dr. West is a maintenance issue. The board in February 2022 indicated that storm water management is not the responsibility of the DBID. Why is the board undertaking work that appears to be the result of storm water runoff from work undertaken by the RDN?

A: The board could consider this further.

Q: Did the geotechnical report provided by the RDN indicate not to move the pipeline?

A: A letter was presented at the 2022 DBID AGM proposing to move the public trail, with the requirement that the watermain also move. A Geotechnical study was commissioned by the RDN from Tetrattech and the report talks about the trail and watermain.

Tetrattech report was commissioned to determine feasibility of moving the trail or not.

Q: Statement made that the plan developed by McElhanney does not represent current conditions and that the board does not understand what is happening on the property.

A: Homeowner was thanked for input.

Q: RDN representative stated that the Tetrattech report is public and copies can be provided upon request and that the report relates to trail feasibility.

Q: Why is the board not interested in any other location of watermain?

A: The board is open to solutions that will work for everyone.

Q: Where is the record of questions asked at meetings?

A: Questions are recorded in the minutes.

Q: Are all letters sent to the board noted in correspondence in?

A: Yes, this is how information gets to the board.

Q: What is the policy of the board on trustee conduct?

A: Board needs to maintain confidentiality. The board can investigate but can't control what other members of the public do.

Trustee Claire Hilscher noted that a letter was provided to the chair and office stating that they did not breach confidentiality with respect to information published in the local newsletter.

Q: Statement made that expressed dismay that funds raised by the Fire/Rescue Society are all going into one item (eg. lift).

A: Public are encouraged to attend society meetings and express opinions are donations. DBID does not and cannot direct the society on what to do with their funds.

Q: What can be done regarding disrespectful behaviour occurring at meetings?

A: All members of the board and public are being asked to be respectful. Everyone needs to get along and some friction is normal. Policies are in place and need to be followed.

Q: What is the purchasing policy for the DBID?

A: Purchases need to go through a process with the board as outlined in DBID's purchasing policy.

Q: Why was motion passed to reimburse a trustee for fencing material?

A: An opportunity became available to obtain materials at a significant savings to the district. The board recognized this was a good purchase and reimbursed the trustee. Exceptions can be made to policy and these are not precedent setting.

Q: How will this board ensure DBID ratepayers that the board will not be bullied?

A: Information needs to stay in confidence. Bullying is not acceptable and is not happening.

Q: Statement made that ratepayer has alternative for board to consider for slope work.

A: Information can be submitted to the board through the office.

There being no further business the meeting was adjourned to move in-camera at 9:43 pm.

The above minutes were approved by the Board of Trustees on September 15, 2022.

By: _____
Chair of the Trustees

Officer