

***NORTH CEDAR IMPROVEMENT DISTRICT***

**MINUTES OF THE JULY 9, 2015**  
**BOARD OF TRUSTEES MEETING**

**TRUSTEES PRESENT:**

Trustee Johnson, Chairperson  
Trustee Anderson  
Trustee Jean Louis  
Trustee Loos  
Trustee Merkel  
Trustee Murdoch

**STAFF:**

Heather Sarchuk, Administrator  
Percy Tipping, Fire Chief

**PUBLIC: -**

Adam Kelln – 2187 Village Drive  
Robyn Kelln – 1782/84 Cedar Road  
Jamie Colligan – 1782/84 Cedar Road  
Robert Brown - #16 – 2161 Walsh Road  
Richard Bray - 2628 Barnes Road  
Don Rakowski – 1716 Vowels Road  
Hank Aarsen – 1980 Lazy Susan Drive  
Terry Hughes – 2195 Village Drive

1. **CALL TO ORDER**

Chairperson Johnson called the meeting to order at 7:01 p.m.

2. **APPROVAL OF AGENDA**

15.303 **MOVED** by Trustee Murdoch **SECONDED** by Trustee Merkel  
To approve the agenda and late items as presented.

**CARRIED**

3. **TRUSTEE POSITIONS**

(A) Vice-Chair Appointment (Trustee Rosato-Taylor verbal)

No discussion as Trustee Rosato-Taylor was not in attendance.

4. **DELGATION**

No Delgations.

5. **ADOPTION OF MINUTES**

(A) June 11, 2015

15.304 **MOVED** by Trustee Loos **SECONDED** by Trustee Jean Murdoch

To approve the minutes of the June 11, 2015 Board of Trustees Meeting as presented. **CARRIED**

- (i) Business Arising from the Minutes

No business arising from the minutes.

- (ii) List of Board Motions

**15.305 MOVED** by Trustee Loos **SECONDED** by Trustee Murdoch  
To receive and file the list of Board motions. **CARRIED**

**(B) June 25, 2015**

**15.306 MOVED** by Trustee Merkel **SECONDED** by Trustee Murdoch  
To approve the minutes of the June 25, 2015 Board of Trustees Meeting as presented. **CARRIED**

- (i) Business Arising from the Minutes

No business arising from the minutes.

- (ii) List of Board Motions

**15.307 MOVED** by Trustee Loos **SECONDED** by Trustee Jean Louis  
To receive and file the list of Board motions. **CARRIED**

**5. STAFF REPORTS**

**(A) WATERWORKS**

- (i) Waterworks Report
  - (a) May 2015 Report

**15.308 MOVED** by Trustee Merkel **SECONDED** by Trustee Loos  
To receive and file the May 2015 Waterworks Report. **CARRIED**

- (b) June 2015 Report

**15.309 MOVED** by Trustee Jean Louis **SECONDED** by Trustee Murdoch  
To receive and file the June 2015 Waterworks Report. **CARRIED**

- (ii) Services/Subdivision

No Changes.

- (iii) Emergency Connection

**15.310 MOVED** by Trustee Loos **SECONDED** by Trustee Murdoch  
To approve the emergency connection from the City of Nanaimo and the rate that will be charged immediately, as opposed to the draft agreement which stated charges would not start until after 7 days, the agreement will be amended to reflect this change. **CARRIED**

**(B) FIRE PROTECTION AND STREET LIGHTING**

(i) Fire Chiefs Report

**15.311** **MOVED** by Trustee Loos **SECONDED** by Trustee Anderson  
To receive and file the Fire Chiefs Report. **CARRIED**

(ii) Board Update

**15.312** **MOVED** by Trustee Anderson **SECONDED** by Trustee Merkel  
To receive and file the July 2015 Additional Board Update Report. **CARRIED**

**(C) ADMINISTRATION**

(i) Treasurers Reports

Trustee Jean Louis requested that staff amend the Parcel Tax Bylaws with a due date of July 2, 2015 instead of June 30<sup>th</sup>. This is to be brought to the next Board Meeting for consideration.

**15.313** **MOVED** by Trustee Jean Louis **SECONDED** by Trustee Merkel  
To receive and file the Treasurers Report. **CARRIED**

(ii) Leak Adjustment

**15.314** **MOVED** by Trustee Loos **SECONDED** by Trustee Jean Louis  
To approve the Leak Adjustment Request. **CARRIED**

(iii) Training and Seminars

**15.315** **MOVED** by Trustee Loos **SECONDED** by Trustee Merkel  
To approve Percy Tipping, Jennifer Bradley and Heather Sarchuk to attend the Educational Program being offered on September 11 – 13 in Parksville. **CARRIED**

**6. COMMITTEE/PORTFOLIO REPORTS**

(A) Trustee Reports

(i) Post AGM Take 5 Submission

Trustee Jean Louis reported that they are still working on this item.

**7. BYLAWS, POLICIES AND RESOLUTIONS**

(A) BYLAWS

(i) Bylaw #437

**15.316** **MOVED** by Trustee Loos **SECONDED** by Trustee Merkel  
To approve first and second reading of Bylaw #437 as presented. **CARRIED**

**15.317** **MOVED** by Trustee Loos **SECONDED** by Trustee Murdoch  
To approve third and final reading of Bylaw #437 as presented. **CARRIED**

**(B) POLICIES**

- (i) Policy #74-10 Staff/Fire Fighter Training/Conference Attendance Amended

**15.318** **MOVED** by Trustee Loos **SECONDED** by Trustee Jean Louis  
To approve Policy #74-10 as amended.

**CARRIED**

**(C) RESOLUTIONS**

No Resolutions.

**8. CORRESPONDENCE/CONSULTANT REPORTS****(A) ASSOCIATED ENGINEERING**

- (i) Monthly Report

**15.319** **MOVED** by Trustee Jean Louis **SECONDED** by Trustee Murdoch  
To receive and file the engineers monthly report.

**CARRIED**

**(B) ISLAND HEALTH**

- (i) Letter to IH from the District Consultants

**15.320** **MOVED** by Trustee Jean Louis **SECONDED** by Trustee Merkel  
To receive and file the engineers letter to Island Health.

**CARRIED**

- (ii) Response from IH

**15.321** **MOVED** by Trustee Jean Louis **SECONDED** by Trustee Murdoch  
To receive and file the correspondence received from Island Health.

**CARRIED**

**(C) CITY OF NANAIMO**

- (i) Report to Council from Staff

**15.322** **MOVED** by Trustee Merkel **SECONDED** by Trustee Anderson

To receive and file the report to City of Nanaimo Council from City of Nanaimo Staff. **CARRIED**

**9. QUESTION AND ANSWER PERIOD**

Robyn Kelln stated the following:

- He is concerned with the delay he is experiencing with the moratorium.
- We have paid over the last month in excess of over \$100,000 on properties we cannot develop.
- Spoke to Wayne Proctor and was very disturbed to hear that NCID is considering buying this property and/or expropriating.
- We also have properties along Cedar Main Street and are now dealing with the RDN on these properties for rezoning to Multi-Family/Commercial.
- Mr. Proctor's potential earnings for his ten acres could be as high as 7 million dollars according to the RDN
- Mr. Proctor is prepared to lease you the wells, lease you additional space for wells.

Chairperson Johnson advised Mr. Kelln that he was out of order and could only speak on agenda items.

Mr. Kelln stated that if the Board did not want to talk about this he could go to the media and/or the Ministry.

Robyn Kelln continued with the following:

- Mr. Proctor is willing to negotiate with you, he told me to bring that message to you.
- The RDN is prepared to negotiate with you.
- Ten years ago I built a sewer system for this community at 3.4 million dollars.
- A couple of local people will build you a reservoir on private property in the center of town.
- You have been holding this community hostage for 6 years with this moratorium and your elderly are having to leave there community.
- Mr. Proctor wants me to deliver this message to you, he's on record that he will negotiate well leases, if the well goes dry he will allow a new well to be drilled on his property.
- You need to reconsider and do 180 degree turn because from this point forward, when we walk out the door the community movement will begin.

Chairperson Johnson stated for one thing, VIHA requires that the District owns the land. This council has worked diligently for fire protection and fire flows is top priority, water for the residence is secondary. The treatment plant has to be installed as per VIHA, so there are no option.

We have been trying to find a solution for years, and we have come a long way in the last 2 – 3 years.

Trustee Jean Louis stated if you are going to contest the water treatment estimated fee, he suggested to Mr. Kelln that he read all of the available reports the District has.

Robyn Kelln reported the following:

- Had a fleet of engineers out on Friday regarding your system.
- Spoke to a couple of structural engineers this morning everything that is in your reports, has a different opinion.
- I will be checking with VIHA regarding what Peter stated about owning the land as this is news to me.
- The province encourages you to work with the RDN, why aren't you working with them. At the AGM Alec McPherson reported you were offered a grant and you didn't even fill out the paper work correctly.

Trustee Loos stated that unfortunately you only got a wisp of the whole thing, not the whole thing. The grant had nothing to do with water.

Robyn Kelln reported the following:

- That there are good engineers and bad engineers, not all engineers graduate in the top of their class and I have had engineers that we have fired, I have had engineers that have made mistakes that have cost us a small fortune.
- We can do the same mechanics as we did for the sewer system, that is private enterprise can do this faster than you can, and for less cost, and get the job done.

Trustee Anderson addressed a question to the Administrator. The former owner of the property is the Dodd's, we had a lease agreement with them.

The Administrator responded that the District did not have a lease agreement, we had a Right of Way. VIHA no longer views that as appropriate practise any longer.

Trustee Anderson stated the second question is for our guests, given the potential cost for the purchase of the property, do you think Mr. Proctor would be receptive to subdividing that down so that just the portion that is needed by North Cedar Improvement District for the well and the treatment plant could be separated from the rest in order that we can reduce the cost of that purchase substantially.

Trustee Loos stated that he cannot speak for Mr. Proctor.

Trustee Jean Louis stated that this subject cannot be discussed at a public meeting, land is private property and is only discussed incamera. This type of question is not welcoming.

There was further discussion and raised voices.

**MOVED** by Trustee Merkel **SECONDED** by Trustee Anderson  
That we have this go to the operations committee to explore in further detail. **DEFEATED**

Jamie Colligan responded you said yes to go to operations to put our heads together and now you're saying no.

Robyn Kelln stated this is front page news for your newspapers.

Jamie Colligan stated that if we walk out that door you are going to have such negativity coming at you from this community.

Robyn Kelln stated that NCID is not willing to work with us.


Trustee Jean Louis stated that he wants to see the details in writing what your proposal is. He reported that he has a problem with process. Any person has the right to talk and discuss what they believe is relevant for the community. At the end of the day when they have something of substance this will be brought by the committee to the Board, than the Board will send it to the committee to finalize it with the final recommendation going back to the Board. This is making the process go backwards.


**15.323** **MOVED** by Trustee Merkel **SECONDED** by Trustee Anderson  
To have the Operations Committee deal with the community to see what they can get in writing from the developer detailing what they are proposing to bring to the Board for consideration. The developer will be invited to the Operations Committee meeting when scheduled. **CARRIED**

**10. ADJOURN AND MOVE IN-CAMERA**

**15.324** **MOVED** by Trustee Loos **SECONDED** by Trustee Jean Louis  
To adjourn the meeting at 8:23 p.m. and move to in-camera. **CARRIED**

August 13/15  
Date

  
\_\_\_\_\_  
Chairperson of the Board of Trustees

  
\_\_\_\_\_  
Administrator to the Board of Trustees