



FLETCHER CREEK IMPROVEMENT DISTRICT

RR2, Site 3, Comp 38
Kaslo, BC V0G 1M0

Website: www.fletchercreekwater.com
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Minutes

April 16, 2019 – 5:30 PM
McLaren's Residence, 4761 Highway 31

Trustees present: Laurie Hartland (arrived at 5:50 pm), Lance McLaren, Tina McLaren, Kevin Jersey, Steve Julien

Secretary Treasurer: Dan Knight

Guests: Neil & Heather Kelly

1) Meeting called to order at 5:35 PM (Dan Knight, Acting Chair)

Dan stated that in accordance with our Procedures Bylaw, in the absence of the Chair, he chairs the meeting for the purpose of electing an Acting Chair.

Lance stated that he would be willing to act as Chair.

There were no others willing to serve as Acting Chair.

Dan stated that Lance is the Acting Chair.

Lance introduced Neil and Heather Kelly as guests

2) Approval of agenda

Dan stated that the "Emergency Response Plan Revisions" is missing from Old Business. This item has been tabled until after the AGM.

Kevin stated that he would like to add an item under Maintenance, Emergency Call.

MOTION 2019-04-16-01

Moved by Steve Julien, second by Kevin Jersey, that the Agenda be approved as amended.

MOTION PASSED. (In Favour: Lance McLaren, Tina McLaren, Steve Julien Opposed: 1, Kevin Jersey, Abstained: 0, Absent: Laurie Hartland).

3) Approval of Regular Board Meeting Minutes (March 19, 2019)

Dan stated that an error in motion 2019-03-19-02, where the date of February 26, 2018 is incorrect, have been corrected to February 26, 2019.

MOTION 2019-04-16-02

Moved by Lance McLaren, seconded by Kevin Jersey, that the Minutes of the March 19, 2019 Board Meeting be approved as amended.

MOTION PASSED. (In Favour: Lance McLaren, Tina McLaren, Kevin Jersey, Steve Julien Opposed: 0, Abstained: 0, Absent: Laurie Hartland).

4) Approval of Financial Report:

a) Balance and Income Statements to March 31, 2019:

- \$184,619 in Cash.
- \$261,894 in Total Liabilities and Equity, including capital assets and accounts receivable.
- Unrestricted cash available: \$49,064

MOTION 2019-04-16-03

Moved by Tina McLaren, seconded by Kevin Jersey, to approve the Financial Report as of March 31, 2019, as presented.

MOTION PASSED. (In Favour: Lance McLaren, Tina McLaren, Kevin Jersey, Steve Julien
Opposed: 0, Abstained: 0, Absent: Laurie Hartland).

5) Approval of Accounts Payable:

Dan presented the list of Accounts Payable for April 13, 2019, totaling \$1,710.64.

Payable to	Description	Amount
Rec General of Canada	Mar 2019 Payroll Remittance	119.69
Dan Knight	Mar 2019 S/T Payroll	1,004.39
Brad Hartland	Jan - Mar 2019 Maintenance	225.00
Dan Knight	Office Supplies and Postage: AGM & Tax Notices	361.56
Total		1,710.64

Dan reported that the amount for CRA Payroll Remittance, circulated to the board was incorrect; the correct amount is as noted above.

Laurie joined the meeting and assumed Chairing at 5:50 PM

Kevin noted that Dan's March timesheet contained two errors amounting to an over-stating of 1 hour. Dan stated that because the payroll calculations for March have already been processed, April's timesheet will begin with a deduction of 1 hour.

He also reported that in response to motion 2019-03-19-04 from the last meeting, Municipal Affairs has confirmed that accounts payable backup, including payroll, can be requested to be seen by the trustees, however, none of it is to be made available to the public as it is confidential data.

He stated this information has been incorporated into the proposed revisions to the Procedures Bylaw, so it will be clear for future boards.

MOTION 2019-04-16-04

Moved by Lance McLaren, seconded by Steve Julien, to approve the Accounts Payable as of April 13, 2019, as presented.

MOTION PASSED. (In Favour: Laurie Hartland, Lance McLaren, Tina McLaren, Kevin Jersey, Steve Julien. Opposed: 0, Abstained: 0, Absent:0).

6) Maintenance Report**a) Water Testing:**

Lance reported that Dan has confirmed with Passmore Labs that our water sample from the first week of April was not received. Lance stated that the next sample will be submitted in May.

b) Fortis Estimate:

Lance stated that he met with a representative from Fortis who has provided him with some rough estimates and procedures that would be required to install power to both the intake site and the Schreiber's location.

He reported the rough estimates are: \$57,000 for the intake site (9dot's estimate for the same location is \$72,000) as compared to \$17,000 for the Schreiber site; however the Fortis estimates do not include costs of easements, permits or logging the right of way.

The details are in the maintenance report attached to the minutes.

Dan recommended that the Fortis Estimate item be closed as an item under Maintenance, as this is a component of the Water Treatment Facility.

c) Mainline Study:

Lance stated that it appears there was some misunderstanding of his comments at the last board meeting. He is not suggesting a cancellation or postponement of the disinfection plant. He's simply calling for two studies to determine the current state and projected life remaining for the mainline, given the estimated \$2,000,000 cost to replace the mainline.

Further he pointed out that 9dot's design report states that our current mainline is not up to current code standards and that FCID should be considering capital replacement cost of the mainline.

Therefore he believes given the large expense and the unknown current condition or life remaining, that it is crucial that FCID conduct a study of the mainline as soon as possible.

d) Water Source Study:

Lance stated that 9dot's design report calls for a system "capable of treating 50 USGPM with 100% redundancy and 100 USGPM with no redundancy", which works out to at a minimum our full license capacity or double the license at 100 USGPM.

However, the capacity of our license is meaningless, if there is not the capacity in the creek flow.

When we argued over the connection moratorium, Kevin insisted that we couldn't have the moratorium because we didn't have the facts regarding water volume. We still don't. And the only way to get those facts is to conduct a year-long study to determine average creek volume over the year.

MOTION 2019-04-16-05

Moved by Lance McLaren, seconded by Tina McLaren, to solicit Request For Proposals, with quotes to be received by May 31, 2019, for two separate studies to be commenced as soon as possible from at least two Kootenay based engineering firms or personnel for both studies.

The studies are as follows:

- a) A study of Fletcher Creek water volumes at the FCID Intake over the course of a year to determine average creek flow rates for the various months of the year. The purpose of which is to provide a basis for water use restriction plans as well as determining whether the connection moratorium needs to be maintained.
- b) A study of the mainline to determine the current conditions and materials used in the mainline, as well as the estimated remaining life of the various portions of the mainline, along with an estimated budget and timeline for capital replacement of the mainline

MOTION PASSED. (In Favour: Laurie Hartland, Lance McLaren, Tina McLaren, Kevin Jersey, Steve Julien. Opposed: 0, Abstained: 0, Absent:0).

e) Emergency Call:

Kevin reported that George Wilson came to his house seeking someone who could turn off the water due to a break at his house. Brad Hartland was working and unavailable at the time.

Kevin stated that a curb-stop key was borrowed from Ace Building Supplies and the water was turned off at the street.

He recommended that we need to ensure that:

1. Each Trustee have a key to get access to the Intake building, where the shut-off keys are kept
2. Each shut-off key be color-coded to correspond to the applicable valves
3. A second set of shut-off keys be acquired to be kept with one of the Trustees.

ACTION ITEMS: Brad to get extra sets of keys and shut-off keys.

7) Water Treatment Project

Kevin reported that the Design Brief from 9dot Engineering has been circulated to the board for its review.

Any corrections or questions the trustees have should be forwarded to Kevin for forwarding to 9dot.

OLD BUSINESS**8) Action items from previous Trustee minutes****a) Scarlett's Water Access Agreement:**

Kevin requested that discussion to be held In-Camera at the end of the meeting.

b) Capital Project Process Review:

Dan stated that he's done a preliminary review of the requirements for Capital Projects. The cost of this project will require borrowing, and therefore will require, at least a three stage approval process BEFORE any commitment can be made to contractors.

He estimates that this approval process may take 3 – 4 months before the board can make any commitments to contractors; however, he noted that given the timeline presented in the Design Brief, this should only delay the final commissioning by 1 or 2 months, due to the winter months, where construction of the plant can occur, but not site work.

The process for any capital project, and specifically those requiring borrowing, is as follows:

1. Conduct a feasibility and economic study.
 - i. The design report may qualify as this, but the Ministry may also require additional study as justification.
2. Submit study and project proposal to the Ministry for approval, along with further requirements pertaining to getting public approval.
3. Obtain public approval.
 - i. A public information meeting, along with a mail-in ballot of ALL FCID property owners is what the board has been proposing
4. Following positive public approval, the Board must pass two bylaws:
 - i. A Bylaw authorising use of Reserve funds
 - ii. An Interim Borrowing bylaw.
5. Ministry approval of both bylaws is required.
 - i. The interim Borrowing Bylaw, enables the board to obtain borrowing from a financial institution. The borrowing is backed solely by the taxing power of the District, therefore its repayment must be supported by the annual tax levied.
6. Once the bylaws have been approved by the Ministry, commitments can be made to contractors and construction of the project commenced.
7. When the project is completed and final costs are known, the board must pass another Borrowing Bylaw to repay in full the other outstanding amount on the Interim Borrowing Bylaw.
 - i. Once this Borrowing bylaw is approved by the Ministry, the financing is arranged by the Ministry and is used to repay the Interim borrowing amount.

c) **Bylaw 68 – Meeting Procedures:**

Dan reported that some revisions have been made due to advice from Municipal Affairs. These revisions were circulated to the board April 10. They include the following:

- Removal of all proposed clauses pertaining to removal of the Chair by public petition.
- Removal of 8.1.3 Supervision of Staff from Role of Chair
- Removal of clauses pertaining to disqualification of Trustees due to absence
- Role of Trustee 10.2.2.2.1 Removed entirely
- Electronic Meetings: Removal of phrase “or other unforeseen events”

MOTION 2019-04-16-06

Moved by Lance McLaren, seconded by Steve Julien, that Bylaw 68 – Meeting Procedures be read a second time as amended.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Kevin Jersey, Steve Julien, Opposed: 0, Abstained: 0, Absent: 0).

There was discussion regarding the purpose and validity of allowing electronic attendance and closed meeting.

MOTION 2019-04-16-07

Moved by Lance McLaren, seconded by Laurie Hartland, that Bylaw 68 – Meeting Procedures be read a third and final time as amended.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Kevin Jersey, Steve Julien, Opposed:0, Abstained: 0, Absent: 0).

9) **Emergency Response Plan Revisions:**

No Report. Tabled to the May board meeting.

NEW BUSINESS

10) **2019 AGM:**

a) **Appointment of Returning Officer:**

Dan stated that historically the Secretary Treasurer assumes the role of Returning Officer for the AGM, and that given that Tina McLaren has decided not to stand for re-election, he suggests, if she is willing that she be appointed as Deputy Returning Officer, if needed to count votes.

MOTION 2019-04-16-08

Moved by Lance McLaren, seconded by Steve Julien, that Dan Knight be appointed as Returning Officer and Tina McLaren be appointed as Deputy Returning Officer, for the 2019 Annual General Meeting.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Kevin Jersey, Steve Julien, Opposed: 0, Abstained: 0, Absent: 0).

b) Review of AGM Agenda and Action Items:

Dan reviewed the AGM Agenda and Action Items circulated to the Board.

c) Review of AGM Voting Procedures:

Dan reported that emails from Municipal Affairs have confirmed the voting and Trustee eligibility as outlined in our procedures bylaw, with one exception. According to our current Letters Patent, Municipal Affairs has confirmed that “wives and husbands” of property owners are eligible for Trusteeship, however, the Ministry specified that this only applies to married and not common-law spouses.

The Ministry also recommended that the board request a revision of our Letters Patent as this clause is a throw-back to a time and legislation that no longer applies.

Dan reviewed the voting procedures as follows:

1. A Voters List has been created and will be at the front door for Voters to Sign-In.
 - a. Guests will sign-in on a separate sheet.
2. When a voter signs in, they will receive a voting card.
 - a. This card will be used for voting through out the meeting. Cards held up, not hands, will be the only votes that will counted.
3. When it is time to elect Trustees, nominations will be received.
 - a. If only two names are nominated, they will be declared acclaimed.
4. In the event that three names are nominated, then voting will take place as follows:
 - a. Each voter comes to the ballot box and presents their voting card and signs by their name on the voting list.
 - b. They then write on the ballot the name(s) of the two people they wish to vote for.
 - c. The votes are counted and the two with the most votes are declared winners.
5. In the event that four or more names are nominated, then there will be two rounds of voting, as follows:
 - a. Round 1 will be the same as item 4.a above.
 - b. After the votes are counted the three names with the most votes move to the second round.
 - c. Round 2, will be the same as item 4, with the two names receiving the most votes being declared elected.

11) Appointment of Signing Authority:

Dan stated that since Tina McLaren has decided not to seek re-election and since she is currently one of the three Signing Authorities, it would be good to appoint her replacement prior to the AGM, as that would also ensure a Signing Authority with some board experience.

MOTION 2019-04-16-09

Moved by Kevin Jersey, seconded by Lance McLaren, that Steve Julien be appointed as a Signing Authority in place of Tina McLaren, effective as soon as they are able to sign the required documents at the Credit Union.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Kevin Jersey, Steve Julien, Opposed: 0, Abstained: 0, Absent: 0).

12) Correspondence**a) Dave & Jean Boland: Request for Connection:**

Dan circulated a letter received from the Bolands requesting extension of FCID's mainline to their property west of the highway and south of McKilligans.

Dan's response letter was also circulated to the board, outlining the reasons the board cannot consider their request due to the following reasons:

1. Their property is outside FCID jurisdiction, and extending the jurisdiction would require Ministry authority;
2. There is a moratorium on all new connections.
3. The current Boil Water Notice means IHA would likely reject any extension of our mainline.
4. The cost of extending the mainline to their property would be over \$200,000 and would have to be borne entirely by the property serviced by the extension.

b) Municipal Affairs: Resolution to Revise Letters Patent:

Dan circulated a proposal for resolution to revise our Letters Patent to remove archaic wording. This has been recommended by the Improvement District Handbook and suggested in a recent email from Municipal Affairs.

MOTION 2019-04-16-10

Moved by Kevin Jersey, seconded by Tina McLaren, that the board of Fletcher Creek Improvement District request the Ministry to revise our Letters Patent to remove the phrase "*and their wives and husbands*" from Clause 5, as this phrase refers to a provision of the Veterans Lands and Administration Act that is no longer in effect.

MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Kevin Jersey, Steve Julien, Opposed: 0, Abstained: 0, Absent: 0).

The guests left the meeting.

13) Closed Meeting:

Kevin stated that he has information that he believes needs discussion by the board under Section 90(1)(g) of the Community Charter: *“litigation or potential litigation affecting the municipality.”*

MOTION 2019-04-16-11

Moved by Kevin Jersey, seconded by Tina McLaren, that the meeting be moved to a Closed Meeting, under Section 14 of Bylaw 66 – Meeting Procedures and in accordance with Section 90 (1)(g) of the Community Charter: *“Litigation or potential litigation affecting the municipality”*, and that Dan Knight be authorized to attend as Secretary Treasurer to take the minutes.

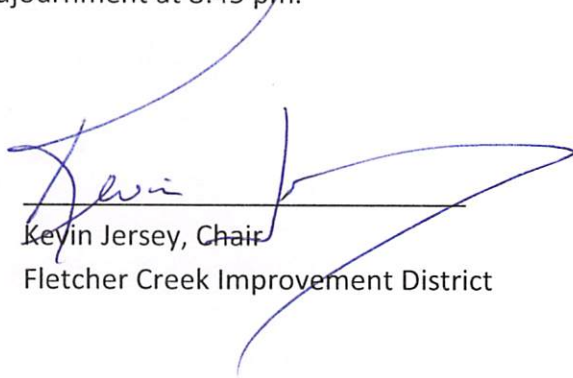
MOTION PASSED (In Favour: Laurie Hartland, Tina McLaren, Lance McLaren, Kevin Jersey, Steve Julien, Opposed: 0, Abstained: 0, Absent: 0).

The Closed Meeting was adjourned and the Regular meeting commenced at 8:40 PM.

14) Next Board Meeting:

- a) The time and location of the next Board Meeting will be scheduled following the AGM.

15) Adjournment at 8:45 pm.



Kevin Jersey, Chair
Fletcher Creek Improvement District



Secretary Treasurer
Fletcher Creek Improvement District