

**Union Bay Improvement District**  
**Regular Board Meeting Minutes**  
Union Bay Improvement District Boardroom  
August 17, 2011  
7:00 P.M.

Attendants: Carol Molstad (Chair), Anne Alcock, Cleve Goldswain, Bruce Livesey, Ruth Suader

The meeting was called to order at 7:00 PM. The Chair introduced the new administrator, Ruth Sauder.

1. Adoption of the agenda

The agenda was amended by adding three late items: under correspondence item 5b – letter from CVRD; under new business item number b. Request for Proposals – auditor and c. signing authority.

**MOTION: 2011-08-17-01** to accept the agenda for August 17, 2011 as amended.

RMS

CARRIED

2. Petitions and Delegations - none

3. Approval of minutes

- a. Regular Board Meeting Minutes of July 20, 2011.

**Motion: 2011-08-17-02** to approve the Board Meeting Minutes of July 20<sup>th</sup>, 2011 as presented.

RMS

CARRIED

4. Report from "In-Camera" Meetings and Business arising:

- a. Regular meeting - June 1, 2011

i. Access to the UBID Building - Prices Alarms

At the last meeting the Board made a decision to give Committee chairs access to the building – in discussion with Prices Alarms, they require a Board motion to change the authority from the former administrator.

**Motion: 2011-08-17-03** to authorize the new administrator as the contact for Prices Alarms.

RMS

CARRIED

ii. Leak allowance request from a landowner

This request to waive water tolls due to a leakage was tabled at the last meeting pending more information.

**Motion:** **2011-08-17-04** to grant a waiver of water tolls due to a leakage using RMS 93.5 as the average consumption applied to the April-March billing period as according to policy.

CARRIED

The administrator was asked to implement the waiver.

iii. By-election

**Motion:** **2011-08-17-05** To hold a by-election in conjunction with the October regular monthly meeting on October 19<sup>th</sup> and to appoint the administrator as the elections officer.

CARRIED

- a. In-camera meeting July27, 2001 to deal with legal matters
  - i. Information brought forward
- b. In camera meeting August 4, 2011 to deal with legal matters
  - i. Information brought forward

The two meetings were reported together as they were regarding the same issue. As previously reported the Board made a motion to discontinue funding the litigation against Mary Reynolds and to no longer pay the costs of the plaintiffs. The Board reported that they are continuing to address issues arising out of the action. In particular the Board is dealing with the very specifically worded resolution from Feb 28<sup>th</sup>. It contains a clause that states UBID will continue to fund the 8 plaintiffs for their action through to a successful conclusion. This has implications for UBID retrieving the remaining retainer from Ganipathi and Company and for future costs that the plaintiffs may incur. At this point the Board is considering its options.

- c. In camera meeting August 9, 2011 to deal with personnel matters
  - i. Information brought forward

This meeting dealt with the recruitment and selection of a new administrator. The interview and selection process was outlined. Very early in the recruitment process it was identified that one of the Board members knew an applicant. Although there is no real conflict of interest, that Board member recused himself from all of the interviews, reference checks and decision making process due to the potential for a perception of bias. As it turned out the successful applicant is known by the Board member.

The audience was invited to stay after the meeting to welcome Ruth to Union Bay and UBID.

- 2. Correspondence
  - a. Request for records – Janet Thomas

At this point the Board is not aware of the report requested however it asked the administrator to investigate; if found and unless it contains confidential information it will be provided. Now that UBID has an administrator this type of request would typically be dealt with by the administration.

b. CVRD letter

This is an information item only regarding questions that the CVRD has received regarding Kensington burning their brush piles. The CVRD has asked KIP to send out notices to the community regarding their scheduled burning so that those people with health issues can plan accordingly.

3. Reports

a. Fire/Rescue Report – Anne Alcock

**Motion:** 2011-08-17-06 To accept the fire report for information.  
RMS

CARRIED

b. Public Works Report – Cleve Goldswain

**Motion:** 2011-08-17-07 To accept the public works report for information.  
RMS

CARRIED

c. Finance & Capital Planning Report – Bruce Livesey

**Motion:** 2011-08-17-08 To accept the finance and capital planning report for information.  
RMS

CARRIED

d. By-laws, Policies and Procedures Report – Carol Molstad

**Motion:** 2011-08-17-09 To accept the by-laws, policies and procedures report for information.  
RMS

CARRIED

4. New Business

a. Recommendation from Public Works Committee:

i. Work with the CVRD to find funding for a water study grant application

This study would allow UBID to confirm the quantity and quality of water available in Langley Lake for future phases of development. The project would also provide an opportunity for UBID and CVRD to work together on a project of mutual interest.

**Motion:** **2011-08-17-10** To submit a request to the CVRD for them to assist in applying for a grant to complete another water study as recommended in previous studies.

RMS

CARRIED

b. Request for Proposals – auditor

In June the Board made a motion to participate in a group request for auditing services. The premise is that a group request could result in lower fees. The Board received a draft Request for proposals (RFP) that requires approval to proceed. The other bodies involved with UBID in this group project are Deep Bay ID, Bowser ID, Qualicum Bay ID and the Deep Bay Port Authority. UBID would still be required to approve the successful auditor.

**Motion:** **2011-08-17-11** To accept the RFP in principle and to authorize the administrator to finalize the package.

RMS

CARRIED

c. Signing authority

**Motion:** **2011-08-17-12** To authorize any two of the following as signing authority – the administrator (Ruth Sauder), and trustees – Carol Molstad, Anne Alcock, Bruce Livesey and Cleve Goldswain.

RMS

CARRIED

#### 5. Questions from the Audience:

Q: How much money has UBID spent on audits since May?

A: None, the audits were completed for the year 2010

Q: How much was the audit?

A: The 2010 audit cost \$21,000, which is \$5000 over budget even after accounting for the significant increase due to changes in the auditing rules last year.

Q: Will the Board be changing access to the building for fire fighters?

A: No changes to access are being considered at this time; changes relate to access codes and keys primarily for the Board.

Q: Why has the Board not reported on the Bams legal case?

A: Through our legal counsel and the insurance company UBID has negotiated a resolution to the small claims case with Doug Bams regarding a dispute about capital expenditure charges (CEC). UBID has agreed to provide the water line and meter up to the property line and Mr. Bams has paid the water connection fee. As the CEC was in dispute and our legal counsel advised that UBID had a degree of culpability UBID has foregone the CEC in this matter.

6. Meeting adjourned at 7:50 PM

Next regular Board Meeting September 21 at 7 p.m.



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Carol Molstad, Chair



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Ruth Sauder, Administrator