

**CULTUS LAKE GOVERNANCE COMMITTEE
MINUTES OF MEETING
WEDNESDAY, APRIL 28th, 2010 – 2:00 p.m., Cultus Lake Community Hall**

ATTENDING:

Committee Members:

Mayor Sharon Gaetz, Committee Chair
CLPB Commissioner, Owen Skonberg, Committee Vice-Chair
Councillor Pat Clark
Councillor Chuck Stam
Dave Clyne, Cultus Lake Community Association
Brian Nokleby, CLPB Chair
Sacha Peter, CLPB Vice-Chair
David Lamson, FVRD and Electoral Area E Director

Ministry Representatives:

Karen Lynch, Sr. Planning Analyst, Structure Branch
Cathy Watson, Director, Structure & First Nation Relations

Soowahlie Representative:

Larry Commodore, Soowahlie Band Member

Staff:

Peter Monteith, CAO, City of Chilliwack
Chris Crosman, GM Operations, City of Chilliwack
Gerry Kingston, CAO, FVRD
Ron Campbell, CAO, Cultus Lake Park Board
Noreen Leonard, Recording Secretary

Regrets:

Otis Jasper, Soowahlie Chief
Francis Mussell, Soowahlie First Nation

1) CALL TO ORDER AND INTRODUCTIONS

Chair Sharon Gaetz called the meeting to order at 2:00 p.m. and welcomed those in attendance.

2) APPROVAL OF AGENDA

David Lamson) That the Agenda for the Cultus Lake Governance Committee meeting of April
Dave Clyne (28th, 2010 be adopted as circulated.

Carried unanimously

3) APPROVAL OF MINUTES OF SEPTEMBER 17th, 2009

Pat Clark) That the minutes of the Cultus Lake Governance Committee meeting of
Brian Nokleby (September 17th, 2009 be adopted as amended.

Carried unanimously

David Lamson wished to clarify questions asked at the last meeting around the sewer system upgrade. He confirmed that the Regional District does in fact have reserve funds in place for the sewer system upgrade which is currently in excess of \$200,000.

4) REVIEW OF LETTERS

Mayor Gaetz reported that since the last meeting, the City forwarded a letter to the Province outlining a number of issues that needed to be resolved if Cultus Lake were to join the City. The Province responded in February of this year advising that there were no funds available to meet the City's requests. Mayor Gaetz also reported that the funding for the consultants has been depleted and the province has indicated they are not in a position to fund any further analyses.

Mayor Gaetz advised that when we began this process, the province gave the Committee direction that before proceeding to a referendum, agreement between the City, the Cultus Lake Park Board and Soowahlie Indian Band was required. She reported that a letter was also received from Soowahlie Indian Band requesting the Committee maintain the status quo until such time as the obligations to the Soowahlie have been met.

a) Soowahlie First Nation

Larry Commodore was in attendance to provide an historical background to Soowahlie's position. Chief Otis Jasper was unable to attend the meeting today and any questions of a political nature should be directed to him for response. Mr. Commodore was hired as a researcher for Soowahlie to prepare the Cultus Lake Research Report, a copy of which will be included on the CLGC website.

Mr. Commodore also read the letter from Chief Jasper further outlining Soowahlie's position regarding their specific and comprehensive claims that have been filed with the federal government and the request to maintain the status quo until the obligations to the Soowahlie Indian Band have been fulfilled.

Mayor Gaetz said City Council respects Soowahlie's position and she offered an apology for their past dealings with the City. The City is committed to working with Soowahlie and she stated that Chief Jasper has represented the Soowahlie Band admirably and has contributed much to the decisions of the Committee.

b) Province of British Columbia

Mayor Gaetz advised that based on the response from the province, the cost to the City would be very heavy for the citizens of Chilliwack to bear without any financial assistance from the province. The City also has no voice in the issues that have to be worked out with Soowahlie. She suggested the main concern of the residents of Cultus Lake is that of tenure which the province has stated was not part of the Committee's mandate.

Mayor Gaetz thanked the consultants for providing their professional and thorough analyses, and the province for the funding they provided and for participating in the meetings and helping the Committee to work through the process. She thanked Soowahlie for their participation on the Committee and for providing their story, and she thanked the residents of Cultus Lake for attending the meetings. She also thanked the Cultus Lake Park Board, the Resident's Association, and other members of the Committee for their participation.

5) RESOLUTION & NEXT STEPS

Chuck Stam) That no further analyses or consultation be undertaken at this time by the
Brian Nokleby (Cultus Lake Governance Committee and that the Committee be disbanded.

Dave Clyne is opposed to the motion because the province's letter concludes with "...please discuss the next steps and provincial funding for public consultation with Karen Lynch..." which indicates to Mr. Clyne that the province may consider funding. He also examined the terms of reference for the Committee which state after the impact analysis is complete the next step is a public information process to share the impact analysis with the community and then a recommendation to the Minister. The Committee cannot state what the residents want unless we have a public information process.

Mayor Gaetz stated that we have two unwilling partners so there is no point in going forward with a recommendation to the Minister.

RESOLUTION & NEXT STEPS (cont.)

Cathy Watson advised that it would be challenging for the Minister to approve additional funding if the City is not supportive. She also stated that in this poor economy the province is not in a position to meet the City's financial requests.

Mayor Gaetz outlined the City's issues:

- a) Water does not meet the City's fire flow requirements which would cost \$3.2 million to upgrade. (\$470,000 = a 1% tax increase);
- b) Closure of the landfill is \$4.2 million
- c) Summer policing would require 4 additional members for a cost of \$551,924 per year
- d) Maintaining the highway is another \$65,000 per year
- e) Soowahlie must be consulted to their satisfaction in order to move forward

Sacha Peter felt the recommendation of no referendum is premature and it is not in the best interest of Cultus Lake to stop the process. The terms of reference state the Committee is to recommend whether or not a referendum should be held and in making its recommendation the Committee was to consider the viability of the two options and the level of public interest in the two options. He believes the viability test has been completed and concludes that services can be provided to the people at roughly the same cost under either option. He also feels that through the interest of the residents attending the Committee meetings, the function of the public information process has been fulfilled.

Mr. Peter said that at the February 12th, 2009 Committee meeting the provincial representative indicated the province would pay for the referendum. If this is not the case, he suggested a referendum could be held at the same time as the municipal election.

There are two unresolved risks – the lease tenure issue and the consultation and accommodation process with Soowahlie. Mr. Peter feels the province is only allowing a boundary extension because of the Soowahlie claim over the lands and the province is paralyzed to act in this matter because of the claim. He feels if a referendum were held it would bring the issue of the Soowahlie claim to the forefront.

Mr. Peter is not in favour of the motion and the decision for amalgamation or the status quo is not a decision for this Committee but rather the residents of Cultus Lake. He feels the time and money spent could have been better delegated to the needs of the Park. However, the money has been spent and now we can only decide if we want to invest more. He feels by postponing the referendum the Committee is opening itself up to another process.

Brian Nokleby questioned the responsibility for the costs of closing the landfill stating that garbage in the landfill belongs to everyone so the total cost would not go directly to Cultus Lake residents. Mayor Gaetz advised that costs for the closure of the landfill would be the responsibility of Cultus Lake residents.

Pat Clark was in favour of the motion as she does not see what could be gained by holding open houses or other information meetings if we already know there would not be a unanimous vote from this Committee to send to the Minister. The terms of reference state that our recommendation has to be unanimous.

Sacha Peter doesn't know how the community would vote in a referendum. He suggested it would be a proxy vote on the performance of the Cultus Lake Park Board which has had problems because of the two representatives from the Park and the other five representatives from the City. He said five of the seven commissioners own leases and four of them live in Cultus Lake. He said the secret to getting good governance would not be solved by changing this ratio but by electing good commissioners. If a referendum outcome is "no" the people have spoken and this issue would be put to bed; if the vote was "yes" it would force the province to deal with Soowahlie's issues. He feels the Committee should take the steps necessary to hold a public information session as outlined in the terms of reference to lead up to a referendum so the people of Cultus Lake can truly have their say on the matter.

RESOLUTION & NEXT STEPS (cont.)

David Lamson is not in favour of the motion and wants the Committee to carry on to have some form of democratic process so the people of Cultus Lake actually have a say. If they say "no" to amalgamation that would not be the end. The Park Board is elected mostly from the City and it is time to move onto a different system. We need to be creative and stopping the process is not the way. The question is how the public information meetings and the referendum would be funded.

Cathy Watson explained how a vote would take place: When the Minister orders a vote he does so based on the information presented to him through the study process. The Minister would also not entertain a boundary extension without the City's express request. That is not the case so it would be premature to undertake an opinion referendum now, as another vote would be required later by the legislation. She also noted that a vote now would be based on 2008 financial information and if the boundary extension was not implemented in a timely manner, residents would likely question the validity of the process. Cathy Watson said this study has followed the normal process and has had a normal outcome. She commended the Committee for a high level of public participation, excellent information sharing and outstanding minutes and noted that the Cultus Lake community now has comprehensive information on its services and this should assist in helping decision-makers address the issues that have been identified. Once the process is completed, if the Park Board or Area E wants to discuss options, the province would be happy to do that.

Sacha Peter suggested this argument could have been shared before the process began. Cathy Watson said the study process is designed for communities to determine their concerns and whether a restructure is appropriate. The province supports the process regardless of the outcome. In this case the conclusion reached is to terminate the study process and disband the Committee. This is not a conclusion that could have been known when the process was initiated.

In favour of the motion:	5
Opposed to the motion:	3
<u>Motion carried</u>	

6. ADJOURNMENT:

There being no further business the meeting adjourned at 3:10 p.m.

Sharon Gaetz, Chair
Cultus Lake Governance Committee