



CULTUS LAKE PARK BOARD REGULAR MEETING MINUTES

WEDNESDAY, FEBRUARY 17, 2021
CULTUS LAKE PARK OFFICE BOARDROOM
4165 Columbia Valley Highway, Cultus Lake, BC

- Present** Commissioner D. Renwick – Chair Via Zoom
Commissioner D. Bauer – Vice Chair
Commissioner L. Payeur
Commissioner C. Smit
Commissioner K. Dzaman
- Staff** Chief Administrative Officer – J. Lamb
Manager of Finance – E. Lee
Manager of Park Operations – D. Driediger
Manager of Corporate Services / Corporate Officer – R. Litchfield
- Regrets** Manager of Visitor Services, Accommodations and Bylaw Enforcement – J. Spencer

(1) CALL TO ORDER

The Chair called the meeting to order at 4:59 pm.

(2) RESOLUTION TO PROCEED TO CLOSED MEETING

*THAT the meeting be closed to the public to consider matters pursuant to the following sections of the **Community Charter**:
Section 90 (1), (d) the security of the property of the municipality.*

(3) RECONVENE

The meeting reconvened at 4:00 pm.

(4) APPROVAL OF AGENDA

4740-21 Moved by: Commissioner Bauer Seconded by: Commissioner Dzaman

THAT the Cultus Lake Park Board approve the Agenda for the Regular Meeting of February 17, 2021; and

THAT all delegations, reports, correspondence and other information set to the Agenda be received.

CARRIED

(5) ADOPTION OF MINUTES

4741-21 Moved by: Commissioner Smit Seconded by: Commissioner Dzaman

- (a) **THAT** the Cultus Lake Park Board adopt the minutes of the Regular Meeting held January 20, 2021.

CARRIED

(6) ADOPTION OF COMMITTEE MINUTES

4742-21 Moved by: Commissioner Smit Seconded by: Commissioner Bauer

THAT the Cultus Lake Park Board approve the January 25, 2021 Foreshore Fundraising and Improvement Committee Minutes.

CARRIED

4743-21 Moved by: Commissioner Smit Seconded by: Commissioner Bauer

THAT the Cultus Lake Park Board approve the February 5, 2021 Environmental and Public Areas Planning Committee Minutes.

CARRIED

4744-21 Moved by: Commissioner Smit Seconded by: Commissioner Bauer

THAT the Cultus Lake Park Board approve the February 5, 2021 Environmental and Public Areas Planning Committee Minutes.

CARRIED

(7) CORRESPONDENCE

- (a) **Development Variance Referral–262 Fir Street**

- Referral information for Development Variance Permit # 2021-03, 262 Fir Street

4745-21 Moved by: Commissioner Dzaman Seconded by: Commissioner Smit

THAT the Cultus Lake Park Board supports reducing the front setback from 2.1 metres (6.9 feet) to 1.5 metres (5.0 feet) for the supporting posts of a deck under Section 5.2.4 of Zoning Bylaw 1375.

CARRIED

4746-21 Moved by: Commissioner Smit Seconded by: Commissioner Payeur

THAT the Cultus Lake Park Board is not in favor of reducing the front setback from 1.5 meters (5.0 feet) to 0.9 meters (3.0 feet) for eaves, gutters, and sunlight controls under Section 5.2.4 of Zoning Bylaw 1375.

CARRIED

4747-21 Moved by: Commissioner Bauer Seconded by: Commissioner Smit

THAT the Cultus Lake Park Board provide the Fraser Valley Regional District with their response to the Development Variance Permit for 262 Firs Street no later than February 19, 2021.

CARRIED

(8) BYLAWS

(a) Cabins at Cultus Lake Park Bylaw No. 1152, 2019 Amendment Bylaw No. 1187, 2021

- Report dated February 17, 2021 from Jacquie Spencer, Manager of Visitor Services, Accommodations and Bylaw Enforcement
- Cabins at Cultus Lake Park Bylaw No. 1152, 2019 Amendment Bylaw No. 1187, 2021

4748-21 Moved by: Commissioner Payeur Seconded by: Commissioner Bauer

THAT the Cultus Lake Park Board give First, Second and Third readings to The Cabins at Cultus Lake Park Bylaw No. 1152, 2019, Amendment Bylaw 1187, 2021.

CARRIED

(b) Sunnyside Campground Bylaw No.1188, 2021

- Sunnyside Campground Bylaw No. 1188, 2021

4749-21 Moved by: Commissioner Dzaman Seconded by: Commissioner Smit

THAT the Cultus Lake Park Board give Final readings to the Sunnyside Campground Bylaw No. 1188, 2021.

CARRIED

(c) Cultus Lake Park Board Procedures Bylaw No. 1125, 2018 Amendment Bylaw No. 1191, 2021

- Report dated February 17, 2021 from Rachel Litchfield, Manager of Corporate Services / Corporate Officer
- Cultus Lake Park Board Procedures Bylaw No. 1125, 2018 Amendment Bylaw No. 1191, 2021
- Cultus Lake Park Board Procedures Bylaw No. 1125, 2018
- Board Committee System Policy

4750-21 Moved by: Commissioner Dzaman Seconded by: Commissioner Bauer

***THAT** the Cultus Lake Park Board give First, Second and Third readings to the Cultus Lake Park Board Procedures Bylaw No. 1125, 2018 Amendment Bylaw No. 1191, 2021.*

***THAT** the Cultus Lake Park Board approve the amended Board Committee System Policy.*

CARRIED

(9) CONSENT AGENDA

(a) 2020 Fourth Quarter Reports

- Finance
- Lions Parking
- Public Works
- Campground and Cabins
- Bylaw Compliance and Enforcement
- Fire Department
- Lease Assignment

4751-21 Moved by: Commissioner Dzaman Seconded by: Commissioner Payeur

***THAT** the Cultus Lake Park Board receive the 2020 Fourth Quarter reports for information.*

CARRIED

(10) COMMISSIONERS REPORTS

(a) **Recommendations from the Environmental and Public Areas Planning Committee**

- Report dated February 17, 2021 from Darcy Bauer, Chair, Environmental and Public Areas Planning Committee

4752-21 Moved by: Commissioner Dzaman Seconded by: Commissioner Smit

***THAT** the Cultus Lake Park Board approves the planting of Elm Tree - *Ulmus americana* 'Brandon', within the Environmental and Public Areas Planning Committees Parking Lot B Landscape plan.*

CARRIED

(b) **Recommendations from the Foreshore Fundraising and Improvement Committee**

- Report dated February 17, 2021 from Casey Smit, Chair, Foreshore Fundraising Improvement

4753-21 Moved by: Commissioner Dzaman Seconded by: Commissioner Smit

***THAT** the Cultus Lake Park Board approves that the 2021 Foreshore Fundraising and Improvement Committees first priority be to raise fund for the replacement of the Main Beach docks; and*

THAT the Cultus Lake Park Board approves that the 2021 Foreshore Fundraising and Improvement Committee be able to utilize print, social media, and an online presence, with content to be approved by the CAO, to solicit donations for the Foreshore Fundraising and Improvement Committee.

CARRIED

Chair Renwick announced that the Cultus Lake Park Board has appointed Bruce Vandenbrink to the Village Planning and Redevelopment Committee. In addition, he also announced that Shannon Lamb and Karen Brauer have also been appointed to the Community Events and Engagement Committee.

(11) COMMUNITY ASSOCIATION

Question:

Colleen Rogozinski, noted that at last month's Board Meeting, Chair Renwick explained the process with the FVRD and the sewer matter. She asked how much was spend on legal fees to date? What is the expected or budgeted amount to see this matter to conclusion (approx.)? Is the any truth that FVRD will billing Cultus Lake Park for its legal fees regarding this matter?

Answer:

Chair Renwick directed the questions to staff and noted that he did not have the numbers at hand and further noted that its was uncertain that the information could be shared at that time due to the nature of business. He noted that if we were not able to provide the information during the meeting staff would get back to her with the appropriate information.

Chief Administrative Officer, Joe Lamb noted that staff would need to do some research as staff are currently going through the audit process and that we would provide the information following that.

Chair Renwick further noted that for budgeted legal fees, the requested that Chief Financial Officer, Erica Lee provide the budgeted legal fees for 2021.

Chair Renwick also noted that with respect to the third question, that billing for legal fees is a matter of process and a question of how this matter is resolved and of course noted that one of the matters is, who is paying for what. He noted that in a normal course of events of litigation that successful parties are required to pay the taxable fees of the successful litigate, not the actual fees it is the tariff fees on the noted schedule set by the Supreme Court. He noted that there is an addendum to the *Supreme Court Act* that deals with fees and the setting of fees.

Chief Administrative Officer, Joe Lamb noted that the total budgeted legal fees that include the FVRD and other things is around \$130,000 for 2021.

Colleen Rogozinski further inquired with respect to the \$130,000 will the majority be spent on the sewer matter?

Chief Administrative Officer, Joe Lamb responded that he cannot comment on what he foreshadows as far as the cost of the sewer settlement. He noted that if grants are in place and the sewer proceeds the number may be a lot less than the budget number but does not suspect the majority of the \$130,000 is for the sewer, she would project that perhaps a third pending the

outcome. He noted as the Chair mentioned that they do not at this time know what the outcome of the issue from their perspective.

Chair Renwick noted as a reminder, that these are sensitive matters and much of what are prepared and able to discuss in a public forum may be limited and we do not want to compromise anything with relation to our time. However, he noted that he can explain to the Association and the public generally that we were obliged to either determine to go ahead with litigation or not back in April of 2019 when we become aware that the numbers that FVRD provided to us were significantly underestimated in relation to the toe cost of the sewer. Under legislation of the Community Charter, we have six months to commence a lawsuit against a governing body such as FVRD. He noted that we were pressed for time to commence that litigation, which is what we did, and we felt it gave us an opportunity to pursue that matter or if we choose not to go ahead then we would have had no options from a legal perspective. So that is what we have done to date and are continuing with the process. He noted, that beyond that he is not prepared to provide information on matters that are confidential and need to remain confidential.

(12) PUBLIC QUESTION PERIOD

Q: Ernie Vance, Mountain View, inquired as to whether there have been any studies that have been completed with respect to the foreshore erosion issue? He also noted that if the Park is unaware of what the cost for repair/replacement would be, how can you address this ahead of time. He also inquired on the status of the Main Beach docks. He also inquired as to whether or not the \$350,000 would then be a future budget item.

A: Commissioner Smit, noted that there has not been a study with respect to the Main Beach docks at this time. He noted that the dock structure is deteriorating, and the expected life span is unknown at this time. He noted that with storms over the past season, damage has been done and the committee is hoping to raise funds to address this. He noted that they are trying to be proactive to ensure that when the time comes options for repair or replacement will be in place.

A: Chief Administrative Officer, Joe Lamb noted that the foreshore erosion project is estimated to cost \$350,000 - \$500,000 which was in the scope of the Foreshore Fundraising Committee. A study has been done for all of the dock structures including the Main Beach docks with a cost of approx. \$2.1 million dollars and is required over the next two to five years to replace some of the docks. The committee has requested through the Board to start to raise funds for replacing the Main Beach docks however, the committee will be required to make recommendations to the Board to request to do the work. He noted that public consultation will be required to ensure that the replacement is agreed upon by the residents of the lake and the residence of Chilliwack. He noted that staff are waiting for the Golder Report with finalization of the engineer drawings and plans to proceed. He noted that staff have applied for a grant with respect the foreshore erosion.

(13) ADJOURNMENT

4754-21 Moved by: Commissioner Bauer Seconded by: Commissioner Payeur

THAT the Regular Meeting of the Cultus Lake Park Board held on February 17, 2021 be adjourned at 5:47 pm.

CARRIED

I hereby certify the preceding to be a true and correct account of the meeting of the Cultus Lake Park Board held February 17, 2021.



David Renwick
Chair



Joe Lamb
Chief Administrative Officer