



NES3578 Stata Council Meeting Minutes

Thursday November 20, 2023 PT via Zoom

In attendance Council Members:

Jim Toller
David Aitken
Chris Hanstock
Frances Long

Guests:

Kerstin Renner

Called to order at 7:08pm

1. Adoption of Agenda

Motion: THAT the agenda be adopted as presented.

Hanstock/Aitken CARRIED

2. Adoption of Minutes

Motion: THAT the minutes of the meeting held October 18, 2023 be adopted.

Long/Aitken CARRIED

3. Finance Update

Chris provided an update which included:

- All lots have paid their 2023 strata fees;
- Account Balances: operating account \$10,037, contingency account \$6,145;
- No significant expenses to date for fiscal year.

4. Annual Insurance

The quoted amount is within budget, no changes in coverage from previous years. It was agreed that in future years this matter does not need to come before council so long as the quote is not greater than the budgeted amount.

Motion: THAT the quote for annual liability insurance from Hub International Brokers in the amount of \$2,753 be approved.

Hanstock/Aitken CARRIED

5. Lexington Avenue – Snow Removal

Jim provided an update about snow removal for the upcoming season including reasoning for the rate increase; the contract was signed.



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Jim provided an update regarding the water standpipe located in the center of Lexington Avenue (discussion regarding this matter was in the minutes from the October 2023 meeting). He and a person from PWU successfully lowered the pipe below ground level thereby protecting the pipe from potential damage when clearing snow.

6. Procter Water Utility – Update from recent RDCK meeting

Frances provided information on the meeting held with employees from the Region District Water Utility Department in late October. The purpose of the meeting was to understand the process for having the RDCK take on our water system. There are three conditions that must be met before the RDCK will consider an application:

- All customers (100%) and PWU must sign a request letter to have the RDCK manage the water utility;
 - All utility infrastructure other than pipes in the ground; must be on titled land and that land must be gifted to the RDCK;
 - the RDCK would analyze the existing system, identifying any upgrades required before they would take over the system and the current customers must fund those upgrades.
- If these 3 conditions are met, then the RDCK would do a cost analysis of the utility and if they deem it to be a good business case, we would then be permitted to apply to have the RDCK take over the water system and that application must be approved by the RDCK board.

The RDCK did indicate that it is possible in the instance where the situation becomes untenable under the current utility operator, a Ministerial order can be issued by either the Health Authority or the Provincial Ministry directing the RDCK to take over the system. These orders are rare.

Discussion from council determined that it is almost impossible to achieve the 3 requirements prior to an application being submitted therefore it is highly unlikely this will be a viable option.

7. Procter Water Utility (PWU) – Freedom of Information Requests (FOI)

- Water Utilities Branch – Certificate of Public Convenience and Notification (CPCN)

Jim submitted an FOI for two documents, the original CPCN and an amendment to the original CPCN. This request has been delayed as the ministry has changed. The submission has been updated reflecting this change and the FOI request has been submitted.

- Ministry of Transportation – Subdivision Approval documents

Frances submitted an FOI Request to this ministry in July of this year to get copies of the subdivision approval documents that state what was required by the developer in order to get subdivision approval for this development. The request has been held up because there wasn't enough specific information to get the documents without incurring significant costs to search for the documents. The RDCK staff sent specific file number information to



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Frances therefore this FOI request will be resubmitted as the initial request has now expired.

It was agreed that both requests should proceed and all costs incurred will be paid from the strata budget.

The documents from these requests will provide relevant background information should the strata proceed with legal inquiries/action.

Jim indicated that one of the waterfront customers has submitted a query to the Ombudsperson with respect to the lack of response from the Water Utilities Branch to question that were submitted earlier this year by the strata council. No response from them to date.

There will be follow-up with the Health Authority regarding the Conditions on Permit notice that was sent to PWU earlier this year to see what action is/will be taken on those matters where the deadline dates have now passed.

8. Late Items (none)

9. Next Council Meeting: December 13, 2023

The meeting adjourned at 7:40pm