

Minutes of The
NORTHWEST NANOOSE RESIDENTS ASSOCIATION

2022 ANNUAL GENERAL MEETING

Monday 16, 2023

Call to Order at 7:20 PM by Kirke MacMillan

The meeting was attended by approximately 45 residents as well as Bob Rogers, Director Electoral Area E & Joseph Ringwald, Alternate Director Electoral Area E.

NNRA Board of Directors:

Kirke MacMillan President

Michael Kosich Treasurer

David Jamieson

Sonya Kwiatkowski

Rudi Widdershoven

Wayne Stark

Bill Marsh

Neil Watson

1) Welcome & Introduction to Current Board of Directors:

Kirke welcomed all the residents who attended the meeting and introduced the current Board of Directors.

2) President's Report

The President's Report summarizing the activities of the past year was given and is attached as Appendix A.

3) Treasurer's Report

Michael advised that the current NNRA bank balance at the Coastal Community Credit Union was \$2,133.50.

4) Annual Membership

Attendees were advised that the Annual Membership fee was \$10.00. Approximately \$320.00 had already been collected at the door.

5) Ravensong Aquatic Centre

Rudi Widdershoven along with Wayne Stark reviewed the consultation process that had been followed by the RDN and the current interpretation of costs, proposed funding formula and percentage usage figures that were available from the six affected areas.

- For roughly 30 years, Nanoose has not contributed to the pool as Area E was exempted from the service initially at the request of Area Director, George Holmes. Initially, Nanoose residents would pay a 20% surcharge to use the pool, however, the surcharge was later removed by the RDN.
- The NNRA submitted a number of questions to the RDN and written responses were received. The 2022 budget of just over \$3,000,000 included a capital reserve of \$1,500,000. The budget is expected to increase by 43.4% by 2026.

- In a 2015 survey, Nanoose residents accounted for only 3.9% of the usage, down 18% from the 2010 survey. Survey updates have been delayed because of the COVID epidemic, however, a new survey will be conducted in 2023.
- Under the current formula the RDN wants Nanoose residents to pay 12% of the operational costs and capital reserves.
- A \$30,000,000 expansion of the Ravensong Facility is currently under review. If approved, it would undoubtedly result in further additional taxes to Nanoose residents.

The final process that the RDN will use to seek approval is yet unknown. However, whichever option is selected, Nanoose residents will have little say in the final outcome. If the RDN Board decides to vote on the matter, we only have a one vote out of six. Alternately, if it goes to a referendum for the six proposed participants, Nanoose residents have only 13% of the vote.

Residents were advised that the NNRA had been working with the Fairwinds Community Association (FCA) for some time on this issue and that we had recently been in touch with Ministry of Municipal Affairs requesting the opportunity to meet with the Deputy Minister of Municipal Affairs on this issue.

6) Property Tax Increases

Rudi Widdershoven advised residents that in 2022 there was a sizable increase in property taxes, the most significant of which

was the RDN portion. Rudi advised that Nanoose residents can expect to see significant tax increases again in 2023.

The tax increases in 2022 were driven largely by the 43.5% increase in operating costs for the Nanaimo Regional General Hospital. Initial tax increases for 2023 were originally estimated to be 31%, however, in December 2022, they were reduced to “just” 15%.

Overall, in 2023 the RDN is forecasting a 12% increase in taxes. By 2026, property taxes are forecast to have increases by 41.2% over 2021 levels.

Based on the forecast property tax increases, Rudi advised attendees of the AGM, that they needed to keep informed on this issue.

7) Election of Board of Directors.

All the current Board members resigned as required. All of the Board of Directors, with the exception of Sonya Kwaitkowski agreed to let their names stand as NNRA Directors for 2023 and the board recommended their acceptance. Trish Widdershoven presented a motion of support for the Directors and there were no objections raised.

The motion passed.

8) Adjournment

The meeting was adjourned at 8:30 PM.

Appendix A

Presidents Report

- **Welcome to our 2022 Annual General Meeting**
- **The last AGM was held on January 15, 2019, four years ago**
- **During the past year, the BOD has met on three occasions, February 4th, October 3rd and December 3rd.**
- **The minutes of all of the BOD meetings are available on the website at NNRA.ca.**
- **The February 4th meeting was called to discuss the RDN decision to force residents of Electoral Area “E” to be a participant in the Ravensong Aquatic Facility funding without giving the residents the opportunity to separately give their electoral approval or rejection.**
- **The BOD unanimously approved a motion to reject the RDN decision and consequently sent a letter dated February 4, 2022 to the Inspector of Municipalities, Governance & Structure Branch, stating the reasons for our objection.**
- **A letter of response was received from the Ministry of Municipal Affairs dated May 10, 2022. It stated that the Local Government Act allows for the amendment of a service bylaw with the consent of at least two-thirds of the service participants. The letter also stated that “it will be important for the Ministry of Municipal Affairs to understand if RDN has taken into consideration geography of users, any cost implications (including variable user fees based on geography), and any other concerns of affected residents when deliberating this matter.”**

- At our October 3, 2022 BOD meeting, it was noted that at September 6, 2022 RDN Board Meeting, the existing apportionment of charges was changed from ½ usage and ½ home assessment to 1/3 population, 1/ 3 home assessment and 1/3 usage. The fact that charges would be based on 1/3 home assessment is of concern to Nanoose residents since the average value of an Area “E” home is significantly higher than most, if not all of the other areas.
- At our December 3, 2022 BOD meeting, Rudi Widdershoven agreed to become an NNRA Director and has since been an extremely active member. Subsequent to meeting, three candidates, Bill Marsh of Madrona Drive, Wayne Stark of Bay Drive and Neil Watson of Arbutus Drive have agreed to serve on the BOD for 2023.
- On January 4, 2023, four Directors, Rudi Widdershoven, Bill Marsh, Wayne Stark and myself attended the In-Person Open House at Nanoose Place. Unfortunately, the Open House format was of a “show and tell” format with no opportunity for participants to ask questions or receive responses that would be heard by all present. In summary, most Nanoose residents questioned why they had bothered to attend.
- Earlier, on January 4, 2023, I, on behalf of the NNRA and Fairwinds Community Association, contacted the Ministry of Municipal Affairs requesting the opportunity for a meeting with Mr. Okenge Yuma Morisho, Deputy Minister of Municipal Affairs, to discuss our concerns regarding the Ravensong Aquatic Centre RDN Bylaw #899. On January 5, 2023, we received a reply from the Director, Governance and Structure Branch advising that he would be pleased to

arrange a meeting learn more about our concerns. On January 12th, five of our Directors met with Barry Nicholls of the FCA to discuss possible meeting dates with the Ministry and to exchange information that could be used in a power point presentation to the Ministry. We have advised the Ministry that we would be available to meet early afternoon on January 23rd, 24th & 25th.

- We have invited Bob Rogers to attend our AGM as an observer with the understanding that he would prepared to take questions after conclusion of the AGM.
- We have also invited Bob to attend the meeting with the Ministry. Unfortunately, Bob has advised that he is only available on January 23rd.



NORTHWEST NANOOSE
RESIDENTS ASSOCIATION

1391 Madrona Drive

Nanoose Bay, B.C.

V9P 9C9

February 4, 2022

Mr. Sean Grant,
Inspector of Municipalities
Governance & Structure Branch,
PO BOX 9839 STN PROV GOV
Victoria, B.C., V8W 9T1

RE: "Regional District of Nanaimo District 69 Swimming Pool Service Amendment Bylaw No. 899.02, 2022" referred to below as the "Amendment".

Mr. Grant,

We are writing you today on behalf of the Northwest Nanoose Residents Association, commonly known as the "NNRA". The NNRA is a registered society in BC representing the North/West sector of Nanoose Bay residents living in Area "E" of the Regional District of Nanaimo.

Mr. Bob Rogers, RDN Director, Electoral Area "E" has brought to our attention his concern and strong opposition on behalf of Electoral "E" residents to the above proposed Amendment. The NNRA shares those concerns and opposition for the following reasons:

1. The original Bylaw 899 established on June 22, 1993 excluded Electoral Area "E". It followed what was considered to be a democratic process involving the then local tax payers. It was fully supported by the Electoral Area "E" Director and received unanimous support of the RDN Board.
2. The underlying logic for establishing the original Bylaw 899 was primarily based on geography and the anticipated limited usage by Area "E" residents. Using the Fairwinds Wellness Club, as the midpoint of Nanoose Bay, residents have had to travel 44 kilometers in order to use the Ravensong Aquatic Centre.
3. The original anticipated limited usage of the Ravensong facilities by Area "E" residents has proved itself a fact. The only historical activity and usage survey of this facility by the RDN showed peak Area "E" usage of 5.52% in 2010, followed by a reduction in usage to 3.9% in 2015. No further usage analysis by the RDN has occurred since then.
4. It is evident that the minimal usage of the Ravensong facilities can be attributed to the existence of three privately owned pools, two within Area "E" and one in close proximity. The Fairwinds Wellness Club, Pacific Shores Nature Resort and the Beach Acres facilities all opened after 1993.

They are available and remain open to the public on a "fee for usage" basis, subject to current Covid 19 protocols.

5. It is estimated the financial impact to Electoral Area "E" tax payers by this proposed Amendment will be significant; estimated at \$1,320,000 between 2022 & 2026 then approximately \$500,000 per annum plus inflation, thereafter. The Nanoose Bay area has 3,439 parcels of land, approximately 6,500 residents and three existing pool facilities which have to date adequately handled local residents requirements.
6. This proposed Amendment, if passed, also sets a new and financially dangerous precedent for Electoral Area "E" tax payers. Please note, the City of Parksville is also considering a new community pool. (We have attached Pages 2 and 9 of the "Parksville Aquatic and Recreation Centre" brochure as well as the City of Parksville, February 1, 2022 News Release for your perusal.) We believe that if the Ravensong Facility Amendment is approved by your Ministry, it could well set the stage for another Parksville "cash call" from Electoral Area "E" residents.
7. Please also note should the Parksville Aquatic and Recreation Facility proposal proceed, it would make more sense for Electoral Area "E" to financially participate in this initiative as opposed to the Ravensong Facility. Put differently, it would be neither fair nor reasonable for Electoral Area "E" residents to financially support both Qualicum Beach and Parksville while continuing to support the three existing swimming pool facilities in the area.
8. Finally, the Village of Qualicum Beach is privy to all of the above limited usage information, however, they have not attempted to provide any justification for including Area "E" in this Amendment?

Consequently, at our recent February 4, 2002 Directors Meeting of the Northwest Nanoose Residents Association the following motion occurred:


Motion by Director Michael Kosich;

"The NNRA formally advise it is not in favour of the recent Regional District of Nanaimo decision to force residents of Electoral Area "E" to be a participant in the Ravensong Pool Service without providing Electoral Area "E" residents the opportunity to give their electoral approval or rejection in 2022.

Vote on Motion: "Unanimously Approved"

In closing, we respectfully request that this proposed Amendment by the Regional District of Nanaimo be overruled by your Ministry.

Thank you for your consideration of our concerns.



Kirke MacMillan, President
Northwest Nanoose Residents Association

Cc. Tyler Brown
Chair, Regional District of Nanaimo

Bob Rogers, Director
Electoral Area "E".



May 10, 2022

Ref: 270297

Northwest Nanoose Residents Associate
1391 Madrona Drive
Nanoose Bay, BC V9P 9C9

Dear Peter Kawerau:

Thank you for your letter of February 4, 2022 to Sean Grant regarding Regional District of Nanaimo (RDN) Swimming Pool Service Amendment Bylaw 899.02, 2022 (Bylaw 899.02). As Program Analyst responsible for the region, I am pleased to respond on behalf of Mr. Grant and apologize for the delay in response.

I understand you are concerned with the implications of actions taken by RDN elected officials regarding proposed Bylaw 899.02, including taxation, electoral area representation, and future considerations, and have also asked that Bylaw 899.02 not be approved by the Ministry.

The Province of British Columbia has established a legislative framework for local governments that recognizes they are democratically elected, autonomous, responsible and accountable within their jurisdiction. Local governments depend on elected officials who have the legal authority and responsibility to make decisions on behalf of their communities and are democratically accountable to their citizens for those decisions. Accordingly, the province generally does not have a role in reviewing and reversing decisions made or actions taken by local governments.

As you may be aware, the *Local Government Act* – which provides part of the legislative framework for regional districts in British Columbia – allows for the amendment of a service bylaw with the consent of at least two-thirds of service participants. My understanding is that the intent of this section is to provide regional districts with a flexible and efficient method to amend a service bylaw, provided that a significant majority of service participants consent to the proposed amendment.

I understand that further RDN Board discussions are planned on the bylaw amendment. In that regard, it will be important for the Ministry of Municipal Affairs to understand if RDN has taken into consideration geography of users, any cost implications (including variable user fees based on geography), and any other concerns of affected residents when deliberating the matter.

I encourage you to contact Douglas Holmes, RDN's Chief Administrative Officer, to determine how best to bring your concerns about this matter to the Board's attention. Douglas Holmes can be reached by telephone at: 250 268-2271 or by email at: dholmes@rdn.bc.ca.

You may also wish to contact Electoral Area 'E' Director, Bob Rogers, to express your concerns. Director Bob Rogers can be reached by telephone at: 250 468-9986 or by email at: bob.rogers@rdn.bc.ca.

Thank you for writing.

Sincerely,



Braden O'Neill
Program Analyst



May 10, 2022

Ref: 270297

Northwest Nanoose Residents Associate
1391 Madrona Drive
Nanoose Bay, BC V9P 9C9

Dear Peter Kawerau:

Thank you for your letter of February 4, 2022 to Sean Grant regarding Regional District of Nanaimo (RDN) Swimming Pool Service Amendment Bylaw 899.02, 2022 (Bylaw 899.02). As Program Analyst responsible for the region, I am pleased to respond on behalf of Mr. Grant and apologize for the delay in response.

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Sincerely,



Braden O'Neill
Program Analyst