

**BOWEN ISLAND MUNICIPALITY**

Minutes of the **Regular Cove Bay Water System Local Management Committee Meeting** held on Thursday, September 14, 2006 at 7:15 p.m. in the Council Chambers of the Bowen Island Municipal Hall, 981 Artisan Lane, Bowen Island, British Columbia.

Amended November 9, 2006  
M. Watson

**COMMITTEE IN ATTENDANCE**

Doug Berry – Chair  
Dennis Dallas  
Wolfgang Duntz  
Bill Hamilton  
John Rich  
Murray Skeels

**STAFF IN ATTENDANCE**

Brad Hawthorn – Public Works Superintendent  
Bob Robinson – Public Works Coordinator

**OTHERS IN ATTENDANCE**

Ken Shirley  
Gayle Ferguson – Minute Taker

**ADOPTION OF AGENDA**

**It was Moved and Seconded**  
That the agenda be approved as circulated. CARRIED

**ADOPTION OF MINUTES**

**It was Moved and Seconded**  
That the minutes of the regular meeting of the Cove Bay Water System Local Management Committee held June 8, 2006 be adopted. CARRIED

**BUSINESS ARISING FROM MINUTES**

Lynda Sowerby, Senior Accounting Payroll Clerk re: Report on Metering Project

The Committee received for information the report from Linda Sowerby dated September 11, 2006 regarding the Cove Bay Water Meter project.

Staff noted that there were 150 residents that still need to apply for a meter. The remaining meters should be installed within the next two years and a grant funding extension could be applied for, if needed.

Bob Robinson, Public Works

The following issues were discussed regarding the exposed

Coordinator re: Protection of exposed pipe over Terminal Creek

pipe over Terminal Creek:

- Suggestion to work with the Parks and Trails Committee to put a bridge across the line to be used as part of Trans-Island Pathway;
- Staff suggestion to engage an arborist to check if there were any other dangerous trees;
- Less expensive than the bridge would be to have the water pipe embedded in the ground;
- Need a risk assessment of the area for insurance purposes.

**It was Moved and Seconded**

Whereas a section of the water pipe is exposed over Terminal Creek and has previously been damaged from falling trees, and

Whereas there is the potential for future damage caused by falling trees,

The Cove Bay Water System Local Management Committee recommend that Council direct staff that, subject to financial feasibility, the suspended pipe at the Terminal Creek Crossing between Charles Lane and Carter Road be relocated.

CARRIED

Doug Berry, Chair re: Cove Bay Rights of Way

The Public Works Superintendent reported that there had been no report received from the Municipal Solicitor related to the request from the Committee at their June 8, 2006 for the Municipal lawyer to meet with the Committee to report on whether the bylaws would allow for access to the dam for the placement of a hydro pole. He noted that the Public Works Department had been contacted by a member of the Rennison Estate.

Murray Skeels noted that as discussed at the June meeting that prior to Garden Estates owning the lake, it was owned by Cove Bay with the flooded area servicing Cove Bay Water with no easement from the lake to the dam. When the property changed hands there should have been an easement to flood between the dam and the lake. In 1985 Cove Bay *moved the pickup from the dam to* ~~abandoned the dam and~~ put a feed directly in the Lake. However, the Water Act for Cove Bay's water license requires that the dam be maintained to ensure a constant stream of water over the dam for downstream users.

John Rich reviewed the history of the merging of a land development company with a waterworks company in the

1930s. The law is that the interest merges and therefore there is no such thing as an easement on your own land. Once Cove Bay took over the water works, it was really trespassing on the owner's land.

The Public Works Superintendent believed that under the *Community Charter* Municipalities were allowed to appropriate property to fulfill requirements of a water licence.

It was noted that the following issues needed further examination:

1. New legislation – *Community Charter* method of appropriation;
2. Change in the method of extracting water for Cove Bay Water System.

The Committee agreed that:

- Murray would draft a brief description of how water is extracted for Cove Bay water users;
- The Public Works Superintendent would identify relevant sections of the *Community Charter*;
- John would formalize the above information into two succinct questions for the Municipal Solicitor;
- The Public Works Superintendent would notify the Committee regarding the response to the questions from the Municipal Solicitor.

CAO Isabell Hadford Report to Water Services Management Commission re: Community based Governance Structure for Municipally Owned Water Systems

The Committee received for information the report dated May 22, 2006 from CAO Hadford regarding Community Based Governance Structure for Municipally Owned Water Systems.

A member believed that the system was now competently managed by Municipal staff and Committee meetings would only be required 2-4 times annually to discuss items related to budget and bylaws.

Wolfgang agreed to attend the September 19, 2006 Water Services Management Commission meeting where the governance structure would be further discussed.

Letter of Resignation

The Committee received for information the letter of resignation from Murray Skeels who had completed his three year term as a member of the Cove Bay Water System Local Management Committee.

**ADJOURNMENT**

The meeting adjourned at 9:15 p.m.