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REGULAR COUNCIL MEETING AGENDA

Closed Portion at 6:00 p.m. in Municipal Meeting Room

Open Portion at 7:00 p.m. in Council Chamber

February 14, 2011

2225 Otter Point Road, Sooke, B.C.

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MAYOR'S STATEMENT

February 14, 2011

The District of Sooke learned recently of allegations that its award of a boat launch contract to Heavy Metal Marine ("HMM") was somehow tainted by the inclusion in the HMM bid of a reference to other HMM work done allegedly for free for the District several years ago. The District has a definitive legal opinion on the matter. I cannot release it due to privilege and confidentiality issues, but after receiving the legal opinion, the District remains confident that the contract award was valid and not tainted in any way. In fact, no Council member who voted for the contract was influenced by past work done by HMM or the information in the HMM bid about alleged past work done or that HMM allegedly had not been paid for it. In fact, Council voted for the HMM bid because it was the lowest bid and it scored highest on the other evaluation criteria. There was only one other bidder and their bid was higher and they scored lower on the evaluation criteria.

Finally, HMM did not previously do work for the District, as wrongfully alleged: the work they did on the boardwalk was for a private developer of Mariner's Village, not the District, so if HMM did any work for free, they did it for the developer. In conclusion,

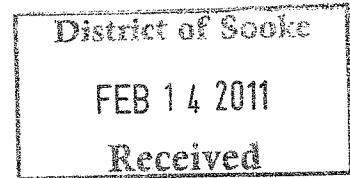
1. HMM had the lowest bid and scored highest on evaluation criteria in the bid process,
2. No Council member one who voted for HMM was influenced by the alleged free work done by HMM, and,
3. In fact, HMM did the alleged free work for a private developer, not for the District.

Mayor Janet Evans

To: Mayor & Counsel
District of Sooke
2055 Otter Point Rd.,
Sooke BC V9Z1J2

11 February 2011

From: Rod & Colleen MacKenzie
5661 Sooke Rd.,
Sooke BC V9Z0C5



Re: APPLICATION FOR DEVELOPMENT VARIANCE PERMIT
5677 Sooke Rd., Sooke, BC PLN00862

We recently received the notice to property owner dated Feb. 4, 2011 and feel the need to respond. Unfortunately we will not be able to make the meeting but it is requested that our concern be included during your deliberations.

I spoke at the previous meeting when the zoning was being considered and stated that we had no concern with the construction of the 5 homes as planned other than any impact which might be felt by the trees along our mutual property. It appears on looking at the survey stakes that some of the trees had been planted along the property line years ago. Losing these trees would have a negative impact on our privacy and property value. Replacement of damaged trees with smaller ones would not be a satisfactory solution.

I have spoken with the applicants and have received their assurance that none of the planned developments would jeopardize the trees.

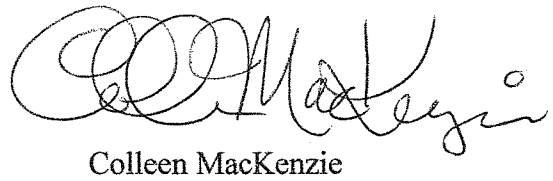
Our concern, in viewing the Road Cross Section Plan, is that it appears there would only be 1.5 metres (about 4 feet) between the mutual property line and the asphalt, one metre of which would be gravel shoulder. If this is the plan we strongly oppose the siting of the road as it would be impossible to complete this work without doing damage to the root systems of the trees. In addition there is nothing in the information received that shows the proposed grade of the road and if it will be built close to the existing height or if the property height will be raised considerably. As you may be aware there has been a considerable change to the ground water runoff pattern since development up Harbour View Road has taken place. We now face times when water runs over top of our grass. If the road height is to be altered then some drainage plan to negate any impact to our property will likewise be in order.

It is requested that the location of the road be formalized only after a certified arborist has viewed the property and submitted a report making recommendations. It would be preferable as well that this arborist be on site during the initial construction of the road to ensue no root damage to these mature majestic trees results. On the topic of drainage and runoff an architect associate of mine who is familiar with this area suggested you might wish to consider the use of paving stones rather than asphalt or cement.

We have no objection to the requested reduction in road width however placement of the road is of prime concern.



Rod MacKenzie



Colleen MacKenzie

DIRECTION REQUEST

Regular Council

February 14, 2011

From: Terrance Martin
South Island Recreation Association
6517 Stonewood Dr., Sooke, BC V9Z 0Y6
250-642-2917
tm@tfmartin.net

REQUESTED DIRECTION:

- 1) **That** Council authorize staff to issue a permit to the South Island Recreation Association (SIRA) and its members and agents for access and off-highway vehicle (OHV) trail establishment on the municipal right of way shown on the attached maps "A & B".
- 2) **That** Council authorize staff to enter into negotiations with the land owner to secure public access to the municipal right of way across the private roadway shown on the attached maps "A & B".
- 3) **That** Council designate a line item in the 2011-2015 budget to fund the OCP Action Item 5.8.4.c noted below.

Executive Summary:

On October 10, 2010 Council passed the motion:

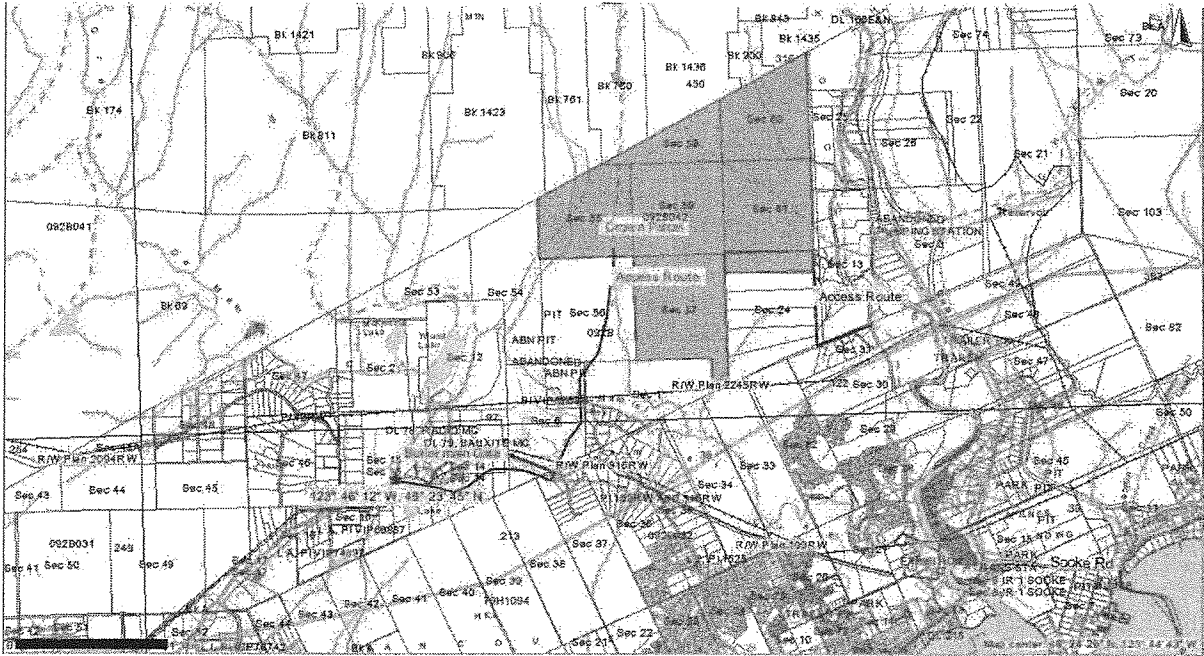
"to direct staff to work with the CRD as per the Official Community Plan, Policy 5.8.3. (d) – "Work with motorized recreational user groups and the CRD to establish policy to manage recreational vehicles and to permit 'through access' in the Harbourview/Sea to Sea Park to allow such users to access lands beyond the District of Sooke;" and;

Action item 5.8.4. (c) – "Work with the CRD, motorized recreational backcountry users, and other park and trail groups towards establishing a pilot project for motorized recreational users through Harbourview/Sea to Sea Park in order to access backcountry lands beyond the District boundary.""

Documented CRD support exists for the Sooke OCP and subsequent council decision with similar recognition that back country access is an important social and economic asset. This has been extensively and repeatedly documented in CRD minutes and planning documents for over a decade - specifically supporting the activity on Crown land.

A Crown parcel has been identified, and access is now the issue.

At this time SIRA needs access to proceed with the development of a proposal and management plan, and accordingly staff requires the direction from council as set out above.



Map B