

**SHAWNIGAN RESIDENTS ASSOCIATION
Annual General Meeting**

**Shawnigan Lake School – Hugh Wilkson Theatre
March 1, 2018**

Minutes

(recorded by Alex Acton)

Directors Present;

Roberto Galindo
Natalie Urquhart
Alex Acton
Garry Horwood
Al Burnet
Rod Macintosh
Dewar McCarthy
Jerrod Pinder

Time	Agenda Item
7:10pm	Call meeting to order – Al
7:11pm	Motion to approve Agenda (Alex moved, Garry 2 nd , unanimous)
7:12pm	President’s Report - Al <ul style="list-style-type: none">• Thanks to Calvin Cook for years of dedicated service• Year in review<ul style="list-style-type: none">○ Illegal Dumping○ Legal Success and Fundraising○ Incorporation Discussions○ Respectful Use of the Lake (Map and Pamphlets)• Priorities for the coming year including the current projects; Illegal Dumping of Garbage, Milfoil, Incorporation, Boat Launch Signage
7:20pm	Motion to approve President’s Report (Alex moved, Garry 2 nd , unanimous)
7:21pm	Financial Report - Dewar
7:28pm	Motion to approve Financial Report (Alex moved, Garry 2 nd , unanimous)

- 7:29pm Introduction of Board Candidates – Natalie & Rob
Slate of Board Candidates:
- Keith Bridges
 - Dewar McCarthy
 - Rod Macintosh
 - Roberto Galindo
 - Netta Douglas
 - Tom Lupton
 - Natalie Urquhart
 - Devon McFadden
 - Dinah Clark
 - Alex Acton
 - Garry Horwood
- 7:35pm **Call for Nominations from the Floor (3 times by AI)**
- there were no nominations from the floor
- 7:36pm **Motion** to approve the Board of Directors (Alex moved, Dewar 2nd, unanimous)
- 7:37pm Report on Legal Matters - Alex
- Thanks and acknowledgement to AI Burnett and Jerrod Pinder
 - Discussion of the recent ruling from Justice Sewell (see attached)
 - Statement from Sean Hern of Farris;
- "What the Residents Association and the Shawnigan Lake community has achieved is truly an inspiration to everyone who says it is pointless to fight the government and well-funded corporations. You did and you won! It will cause others around the country to take heart, trust their instincts and fight for their communities' wellbeing, and hopefully it motivates a transformative policy change in this province as to how applications for these types of projects are advanced and assessed. Thanks for letting me be a part of your journey - it has been a great privilege to get to know so many of you and to represent the SRA."*
- 8:00pm Questions & Answers, Discussion
- 8:07pm **Motion** to Adjourn (Alex moved, Garry 2nd, unanimous)

Legal Report to AGM

The SRA largely succeeded in our costs application against CHH and are pleased with the result. We were sorry to see the Ministry was not also held accountable for costs, but so be it. Farris is in the process of quantifying what has been ordered, but it will be a sizeable amount that we will claim against CHH for the judicial review – in the neighbourhood of \$150,000 plus the cost of the disbursements.

Once we claim the quantified amount, we are likely to have a dispute with CHH over our calculations, and that will be resolved by a registrar of the BC Supreme Court. After the hearing before the registrar, we will have a “certificate of costs” that we can use to collect the amounts declared to be owing by CHH in the same way we would with a court order.

Whether CHH has any money to pay us is unknown. Farris have various strategies in mind for collecting it.

There continues to be litigation ongoing in relation to the landfill permit:

- a) CHH has sued the CVRD for advancing the zoning case and appeal.
- b) CHH has separately sued the Minister of Environment for cancelling the permit.
- c) CHH continues to pursue its case against E-Pro and Kevin Bromley over the contaminated soil that it says E-Pro brought onto the site in 2010.
- d) Mike and Marty have sued Sonia for alleged defamation. Farris are defending Sonia in that case.
- e) A judicial review was filed against APEG in relation to its decision not to have a discipline hearing for Active Earth. Farris are acting for Mr. Beach and Mr. Juurlink in prosecuting that case.

On a more positive note, the Shawnigan Case together with Mt. Polley is at the centre of the government’s review of the professional reliance model. Farris drafted a submission to Mark Haddock (the former UVic professor tasked with that review) based on the Shawnigan experience and a number of other community members provided submissions to Mr. Haddock as well. We all have high hopes for change coming out of that review, with Sonia driving the issue forward in her capacity as MLA.

Regarding the site itself; the Shawnigan Research Group is actively engaged with the Ministry of Environment on the closure plan for the site, water testing in and around the site and a water testing initiatives for the lake itself. Both the SRG and the SRA are committed to having the soil moved to a more suitable location.