

Cortes Delegation Presentation to the SRD Board Meeting – Feb 28, 2019

## **STRATHCONA REGIONAL DISTRICT GOVERNANCE FOR CORTES ISLAND**

Good Afternoon: Board Chair Babchuk, Mr. Leitch, Mr. Yates, the SRD Board & Associate Member, and members of the public,

Thank you for the opportunity to make a presentation on behalf of Cortes Island constituents. We ask that the presentation be recorded as part of the public record.

We are speaking for 320 constituents of Cortes Island, whose names you see before you on the screen. The purpose of this delegation is to highlight current, troubling issues of governance for Cortes Island.

We wish the SRD Board to understand that this presentation is being given entirely by constituents of Cortes Island, independent of input or direction from Director Anderson, who has remained at 'arms length' throughout the past 2 months.

We bring your attention to the Open Letter of January 21, which was delivered to all 490 post office boxes by January 23. The people who signed onto the Open Letter were either property owners or residents on Cortes Island. We also bring your attention to the 35+ letters to the SRD Chair & Board from Cortes constituents in January & February.

We want the SRD Board to understand that the people who signed onto the Open Letter, and who wrote individual letters, reflect a significant majority of Cortes Islanders. We want the SRD Board to understand the depth and breadth of dissatisfaction amongst Cortes constituents regarding governance and procedures by the SRD. We acknowledge the public response to questions from the Chair.

However, we seek a response from the SRD Board or staff on the following governance issues:

1) Support for Director Anderson's legal defence costs arising from the lawsuit initiated against her by 14 Cortes Island residents:

**We urge you to indemnify Director Anderson's full legal costs as incurred and in an expeditious manner.**

We reference the SRD 'Bylaw No. 287 - *A Bylaw to Indemnify Regional District Officials Against the Cost of Legal Proceedings*' that states that "the Regional District will indemnify an official against a claim, action or prosecution brought against the official, including reasonable legal costs."

We believe that it is incumbent on the SRD to uphold democracy by supporting Director Anderson to the full extent legally possible as she defends herself against this lawsuit which seeks to remove her from office.

We seek an explanation as to why there has been no public commitment from the SRD to reimburse Director Anderson's legal defence fees as they are incurred.

2) SRD Board policies on communication:

**We ask that the SRD Board adopt a communications policy and update their website to address communication guidelines between directors and the public, and within the Board.**

We request that the SRD website be updated:

- To display the one official SRD email address for each director;
- To advise that all public correspondence with the SRD Board & Directors must include personal identification;
- To advise that all public correspondence will be entered into the public record with names attached.

We request that the SRD adopt a communications policy whereby:

- All directors are required to use their SRD email address for SRD business;
- Communications received by a director from the public which legally require anonymity will be marked as 'confidential', distributed to all of the Board, and entered into the public record with personal identification redacted.

Constituents have a right to transparent communications within the SRD.

3) The SRD Board agenda items (#J6, K2, K4) which were removed from the agenda on January 24:

**We ask that the SRD Board lift agenda items # J6, K2, and K4 from the table, and that all three items be advanced expeditiously as expected by a strong majority of Cortes Island voters, as was promised in the summer of 2018.**

Cortes constituents have expressed disbelief over the SRD Board decision from January 24 to *"remove items J6, K2 and K4 until the legal implications of the legal petition ... is fully understood by the Board."*

This removal is seriously affecting the regular, ongoing governance of Cortes issues, and we believe this conflicts with the foundational purpose of regional districts to bring services to the electorate. We see no conflict between the litigation case and any of these three items of Cortes business.

The Advisory Planning Council is an invaluable governance tool that has been disabled for Cortes Island, and we believe that the SRD does not have the right to prevent the APC functioning. The APC is a community voice on decisions relating to land use issues. In January & February, there were 2 land use referrals before the SRD involving significant changes to properties, and the APC could neither offer comment nor make recommendations.

We also believe the hall funding & first responder business are unrelated to the litigation case. We remind the SRD Board that the South Cortes Community Association and the Cortes Fire Department, not Director Anderson, initiated both issues. Both initiatives predate the litigation case, neither is referred to in the petition, and both Cortes candidates in the October 2018 election pledged to honour the results of the referendum on these 2 issues. The results were 443 votes in favour and 191 against proceeding with a referendum on the hall service tax. The results for the first responder funding were even more strongly in favour.

We request that the democratic will expressed in the non-binding referenda last fall be implemented and that we move forward to binding referenda.

4) Rise & Report on several key issues:

**To summarize, in the spirit of transparency, accountability and professionalism, we ask that the SRD Board 'rise and report' on the stated concerns of Cortes Island constituents:**

A commitment to indemnify Director Anderson's full legal costs, as incurred;

The rationale behind the SRD reversal on the referendum in November;

A termination of secret, off-record lobbying;

An explanation as to why the legal petition by a minority group of 14 was allowed to suspend 3 key items of Cortes business for an unspecified period of time.

The approval of Director Anderson's appointments to the Advisory Planning Council;

Expeditious treatment of the referendum on the hall service tax and first responder funding;

A public disclosure of the conclusion of the Craig Peterson report (with permission from Director Anderson).

In our democracy, controversial issues like these are put to rest by official votes.

We had one on October 20, 2018.

These 320 Cortes Islanders **deserve fair, transparent democratic process.**

Following in the footsteps of many before us, and most recently those of Jody Wilson-Raybough, "Speak Truth to Power."

**Thank you!**

presented by Christine & Cec Robinson (Whaletown),  
on behalf of 320 Cortes Island constituents

