

PINA AGM August 15 2021

1: Call To Order: We acknowledge we are meeting on the traditional, ancestral and unceded territory of the Snu ney muxw First Nation.

2: Adoption of Agenda: Amendments: item 6:b Multi-use courts item 9:a recognition. Moved to adopt the agenda as amended, Graham Adams, 2nd Rick Scott

3: Approval of Minutes of AGM June 2019 (there was no 2020 AGM) Moved by Robert Burn, 2nd Lin Neufeld.

**4: Reports:**

**A: Presidents’ Report:** Kevin highlighted a few points as per his report from this year’s newsletter

**B: Vice President’s Report** - Jim MacQuarrie, read by Veronica Zehntner

Jim apologized for not making the AGM but wished to convey the following about our president:

If you’ve read the news letter, you know our president Kevin Pistor, had some kind words to say about members of the executive. There were no kind words about Kevin, so I want to correct that oversight.

Kevin is a teacher, so you can imagine how challenging his life has been throughout the Covid crisis. Yet he found the time to be a leader in his community and contribute to the many positive outcomes PINA has achieved, everything from fast tracking of the rebuilding of Gallows Dock to the quick resolution of the no-ambulance driver fiasco to the roll back of golf cart insurance premiums after an exhausting battle with ICBC.His commitment, especially given the other demands he faced over the past 2 years deserves the highest commendation. Thank you Kevin.

**C: Treasurer’s Report** Veronica Zehntner

PROTECTION ISLAND NEIGHBOURHOOD ASSOCIATION

Annual Financial Report to May 31. 2001

Cash Flows from General Account Activity:

Cash Balance at last annual report May 31, 2020	1,476.02
Membership Dues Received	60.00

Bank Int.	0	
Donation	20.00	
Total Revenue & Cash Balance		\$1,556.02

Licences, Permits, Fees (ann. report)	(40.00)	
Office Expenses	(19.62)	
Directors' Liability Ins. 1/3	(235.00)	
Donations (circle plants)	(50.00)	
Website Domain	(145.46)	
Bank S/C	(15.00)	
Total Expenses		(505.08)
Balance at May 31,2021		\$1,050.94

Expenses over revenue (345.08)

Cash Flows from Dock Account Activity:

Cash Balance at last annual report May 31, 2020	29,867.87
Dock Fees O/S 2020	390.00
in lieu of labour	75.00
2021 Fees	7,750.00
In Lieu of labour	2,400.00
Donations	100.00
Bank Int.	1.57

Total Revenue & Cash Balance		\$40,584.44
Dock Supplies, Repairs and Maintenance	(4,254.78)	
Freight (P.I. Supply)	(299.06)	
Annual Dock Ins.	(1,155.00)	
Directors' Liability Ins. 2/3	(470.00)	
Moorage Lease (Port of Nanaimo)	(3,063.00)	
Circle Lease	(26.05)	
Office Expense	(15.00)	
Total Expenses		(9,283.89)
Balance at May 31, 2021		\$31,300.55
Revenue over Expenses		\$1,432.71

**D: Docks** Kevin Pistor

**i Gallows Point** . Gallow's Point Dock: work is 95% completed. Acknowledged the contributions of Dave Carter, Gary Weikum, Doug Naylor and Rick Biller in getting the City of Nanaimo motivated to move on it. Lighting standards still need to be activated. Comments from the floor indicated that the bottom of the ramp is slippery when wet and that waves seem to splash up water onto the dock deck making ice build up a concern come winter. These observations will be passed along to the City. The question was asked if people could drive golf cars onto the cement surface leading to the ramp for the purposes of loading or loading light cargo. Kevin will follow-up and share the answer with islanders. The small gap in the railing at the top of the ramp will also be reported to the City. Comment from the floor to conform that this dock can be used by 'off-islanders' also. A letter of appreciation has been sent to the City's Parks Department and Engineering Department on behalf of island residents.

**ii: Mud Bay Dock** Kevin reviewed the role of PINA with Mud Bay Dock as one of support. The water lot lease with the Port of Nanaimo and the two park land leases leading to the dock are held by PINA. PINA

also holds the bank account and the PINA treasurer also handles the dock financial transactions. The management of the Mud Bay Dock is organized through the Dock Committee which is comprised of five members: Maintenance Leader (or designate), two PINA Directors appointed by PINA, two dock users elected by the dock users at a general meeting. PINA maintains a link on the PINA website for information related to the Mud Bay Dock. A general meeting will be announced soon for dock users.

**E: Roads Report** - Veronica Zehntner The roads are holding up remarkably well despite no grading for the 2nd. year now. Thanks again to our intrepid P. I. Pothole crew Jim MacQuarrie & Gary Weikum for the professional job over the winter. The City's scheduled 2021 maintenance work went out the window due to the unexpected length of down time of the barge for repairs. The dust suppression contractor closes down on Vancouver Island by July 13th. so there wasn't sufficient time to haul over material and grade before hand. However, the City Roads Dept. spent extra money on dust suppression laying an extra 1,000 liters of product under high pressure. The result is the best dust suppression job they have ever done on this island. After 5 weeks of drought the roads are still virtually dust free. Discussion with Roads has been ongoing regarding grading and the plan is to come over the beginning of May, once things dry out enough but before dust becomes a factor and have dust suppression as soon as the contractor is available before things dry out completely.

The issue of raising the water valves was also discussed on the site meeting in early June and Veronica brought it up again last week, to have the water dept. come over and raise the valves - which will then have paving around to protect them - ahead of the road work. The roads foreman advised that they are working on coordinating this, aiming for that work to be done in Feb. 22.

As mentioned in the news letter, the proposed 'chip seal' paving originally planned for next year has at this time been postponed to 2027. However, the dust suppression contractor is planning to close down operations on Vancouver Island in 2024 or 2025; so this matter will have to be resolved in the next 3 years. In conversation with Roads last week, Veronica asked if there was a chance we could push to have the chip seal date moved up if we wished and he felt that if the residents, through PINA asked Council directly they might move it to 2025.

A reminder that it's summer at the parking circle with the associated congestion, so please observe the rules on parking duration.

Questions: Gary Weikum thanked the pothole fixing crew and also mentioned Steve Shipley and Kelvin

Valley asked about the Chip seal - what it is and what that would mean for the island. This question held for item 6a.

Cate Muir- is it necessary to use water before dust suppressant - yes

Cate asked about the environmental coating product.

Summer- question regarding the process and speaking out against dust suppressant . Held for item 6a.

Cory asked if there was another contractor who could take over the road spraying. Veronica answered that from information she's received, the contractor is ceasing ops on Vancouver Island after 2025.

**F: Parks Report** - Veronica Zehntner:As mentioned in the news letter, PINA has been teaming up with Fire Smart and Lions for the annual park clean ups to remove fire load and invasive species.

The main focus last year was Elizabeth/Flint Park at the south end of the island. PINA volunteers worked individually (due to Covid) over spring and summer on daphne removal and were joined by Fire Smart in early fall with a 'puller' for the larger plants. Several work parties took place prior to the main event which had over 30 volunteers, resulting in the removal of almost all the daphne as well as the ivy choking the Garry Oaks and other trees. A ton of dead wood was also hauled out & a lot of material was hauled away in dumpsters provided by the City. The City also supplied native plants for the restoration and several planting parties took place late fall and early spring.

With the ongoing drought and high temperatures, everything in our parks is tinder dry, so please be vigilant for any signs of smoke or "smokers". The Garry Oak seedlings planted by the Garry Oak Group in Smugglers Park last fall are really suffering and we have been hauling water over to try and keep them alive.

Fire Smart has installed 2 large water tanks along with buckets in Elizabeth/Flint Park and on Trillium Trail in Hidden Treasure Park. The new plantings there are also in trouble & some are dying. The plants are marked with tape or wire cage so if you happen to be walking through there please take a minute and stop and give them a drink.

Good news - the board walk PINA requested for Ben Gunn Park where the annual winter stream floods the trail, was completed a week and a half ago. We will now be able to use the trail all winter long without gum boots. The Lions has requested rubber matting for both Ben Gunn and the beach access between 102 & 104 Pirates Ln. ( beside Carol Mathews old place) board walks.

**G:Nanaimo Neighbourhood Network** Kevin Pistor . Nanaimo Neighbourhood Network: PINA has been participating in regular meetings with other neighbourhood associations and the City of Nanaimo. The City of Nanaimo staff are in the middle of a review of neighbourhood association structures to better understand how well they represent their respective neighbourhoods. A question was put by the City to each of the associations as follows: Which statement do you agree with?

A. The City should formally recognize and support neighbourhood associations based on a set of clear organizational criteria.

B. The City should recognize and support neighbourhood associations regardless of their organizational capacity.

C. Abstain

D. PINA membership added the following: Abstain until the set of criteria is known.

Votes were as follows:

Statement a) 38 yes

Statement b) 1 yes

Statement c) none noted

Statement d) 33

#### **5:Old Business:** Constitution Review

Kevin moved that the PINA Executive undertake a review of the Protection island Neighbourhood Association Constitution with public opportunities for membership and islander input and that the results of that review be presented to the membership at the 2022 AGM for their consideration. 2nd Jane

Nancy Hayne- asked what is meant by problems and differences in the mission statement.

Kevin quoted new walkway that was installed, and the multi-use court issue

Nancy expanded on her question - the neighbourhood association is a conduit to City hall

David Shannon: are there specific problems with the current constitution? Is there a requirement to review?

Kevin answered NO- but the language was updated and we are mindful that our constitution is old so a review would be an opportunity to review and revise.

Jim Menzies gave a history of why we started this process- we separated bylaws from the constitution, and need to update the language of same.

Cory Hanson: Is there energy in the association for being advised to revise constitution

**6:a New Business:** Kevin Pistor moved that the PINA executive request that the City of Nanaimo initiate a public consultation process to examine the proposed Protection island road

resurfacing and dust suppression protocols.

Robert Burn question amendment under public process- insert the word islander and to read as follows:

That the PINA Executive request that the City of Nanaimo initiate a public consultation process with P.I residents to examine the proposed Protection Island road resurfacing and dust suppression protocols. 2nd Veronica. Motion Carried 1 abstention.

**6:b Multi-use Court**, “Be it resolved that the general membership of PINA respectfully requests that only ‘quiet balls’ be used by pickleball players in the multi-use court, and further that PINA place signage at the multi-use court which states: **Attention Pickleball Players – Thank you for being respectful of your community’s wishes and using quiet balls for pickleball - Protection Island Neighbourhood Association.**” Moved Andria, 2nd Dave Johnson. Andria will speak to motion.

**Andria Gillespie** spoke about the noise level of the hard pickleball being extremely intrusive and that it penetrates the log walls of their home and even into their basement area. She spoke of her and Mike’s enjoyment derived from hearing the other normal sounds of the multi use court being used; including young residents playing basketball into the evening, young children playing there, as well as the other sports played by adults. They enjoy the fact that the court is used and it is only the hard percussive pickle balls that they find to be a problem.

**Dan Dundee** spoke and requested an amendment - to strike the mention from this motion of “pickleball” and to have it read - use quiet balls, by players, users, strike the word Pickleball Players. Speakers to that amendment:

**Man in orange flowery shirt:** Are there quiet basket balls?

**David Shannon:** opposed the amendment as it waters down the significance of the motion. Motion fails

In favour 10, Abstension 2, Opposed

**Speaking to the main motion:**

**Larry Boswell** encouraged the other pickleball players to try out the new quiet balls and give it 2 weeks to get used to it.

**Margaret Harris**

contested the use of new balls as it’s a different dynamic, not the way it was intended to be played, drew a parallel to it being like playing basketball with a beach ball.

That out of 84 hours of multi court use only 6 are used for hard pickleball, 2 hrs 3 days a week.

Margaret stated- If you choose to live beside a rec facility, that there will be unsettling noise, do these neighbours have a greater right than they do?

Margaret felt that this is harassment of the Group 1 pickleball players and that this is a violation of a Parks and Rec Bylaw.

Margaret stated that this motion is one of several pressure tactics to succeed in getting their demands approved

The Group 1 Pickleball Players feel the sign is coercion- pushing the will of a group of

neighbours on another group of islanders and this is being unreasonable. Courts are on a City Park and it's at the authority of the City and a City decision only.

**Chris Hemphill**; there is no jurisdiction in this association and the authority lies with the City of Nanaimo. Do you want your neighbourhood association being used as a platform for this process. Nothing to be achieved by "public shaming" and the only correct way is for it to be referred to the City, and encouraged members to vote against it.

**Dominique Sullivan** Called for compassion and thanked Linda Jeffries for teaching pickleball to the kids.

**Cory Hansen** referred to the issue being taken direct to Parks Dept.

**Dave Carter** requested the motion be read again

**Kelvin**- referred to the noise bylaw and its intent of peace and quiet.

**Dennis Moore** spoke to defend his integrity and freedoms. He referenced a meeting that took place with groups regarding the multi use courts and scheduling. Spoke of the history of pickleball on PI and talked about noise levels of various other types of noises - both environmental and residential. His point was that pickleball has already been limited in light of the previous input from user groups.

**Nancy Hayne**- the Neighbourhood Association should not be a conflict resolution power and this should go to the City.

**Chris Hemphill** - spoke further to the contents of the noise bylaw which he had reviewed

**Kelvin**- spoke again to reply that he also had researched the noise bylaw, and what constitutes loud noise and spoke to the effect on one person's health versus 10 people's enjoyment.

**Dan Dundee** - spoke to the issue of the proposed signage stigmatising certain residents and asked where would such signage end? Would this bring about other examples of "passive aggressive" signage on the island for any number of reasons.

**Kevin** stated that the wording of this motion is in order and ruled that there are many signs around the island that reflect the wishes of some residents (slow down, kids at play; slow down to reduce dust; no smoking stickers; etc.) and that the motion is seeking the opinion of PINA members and not dictating a "rule" or a "law."

**David Shannon** spoke about how distressing it is to see the division here today and questioned - would the sign do anything? and that the matter should be referred to a mutually acceptable authority, should be referred to the City and he is against this motion for that reason.

**Valley Hennell** - has lived here 22 years and expressed her distress at witnessing the polarization occurring over pickleball. Her opinion was that due to COVID restrictions we have not been able to get together at our usual island events and visit as neighbours and

friends which has caused unusual stress amongst neighbours. That this AGM was a place to hear how people feel, to discuss and figure this out. Valley also discussed separating the main motion into two- and going to the City.

**Gary Weikum** read a statement from Don and Vinnie MacQueen: regarding the annoying sound of pickleball.

**Gary Weikum** then went on to state his own opinion - that what has changed for him is that he became aware of how the noise is impacting his neighbours and their health. What are our community values? And if it goes to the City - this also represents the community's input.

**Cory Hansen** moved that the motion be split into 2, a request to the players and a request regarding signage. 2nd Robert Burn.

**Margaret Harris** challenged the wording of the motion. Kevin ruled that to change the wording an amendment will be required. No motion to amend was made.

Jim Menzies moved to split into 2

17 in favour, majority against, few abstained, not passed.

**All one motion was voted upon:**

45 for, 20 against, 16 abstentions

**Dennis** spoke to the idea of PINA looking into fencing to provide noise reduction

**Cory Hansen** moved that PINA bring the matter of hard pickleball use on the multi purpose court to the City to seek resolution.

**Margaret Harris** asked for the number present today. There were 74 present and 20 proxies.

**Jim Menzies** spoke that he intends to abstain from this vote as the issue has already been brought to the City, and it is not healthy for this organization to be the face of this dispute.

**Valley-** is there a mechanism by which we can come to a wider consensus on the island, by poll, referendum?

**Kevin-** There were 104 paid members represented at the meeting.

**David Shannon-** his view is that this motion should be supported - it's the City that makes the final decision and he has concerns that this issue will not be resolved otherwise, and that we must accept that the City's decision, whatever it may be, will be final  
Amendment that PINA be an impartial group. We should vote on PINA bringing issue to City in a neutral way. That vote exists - made the request to use the soft pickleballs.

**Margaret** objected to the wording of hard pickleball use in the motion. Wanted an amendment that the wording hardball be changed to hard and soft ball use.

**Kevin** Kevin ruled this amendment to be out of order as the previous motion that passed already established that use of soft balls were not an issue, only the use of hard balls. His ruling was not challenged.

**Carried with 2 against and 3 abstentions**

### **7: Election of New Directors:**

Veronica explained the unusual situation this year with terms of office as a result of Covid  
Jane, Kevin and Veronica Terms expired in 2021 =  
3 x 3 yr. terms open  
Dave, Doug, Maureen & Gary Terms expired in 2020  
but there was no AGM or election due to Covid, Dave & Doug hung in an extra year and  
appointees filled in at various times over the year. = 4 x  
2 yr. terms open  
Jim MacQuarrie & the ongoing vacancy from 2019 had 1 yr. Remaining  
However, Jim has sadly stepped down =  
2 x 1 yr. terms open  
This means we are in the unique position of having all 9 directors terms open for nomination at  
the same time. Kevin,  
Jane and Veronica have agreed to stand again if nominated.  
People nominating or seconding a candidate were asked to state their names for the minutes  
and the floor was opened for nominations.

The following 7 directors were elected by acclamation:

Veronica Zehntner	Nominated by Dave Shannon	2nd. by Carol Redston
Gerald Halabura	" "	Sandra Nisbet " " Donna Berthiaume
Richard Gafney	' "	Bev Carter " " Donna Berthiaume
Jane Garcia	" "	Jim Menzies " " Francois Savard
Agnes Provost	" "	Jane Foxwell " " Dave Johnson
Ken Pepperdine	" "	Brenda Henderson " Marlene Kennon
Kevin Pistor	" "	Robert Burn " " Larry Boswell

**9: Announcements:** One announcement withdrawn.

VanIsle 360 will take place August 28th  
The Museum AGM date TBA

**10: Motion To Adjourn:** Moved Jim Menzies, 2nd Robert Burn