

**GABRIOLA FIRE PROTECTION DISTRICT  
GENERAL MEETING - August 31, 2022**

A General Meeting of the Gabriola Fire Protection District was held August 31, 2022 with seven Trustees, Corporate Officer, Fire Chief and Training Officer in attendance.

Attendees: Paul Giffin (Chair), Sean Lewis, Fred Apstien, Chris Windess, Diana Moher, James Arends, John Moeller, Jessie Longo (Corporate Officer), Will Sprogis (Fire Chief), Kitt Stringer (Training Officer), Members of the public

The meeting was called to order at 4:03 p.m. by Chairman Paul Giffin.

Sean Lewis gave the opening greeting "The GFPIID acknowledges that we are gathering within the traditional lands of the Snuneymuxw Nation"

It was asked by a member of the public if all Trustees could introduce themselves.

Diana Moher moves to accept August 03, 2022 meeting minutes, seconded by John Moeller, discussion. Sean Lewis asked about Deputy Fire Chief which the Chief proposed and deferred, Sean stated he supports and asked the Chief if there was any rush. The Chief replied no rush, please defer. Carried.

The Chair advised the meeting will be recorded, and asked the audience to show if anyone was recording. Two people raised their hands.

The Chair asked if it was okay to add more correspondence to the agenda.

A letter from Sandy Simrose was read aloud. *See Appendix A*

Discussion over concerns raised by Sandy included:

- John Moeller - Second letter in a month that is kind of attacking the board and Fire Department. Miss truth and inaccuracy. When do we write our own response to these false allegations?
- Sean Lewis said the letter is essentially accurate
- James Arends asked if Sandy Simrose was at the meeting tonight. She was not. He responded she made valid points, large tax costs to residents. Review is a good idea, glad the Chief took steps to vet which is appropriate
- Chris Windess - Minutes approved at the board meeting are posted within the following few days, not months
- Diana Moher suggested that more consistent attendance to meetings gives a fuller comprehension of Fire Department issues

- Diana Moher stated the review is operational, and there is money in the operations fund. Therefore approval from Trustees was not required.
- John Moeller stated the letter suggested the Fire Chief and Training Officer were bypassing the board. He clarified they were bringing it to the board for approval, not bypassing them. He expressed concern that, "It's those kinds of things that if they keep happening in the paper over and over again and we never respond to it, the Community as a whole will start to get an opinion of the Fire Department that is not a good one."
- Paul Giffin stated some things in the letter are valid criticisms. However he explained the operational review and the long term operational plan for the Fire Department are "apples and oranges." In regard to the comment in the letter where it seems "suspect". He asked the Training Officer if:
  1. all three companies were given the same proposal
  2. is there any relationship between the folks who won the contract with yourself or with the Fire Department?
  3. there is absolutely no conflict?
 The Training Officer answered no to all.
- Fred Apstein stated things are changing in the right direction, and advised the committee of the board met with the Fire Chief and Training Officer.

Next piece of correspondence, "North Cedar Fire Department" read aloud by Chairman Paul Giffin. *See Appendix B*

Next item addressed to the Chair, from Jason Koshman Law Corporation. Read aloud by Chairman Paul Giffin. *See Appendix C*

Chairman Paul Giffin stated under Ministry Community Service Improvement District Administration, Section B. "All board meetings should be open to the public and no person should be excluded except for improper conduct. Persons other than members and officers may be excluded from a special meeting if, in the opinion of the board, the public interest so requires it. These meetings are known as "in camera" meetings and should only be used when discussing legal matters, property acquisition, or personnel matters."

Paul advised this letter has been read to the public, and asked that there is no comment on it. "It is a legal matter, we will talk about it in camera. Does anybody object?"

Discussion points:

- Fred Apstein stated "now that the content is public, what makes the discussion suitable in camera. What is the possible harm for our discussion to be taken in public."
- A member of the public stated they are an experienced litigator and it should all be spoken in council right now.

- The reason it was read is the board has been accused of too many in camera meetings. Read in here to show the public we have a reason when there are in camera meetings.
- Sean Lewis spoke to the repeated Trustee and Lieutenant request; A Trustee cannot be involved in operations.
- John Moeller asks if they are going to discuss it in public. The Chair asks how many want to discuss in public. 5 Trustees were counted in favour for.
- Fred Apstein reiterated what Sean Lewis previously said, Trustee cannot cross lines into operations.
- Sean Lewis stated Trustees don't fit with operations, Trustees are a resource if asked, a resource if requested.
- Diana Moher used the term "dysprosody" and explained its definition "is when you like or dislike somebody, it affects how you receive any information." She stated Mr. Rooks during his presentation stated "he has not had a great history with the present Fire Chief, a long history of not getting along." She continued to state under the term "dysprosody" that would mean "any interaction with that person would be flavoured with that dislike."
- Fred Apstein noted he was curious to see what messages the letter is speaking to. "Request to have someone else deal with Dr. Rooks is up to the Chief, part of the Chiefs job to choose who it goes to. We are a democracy, this letter is democracy in action. We don't have to agree, we don't have to respond. Nothing wrong with a citizen getting a lawyer and challenging us."
- John Moeller stated he was "not sure about the allegations in the letter, first hearing of it. There's laws in place to protect inspectors, public employees from personal litigation. This seems in the same sort of vien. Only way around it, you would have to prove Malice. Encourage the department not to change their practice as a result of this. You do have an immunity, don't act in malice towards anyone."
- James Arends stated he agrees with Sean about a Trustee getting involved, "it would be a horrible idea", "Trustees are not covered by legislation." He continued to state "Dr. Rooks brought up the last time, or certainly alluded to that he and Chief Sprogis butt heads and heated words had been said between the two of them and this leads to a perception of bias." "He's clearly going down the path that you treat me one way and you treat others another. May or may not be true. He's taken the one position, and you are saying you are being uniform."

A member of the public interjected, "I can say he is being uniform. I've had the same harsh conversation with Will."

- Fred Apstein said anyone can bring concerns to the Board.
- Diana Moher asked if there "has ever been a time where you've been able to defend Dr. Rooks operations?" The Training Officer replied yes, a permit was issued, and the neighbour complained. Defended Dr. Rooks permit.
- The Chief advised when permits are issued, "there's a list of criteria. Just like building codes, needs to be followed."
- Chairman Paul Giffin asked how do you wish to respond to this letter?

- Fred Apstein - "Acknowledge we received it and matters are in the hands of the Chief, not the Board." Fellow Trustees added, discussed in public, full transparency and a Trustee may not engage directly in operational activities.

Letter of the Fire Commissioner, read aloud by Chairman Paul Giffin. *See Appendix D.*

No Comments

Paul Giffin advised there was an additional piece of correspondence that applied to another agenda item, and asked to deal with it at the time of that item. He then asked if there was any objection from the Board to add the pieces of correspondence to the minutes. No objection.

The Chairman spoke to the Treasurer's report, "we are working on that and it will be forthcoming."

#### **Communications Committee:**

- Meeting minutes are published once approved by the Board. Found in Library in the reference section and on [www.gabriolafire.ca](http://www.gabriolafire.ca)
- Discussion of emails being Canadian based/servers. Further review needed.

#### **Long Term Planning Committee:**

- Sean Lewis advised the Long Term Planning Committee formed Feb 09 - Diana, Will, Sean & Fred. Committee met with Will and Kitt re: review. He noted there were some concerns, they had a frank and open discussion and was impressed with the scope of work and package Kitt prepared. He stated "Commend the guys. Got over the road bumps."
- Fred Apstein mentioned "2% are road bumps, which get lots of attention. Other 98% of what goes on are people working, well trained service - relationship between board and staff, completely satisfied. Will and Kitt graciously and enthusiastically accepted to have in scope of work, the system is working."
- Fred Apstein noted that the process by which the review was approved should have included the Board from the beginning.

#### **Finance Report:**

- Sean Lewis spoke to a meeting with the Corporate Officer and the Fire Chief about extra cheques issued to the Chief, in particular a \$9,000.00 cheque. The Fire Chief advised they didn't have a first responder vehicle for the South end and they had to get a Fire Truck in service. The Chief went to the bank because the dealership wouldn't accept a credit card, he took \$9,000.00 out from his own personal account to pay for it. The cheque was to reimburse. Other cheques were reimbursing him for using his credit card. Questions were raised about getting a Corporate credit card.

- Diana Moher clarified all issued cheques require two signatures. Every year the department is audited to the highest level of Government expectation. She reassured everyone that when cheques are signed everything is vetted before being signed.
- John Moeller had concerns of an antiquated system of reimbursements, felt a policy should be in place for reimbursements, and was in favour of a corporate credit card.
- Paul Giffin confirmed with Sean Lewis the discussion that has just been had “deals with the agenda item known as payments”, and asked Sean if he’s satisfied that it’s been dealt with and there’s been no misuse of funds. Sean Lewis stated, “Correct.”

John Moeller would like to make a motion that the Finance Committee, or a new committee, create a payment policy. How payments can be made. So the staff know what they are allowed to do. John Moeller and James Arends volunteer to join the Committee.

It is suggested the credit card is a Mastercard Business Card with no fee. Fred Apstein moves, “Authorized Corporate Officer to proceed with acquiring a credit card in the name of the Fire Department.” Seconded James Arends. Discussion, Credit Limit.

Paul Giffin Motions, “To apply for the Mastercard for the total of \$12,500.00. \$10,000.00 for Chief, \$2,500.00 for Corporate Officer.” Seconded by Chris Windess.

Discussion around all cheques manually written, and possibly look into three part laser cheques. It was suggested the Corporate Officer and the Fire Chief look into, talk to the auditor and come back to the board.

**Delegation** - Chairman advised Dr. Rooks not at the meeting today.

### **Fire Chief Report - August 31, 2022**

We’ve had 64 call outs this month. This was our busiest month ever, and is broken down as follows:

- Bush fire 1
- Alarms 1
- Hydro 2
- Burn Complaints/shutdown investigations 21
- First Responder 35
- Water Rescue 2
- Other 2

#### **Day Firefighters Report:**

Here is a brief explanation of what the day firefighters positions do and how they are funded.

- There are two positions; a senior and junior day firefighter.
- The senior day firefighter works 24 hrs a week, and the junior day firefighter works 16 hours a week.
- The two firefighters are employed to complete the following tasks - grounds keeping, build maintenance, emergency water source maintenance and vehicle maintenance. Wages are saved by overseeing those particular line items and employing members that serve the community.
- The junior day firefighter completed 64 hours for the month of August, and these hours are broken down as follows: 4 hours groundskeeping, 32 hours apparatus inspections, 22 hours of cleaning, 6 hours of Hall maintenance.
- Senior Day firefighter completed 94 hours and breaks down as follows: 40 hours of Hall maintenance, 38 hours of vehicle maintenance, 3 hours of apparatus inspections, and 3 hours of equipment repair.
- Because the firefighters are in the hall, they are response ready within 90 seconds of receiving a call.

#### **Evacuation Drill:**

On August 14 we had an evacuation drill for the area of Whalebone, Zone 8. The RDN evacuation plan was used as a test. 54 resident registries and 9 agencies took part in the evacuation. The department is working on the final report as we learned from this exercise and will be working with the RDN to make improvements.

#### **Exemption Permits:**

Exemption permits were issued in the beginning of August and questions were raised regarding liability. Due to those questions I rescinded all permits on August 17 until The Board of Trustees can give direction. We have posted the high risk activities on our website. This high risk list is set by the Province and the Fire Department is responding to any concerns of public safety.

#### **Operational Review:**

Jay Brownlee sent out an introduction letter as correspondence. The Fire Department has given Jay access to all operational material and looks forward to the recommendation to improve operations.

#### **Recruitment:**

We currently have 9 applications to fill 6 spots. Our membership sits at 35 members and breaks down as follows:

Frontline Firefighter 19

Exterior Firefighter 6  
Recruit Firefighter 3  
Auxiliary Firefighter 7

Chairman spoke to the Trustees being invited to observe Fire Practice the night before. He would put this Fire Department against any of the other Fire Departments. Also spoke to Social Media and how this department does more on social media then the majority of the other departments. Very impressed. No idea how lucky we are to have this department.

### **GVFD Training Officer Report Aug 31- 2022**

#### **Response to Training Burn**

- Explain Open Smoke Control Regulations
  - Plan before you burn
  - Follow Local Bylaws
  - Determine Setbacks
  - Prohibited Materials
  - size of materials
  - Seasoned debris
  - Vent Index
  - Start times
  - Exemptions

#### **Response for request to have non LAFC attend permit process**

- What is an LAFC
- Why is the fire chief doing the inspections
- What are their powers and restrictions
- What is obstruction and how is it covered under the criminal code
- What is indemnification and why are they indemnified

#### **Independent review update**

- process-
- contract info
- scope
- requests to consultant for input

-Letter from consultant

### **EMR update**

Vancouver Oct 21,22,23 Glenys, Jenn, Kitt

\$900 Glenys, Jenn \$400, Kitt- free

EMR dates to follow for instructions

### **Evacuation drill**

-Information and summary

-key learning points

### **Training Info**

#### **Regular members drill**

-Auto extrication lessons

-Auto Extrication Drill (trustees attended)

-Environmental emergencies and anaphylaxis

-Training with new wildfire sprinklers

-FUS practice in south end, drafting with 9 from dorby pond

-Driver EVO- included HAM in 12 and BCAS orientation

#### **Additional Training**

-FIRES reports training with OFC for officers

-Fire Pro 2 training for Will, Kitt, Jesse

-Members completed the six on-line training sessions for the program developed for the Canadian Association of Fire Chiefs; Equity, Diversity and Inclusion.- 8 hours

-Train the Trainer event for Emergency Scene Traffic Control

-Fire inspector level 1 and 2 accreditation



The training report included a slide show.

Chris Windess spoke to three Trustees watching the practice the night before. "If you had seen how these people work, train, and when they finish their training everything has to be cleaned and put away. They were here for hours last night. I think some people who object to the Fire Hall and object to the Fire Department should really come and see how hard these people work."

Members of the public clapped.

**Association:** N/A

**Old Business:**

FOI Request:

Paul Giffin - "First FOI request at the end of May early part of June we received a letter from Jason Koshman Law Corp, requesting correspondence, that request was fulfilled immediately. Subsequent to that we received an FOI request, on behalf of Bob Rooks that I believe had nine separate items on it. Subsequent to that we received another FOI request that had two items. All the FOI requests have been completed, in the order of 900 pages and 50 hours of work to respond to this FOI request. Thanks to Jessie, Will and amazed we still have Jessie after being hit with that right after she started. She's the one who kept a smile and kept us working. Thank you very much."

Business by email policy - Draft, Paul Giffin asks for a motion to accept policy.

- Fred Apstein states, "It is way too soon, don't want to accept right away and want to discuss. Ethical Conduct and business policy. Don't have those policies." Diana replied, True, I believe the Fire Department has a policy, and we have a code of conduct. This is a draft. All came from Government documentation, direct things that are recommended for emails to work.
- Sean Lewis mentioned this is a first time seeing, may be a number of items to be changed, take over and review, nuances to address, and a good beginning.

Paul Giffin motions to table this, Sean Lewis agreed, Chris Windess seconds.

- Diana Moher clarified this was a draft. She advised she spent "a significant amount of time going through the Government regulations on the use of email for work. They have some very strict directions towards us, and that is you keep it to a minimum, and those minimums are in here."
- Fred Apstein proposes, "To have a Trustee email that we use for Fire Department business and that we don't say anything in those emails that we wouldn't say at a public meeting. 'Cause there is no privacy."

- Diana Moher states, "Exactly. But you also can't have dialogue, because we are supposed to be having those dialogues in front of people. As opposed to having them via email."
- Fred Apstein stated if it's public and on the website they could have dialogue by email.

Paul Giffin Motions to table next month, Diana Moher seconds. Carried.

### **Business Email and File Storage:**

It was suggested a Committee be formed to come back to board with a recommendation of how they can get control of their email, communication and meet the statutory requirements. Suggested Committee was John Moeller, Diana Moher and Chris Windess, and for them to include whatever they need to sort out the emails, server, and meet the requirements under the legislation.

Diana Moher motions to have a committee of John, Chris and Diana. Seconded by James Arends.

John Moeller advised he started looking into it, one is Microsoft 365 - it's free. He stated it allows all to have Gabriola Fire emails. They would have to make an application to get it for free, and must be a non-profit. He stated as it takes time he would like to start the application. "We don't have to use it if we don't want to."

John Moeller asked for permission to make the application with Jessie.

Fred Apstein added "with the understanding that if we don't do it, we will just drop it."

Motion by Fred Apstein, Seconded by Chris Windess.

### **Orientation Policy - Draft:**

Discussion around bullet points within policy draft, #2 - "The Chair shall assign an experienced board member for each newly elected Trustee to act as a mentor."

- Fred Apstein stated he "does not want the Chair to drive". Paul Giffin advised, the wording "is due to someone needing to be held accountable, coming from the Review Committee." Fred Apstein suggested The Board will arrange a mentor, another suggestion was each new Trustee will be assigned a mentor.
- Sean Lewis wished to add to bullet point #1 - Trustee website for Improvement District handbook.
- Diana Moher had a suggestion which she reiterated was "very cheeky", she suggested a book/record of everything that has happened in the past - list of all rumours, all debunked and who debunked it.

Further discussion ensued on whether there should be hard copies, or requests for hard copy, possible hotlinks. The Training Officer suggested keeping one in the training library. Sean Lewis nodded. Chris Windess thought it would be good.

John Moeller brought up hope that there will be official Gabriola Fire email addresses coming soon, and can update the policy section 4 - Each new Trustee will supply to the corporate office

a valid email address, street address, and phone number later on as “#4 We would be supplying them with an email address.”

Fred Apstein moves “we accept this with a review in 60 days.” Paul Giffin added accept as amended in 60 days. Fred Apstein agrees, “We accept as amended and review in 60 days” seconded by James Arends. Carried.

### **Role of the Chair policy - Draft:**

Discussion around each paragraph within policy draft:

Paragraph #1 - Sean Lewis stated an update to show both handbooks.

There was discussion around the creation of the agenda and approval of the agenda. The Chair read out bylaw 97, section 15. Agenda items are added as a late item re section 18.

Fred Apstein stated “We never have the agenda items 7 days ahead.”

It was stated all information and the agenda for the meeting went out the Wednesday before the meeting, and any other specific agenda items are added as it is required under the ByLaws.

Paul Giffin stated the agenda and all draft information went out the week before. Chris Windess agreed and stated he placed the agenda on the website.

Fred Apstein advised he stands corrected and apologized.

Further discussion around the agenda:

- There is usually a one or two word request from Trustees - The Chair advised they need to know more information about requests so it is placed on the agenda appropriately.
- Key word is draft agenda, vote on agenda. Maybe need to revisit ByLaw97.

The Chair directed getting back to the role of the Chair.

Paragraph #5 - Fred Apstein stated he would like to add the word “fully”

Paragraph #9 - Act as an ex-officio member of all committees appointed by the Board. Sean Lewis asked for this to be explained, and asked if it is saying the Chair is on all Committees. Diana Moher stated “Under Government all Chairs are part of every Committee.”

Paragraph #10 - Act as the conduit to the Corporate Officer for all trustees' questions and concerns. Fred Apstein stated “If that implies Trustees are not allowed to contact the Corporate Officer themselves, I object.” Further discussion ensued. Wording was suggested as, “Act as the primary conduit to the Corporate Officer for all Trustees questions/concerns.” and it was agreed that adding “primary” to #10 solves most issues. James Arends moves “The policy for the role of the Chair be approved as amended” Seconded by Diana Moher.

### **Share Trustees emails with Review Consultant:**

There was discussion around sharing Trustee emails with the Review Consultant.

Paul Giffin asked if anyone had any objection if the letter from the Consultant is included in the minutes. The Trustees and the Training Officer replied, no. *See Appendix E*

**Social Media Items:**

James Arends spoke to a “flurry of social media that was posted” after Dr. Rooks delegation last meeting.

Member of the public asked questions around the Select Committee review;

1. Are we going to get copies of the review
2. Can it be in a format people can download

It was advised by Chris Windess when it goes onto the website, before publishing he makes sure all can see.

Diana Moher touched base on what James Arends was saying. She stated “If we’re going to start saying things about stuff that’s put out in public that’s wrong, then we need to address all of them.”

The Chairman asked if there were any other questions from the floor.

A member of the public didn’t have a question but wanted to make a statement, and the following points were said by them:

- Wished some of the people who were against the Fire Hall were still at the meeting
- Incredible building, we could never afford to build now
- We have Emergency Social Services, PALS (Pets and Livestock), and HAMM Radio Operators
- James Rollo donated 7 acres. Built a beautiful building and did not have to pay for the land, already owned it.
- Enjoyed the meeting more cohesiveness with the board.

Fred Apstein motioned to adjourn, Chris Windess second. Adjourned 7:30PM

*Meeting minutes approved as amended at the October 05, 2022 general meeting.*

*Appendix A*

I have deep roots on Gabriola. I have lived here for 32 years, and I raised my family here. I attended the August 3rd meeting of Fire Board Trustees, and it was eye opening.

The Islands Trust makes an agenda and all the supporting materials are available before their meetings so that the public can follow along. The Fire Board provides the bare bones agenda on their website prior to their meeting, but does not include any of the supporting materials. Nor have they been adding those supporting materials to the minutes of the agendas after the meetings. There are minutes posted, but they lag behind the meetings by a few months. The meetings are supposed to be recorded, but there is no link to review them. The public has no access to current information to be informed about the topics to be discussed at the meetings.

There is no financial information presented at the meeting. The Fire Department is the largest single tax cost on our property taxes after the Trust-and we have no idea how they are spending our money. What compelled me to write was a presentation asking the Trustees to approve a specific contractor to do an operations review. Our Fire Chief and Training Officer asked for immediate approval of a \$5,000 fee for a specific contractor. The reduced fee was because the contractor was willing to do the review now, while he is on vacation-the price would be comparable to the other two quotes (\$15,000) if we waited until he was back at work. That seemed a bit suspect. One of the Trustees reminded the Fire Chief that there was a committee that had been created several months prior for the express purpose of doing this review, and that the Chief was a member of the committee. There was some discussion about this, and it was apparent that the Fire Chief and Training Officer took it upon themselves to arrange a review of their operations by someone they knew, and chose to bypass the committee, and the whole board, whose job it is to oversee them.

By comparison, when a proposal is brought forward to the members of the Islands Trust, it is in a written proposal or budget. This request to the Fire Board was all verbal. There should have been a written project proposal, included in the agenda prior to the meeting, so the Trustees are able to go over the proposal so if there are any questions or concerns they are able to address them.

There is a disconnect between the Fire Trustees and the Fire Department that was evident at the meeting. It is fair to say that the majority of the people in attendance were uncomfortable with things they saw and heard. I urge Gabriolans attend the Fire Board meetings, and become informed. By the time there is any information for the public to review, decisions have already been made, and there is no opportunity for public input. The next meeting is August 31st at 4 pm.

~ Sandy Simrose

*Appendix B*



# North Cedar Fire Department



PO Box 210, 2100 Yellow Point Rd, Nanaimo BC Canada V9X 1W1  
Ph: (250) 722-3122 Fax: (250) 722-3162

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August 23, 2022

Board of Trustees  
Gabriola Fire Protection Improvement District  
730 Church St.  
Gabriola Island B.C.  
V0R-1X0

Dear GFPID Trustees

I am writing to you regarding two phone calls I have received from a Gabriola Island resident, Robert Rooks.

Mr. Rooks was requesting information on what high risk work activities North Cedar allows during extreme fire danger ratings. He explained that he was a contractor with multiple works sites on the Island and that he had been "shut down" by the fire department.

During the first phone conversation, August 17, I was asked a series of questions around how the North Cedar Fire Department deals with high risk work activities, what legislation is referenced, how regulations are authorized and how North Cedar sets the fire danger rating. Clearly Mr. Rooks did not have clear understanding so I attempted to provide some clarity.

Firstly I informed him that the Bylaws established by the North Cedar Improvement District have no bearing on anything related to Gabriola Island. Our Establishment and Burning Bylaws reference Provincial Acts and Regulations and we use them for guidance when needed.

I also clarified that it is not the North Cedar Fire Department that sets the fire danger rating but rather the Ministry of Forests. This is posted and updated daily on their web site. The weather station is noted as Cedar but is located that the Nanaimo Airport and covers the southern portion of the mid island region.

In the conversation I asked Mr. Rooks what work activities he was conducting and he said that the work activities were foundation work,



rock material moving and hauling and landscaping. When asked if I as Fire Chief would shut the work down, I replied that it would be dependant on a site assessment and depending on the outcome of the site visit, the work may be allowed to continue and again stressed that I have no authority on what happens on Gabriola Island. I also informed Mr. Rooks that I was not comfortable in becoming involved in any dispute he may be having with the Gabriola Fire Department. He assured me that he was only fact gathering and wanted to better understand how other areas manage work activities during extreme fire conditions.

I suggested to him that he may want to contact Joshua Macy at the Ministry of Forests Errington Fire Base, Coastal Fire Center and have a conversation around high risk work activities.

After speaking with Gabriola Fire Chief Will Sprogis on August 23, I was informed that Mr. Rooks made a presentation at a GFPID board meeting and referenced North Cedar with information related to high risk work activities. This is both disappointing and inappropriate as I made it very clear during the phone call that my point of view, opinion, nor District Bylaws, had any relevance related to the rules and regulations in place on Gabriola Island.

I then received another phone call from Mr. Rooks on August 23 where he again asked similar questions to the first phone call. He still believed that the North Cedar Fire Department set the fire danger ratings and again asked about when the Fire Department implements a shut down. I expressed my displeasure of being brought into the dispute and reiterated he needed to work with the Gabriola Fire Department.

Trustees, I am sure you are well aware of the elevated fire risk created with prolonged hot dry weather. Gabriola Island is unique in that access to additional mutual aid resources during a fire event is delayed and possibly not available depending on the ferry schedule.

While I have some empathy for Mr. Rooks and his situation, the GFPID Trustees have the responsibility of overseeing and providing fire protective services to the community and it appears to me that the leadership of the fire department is taking the necessary steps in recognizing and minimizing the elevated risk of a fire related incident.

Respectfully,



Percy Tipping,  
Fire Chief  
North Cedar Fire Department

*Appendix C*



915 Sveinson Dr.  
Gabriola Island, BC  
V0R 1X2  
Direct: 604.889.2725  
Email: koshman@jklc.lawyer

August 29, 2022

**Gabriola Fire Protection Improvement District**  
730 Church Street  
Gabriola Island B.C.  
V0R 1X1

**By Email**

gabfire@shaw.ca  
gabriolafiretrustees@gmail.com

**Attention: PAUL GIFFIN - CHAIR**

Dear Sir:

**Re: August 3, 2022 Public Meeting - Retaliatory Conduct**

During the last public meeting held by the Board of Trustees on August 3, 2022, Dr. Rooks spoke and raised a number of concerns around governance, the conduct of board meetings, and department operational leadership.

At the end of his presentation, he indicated he was very concerned about possible retaliation from operational leadership of the GFPID, including the Fire Chief, for having raised the concerns in his presentation.

Accordingly, he formally requested that a Trustee, with operations and firefighting experience, and a Lieutenant, be appointed to deal with all department matters related to his company and its operations on Gabriola (ie: inspections, exemption permits, burn permits etc.). The Board has neither dealt with nor responded to his request.

Since that time, it has become apparent that the Fire Chief and the Training Officer have attempted to single out our client. The retaliatory conduct includes the following:

1. Despatching RCMP to one of our client's job sites for no legitimate reason;
2. Contacting contractors with whom our client has business dealings to inquire about his operations and business practices;
3. Sending our client text messages citing biblical verses and proverbs referring to him as a "wicked messenger"; and
4. Digitally and surreptitiously recording and photographing interactions with our client.

We hereby place the GFPID on notice that any further attempts to retaliate or single out our client will result in the District and its leadership being the subject of legal proceedings. This is a last resort for our client. However, we have instructions that

should this blatant retaliatory conduct not cease, proceedings will be filed in British Columbia Supreme Court naming both the individuals and the GFPIID.

Although the GFIPD board and certain staff may not agree with what Dr. Rooks has stated publicly and in the media, he has acted lawfully throughout and expects the GFPIID to do the same.

*He further renews his request that dealings with his company be assigned to a Trustee with operations and firefighting experience and Lieutenant.*

Finally, should this matter result in litigation, our client reserves the right to place this correspondence before the Court.

Yours truly,

**JASON KOSHMAN LAW CORPORATION**

A handwritten signature in black ink, appearing to read "Jason Koshman", with a long horizontal flourish extending to the right.

Jason Koshman

**[koshman@jklc.lawyer](mailto:koshman@jklc.lawyer)**

*Appendix D*



August 26, 2022

Gabriola Fire Protection District  
Albert Reed Memorial Hall #1  
730 Church Street  
Gabriola Island, BC V0R1X0

Re: Question of authority of local fire department in conjunction with *Fire Services Act*

Dear Captain Kitt Stringer,

Thank you for sharing your information and the location of your bylaws with us to have a look and see if there are any concerns from the perspective of the Office of the Fire Commissioner and your local bylaws.

Your local bylaws (No. 95 and 98) do not appear to conflict with the *Fire Services Act*, though there may be a need for enhancements of the bylaws to match up with both *Fire Services Act* and BC Fire Code as well as the *Wildfire Act*. Given the geography and location of your residents and the community as a whole I can only applaud you for the efforts that your Improvement District have put in place with regards to fire prevention.

In our conversation we spoke about the question of interpretation and application of the *Wildfire Act* and Wildfire Regulation to your community and I can only encourage you to connect with the Coastal Fire Centre staff of the British Columbia Wildfire Service to confirm. Here is a link to the BC Wildfire Service Contact Channels page:

<https://www2.gov.bc.ca/gov/content/safety/wildfire-status/contact-channels>

I will note that generally the information on the webpage at this link (<https://www2.gov.bc.ca/gov/content/safety/wildfire-status/prevention/for-industry-commercial-operators/high-risk-activities>) is intended to be used by forestry operations, though any of these activities can occur as a result of a variety of scenarios. Considering that there are likely no areas of Gabriola Island that are more than 300 meters from a forested area, I again applaud you for developing the bylaws that appear to align with this fire safety hazard avoidance directive.

If there is any more information or support that we can provide, please do not hesitate to reach out to myself as your Fire Service Advisor for your community.

Regards

Kathy Ferguson, Fire Service Advisor  
OFC Region 1 – Vancouver Island

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Ministry of Public Safety  
and Solicitor General

Office of the Fire Commissioner

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PO Box 9201 STN PROV GOVT  
Victoria BC V8W 9J1

Location:  
Block A – Suite 200  
2261 Keating Cross Road  
Saanichton, BC

250-952-4888

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*Appendix E*



August 31, 2022

Gabriola Fire Protection Improvement District Board of Trustees

C/o Paul Giffin, Chair

Albert Reed Memorial Fire Hall #1

730 Church Street,

Gabriola Island, B.C., V0R 1X0

By email: [gabriolafiretrustees@gmail.com](mailto:gabriolafiretrustees@gmail.com)

Dear Chairperson Giffin and GFPI Trustees,

**RE: Gabriola Island Volunteer Fire Department – Fire Services Review Project**

As you know, we have been contracted to conduct an external, high-level review and analysis of the Gabriola Island Volunteer Fire Department (GVFD) and overall Authority Having Jurisdiction (AHJ) governance of the department. I am writing in respect of the recently signed Review Project Charter, and to introduce myself.

The Review Project will provide a high-level review to analyze and confirm that various aspects of GVFD administration / HR, operations, and systems operate within statutory compliance and recognized best practices for fire services in BC, including:

- Fire Bylaws, Declared Service Levels, Operational Guidelines, Training Programs, and RMS Policies governing GVFD are compliant with applicable Provincial law and reflect best practices.
- Determining that Administrative and HR Policies of GVFD are compliant with applicable laws, standards, and reflect best practices.
- Making recommendations for improvement as needed.

The Review Project is contemplated to be completed within 2 phases, beginning with the initial review phase leading to a subsequent “mid-term” report that might identify any adjustments in focus and/or scope prior to proceeding with the second phase of the Review.

As identified in the Project Charter, Fire Chief Sprogis will be the Project Manager and accordingly, Chief Sprogis will make all final decisions and be responsible for the implementation of any suggested amendments or recommended changes to any GVFD framework, policies, or initiatives, subject to approval of the Board of Trustees as the AHJ.

Although under contract with the GVFD and by extension, the GFPI, we are independent of these authorities and not influenced by ulterior motive nor interest of other parties not included within the Review Project Terms of Reference. The Review will be formulated and completed using subject matter expertise (SME) and will be based upon professional judgement using appropriate and sufficient audit evidence with which to form our opinion.

I would like to provide you some information about my background. Culminating a career in the fire services spanning over 31 years, I retired in early 2022 at the rank of Deputy Fire Commissioner with the BC Office of the Fire Commissioner (OFC) at Emergency Management BC (EMBC). Starting at the OFC in April 2019 as Deputy Fire Commissioner, I was appointed by Order in Council in July 2019 to the rank of Acting Fire Commissioner for the Province of BC for a period of 10 months, after which time a new Fire Commissioner was hired and I resumed my position as Deputy FC.

Prior to the Office of the Fire Commissioner, my fire service career began in 1990 with West Vancouver Fire & Rescue and during my 28 years there, I rose through the ranks of operational Firefighter, Lieutenant, and Captain. Ultimately, I achieved the Exempt rank of Assistant Chief of Training and Professional development, where I oversaw all departmental training programs and RMS while also responding to larger emergency incidents as the On-Call Operations Duty Chief.

During this time, I also accrued fifteen years of labour experience as a Local and Provincial Union Executive leader, as well as being a Board member and President of our Firefighters Charitable Society. I made it a priority to establish long-lasting relationships with leaders and citizens of our community, so that we all had a mutual understanding of perspectives and issues important to the firefighters and the citizens we served.

I look forward to meeting each of you during this Review Project, to hear and understand your own perspectives and issues you feel are important to the continued success of the Gabriola Volunteer Fire Department and the citizens they serve within the Gabriola Fire Protection Improvement District.

Sincerely,



Jay W. Brownlee

[jayxbrownlee@gmail.com](mailto:jayxbrownlee@gmail.com)