

## Twyla Graff

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**From:** Don Lidstone <lidstone@lidstone.info>  
**Sent:** October-17-14 1:30 AM  
**To:** Twyla Graff  
**Cc:** Jedha Holmes; Trudy Coates  
**Subject:** Water Agreement  
**Attachments:** MT T.Graff re Water Agreement-Nanaimo (00301264xBCD32).pdf

Hi Twyla

Attached is a summary of the legal opinion as to why Council did not require elector approval for the agreement. The conclusion is that the District was exempt under sections 6 and 7 of the Municipal Liabilities Regulation. Although I commented on my concern about s. 14.1 of the agreement at the September 29 Council meeting, and commented further on my intended follow-up in regard to that section, I sincerely apologize for not being clear in regard to the section in my memo and conversations with you. I take full responsibility for any communication issue in that regard.

As you will see from the attached, I can address section 14.1 in any event, but it would be optimal if you can get an email message from Brian confirming your understanding of what section 14.1 means.

- Don

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