



MEETING MINUTES

MOSQUITO CREEK MARINA (MCM) MOORAGE CUSTOMER GROUP MEETING: BOAT OWNERS (NON-LIVEABOARD)

Monday, January 29, 2024 | 6:00 PM -7:00 PM

Held virtually via MS Teams

MCM STAFF REPRESENTATIVES PRESENT

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| Gary Muuren | EVP Operations & HR, Nch'kay |
| Tai Nguyen | VP Operations, Nch'kay |
| Shawna Baker | General Manager, Marina Operations, Mosquito Creek Marina |

MEETING AGENDA

1. Welcome and introductions,
2. Background/overview of what is happening and why,
3. Specific impact on the stakeholder group,
4. Questions (general; not specific to personal/individual situation),
5. Meeting concludes.

NOTE TO READERS: These Minutes are offered as a substantive summary, and not as a transcript of the subject MCM Moorage Customer Group Meeting.

MEETING SUMMARY

| Speaker | Summary |
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| Tai Nguyen | Welcomed attendees, reviewed meeting process/housekeeping. Advised MCM moorage customers to send questions pertaining to individual circumstances to enquiry@mosquitocreekmarina.com . |
| Gary Muuren | Informed attendees that the meeting was being recorded. Acknowledged moorage customers' feelings of shock and disappointment with the news. Provided summary/recap of the background and other information previously shared: <ul style="list-style-type: none"> • Summer of 2023 a dock review was conducted by Nch'kay Operations team identifying repairs to be conducted in 2024. • Subsequently a marina condition assessment was conducted by an independent surveying company. |

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| | <ul style="list-style-type: none"> • The surveying firm concluded that the majority of the MCM docks were at the end of life. Repairs were no longer possible/not viable. • The Engineer of Record required the south end of Dock C to undergo urgent interim maintenance to temporarily secure the marina during the winter. The repairs would grant MCM an additional 6 months before condemning certain sections of the marina. • Moorage customers were informed immediately of the required repairs and end of marina operations for safety reasons. • Decommissioning and disassembling of the marina will begin in June 2024. • Some Float-Homes, Live-Aboard Boatshed and Live-Aboard Boat moorage customers will be moved to secure docks while all non-Live-Aboard Boatshed and Boat moorage customers must vacate the marina by end of day May 31, 2024. • Live-Aboard Boat and Live-Aboard Boat Shed moorage customers are being given extensions during this process to find alternative places. Details will follow by the end of February. • No exceptions are being made except for Live-Aboard and Float-Home moorage customers. <p>Updates:</p> <ul style="list-style-type: none"> • Approximately 40 moorage customers have already vacated the marina moorage. • Two Nch'kay Team Members (Rano and Cody) are assisting with identifying potential alternative moorage; however, Nch'kay will not provide or be further involved with alternative moorage or storage arrangements. • To be clear, Nch'kay did not commit to finding find alternative moorage for moorage customers. • Potential moorage options will be posted on the MCM website. Please review the MCM website for details. • The contracted marine construction company is now on site to perform the interim emergency repairs to the south end of Dock C. |
| Question | <p>What exceptions are there for staying at the marina? Wanted that clarified. The liveaboards. Everyone is talking about what is possible and wanted to be clear.</p> <p>A: Live-Aboard Boatshed Live-Aboard Boat moorage customers will be able to remain beyond May 31, 2024. The details will follow by the end of February.</p> |

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| | <p>Follow-up Q: The Live-Aboard approvals, is it by boat name, owner, or slip number?</p> <p>A: MCM has granted the extension to everybody who lives on their boat and who have it registered as their primary residence. Same for the Boatsheds.</p> |
| Question | <p>What is the process for reimbursement? How long might it take if I find another location? In my case, I've paid the full annual fee on September 20, 2023.</p> <p>A: As soon as you removed your equipment, you will be refunded a pro-rated portion of what you have paid in advance. Please contact Shawna at the marina office for assistance.</p> |
| Question | <p>If the marina does return in some form will there be a notification or waitlist for marina slip tenants as of 2023?</p> <p>A: MCM can't make any future commitments. We haven't gone down that process yet.</p> |
| Question | <p>April and May Moorage Rates; so the vast majority of us are paid up until the end of March. Do you intend to continue to charge anyone after April 1? Some of us may not be able to get out until mid-April or mid-May, will you waive any further payments as a gesture of good faith?</p> <p>A: MCM is working on extension moorage licences that we will expect you to sign for the remainder of the extension period, which will be one or two months. MCM will not waive any moorage fees.</p> |
| Question | <p>Closing a marina of this size in an area with little to no available moorage and the resultant forced sale or disposal of our assets, will you be compensating owners for the loss of value of their assets due to the impact of this decision?</p> <p>A: All current MCM moorage agreements are time-limited licenses for moorage berths. Those moorage agreements do not grant any rights to moorage customers to continue in occupation of berths. There will be no compensation paid by MCM.</p> <p>Follow-up Q: What developer is involved in the decision to close the marina and start this eviction process?</p> |

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| | <p>A: We have no developer involved in the closure of the Marina. Nch'kay Development Corporation and the Squamish Nation are focused on addressing the immediate priorities of assessing and ensuring the safety and security of the Marina and its occupants.</p> |
| <p>Question</p> | <p>What happens if we can't find an alternate moorage spot by the end of May? Of the two marinas you mentioned, one is in Parksville and the other is in Port Alberni.</p> <p>A: There are various remedies at this stage that we continue to explore. Please continue to review the MCM website. There are a lot of legal remedies that we can apply, which we certainly don't want to, so we hope this will be resolved before. As we get closer to May 31, we will define and answer what that would look like when marina shuts down. We will have to gate all the condemned docks. You will only have access to your boat on the day when you're going to remove it and that will be arranged with the staff. If we get to a point where there are still boats in the marina, we will have to take further action to allow MCM to safely dismantle the marina. We will get to a point where if there are still boats, we will need to remove them at the owner's expense.</p> |
| <p>Question</p> | <p>A number of marinas have been mentioned. I can't find anything about that on the marina website, could you elaborate?</p> <p>A: There are a number of service providers who have reached out. We will add them to our website as they are confirmed. We will post confirmed services provider information the MCM website. Please talk to them directly.</p> |
| <p>Question</p> | <p>Will there be a rate change for April and May? What rate will be charged for April and May?</p> <p>A: There is a monthly rate. Please reach out to Shawna at the Marina for more information.</p> |
| <p>Question</p> | <p>Does MCM have a dock-building business?</p> <p>A: We do not. <i>Note: This was outdated information that had been carried over to the new MCM website. The information has been removed. The dock-building business has not been operational since 2021.</i></p> |

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| Question | <p>If one leaves in the middle of the month, will the prorated refund be based on days left in the month?</p> <p>A: Yes.</p> <p>Follow-up Q: Why didn't the marina do maintenance?</p> <p>A: A great deal of maintenance has been done over the years. All marinas have a life end. Typically, a marina has about a 30-year lifespan. MCM has reached its end of life. Many marinas right now are going through a similar process as us and they're being rebuilt.</p> |
| Question | <p>I have a shed and I have no place to put it. If I move my boat, what happens to my shed? I can only abandon it. I have no choice.</p> <p>A: All equipment must be removed by May 31.</p> |
| Question | <p>Q: What if my equipment has not been removed by the end of the period? What will the actions be?</p> <p>A: Asked and answered previously.</p> |
| Question | <p>Why was there no maintenance done on this marina over the last ten years of these docks?</p> <p>A: Asked and answered previously.</p> |
| Gary | Meeting adjourned |