

DISTRICT OF HIGHLANDS - REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, November 18th, 1996 at the Caleb Pike House, 1589 Millstream Road at 7:30 p.m.

PRESENT: Mayor R.G. (Bob) McMinn, Chair
Councillor Johnson
Councillor Joy
Councillor Roessingh
Councillor Sibley
Councillor Vogel

IN ATTENDANCE: Bruce Woodbury, Administrator
Dawn Scott, Deputy Clerk

AGENDA

MOTION 511/96 MOVED BY COUNCILLOR JOHNSON
SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:

Item 4. a) v) Municipal Hall Advisory Committee Re: Recommendation for a Designer for Preliminary Design Work BE ADDED to the Agenda.

CARRIED

1. PETITIONS AND DELEGATIONS

a) Petition Re: By-Law No. 82 and By-Law No. 7:

Mr. Wheatcroft of 1289 Millstream Road was in attendance and submitted a Petition containing approximately 74 names in opposition to By-Law No. 82 and in opposition to the wording of By-Law No. 7.

Mr. Wheatcroft addressed Council in support of the Petition.

The following were also in attendance and addressed Council in support of the Petition and the following points were noted.

Joe Szauer 716 Timberglen Road
Michael Bocking 1190 Millstream Road
Evelyn Samuel 1190 Millstream Road
Dan Dougan 693 Caleb Pike Road
Daryl Sage Martlett Road
Lynda Middlestead 1558 Millstream Road
Gayle Sage Martlett Road
Pattie Whitehouse Finlayson Arm Road

- privacy concerns if staff can enter on to property without the permission of the owner;
- suggested screening complaints;
- suggested complaints should be signed by two residents before being acted on and otherwise have the neighbour (complainant) work the problem out with their neighbours;
- thought the municipal staff had more to do than check on who is getting a load of gravel or building a sun deck;
- concern with the wording of the by-law where someone can go on property unannounced, concern for children. It would be nice to know and

common courtesy if someone was coming to your property so that family can be told;

- concern due to the lack of information to residents regarding by-laws prior to adoption;
- people feel harassed by these kinds of intrusions;
- residents are being bothered more since incorporation than they were before which causes resentment of authority and regulations are ignored and people do what they want to do;
- questioned who was directing staff;
- some by-laws going unenforced (i.e. illegal accommodation);
- felt there was an erosion of the community and its values;
- previously when people wanted to clear land or build a workshop and convert to a residence, do some stream enhancement or, dig a pond for fire protection they could do so and neighbours helped one another;
- the community survey stressed the importance of privacy;
- caring for land does not come from legislation, believe most people that come to the Highlands respect the land;
- felt that everyone at the meeting loved the Highlands;
- concern with the atmosphere of "big brother" spying on residents;
- requested that By-Law No. 82 not be approved;
- felt By-Law No. 82 was an invasion of privacy and expressed concern with the legal liability involved;

In response the Administrator outlined the contents of a report dated November 18th, 1996 and the misconceptions related to By-Law Nos. 3 and 82. In response to a query, the Administrator advised that he had initiated By-Law No. 82.

Further discussion and concerns were expressed as follows:

- concern with a staff members attitude;
- concern with staff having right of entry;
- the Federal Government doesn't give such powers and in response the Administrator noted that the senior government downloads some responsibilities to municipal governments, noting that by-laws gave powers;
- further concern expressed with staff coming on property without notification;

In response to discussions, the Administrator advised residents if they had a problem with a municipal staff member it should be brought to the attention of either the Administrator or a Member of Council.

Further concerns and suggestions were noted as follows:

- a tree cutting permit applied for in March, 1996 had not yet been issued;
- one neighbour constantly reporting surrounding residents;
- concern relative to By-Law No 82 and the appointment of another officer;
- suggested people skills be considered when hiring staff;
- suggested the name of complainants be provided to the accused;
- suggested information be provided to residents regarding new by-laws prior to their adoption;
- suggested that by-laws not receive three readings at one meeting;
- suggested phoning home owners when complaints received and ask if staff could do an inspection;

- a written policy be developed on complaints and enforcement;
- suggested by-laws be mailed to residents or copies posted on mail boxes prior to adoption;

2. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting Held November 4th, 1996:

MOTION 512/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR ROESSINGH AND RESOLVED THAT:

The minutes of the Regular Council meeting held November 4th, 1996, be adopted as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

Nil

4. REPORTS

- a) Committee Reports

- i) Administration and Finance

Councillor Johnson, Interim-Chair advised that the next meeting of the Administration and Finance Advisory Committee was scheduled for Monday, November 25th, 1996 at 7:30 p.m. at the Pike House noting that the committee was preparing a five year plan.

- ii) Environment

- Letter from the Earth Village Network (Ishi & Sarah Crosby) Re: Networking/Cooperation Bioregional or Related Projects:

MOTION 513/96 MOVED BY COUNCILLOR ROESSINGH
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED THAT: The letter from the Earth Village Network (Ishi & Sarah Crosby), previously referred to the Environment Advisory Committee at the Regular Council meeting held June 3rd, 1996, BE RECEIVED FOR INFORMATIONAL PURPOSES AND FILED for possible future reference, as recommended in a report from the Environment Advisory Committee dated November 14th, 1996.

CARRIED

- Water Lease Applications - Saanich Inlet:

MOTION 514/96 MOVED BY COUNCILLOR SIBLEY
SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:

1. Water Lease applications related to the Saanich Inlet, (referred to the Environment Advisory Committee at the Regular Council meeting held March 4th, 1996), NOT BE "RUBBER STAMPED", AND THAT a letter of concern be returned with any new water lease applications whether Council approves or disapproves the actual application, (if and when we have more time, liaisons might be set up between various levels of government to discuss a joint approach to policy,

in the mean time, our letter of concern could at least document our worry about the cumulative degradation of the Inlet), as recommended in a report from the Environment Advisory Committee dated November 14th, 1996, AND THAT

2. Staff BE DIRECTED to prepare a Council policy relative to responses to Water Lease Applications pertaining to the Saanich Inlet for presentation at a Regular Council meeting as soon as possible in the near future, as recommended by the Administrator in a report entitled Water Lease Applications - Saanich Inlet dated November 14th, 1996.

CARRIED

- Letter from the Chief Engineer, Capital Regional District Re:
Liquid Waste Management Plan Model Storm Sewer By-Law:

MOTION 515/96 MOVED BY COUNCILLOR SIBLEY

SECONDED BY COUNCILLOR ROESSINGH AND RESOLVED THAT: The letter from the Chief Engineer, Capital Regional District dated February 21st, 1995, regarding "Liquid Waste Management Plan Model Storm Sewer By-Law" BE ANSWERED (if it hasn't already been answered), advising him that we are addressing stormwater drainage in the drafting of a District of Highlands Environmental Protection By-Law, as recommended in a report from the Administrator dated November 14th, 1996.

CARRIED

iii) Parks and Recreation

Councillor Joy, Chair advised that the Parks and Recreation Advisory Committee would be meeting on Wednesday, November 20th, 1996 at 7:30 p.m. at his residence at 598 Millstream Lake Road.

iv) Protective Services

- Protective Services Advisory Committee
Minutes of the Meeting Held June 19th, 1996:

MOTION 516/96 MOVED BY COUNCILLOR JOHNSON

SECONDED BY COUNCILLOR ROESSINGH AND RESOLVED THAT: The minutes of the Protective Services Advisory Committee meeting held June 19th, 1996, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Administrator dated November 14th, 1996.

CARRIED

- Protective Services Advisory Committee
Minutes of the Meeting Held September 25th, 1996:

MOTION 517/96 MOVED BY COUNCILLOR JOHNSON

SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:

The minutes of the Protective Services Advisory Committee meeting held September 25th, 1996, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Administrator dated November 14th, 1996.

CARRIED

Councillor Johnson noted that as indicated in the Protective Services Advisory Committee minutes of September 25th, 1996, part of the roof of the

East Fire Hall needed replacing in the near future and that she would be discussing the matter with the Administrator.

Councillor Johnson also noted the recommendation for amalgamation of the fire protection districts and the Administrator advised that the amalgamation should be done in advance of the 1997 budget.

Councillor Johnson advised that the next meeting of the Protective Services Advisory Committee was scheduled for Tuesday, November 26th, 1996 at the West Fire Hall at 7:30 p.m.

v) Transportation and Public Works

- Municipal Hall Advisory Committee

Recommendation Re: Designer for a Municipal Office:

MOTION 518/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR ROESSINGH AND RESOLVED THAT: Council RETAIN the services of designer Patrick Pothier at the rate of \$30.00 per hour to a maximum of \$1,000.00, to consult with the Municipal Hall Advisory Committee AND do preliminary design work on the proposed municipal office building, as recommended in a report from the Municipal Hall Advisory Committee dated November 17th, 1996.

CARRIED

vi) Planning and Zoning

Councillor Vogel, Chair advised that the next meeting of the Advisory Planning Commission was scheduled for Wednesday, November 20th, 1996 at 7:30 p.m.

b) Mayor's Report

Mayor McMinn advised that he did not have anything to report but thanked the present Council for all of their hard work over the last three years.

5. CORRESPONDENCE

a) Letter from the Chairman of the Board, Capital Regional District Re: The CRD'S Foundations For Our Future Regional Growth Strategy Project:

MOTION 519/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED THAT:
The letter dated October 28th, 1996 from the Chairman of the Board, Capital Regional District including copies of the two reports entitled "An Analysis of Policies and Priorities in the Capital Region", and "The Island in a Sea of Change: Trends Affecting the Future of the Capital Regional District, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Administrator dated November 14th, 1996.

CARRIED

b) Letter from the Mayor, Town of Creston
Re: Canadian Pacific Railway Company Media Release
Regarding 2,600 Kilometres of Trackage Across Canada:

MOTION 520/96 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:

The letter dated November 4th, 196 from the Mayor, Town of Creston regarding the Canadian Pacific Railway Company media release to rationalize 2,600 kilometres of trackage across Canada, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Administrator dated November 12th, 1996.

CARRIED

- c) Letter from the Principal, Belmont Senior Secondary School
Re: Millstream Creek - Fisheries Ecology 12:

MOTION 521/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR ROESSINGH AND RESOLVED THAT:

Council SUPPORT the proposed Millstream Creek - Fisheries Ecology 12 program proposed by Belmont Senior Secondary School in 1997, as requested in a letter from the Principal (received November 12th, 1996), SUBJECT TO property owners permission for access and any municipal permits or approvals that may be required, as recommended in a report from the Administrator dated November 12th, 1996.

CARRIED

- d) Letter of Response from the Minister of Finance
Re: Donation of Food Act - Tax Deductibility Levels:

MOTION 522/96 MOVED BY COUNCILLOR JOHNSON
SECONDED BY COUNCILLOR ROESSINGH AND RESOLVED THAT:

The letter of response from the Honourable Paul Martin, P.C., M.P., Minister of Finance dated November 8th, 1996 relative to the Donation of Food Act - Tax Deductibility Levels, generated at the Regular Council meeting held July 2nd, 1996, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Administrator dated November 14th, 1996.

CARRIED

6. BY-LAWS

- a) By-Law No. 82 - Officers Amendment By-Law No. 82, 1996:

MOTION 523/96 MOVED BY COUNCILLOR ROESSINGH
SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:
Officers Amendment By-Law No. 82, 1996, BE ADOPTED.

MOTION 524/96 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED THAT:
MOTION 523/96 BE TABLED to the next Regular Council meeting scheduled for December 2nd, 1996.

CARRIED

7. NEW BUSINESS

- a) Highland Heritage Park Society Re: Agreement and 1997 Master Plan:

MOTION 525/96 MOVED BY COUNCILLOR ROESSINGH
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED THAT:

The Property Management Agreement between the District of Highlands and the Highland Heritage Park Society pertaining to the community park described as Lot A, Plan 46113, Section 30 and Section 35, Highland District (Caleb Pike Homestead), BE REFERRED to the Parks and Recreation Advisory Committee for review and a recommendation for consideration at the Regular Council meeting scheduled for Monday, December 2nd, 1996, as recommended in a report from the Administrator dated November 12th, 1996.

CARRIED

MOTION 526/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED THAT:

The Highland Heritage Park Society's 1997 Master Plan for the Caleb Pike Homestead, (required pursuant to the terms of Section 3 of the Property Management Agreement between the District of Highlands and the Highland Heritage Park Society), BE REFERRED to the Parks and Recreation Advisory Committee for review and a recommendation for consideration at the Regular Council meeting scheduled for December 2nd, 1996, as recommended in a report from the Administrator dated November 12th, 1996.

CARRIED

- b) Highland Heritage Park Society Re: 1997 Grant-In-Aid Request:

MOTION 527/96 MOVED BY COUNCILLOR JOHNSON
SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:

The 1997 grant-in-aid application from the Highland Heritage Park Society (received November 8th, 1996), BE REFERRED to the Administration and Finance Advisory Committee for consideration in conjunction with 1997 budget discussions, as recommended in a report from the Administrator dated November 12th, 1996.

CARRIED

- c) Highland Heritage Park Society Re: Amended 1996 Master Plan:

MOTION 528/96 MOVED BY COUNCILLOR ROESSINGH
SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:

Pursuant to the terms of Section 6 of the Property Management Agreement for the Caleb Pike Homestead between the District of Highlands and the Highland Heritage Park Society, the 1996 Master Plan, as amended BE REFERRED to the Parks and Recreation Advisory Committee for review and a recommendation for consideration at the Regular Council meeting scheduled for Monday, December 2nd, 1996, as recommended in a report from the Administrator dated November 12th, 1996.

CARRIED

- d) Preparation of 1997 Provisional Budget:

MOTION 529/96 MOVED BY COUNCILLOR ROESSINGH
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED THAT:

Pursuant to Section 263 of the Municipal Act, the Treasurer BE

DIRECTED to prepare the 1996 Provisional Budget in consultation with the Administration and Finance Advisory Committee, as recommended in a report from the Administrator dated November 8th, 1996.

CARRIED

- e) Western Forest Products (North) Subdivision - Phase III
Conservation Covenant: Release of Covenant: Park Name:

MOTION 530/96 MOVED BY COUNCILLOR ROESSINGH
SECONDED BY COUNCILLOR SIBLEY AND RESOLVED THAT:

The Mayor and Administrator BE AUTHORIZED TO SIGN a Conservation Covenant on proposed lots A to G, Section 26, Highland District, Plan VIP62474 of the Western Forest Products North subdivision SUBJECT TO any minor modifications as recommended in a report from the Planning Technician dated November 13th, 1996.

CARRIED

MOTION 531/96 MOVED BY COUNCILLOR ROESSINGH
SECONDED BY COUNCILLOR VOGEL AND RESOLVED THAT:

The Mayor and Administrator BE AUTHORIZED TO SIGN the release of Section 215 Covenant EJ006651 on Lot A, Section 26, Highland District, Plan VIP62474 as recommended in a report from the Planning Technician dated November 13th, 1996.

CARRIED

MOTION 532/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR ROESSINGH AND RESOLVED THAT:

The matter of the naming of the proposed Municipal Park in Phase III of the Western Forest Products North subdivision BE REFERRED to the Parks and Recreation Advisory Committee for consideration and recommendations to be submitted to a Regular Council meeting, as recommended in a report from the Planning Technician dated November 13th, 1996.

CARRIED

8. OTHER BUSINESS

- a) District of Highlands "Draft" Emergency Program Plan:

MOTION 533/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED THAT:

The District of Highlands "Draft" Emergency Program Plan dated November 18th, 1996, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Administrator dated November 12th, 1996.

CARRIED

- b) Priority Setting Workshop - Summary:

MOTION 534/96 MOVED BY COUNCILLOR JOHNSON
SECONDED BY COUNCILLOR ROESSINGH AND RESOLVED THAT:

Council ADOPT the "base" Strategic Plan as a framework to develop an ongoing strategic planning process as recommended in the District of Highlands

Strategic Plan prepared by Gordon A. McIntosh and dated November, 1996 (received November 15th, 1996).

CARRIED

MOTION 535/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR VOGEL AND RESOLVED THAT:

Council REQUEST the Administrator to organize a workshop in January, 1997 for the new Council to:

- review the "base" Strategic Plan;
- establish core services; and
- discuss how they wish to operate (values),

as recommended in the District of Highlands Strategic Plan prepared by Gordon A. McIntosh and dated November, 1996 (received November 15th, 1996).

CARRIED

MOTION 536/96 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:

Council REQUEST that the Administrator develop an action plan to develop the vision, mission, shared values and core service elements of the Strategic Plan by December, 1996, as recommended in the District of Highlands Strategic Plan prepared by Gordon A. McIntosh and dated November, 1996 (received November 15th, 1996).

CARRIED

MOTION 537/96 MOVED BY COUNCILLOR SIBLEY
SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:

Council ADOPT the Corporate Priorities and Operational Strategies Work Programs for quarterly review by Council, as recommended in the District of Highlands Strategic Plan prepared by Gordon A. McIntosh and dated November, 1996 (received November 15th, 1996).

CARRIED

MOTION 538/96 MOVED BY COUNCILLOR SIBLEY
SECONDED BY COUNCILLOR JOY AND RESOLVED THAT:

Council REQUEST that the Administrator complete further details required in the Work Programs for Council's review in January, 1997, as recommended in the District of Highlands Strategic Plan prepared by Gordon A. McIntosh and dated November, 1996 (received November 15th, 1996).

CARRIED

MOTION 539/96 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED THAT:

Council REQUEST that the Administrator establish a schedule of activities to develop and implement an ongoing strategic planning process, as recommended in the District of Highlands Strategic Plan prepared by Gordon A. McIntosh and dated November, 1996 (received November 15th, 1996).

CARRIED

c) OCP Steering Committee - Report of Meetings:

MOTION 540/96 MOVED BY COUNCILLOR ROESSINGH
SECONDED BY COUNCILLOR SIBLEY AND RESOLVED THAT:

The summaries of the Official Community Plan Steering Committee meetings of October 30th, November 6th and November 13th, 1996, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Planning Technician dated November 14th, 1996.

CARRIED

d) Regional Green/Blue Spaces Strategy:

MOTION 541/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED THAT:

1. The report (distributed as a handout) on the draft Regional Green/Blue Spaces Strategy dated November 13th, 1996, BE SUBMITTED TO CRD PARKS, AND THAT,

2. the report (distributed as a handout) on the draft Regional Green/Blue Spaces Strategy dated November 13th, 1996, BE REFERRED to the Official Community Plan Steering Committee FOR INFORMATIONAL PURPOSES,

as recommended in a report from the Planning Technician dated November 14th, 1996.

CARRIED

9. ADJOURNMENT

MOTION 542/96 MOVED BY COUNCILLOR JOY
SECONDED BY COUNCILLOR ROESSINGH AND RESOLVED THAT:

The Regular Council meeting held Monday, November 18th, 1996, BE ADJOURNED at 10:20 p.m.

CARRIED

Mayor R.G. (Bob) McMinn Bruce Woodbury, Administrator