

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Tuesday, May 19th, 1998 at the Caleb Pike House, 1589 Millstream Road at 7:30 p.m.

PRESENT: Councillor Johnson, Acting-Mayor, Chair
Councillor Cardinal
Councillor Robertson
Councillor Taylor

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

AGENDA:

MOTION 293/98 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:
The Agenda BE AMENDED AS FOLLOWS:

By WITHDRAWING:

ITEM 1. a) - Letter from the Program Director, Community Fisheries Development Centre, South Island Stream Re: Request for Letters of Support to the Prime Minister and the Provincial Minister of Fisheries, since the presenter, Mr. Craig Davidson was unable to attend the meeting, as outlined in a report from the Deputy Clerk dated May 19th, 1998; AND,

By ADDING:

Item 4. a) iii) - Parks and Recreation Advisory Committee Re: Possible Sports Field in Section 34.

CARRIED

1. PETITIONS AND DELEGATIONS

a) Letter from the Program Director, Community Fisheries Development Centre, South Island Streams
Re: Request for Letters of Support to the Prime Minister and the Provincial Minister of Fisheries:

The above-noted item was withdrawn from the agenda since Mr. Craig Davidson, Program Director advised that he was unable to attend due to work commitments.

b) Rick Kasper, MLA, Malahat-Juan de Fuca Re: News Release - Highlands Receives BCTFA Grant for Road Improvements:

Rick Kasper, MLA, Malahat-Juan de Fuca was in attendance and presented a letter on behalf of the Honourable Harry Lalli, Minister of Transportation and Highways advising that the District of Highland's application for funding under the Capital Rehabilitation Program for newly incorporated territories, had been granted a provincial contribution of up to \$368,624.00 for 75 per cent of eligible project costs had been approved for reconstruction work on Munn Road.

Mr. Kasper also presented a copy of the News Release related to the matter scheduled for publication on May 20th, 1998.

c) Western Communities Arts Council Re: Request for a Grant-In-Aid of \$100.00:

Deborah Taylor President and Anne Moody, Treasurer of the Western Communities Arts Council were in attendance in support of the request for a grant-in-aid of \$100.00.

Ms. Taylor addressed Council and provided an update of the organization's situation since submission of their grant-in-aid application as outlined in a letter dated May 14th, 1998.

The Acting-Mayor thanked Ms. Taylor for the update and advised that requests for grants-in-aid would be considered later on the agenda (refer to item 8.b).

2. ADOPTION OF THE MINUTES

a) Minutes of the Regular Council Meeting Held

Monday, May 4th, 1998:

MOTION 294/98 MOVED BY COUNCILLOR ROBERTSON

SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:

The Minutes of the Regular Council Meeting held Monday, May 4th, 1998, be adopted as circulated.

CARRIED

b) Minutes of the Special Council Meeting -

1998 Budget, Held Wednesday, May 6th, 1998:

MOTION 295/98 MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

The Minutes of the Special Council Meeting - 1998 Budget, held Wednesday, May 6th, 1998, be adopted as circulated.

CARRIED

c) Minutes of the Special Council Meeting

Held Monday, May 11th, 1998:

MOTION 296/98 MOVED BY COUNCILLOR TAYLOR

SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

The Minutes of the Special Council Meeting held Monday, May 11th, 1998, be adopted as circulated.

CARRIED

d) Minutes of the Special Council Meeting

Held Thursday, May 14th, 1998:

MOTION 297/98 MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:

The Minutes of the Special Council Meeting held Thursday, May 14th, 1998, be adopted as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

a) Letter from the Executive Director, Capital Regional

District Re: Feasibility Study for the Consolidation

of All Emergency Services' 9-1-1 Call Answering

Dispatch Functions into One Consolidated Emergency

Call Answering and Dispatch Service:

MOTION 298/98 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

Council RESPOND to the letter dated April 22nd, 1998 from the Executive Director, Capital Regional District and advise that COUNCIL DOES NOT SUPPORT CONSOLIDATION of all emergency services' 9-1-1 call answering dispatch functions into one consolidated emergency call answering and dispatch service AND, HAS NO COMMENT ON THE REPORT FROM THE DISTRICT OF SAANICH entitled "Improving Public Safety Communications on Lower Vancouver Island - A Low Risk, High Benefit Approach" dated April 20th, 1998, as recommended in a report from the Administrator dated May 14th, 1998.

CARRIED

b) Roadside Mowing and Brushing:

MOTION 299/98 MOVED BY COUNCILLOR ROBERTSON
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:

Schedule 7, Maintenance Service Standards and Specifications, Chapter V - Roadside Maintenance - Roadside Mowing Standards of the Roads Maintenance Agreement between the District of Highlands and Victoria Contracting and Municipal Maintenance BE AMENDED as per the attached which is attached hereto and forming a part of the minutes, as recommended in a report from the Administrator dated May 14th, 1998.

CARRIED

c) Tourism Victoria Re: Request that the District of Highlands Join Tourism Victoria as a Municipal Member for an Annual Fee of \$750.00:

MOTION 300/98 MOVED BY COUNCILLOR TAYLOR
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

The request for the District of Highlands to participate as a municipal member and join Tourism Victoria for an annual fee of \$750.00, BE DENIED, as requested in a letter from the President and Chief Executive Officer dated April 28th, 1998, subsequent to a presentation at the Regular Council meeting held May 4th, 1998.

CARRIED

d) Development Variance Permit DVP-01-98
APPLICANT: Ian Campbell
LOCATION: 5268 Fork Lake Road:

The applicant, Ian Campbell was in attendance.

MOTION 301/98 MOVED BY COUNCILLOR
SECONDED BY COUNCILLOR () AND RESOLVED THAT:

Development Variance Permit DVP-01-98 BE ISSUED to the owner of Lot 1, Plan VIP64554, Section 36, Highland District that:

a. varies Zoning By-Law No. 100 in Section 3.3(1)(b) by reducing the required building setback from Fork Lake from 30.0 metres to 7.5 metres only over that area shown as "proposed residence" on Plan "A";

b. varies Zoning By-Law No. 100 in Section 3.8(8) by deleting driveway requirements for emergency vehicles;

c. varies Zoning By-Law No. 100 in Section 6.3.3(3) by reducing the required building setback from a FRONT lot line from 7.5 metres to 3.0 metres only over that area shown as "proposed garage/workshop" on Plan "A"; AND,

d. varies Zoning By-Law No. 100 in Section 6.3.3(6) by reducing the required building setback from a REAR lot line from 10.0 metres to 7.5 metres only over that area shown as "proposed residence" on Plan "A",

as recommended in a report from the Planning Technician dated May 14th, 1998.

CARRIED

4. REPORTS

a) Committee Reports

i) Administration and Finance

- Letter from Dave A. Webster
Re: Request for Appointment to the
Administration and Finance Advisory Committee:

MOTION 302/98 MOVED BY COUNCILLOR ROBERTSON
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT: Dave A. Webster BE APPOINTED to the Administration and Finance Advisory Committee for the balance of a two year term expiring December, 1999, as requested in a letter dated May 13th, 1998, and as recommended in a report from the Deputy Clerk dated May 14th, 1998.

CARRIED

Councillor Robertson advised that the Administration and Finance Advisory Committee had met on May 11th, 1998 and went over all outstanding items and prioritized them for the benefit of Lynda Middlestead, newly appointed to the committee and Dave Webster who had attended prior to submission of his application for appointment.

Councillor Robertson further advised that the committee's mandate had also been reviewed and discussed and that recommendations for changes to the mandate would be presented for consideration at a future Council meeting. Councillor Robertson noted that changes to the mandate had been instigated subsequent to a suggestion at a budget meeting that a Task Force be established to review the tax rates.

Councillor Robertson also noted that members of the Administration and Finance Advisory Committee felt that examination of the Roads Maintenance Agreement fell within the committee's mandate.

Councillor Robertson also advised that the next meeting of the Administration and Finance Advisory Committee was scheduled for Monday, June 8th, 1998 at the Caleb Pike House at 7:30 p.m.

ii) Environment

- Environment Advisory Committee
Re: Ingo Lambrecht, Non-Resident:

MOTION 303/98 MOVED BY COUNCILLOR ROBERTSON
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT: Ingo Lambrecht, BE REMOVED from the Environment Advisory Committee, (pursuant to Item 2 of the size and Composition section of Policy #122, Advisory Committee Appointments and Listings Policy), since he is no longer a resident of the District of Highlands, as recommended in a report from the Deputy Clerk dated May 13th, 1998.

CARRIED

- Environment Advisory Committee
Re: Minutes of the Meeting Held April 29th, 1998:

MOTION 304/98 MOVED BY COUNCILLOR ROBERTSON

SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT: The minutes of the Environment Advisory Committee meeting held April 29th, 1998, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated May 13th, 1998.

CARRIED

iii) Parks and Recreation

- Parks and Recreation Advisory Committee
Re: Minutes of the Meeting Held May 11th, 1998:

MOTION 305/98 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT: The minutes of the Parks and Recreation Advisory Committee meeting held May 11th, 1998, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated May 14th, 1998.

CARRIED

- Parks and Recreation Advisory Committee
Re: Possible Sports Field in Section 34:

MOTION 306/98 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

1. the report from the Parks and Recreation Advisory Committee dated May 13th, 1998, BE RECEIVED FOR INFORMATIONAL PURPOSES;
2. the Parks and Recreation Advisory Committee BE REQUESTED TO UNDERTAKE A RECREATION SURVEY to determine public needs/wants in relation to the provision of playing/sports fields;
3. the Parks and Recreation Advisory Committee BE REQUESTED TO IDENTIFY ANY OTHER POTENTIAL SITES that would be suitable for playing/sports fields; AND THAT,
4. the Parks and Recreation Advisory Committee BE REQUESTED TO PREPARE SITE CRITERIA for playing/sports fields (i.e. size, slope etc.),

as recommended in a report from the Administrator dated May 19th, 1998.

CARRIED

Councillor Cardinal advised that the last meeting of the Parks and Recreation Advisory Committee had been held on May 11th, 1998 and included a tour of the site for the proposed playing field, (subsequent to Councillor Cardinal and the Planning Technician's site inspection in the afternoon). Councillor Cardinal also complimented J.E. Anderson and Associates for donating their services to conduct survey work. He noted that markers had been distributed in the extreme boundaries and that the location of the markers was very flexible.

Councillor Cardinal also advised that the Planning Technician was checking into Ministry of Environment approvals which would be required for the proposed playing field (driveway/creek).

In response to a query, Councillor Cardinal advised that it was possible to meet the time frame for construction of the playing field and that he hoped to provide Council with the potential costs in early June.

iv) Protective Services

Councillor Johnson advised that the next meeting of the Protective Services Advisory Committee was scheduled for Wednesday, May 20th, 1998 at the East Fire Hall.

v) Transportation and Public Works

Councillor Taylor advised that the next meeting of the Roads Advisory Committee was scheduled for Thursday, May 21st, 1998 at 7:30 p.m. at the Caleb Pike House. Councillor Taylor also advised that the Roads Advisory Committee was seeking new members.

Councillor Taylor further noted that he was delighted that the District had received some funding for road improvements.

vi) Planning and Zoning

There was no report from the Advisory Planning Commission due to the absence of Councillor Yolland.

b) Mayor's Report

There was no report from the Mayor due to his absence.

5. CORRESPONDENCE

- a) Letter from the Mayor, District of Tumbler Ridge
Re: Request For Support In Lobbying the Provincial
and Federal Governments to Support Mining in Canada:

MOTION 307/98 MOVED BY COUNCILLOR ROBERTSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:

The letter from the Mayor, District of Tumbler Ridge dated April 27th, 1998 requesting support in lobbying the provincial and federal governments to support mining in Canada, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated May 13th, 1998.

CARRIED

- b) Letter from the Chairman, Western Communities
Community Policing Advisory Committee Re: Fund Raising:

MOTION 308/98 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:

The letter dated May 7th, 1998 from the Chair, Western Communities Community Policing Advisory Committee expressing concern with the time RCMP Members spend fund raising and reminding Council that it is incumbent upon the community to provide the money and equipment necessary to meet the expectations, BE RECEIVED FOR INFORMATIONAL PURPOSES, AND COPIED TO THE PROTECTIVE SERVICES ADVISORY COMMITTEE FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated May 14th, 1998.

CARRIED

- c) Letter from the Program Planning Officer,
Ministry of Transportation & Highways
Re: Capital Rehabilitation Program for Newly
Incorporated Territory Fiscal Year 1998/99:

MOTION 309/98 MOVED BY COUNCILLOR TAYLOR
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

The letter dated May 7th, 1998, including a copy of the Conditional Grant Agreement, from the Program Planning Officer, Ministry of Transportation and Highways advising that:

1. the BC Transportation Financing Authority (BCTFA) HAD APPROVED \$368,624.00 as its share of the capital rehabilitation costs within the District of Highlands for the fiscal year 1998/99 for Munn Road between Millstream Lake Road and Fork Lake Road, AND THAT;

2. the Ministry WAS UNABLE TO APPROVE the following projects applied for due to the limitation of funds in this year's program:

Finlayson Arm Road \$81,089.00
Ross-Durrance Road \$63,028.00
Millstream Lake Road \$22,464.00,

BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated May 14th, 1998.

CARRIED

6. BY-LAWS

a) By-Law No. 96 - District of Highlands Land Use Procedures By-Law No. 96, 1998:

MOTION 310/98 MOVED BY COUNCILLOR ROBERTSON
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:
District of Highlands Land Use Procedures By-Law No. 96, 1998, BE ADOPTED.

CARRIED

7. NEW BUSINESS

a) Letter from Hendrik Zimmermann Re: Non-Resident Access to the Highlands BBS and Request for Reinstatement of Access:

Michael Kristiansen, Highlands BBS Systems Operator was in attendance.

The Administrator provided an overview of the services offered to residents, land owners and non-resident subscribers to the BBS, noting that non-residents are not offered access to the Highlands Conference area.

Mr. Kristiansen further clarified access levels, noting that the issue was generated when Mr. Zimmermann posted a message rather than E-mailing it. He had been asked not to post in a public message area and since that time Mr. Kristiansen had received 30 letters on the subject which he considered a waste of precious time for all concerned especially Council and staff.

Pattie Whitehouse was in attendance as Mr. Zimmermann's representative and reiterated points made in his submissions in support of his request for reinstatement of access to the BBS.

Discussion ensued and the Administrator and the Systems Operator provided clarification and responded to questions of Council.

Mr. Kristiansen agreed that a policy establishing guidelines be developed rather than rules which would be difficult to enforce, noting that he had in the past resolved issues on his own and would like to reserve the right to monitor and maintain the BBS. Mr. Kristiansen noted that it would be difficult to resolve issues if he had to wait for permission from Council and considered it a waste of resources (Council and staff time).

MOTION 311/98 MOVED BY COUNCILLOR TAYLOR
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:

A POLICY BE APPROVED STATING THAT ACCESS TO THE HIGHLANDS BBS, HIGHLANDS CONFERENCE AREA BE EXCLUSIVELY for District of Highlands' residents and non-resident property owners, subsequent to a request for reinstatement of privileges to access the Highlands BBS from Hendrik Zimmermann dated May 11th and 15th, 1998 and a report from Michael Kristiansen, Highlands BBS Systems Operator dated May 13th, 1998.

MOTION 312/98 MOVED BY COUNCILLOR TAYLOR
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:
MOTION 311/98 BE AMENDED TO INCLUDE DISTRICT STAFF/EMPLOYEES AND COUNCIL MEMBERS.

CARRIED

MAIN MOTION AS AMENDED: CARRIED

Mr. Kristiansen noted that the BBS was always under construction.

The Administrator noted that senior staff or a Council Member could assist with mediating any dispute and Mr. Kristiansen advised that he felt it could be resolved in-house, noting that his expectations for participation on the BBS were basic courtesy and nothing illegal, and that the current situation had escalated since the user did not acknowledge his original caution.

Members of Council complimented Mr. Kristiansen on the job he was doing with the BBS.

b) Letter from the Chairman, Community Safety Watch
Patrol Re: Request for a Grant-In-Aid:

MOTION 313/98 MOVED BY COUNCILLOR ROBERTSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:
The request for a grant-in-aid to assist the Community Safety Watch Patrol contained in a letter dated May 7th, 1998 from the Chairman, BE DENIED, as recommended in a report from the Deputy Clerk dated May 14th, 1998.

Councillor Johnson advised that she had spoken to the Chairman of the Community Safety Watch Patrol who had advised that they had covered over 2,700 km over the past year in the District of Highlands and that the past weekend they had diffused two parties and helped get a drunk driver off the road.

Councillor Johnson suggested that if Council did not approve the request to assist the Community Watch Patrol due to funding constraints, she would be prepared to give her next two Council indemnity cheques to the organization as a donation.

MOTION 313/98 WAS WITHDRAWN BY THE MOVER WITH THE PERMISSION OF THE SECONDER.

MOTION 314/98 MOVED BY COUNCILLOR ROBERTSON
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:
The request for a grant-in-aid to assist the Community Safety Watch Patrol contained in a letter dated May 7th, 1998 from the Chairman BE DEFERRED FOR CONSIDERATION IN CONJUNCTION WITH ITEM 8. b) - Grants-In-Aid Requests.

CARRIED

8. OTHER BUSINESS

a) CRD Building Inspection Department
Re: Building Permits Issued in the District of Highlands April, 1998:

MOTION 315/98 MOVED BY COUNCILLOR ROBERTSON

SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:

The report from the CRD Building Inspection Department received May 5th, 1998, regarding building permits issued in the District of Highlands in April, 1998, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated May 13th, 1998.

CARRIED

b) Requests for Grants-In-Aid From:

- Four Seasons Musical Theatre
- Highland Heritage Park Society
- West Shore Chamber of Commerce Re: Canada Day Committee
- Greater Victoria Intermunicipal Committee
- Western Communities RCMP Crime Prevention/Community & School Liaison
- Intermunicipal Advisory Committee on Disability Issues
- Western Communities Arts Council
- Western Communities RCMP Auxiliary Association
- West Shore Chamber of Commerce Fee For Service
- Community Safety Watch Patrol (Refer to Item 7. b)

The Administrator advised that \$2,500.00 had been budgeted for grants-in-aid in 1998.

MOTION 316/98 MOVED BY COUNCILLOR ROBERTSON
SECONDED BY COUNCILLOR () AND RESOLVED THAT:
The following requests for grants-in-aid BE APPROVED:

- Western Communities Community Watch Patrol (Requested \$1,516.00) \$1,000.00
- Highland Heritage Park Society \$ 800.00 (Requested \$2,000.00)
- Western Communities RCMP Crime Prevention/Community & School Liaison (Requested \$640.00) \$ 300.00
- Intermunicipal Advisory Committee on Disability Issues \$ 100.00 (Requested Assistance with Funding for Workshops or Seminars)

TOTAL \$2,200.00

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AND THAT, the following requests for grants-in-aid BE DENIED:

- Four Seasons Musical Theatre (Requested \$2,500.00 from Municipalities)
- West Shore Chamber of Commerce Canada Day Committee (Requested \$500.00)

- Greater Victoria Intermunicipal Committee (No Specific Amount Requested)
- Western Communities Arts Council - Request for \$100.00;
- Western Communities RCMP Auxiliary Association - Request for \$200.00;
- West Shore Chamber of Commerce - Fee for Service - Request for \$1,000.00;

as recommended in a report from the Administrator dated May 14th, 1998.

MOTION 316/98 WAS WITHDRAWN BY THE MOVER.

MOTION 317/98 MOVED BY COUNCILLOR ROBERTSON
 SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:
 The following requests for grants-in-aid BE APPROVED:

- Highland Heritage Park Society \$ 900.00
 (Requested \$2,000.00)

- Western Communities Safety Watch
 Patrol (Requested \$1,516.00) \$1,000.00

- Western Communities RCMP Crime
 Prevention/Community &
 School Liaison \$ 500.00
 (Requested \$640.00)

- Intermunicipal Advisory Committee
 on Disability Issues \$ 100.00
 (Requested Assistance with Funding
 for Workshops or Seminars)

TOTAL \$2,500.00

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AND THAT, the following requests for grants-in-aid BE DENIED:

- Four Seasons Musical Theatre (Requested \$2,500.00 from Municipalities)
- West Shore Chamber of Commerce
 Canada Day Committee (Requested \$500.00)
- Greater Victoria Intermunicipal Committee (No Specific Amount Requested)
- Western Communities Arts Council - Request for \$100.00;
- Western Communities RCMP Auxiliary Association - Request for \$200.00;
- West Shore Chamber of Commerce - Fee for Service - Request for \$1,000.00;

subsequent to a report from the Administrator dated May 14th, 1998.

CARRIED

9. ADJOURNMENT

MOTION 318/98 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:
The Regular Council meeting held Tuesday, May 19th, 1998, BE ADJOURNED at 8:59 p.m.

CARRIED

Councillor Johnson, Acting-Mayor, Chair Bruce Woodbury, Administrator