

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, March 5, 2001 at the East Highlands Firehall, 3613 Woodridge Place at 8:30 p.m.

PRESENT: Mayor Roessingh, Chair
Councillor Cardinal
Councillor Faris
Councillor McLellan
Councillor McPherson
Councillor Mendum
Councillor Vogel

IN ATTENDANCE: Bruce Woodbury, Administrator
Loranne Hilton, Deputy Clerk

AGENDA

MOTION 115/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The Agenda BE APPROVED.

CARRIED

1. PETITIONS AND DELEGATIONS

2. ADOPTION OF THE MINUTES

a) Minutes of the Committee of the Whole Meeting held February 19, 2001

MOTION 116/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: The minutes of the Committee of the Whole Meeting held February 19, 2001 BE ADOPTED as circulated.

CARRIED

b) Minutes of the Regular Council Meeting held February 19, 2001

MOTION 117/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The minutes of the Regular Council meeting held February 19, 2001 BE ADOPTED with the following amendments:

1. MOTION 79/01 - replace the words "seconded by Councillor Mendum" and replace them with the words "seconded by Councillor McLellan";
AND
2. MOTION 108/01 - replace the words "seconded by Councillor Mark" and replace them with the words "seconded by Councillor Cardinal".

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

a) Memorandum from the Administrator
Re: Bylaw No. 149 - Open House/Public Hearing

There was discussion regarding proposed timelines for a public meeting, public hearing and information newsletter to be mailed out to residents with respect to Bylaw No. 149, "Highlands Official Community Plan Amendment Bylaw, No. 149, 2001".

MOTION 118/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: With respect to Bylaw No. 149:

1. A public information newsletter be mailed out to residents by March 14, 2001;
2. That a public information meeting be held at Caleb Pike House from 1:00 p.m. to 5:00 p.m. on Saturday, March 24, 2001; AND
3. That a Public Hearing be held at the Caleb Pike House at 7:30 p.m. on Monday, April 9, 2001.

CARRIED

4. REPORTS

a) Committee Reports

i) Administration and Finance

Councillor McPherson noted that the Administration and Finance Advisory Committee is scheduled to meet March 13, 2001 at Caleb Pike House. Councillor McPherson also advised that Bob McMinn is now the Chair of the Committee.

ii) Environment

Councillor Faris noted that the Environment Advisory Committee is scheduled to meet March 12, 2001 at 7:30 p.m. at Pike House.

iii) Parks and Recreation

Nil.

iv) Protective Services

Councillor McLellan advised that the Protective Service Advisory Committee is scheduled to meet March 26, 2001 at 7:30 p.m. at the West Fire Hall.

v) Transportation and Public Works

Councillor Mendum noted that the Roads Advisory Committee is scheduled to meet March 8, 2001 at 7:30 p.m. at Pike House.

vi) Trails

Councillor Faris advised that a firm date has not yet been set for the next Trails Advisory Committee meeting.

vii) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh noted that The Land Conservancy has found a major donor with respect to the purchase of the Seraphim lands, the name of which will be announced soon.

5. CORRESPONDENCE

6. BYLAWS

a) Bylaw No. 148, "Road Reconstruction Loan Authorization Bylaw No. 148, 2000"

The Mayor noted that the Counter Petition regarding Bylaw No. 148 was successful, and outlined the options now available to Council.

There was discussion regarding Council's options, the Counter Petition process for Bylaw No. 148, and ways to better inform residents regarding the proposed borrowing and the circumstances under which it would occur.

MOTION 119/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED

THAT: Third reading of Bylaw No. 148, "Road Reconstruction Loan Authorization Bylaw No. 148, 2000" BE RESCINDED.

CARRIED

MOTION 120/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED

THAT: Second reading of Bylaw No. 148, "Road Reconstruction Loan Authorization Bylaw No. 148, 2000" BE RESCINDED.

CARRIED

MOTION 121/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: First reading of Bylaw No. 148, "Road Reconstruction Loan Authorization Bylaw No. 148, 2000" BE RESCINDED.

CARRIED

MOTION 122/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: Bylaw No. 157, "Road Reconstruction Loan Authorization Bylaw No. 157, 2001" BE GRANTED FIRST READING.

CARRIED

MOTION 123/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: Bylaw No. 157, "Road Reconstruction Loan Authorization Bylaw No. 157, 2001" BE GRANTED SECOND READING.

CARRIED

MOTION 124/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: Bylaw No. 157, "Road Reconstruction Loan Authorization Bylaw No. 157, 2001" BE GRANTED THIRD READING.

CARRIED

MOTION 125/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: A referendum be held with respect to Bylaw No. 157, "Road Reconstruction Loan Authorization Bylaw No. 157, 2001".

In response to a query from a member of Council, the Administrator stated that the estimated cost of a referendum would be \$3,000.00. Further discussion ensued regarding proceeding to a referendum or undertaking a new Counter Petition process.

CARRIED

MOTION 126/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Bruce Woodbury BE APPOINTED Chief Election Officer for the 2001 Other Voting opportunity.

CARRIED

MOTION 127/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: Lorraine Hilton BE APPOINTED Deputy Chief Election Officer for the 2001 Other Voting opportunity.

CARRIED

MOTION 128/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: An information newsletter be sent to all residents of the Highlands regarding information in relation to Bylaw No. 157.

Members of Council expressed their desire to have the opportunity to provide comment on the newsletter before it is mailed. Discussion ensued regarding a timeline for the newsletter and advertising for the referendum.

CARRIED

b) Bylaw No. 155, "Highlands Zoning Amendment Bylaw No. 155, 2001"

MOTION 129/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Bylaw No. 155, "Highlands Zoning Amendment Bylaw No. 155,

2001" BE GRANTED THIRD READING.

There was discussion regarding the submissions received with respect to Bylaw No. 155, and Council's options for making amendments to the Bylaw.

The option to defer further consideration was discussed, and varying views and opinions were noted.

Further discussion ensued regarding concerns raised by some residents in their submissions to Council.

CARRIED

(Councillor Mendum recorded as opposed)

MOTION 130/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: Bylaw No. 155, "Highlands Zoning Amendment Bylaw No. 155, 2001" BE ADOPTED.

There was further discussion regarding Bylaw No. 155, and concerns with respect to the Bylaw were noted. In response to queries from Council, the Administrator noted that Council is not precluded from amending the Bylaw in the future.

CARRIED

(Councillor Mendum recorded as opposed)

c) Bylaw No. 156, "Revenue Anticipation Borrowing Bylaw No 156, 2001"

MOTION 131/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: Bylaw No. 156, "Revenue Anticipation Borrowing Bylaw No. 156, 2001" BE ADOPTED.

CARRIED

In addition to his report under Section 4 b), the Mayor noted that he had recently signed a letter with the District of Langford, District of Metchosin and the City of Colwood with respect to withdrawing from the Capital Regional District Juan de Fuca Parks and Recreation function.

7. NEW BUSINESS

a) District of Langford Bylaw No. 527, "Langford Official Community Plan Bylaw; Amendment No. 43 (Appendix I - Duplexes), 2000"

MOTION 132/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The District of Langford BE ADVISED that the District of Highlands has no objections to "Langford Official Community Plan Bylaw; Amendment No. 43 (Appendix I - Duplexes), 2000."

CARRIED

b) District of Langford Bylaw No. 545, "Langford Official Community Plan Bylaw; Amendment No. 44 (Text Amendment - Appendix J: General Design Guidelines for Downtown Langford for Parking), 2001"

MOTION 133/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: The District of Langford BE ADVISED that the District of Highlands has no comments to offer with respect to "Langford Official Community Plan Bylaw; Amendment No. 44 (Text Amendment - Appendix J: General Design Guidelines for Downtown Langford for Parking), 2001."

CARRIED

c) Memorandum from the Administrator
Re: Property Tax Penalty

MOTION 134/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The memorandum from the Administrator dated March 5, 2001 regarding the Property Tax Penalty BE RECEIVED FOR INFORMATION.

CARRIED

d) Memorandum from the Administrator
Re: Building Officials' Conference

MOTION 135/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The Building Inspector BE AUTHORIZED to attend the 2001 Building Officials' Conference to be held in Nelson, BC, May 6 to 9, 2001.

CARRIED

e) District of Highlands Building Report for January and February 2001

MOTION 136/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The Building Report for January and February 2001 BE RECEIVED FOR INFORMATION.

CARRIED

f) Letter from the Chair, Greater Victoria Public Library Board
Re: 2001 Greater Victoria Public Library Budget

MOTION 137/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The 2001 Greater Victoria Public Library Budget, received February 27, 2001 BE APPROVED.

CARRIED

g) Capital Regional District, Bylaw Enforcement Division
Re: 2000 Year End Report

MOTION 138/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The Capital Regional District, Bylaw Enforcement Division, 2000
Year End Report, received February 26, 2001, BE RECEIVED FOR
INFORMATION.

CARRIED

h) Memorandum from the Administrator
Re: Road Reconstruction Project Consultation - New Projects

MOTION 139/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: Council's Public Consultation on Major Road Projects Policy BE
REFERRED to the Roads Advisory Committee to make a recommendation to
Council regarding a public consultation plan for the 2001 road
reconstruction projects approved under the Newly Incorporated Territories
Program.

CARRIED

Dates for a walk through of the Millstream Lake Road/Munn Road to Hazlitt
Creek road project were discussed and April 1 and April 22, 2001 were the
dates chosen. It was noted that a public newsletter regarding this project
would be mailed out to residents in advance of the walkthrough dates.

8. OTHER BUSINESS

a) Letter from the Highland Heritage Park Society
Re: Request for Interim Financing

MOTION 140/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: Pursuant to Section 185 of the Local Government Act, NOTICE BE
PUBLISHED in a newspaper regarding Council's intention to loan \$20,000
to the Highland Heritage Parks Society for interim financing for the
Schoolhouse Restoration Project.

CARRIED

b) Highland Parks and Recreation Association 2001 Master Plan

MOTION 141/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: The Highland Parks and Recreation Association 2001 Master Plan
BE APPROVED.

CARRIED

9. ADJOURNMENT

MOTION 142/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: The Regular meeting of Council be adjourned at 9:55 p.m.

CARRIED

Karel Roessingh, Mayor
District of Highlands - Regular Council Meeting
Monday, March 5, 2001

Bruce Woodbury, Administrator