

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, December 3, 2001 at the East Highlands Firehall, 3613 Woodridge Place at 7:30 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 613/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The Agenda BE AMENDED as follows:

1. By ADDING the following items:

Item 1 b) Development Permit DP-13-01 - Request for Extension
OWNER/APPLICANT: R. G. (Bob) McMinn
LOCATION: 499 Millstream Lake Road

AND THAT THE AGENDA AS AMENDED BE APPROVED.

CARRIED

1. PETITIONS AND DELEGATIONS

a) Letter from Ron Burke
Re: Request for Road Closure

Mr. Burke was in attendance in support of his request.

There was discussion regarding the possibility of placing a conservation covenant on the road right of way if it were to be closed and disposed of to Mr. Burke; varying views and opinions were noted in this regard.

MOTION 614/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: Staff BE DIRECTED to draft a road closure bylaw with respect to the road right of way adjacent to the Burke's property at 5033 Stag Road.

CARRIED

Further discussion ensued regarding the placing of a conservation covenant on the road right of way to ensure the land is preserved in its current and natural state. It was noted by some members of Council that the land is in a development permit area, therefore, Council would already have some control over activity on that land.

There was further discussion regarding the desirability of a two or three party covenant, and various points of view were noted.

MOTION 615/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Staff BE DIRECTED to draft a two-party conservation covenant for the road right of way adjacent to the Burke's property at 5033 Stag Road.

CARRIED

(Councillors Cardinal, Faris and Vogel recorded as opposed)

b) Development Permit DP-13-01- Request for Extension

OWNER/APPLICANT: R. G. (Bob) McMinn

LOCATION: 499 Millstream Lake Road

Mr. McMinn was in attendance in support of his request for a time extension to Development Permit DP-13-01, issued October 15, 2001. In response to a query from a member of Council, Mr. McMinn noted that he wished to install the bridge deck, and that no work would be done to affect the stream or wetland in the vicinity of the bridge.

MOTION 616/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: In response to a December 3, 2001 request from R. G. McMinn for an extension to Development Permit DP-13-01 relating to Section 20, Highland District, for the construction of a bridge, consideration to a revision to Condition "d" of DP-13-01 BE DEFERRED until Council is presented with:

1. A report from a qualified environmental monitor that:

a) reviews the work to date and the adherence of that work to the Environmental Management Plan (as required by condition "c" of the Permit); and

b) fully describes the work remaining on the project with the environmental implications of completion and site rehabilitation during the next four months; AND

2. Confirmation from Canada Fisheries and Oceans (Habitat and Enhancement Branch) and from BC Water, Land and Air Protection (Water Management Branch), that an extension to the approvals previously given by these agencies is acceptable.

CARRIED

Mr. McMinn addressed Council regarding Millstream Lake Road, noting the reasons for his strong desire to see it relocated and acknowledging that Council will be considering the options open to it with respect to rebuilding the road in its current location.

2. ADOPTION OF THE MINUTES

a) Minutes of the Regular Council Meeting held November 19, 2001

MOTION 617/01 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The minutes of the Regular Council meeting held November 19, 2001 BE ADOPTED as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

a) Letter from the Highland Heritage Park Society

Re: Request for Interim Financing

MOTION 618/01 MOVED BY COUNCILLOR VOGEL

SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: A loan of \$15,000.00 to the Highland Heritage Park Society, for interim financing of the Schoolhouse Restoration Project, BE AUTHORIZED, AND FURTHER, that the Highland Heritage Park Society be required to pay interest on the loan at the current rate available to the District of Highlands, with anticipation of repayment of the loan by the end of May 2002.

CARRIED

4. REPORTS

a) Committee Reports

i) Administration and Finance

The Administration and Finance Advisory Committee is scheduled to meet December 11, 2001 at 7:30 p.m. at Pike House, and will be considering amendments to the five-year financial plan.

ii) Environment

- Environment Advisory Committee

Re: Regulation of Pesticide Use

MOTION 619/01 MOVED BY COUNCILLOR FARIS

SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The Environment Advisory Committee BE REQUESTED to gather factual information and draft an informational flyer that addresses water quality issues and further detail related to pesticide use, for review by staff.

CARRIED

It was noted that the Environment Advisory Committee would likely

meet next in January 2002 regarding the issue of road salt.

iii) Parks and Recreation

The Parks and Recreation Advisory Committee is scheduled to meet December 10, 2001 at 7:30 p.m. at the West Fire Hall.

iv) Protective Services

The Protective Services Advisory Committee is scheduled to meet January 28, 2001 at 7:30 p.m. at the West Fire Hall.

v) Transportation and Public Works

The Roads Advisory Committee is scheduled to meet December 13, 2001 at 7:30 p.m. at Pike House.

vi) Trails

- Trails Advisory Committee

Re: Minutes of the Meeting held November 27, 2001

MOTION 620/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MCPHERSON AND
RESOLVED THAT: The minutes of the Trails Advisory
Committee meeting held November 27, 2001 BE RECEIVED
FOR INFORMATION.

CARRIED

The Trails Advisory Committee will next meet in January 2002.

vii) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh noted the success of the advisory committee workshop held November 29, 2001.

Mayor Roessingh advised that he recently attended the Firefighters Annual Banquet, noting it was an exceptional event showing appreciation for our firefighters.

5. CORRESPONDENCE

6. BYLAWS

- a) "District of Highlands Building Regulation Amendment Bylaw No. 168 (Sprinklering of Buildings), 2001"

There was discussion with respect to some of the wording of draft Bylaw No. 168, and the Administrator answered queries from members of Council in this regard. Further discussion ensued regarding whether or not to proceed with the Bylaw, and whether public consultation should be undertaken; varying views and opinions were noted. It was noted that members of Council would provide staff with input regarding possible changes to the draft bylaw.

MOTION 621/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: "District of Highlands Building Regulation Amendment Bylaw No. 168 (Sprinklering of Buildings), 2001" BE DEFERRED to the January 21, 2002 Regular Council meeting.
CARRIED

- b) "Parks, Recreation and Community Service Establishment Bylaw No. 170, 2001"

MOTION 622/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: Council hereby authorizes the establishment by each of the District of Langford, the City of Colwood and the District of Metchosin, of a service for parks, recreation and community services in the entirety of the District of Highlands.
CARRIED

MOTION 623/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The "Parks, Recreation and Community Service Establishment Bylaw No. 170, 2001" BE GRANTED FIRST READING.

CARRIED

MOTION 624/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The "Parks, Recreation and Community Service Establishment Bylaw No. 170, 2001" BE GRANTED SECOND READING.

CARRIED

MOTION 625/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: The "Parks, Recreation and Community Service Establishment Bylaw No. 170, 2001" BE GRANTED THIRD READING.

CARRIED

MOTION 626/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: A Special Council meeting BE SCHEDULED for Monday, December 10, 2001 at 5:30 p.m. at the Municipal Office to consider bylaws regarding

West Shore Parks and Recreation and amendments to the Five-year Financial Plan.

CARRIED

c) "Five-year Financial Plan Amendment Bylaw No. 171, 2001"

The Administrator noted that the amendments to the Five-year Financial Plan were not yet ready for distribution.

7. NEW BUSINESS

a) Appointment of Acting Mayor - 2002

MOTION 627/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The following Council Members BE APPOINTED as Acting Mayor for the periods shown:

December 2001	Councillor Cardinal
January 2002	Councillor Faris
February 2002	Councillor McLellan
March 2002	Councillor McPherson
April 2002	Councillor Mendum
May 2002	Councillor Vogel
June 2002	Councillor Cardinal
July 2002	Councillor Faris
August 2002	Councillor McLellan
September 2002	Councillor McPherson
October 2002	Councillor Mendum
November 2002	Councillor Vogel

CARRIED

b) Re-appointment of Bank

MOTION 628/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The Royal Bank BE RE-APPOINTED as Bankers for the District of Highlands in 2002.

CARRIED

c) Re-appointment of Auditor

MOTION 629/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The firm KPMG BE RE-APPOINTED as the Auditors for the District of Highlands in 2002.

CARRIED

d) Re-appointment of Capital Regional District Representative and Alternate

MOTION 630/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED

THAT: Mayor Roessingh BE RE-APPOINTED as the District of Highlands' Director on the Board of the Capital Regional District, AND FURTHER that

Councillor Vogel BE RE-APPOINTED as Alternate Director, both for one-year terms expiring in December 2002.

CARRIED

e) Re-appointment of Greater Victoria Public Library Board Representative

MOTION 631/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Councillor Mendum BE RE-APPOINTED as the District of Highlands' representative on the Greater Victoria Public Library Board for a one-year term expiring December 2002.

CARRIED

f) Re-appointment of Greater Victoria Intermunicipal Committee Representative and Alternate

MOTION 632/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: Councillor Vogel BE RE-APPOINTED as the District of Highlands' representative on the Greater Victoria Intermunicipal Committee, AND FURTHER that Councillor Cardinal BE RE-APPOINTED as the alternate representative, both for one-year terms expiring December 2002.

CARRIED

g) Re-appointment of Western Communities Community Policing Advisory Committee Representative

MOTION 633/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Councillor McLellan BE RE-APPOINTED to the Western Communities Community Policing Advisory Committee for a one-year term expiring December 2002.

CARRIED

MOTION 634/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Councillor McPherson BE APPOINTED to the Western Communities Community Policing Advisory Committee as an Alternate Representative for a one-year term expiring December 2002.

CARRIED

h) Re-appointment of Association of Vancouver Island and Coastal Communities Treaty Advisory Committee Representative

MOTION 635/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Councillor Cardinal BE RE-APPOINTED to the Association of Vancouver Island and Coastal Communities Treaty Advisory Committee for a one-year term expiring December 2002.

CARRIED

i) Re-appointment of Greater Victoria Family Court Committee

MOTION 636/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Councillor Faris BE RE-APPOINTED to the Greater Victoria Family Court Committee for a one-year term expiring December 2002.

CARRIED

j) Re-appointment of Intermunicipal Committee on Disability Issues Representative, Alternate and Community Representative

MOTION 637/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT:

1. Councillor McPherson BE RE-APPOINTED as the District of Highlands' representative on the Intermunicipal Committee on Disability Issues for a one-year term expiring December 2002;

2. That Councillor Vogel BE RE-APPOINTED as the District of Highlands' alternate representative on the Intermunicipal Committee on Disability Issues for a one-year term expiring December 2002;
AND

3. That Marnie Essery BE RE-APPOINTED as the District of Highlands' community representative on the Intermunicipal Committee on Disability Issues for a one-year term expiring December 2002.

CARRIED

k) Staff Christmas Bonus

A member of Council suggested that the staff Christmas bonus be increased as the amount for a gift certificate has remained unchanged since incorporation.

MOTION 638/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: A gift certificate for \$50.00 towards the purchase of a turkey as a Christmas bonus to staff (8 employees x \$50.00 = \$400.00) BE APPROVED.

CARRIED

l) Building Report for November 2001

MOTION 639/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The Building Report for November 2001 BE RECEIVED FOR INFORMATION.

CARRIED

m) Letter from the West Shore Chamber of Commerce

Re: Request for Appointment of Representative to Chamber Committee to Review Proposals for a Multi-use Recreation Arena on the West Shore

MOTION 640/01 MOVED BY COUNCILLOR VOGEL

SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Mayor Roessingh BE APPOINTED to the West Shore Chamber of Commerce Committee being formed to review proposals for a multi-use recreation arena on the West Shore, as requested in a letter from the Chamber dated November 23, 2001.

CARRIED

n) Letter from the City of Victoria

Re: Affordable Housing

MOTION 641/01 MOVED BY COUNCILLOR VOGEL

SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: A letter be sent to the Minister of Community, Aboriginal and Women's Services strongly urging the Government of British Columbia to maintain its commitment to the development of new social housing through comprehensive housing programs such as Homes BC.

CARRIED

o) Letter from the Union of BC Municipalities and the Village of Belcarra

Re: Policing in Rural Areas and Small Communities

MOTION 642/01 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: A letter be sent to the Honourable Rich Coleman, Minister of Public Safety and Solicitor General, the Premier and Brian Kerr, MLA outlining the following issues with respect to policing in rural areas and small communities:

1. Request for clarification from the Solicitor General as to whether consideration is being given to the introduction of modifications in the funding of police services for small communities without consultation with those potentially affected;
2. Council's opposition to any course of action that would transfer costs to small communities, especially in light of the current economic challenges being faced by many small communities in BC;
3. Council's concerns with how the financial burden of the potential transfer of policing costs will be allocated and paid by taxpayers.

CARRIED

p) Memorandum from the Deputy Clerk

Re: Capilano College Local Government Administration Course Authorization

MOTION 643/01 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: Council APPROVE the tuition fee of \$650.00 (includes all course materials) and travel/accommodation expenses for the Deputy Clerk's enrolment in the Capilano College Local Government Administration in British Columbia, PADM 200 course.

CARRIED

q) Memorandum from the Administrator

Re: Building Officials Association of BC - Education Seminar

MOTION 644/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: Council APPROVE the payment of fees and expenses for the Building Inspector's attendance at the Building Officials Association of BC's educational seminar to be held in Richmond, BC on December 6, 7 & 8, 2001.

CARRIED

r) CRD Bylaw Enforcement Summary - October 2001

MOTION 645 /01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: The Capital Regional District Bylaw Enforcement Summary report dated November 15, 2001, for the month of October 2001, BE RECEIVED FOR INFORMATION.

CARRIED

s) Letter from the Local Government Management Association

Re: Community Charter

MOTION 646/01 MOVED BY COUNCILLOR
SECONDED BY COUNCILLOR AND RESOLVED

THAT: The Letter from the Local Government Management Association dated November 20, 2001 regarding the Community Charter BE DEFERRED for discussion at a Committee of the Whole meeting to be held December 18, 2001 at 7:30 p.m. at Pike House regarding the Community Charter and the Parks and Recreation Master Plan.

CARRIED

8. OTHER BUSINESS

a) Monthly Reminder - Outstanding Referrals

MOTION 647/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: The Monthly Reminder - Outstanding Referrals report dated November 27, 2001 BE RECEIVED FOR INFORMATION.

CARRIED

b) Memorandum from the Administrator

Re: Council Referral - Safety of Playground Equipment

MOTION 648/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The response from Blue Imp Recreational Products and additional information submitted with respect to the use of chromated copper arsenate (CCA) in playground equipment be provided to the Parks and Recreation Advisory Committee and the Environment Advisory Committee for information.

CARRIED

c) Memorandum from the Administrator

Re: Bylaw Enforcement and Animal Control Contracts

MOTION 649/01 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: Staff BE DIRECTED to prepare Animal Control and Bylaw Enforcement Contracts, both for five-year terms, with the Capital Regional District, for consideration at the meeting scheduled for December 17, 2001.

CARRIED

9. ADJOURNMENT

a) MOTION 650/01 MOVED BY COUNCILLOR VOGEL

SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The regular meeting of Council be adjourned at 9:22 p.m. AND THAT, pursuant to Section 242. 2 of the Local Government Act a meeting in camera be convened to discuss:

? The receiving of advice that is subject to solicitor-client privilege.

CARRIED

Karel Roessingh, Mayor
District of Highlands - Regular Council Meeting
Monday, December 3, 2001

Bruce Woodbury, Administrator