

**DISTRICT OF HIGHLANDS**  
**REGULAR COUNCIL MEETING**

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Minutes of the Regular Council meeting held on January 17, 2005 at Caleb Pike House, 1589 Millstream Road at 7:00 p.m.

**PRESENT:** Mayor Roessingh, Chair  
Councillor K. Brotherston  
Councillor M. Brotherston  
Councillor Cardinal  
Councillor Kadar  
Councillor Mendum

**ABSENT:** Councillor McPherson

**IN ATTENDANCE:** Scott Coulson, Administrator  
Laura Beckett, Municipal Planner  
Sandi Chesley, Administrative Assistant

The Mayor commented on the snow removal for the District and noted that the roads maintenance contract was being followed. He then noted that the Public Hearing for Bear Mountain scheduled for January 18, 2005 had been cancelled and that Council may choose to reschedule the Public Hearing at this Council Meeting.

**1. APPROVAL OF THE AGENDA**

**MOTION NO. 01/05**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council approve the agenda as amended:

- a) Add the following names to the Petitions and Delegations portion of the Agenda:  
Brian Proctor  
Bob McMinn  
Rosemary Wilson  
Colleen Robertson

Add: Five Year Financial Plan for Bear Mountain as Item 3(a) as a late Item.

Add: Item 8(b) – Reschedule Public Hearing for Bear Mountain Bylaws

Add: Item 7(f) – Michelle Mahovolich – Letter

**CARRIED.**

**2. ADOPTION OF THE MINUTES**

**a) Minutes of the Regular Council Meeting held December 20, 2004**

**MOTION NO. 02/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** the Minutes of the Regular Council Meeting held December 20, 2004 be adopted as circulated.

CARRIED.

**b) Minutes of the Committee of the Whole Meeting held November 8, 2004**

**MOTION NO. 03/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** the Minutes of the Committee of the Whole Meeting held November 8, 2004 be adopted as circulated.

CARRIED.

**c) Minutes of the Committee of the Whole Meeting held January 11, 2005**

**MOTION NO. 04/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** the minutes of the Committee of the Whole Meeting held January 11, 2005 be adopted as circulated.

CARRIED.

**d) Minutes of the Committee of the Whole Meeting held June 29, 2004**

**MOTION NO. 05/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** the minutes of the Committee of the Whole Meeting held June 29, 2004 be adopted as circulated.

CARRIED.

### **3. INTRODUCTION OF LATE ITEMS**

#### **a) Five Year Financial Plan**

Councillor Cardinal advised that information recently distributed to the District of Highlands, by residents, with respect to the financial well being of the community is flawed. He noted that the financial information supplied to Council by the District's Administrator does not support the position that the community will be in a healthy state of finances in the near future. The report clearly shows that without a change in the way the District has historically operated with respect to financial matters, the District will either have to reduce municipal services or raise taxes.

Councillor Cardinal provided a quick analysis of the District's financial position.

He noted that The District currently provides very limited services. He noted that the Cuff report quotes "The District has a very limited revenue base. Municipal revenues have increased partially as a reflection of increasing property values, but represents a high level of taxation when only limited services are provided to the residents and businesses".

He noted that there is very little potential for reducing services or costs savings for the municipality and believes that the District will see further increases for services. He noted that this would translate into raising taxes, which he does not support if there are other alternatives. He then noted that it is Council's responsibility to let the residents know if the District's financial position is healthy now and/or in the future.

### **4. PETITIONS AND DELEGATIONS**

#### **a) Presentation – Stan Orchard Re: Bull Frogs**

Mr. Peter Dixon, President of the Veins of Life Watershed Society, introduced Mr. Stan Orchard to speak to Council with respect to the American Bullfrog problem.

Mr. Orchard provided Council with a slide presentation. Mr. Orchard requested Council to endorse the program on eratication of the bullfrogs and requested financial assistance. Mayor Roessingh explained the budget process to Mr. Orchard and the District of Highlands grant in aid process and suggested that Mr. Orchard apply for a grant in aid.

#### **MOTION NO. 06/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR M. BROTHERSTON**

**THAT** Council endorse Mr. Orchard's program and requested that he apply for a grant in aid.

**CARRIED.**

**b) Presentation – Mr. Mark Hornell, CRD Director of Regional Planning  
Letter – Capital Regional District  
Re: Business Case and Draft Establishing Bylaw, Regional Housing Trust  
Fund**

Mr. Hornell presented the Business Case and Draft Establishing Bylaw for the Regional Housing Trust Fund.

Mr. Hornell put three questions to Council:

1. Are you prepared to support the participation of your municipality in the Regional Housing Trust Fund?
2. If yes, are you prepared to approve the inclusion of your municipality among the participating areas in the Regional Housing Trust Fund Establishing Bylaw? And
3. If no, what issues or concerns would need to be resolved before you would be prepared to participate in a regional housing trust fund?

**MOTION NO. 07/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council refer the Business Case and Draft Establishing Bylaw, Regional Housing Trust fund to the next Policies and Priorities Meeting on January 24, 2005.

CARRIED.

Bob McMinn, 499 Millstream Road read out two letters on behalf of the Highlands Heritage Park Society. The first letter was in reference to the World War Veterans and Street Naming and the second letter was regarding Local Government Infrastructure grants.

Brian Proctor, 2850 Bukin Road West stated that he is a new resident of three years to the District of Highlands. He has received a lot of information from *both sides*, and would like to know what the situation is regarding the five-year plan.

Sheila Taylor, 1783 Millstream Road realized that there had been a number of complaints regarding the snow removal. Her concern was with lack of snow removal around the post boxes on Millstream Road and Finlayson Arm Road. Mrs. Taylor stated that it was very dangerous at those spots and wondered whose responsibility it was to clear the snow. Mayor Roessingh advised that it was the responsibility of Canada Post.

**MOTION NO. 08/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR M. BROTHERSTON**

**THAT** Council request staff to contact Canada Post and inquire about their policy on clearing the super mail box sites.

CARRIED.

Rosemary Wilson, 1601 Charleton Road stated that she was interested in purchasing lot 7 on White Pine Terrace. Mrs. Wilson and her husband breed Cairn Terriers and are requesting to be allowed to continue as a small home based business rather than a kennel. After answering a number of questions from Council, it was recommended that Mr. and Mrs. Wilson contact Laura Beckett, Municipal Planner, for further information.

Colleen Robertson, 1835 Millstream Road. spoke on the CRD Housing Trust Fund.

**5. UNFINISHED BUSINESS**

- a) **Report – Municipal Clerk  
Update – Parking for Caleb Pike House**

**MOTION NO. 09/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council receive the update report from the Municipal Clerk, dated January 17, 2005, with respect to parking for Caleb Pike House, for information.

CARRIED.

**6. REPORTS OF COMMITTEES, COMMITTEE OF THE WHOLE & COMMISSIONS**

a) **Committee Reports**

- i) Advisory Planning Commission – nothing to report
- ii) Capital Regional Board – Councillor M. Brotherston commented on the Parks Acquisition Fund.
- iii) CREST – Councillor M. Brotherston stated that they will be meeting in the third week of January.
- iv) Emergency Planning Committee – nothing to report.
- v) Greater Victoria Family Court Committee – nothing to report.
- vi) Inter-Municipal Committee on Disability Issues – Councillor Kadar stated that the next meeting will be held on January 20, 2005.
- vii) Western Communities Policing Advisory Committee – Councillor Mendum stated that she attended the inaugural meeting. She reported that there will be 27 new auxiliary police officers. Councillor Mendum noted that there are lots of good programs under way such as the speed watch program and the housing program for the seniors located behind the Legion on Station Road.
- viii) West Shore Parks and Recreation Society's Board of Directors – Councillor Cardinal reported that they will be meeting January 20, 2005.

**b) Mayor's Report**

- i) Greater Victoria Public Library Board – Mayor Roessingh reported that he is now the Vice Chair. The operating agreement will be reconsidered this year and dealing with budget issues.
- ii) CRD Arts Committee – Mayor Roessingh stated that he is the chair of the CRD Arts Committee.

Mayor Roessingh commented on his meeting with the Province and the CRD regarding Millstream Meadows and that they are making good progress.

The snow removal was definitely an issue this year but Mayor Roessingh noted that it brought neighbours together in helping out each other.

**7. CORRESPONDENCE**

- a) **Letter – Association of Vancouver Island and Coastal Communities  
Re: Tsunami Disaster Relief**

**MOTION NO. 10/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council receive the letter from the Association of Vancouver Island and Coastal Communities regarding the Tsunami Disaster Relief for information.

CARRIED.

- b) **Letter – City of Langford  
Re: World War Veterans Inclusion to Street Naming Policy**

**MOTION NO. 11/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR CARDINAL**

**THAT** Council ask the Highlands Heritage Park Society to do further research on the World War Veterans inclusion to Street Naming in the Highlands.

CARRIED.

- c) **Memorandum – Ministry of Community, Aboriginal and Women's Services  
Re: Local Government Infrastructure Funding**

**MOTION NO. 12/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** the memorandum from the Ministry of Community Aboriginal and Women's Services dated December 21, 2004 be referred to the Policy and Priorities meeting to be held on January 24, 2005 and further that Fire Chief Barry Ford be invited to provide his input.

CARRIED.

- d) **Letter – Capital Regional District**  
**Re: Onsite Maintenance Management Program – Septic Systems**

**MOTION NO. 13/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR M. BROTHERSTON**

**THAT** Council request staff to contact the Capital Regional District to advise that the District of Highlands is interested in the information sheet regarding the Onsite Maintenance Management Program – Septic Systems to be distributed with the property taxes.

CARRIED.

- e) **Letter – Rapid Emergency Alert Communications Handler**  
**Re: Public Alerting Systems**

**MOTION NO. 14/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR M. BROTHERSTON**

**THAT** Council request staff to contact Mr. Bill Somerville, Senior Software Developer, REACH Alert, Rapid Emergency Alert Communications Handler and ask for clarification on what the cost would actually be; what constitutes an emergency and what is the “false alarm” costs.

CARRIED.

- f) **Letter – Michelle Mahovlich**  
**Re: Request for Presentation of Financial Projection for the District of Highlands in Consideration of LGB9 Proposed Re-zoning and Public Hearing**

**MOTION NO. 15/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR CARDINAL**

**THAT** the letter dated January 15, 2005 from Michelle Mahovlich regarding a presentation of the Financial Projection for the District of Highlands in consideration of LGB9 proposed re-zoning and public hearing be received for information.

**AMENDING MOTION NO. 16/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council direct the Administrator to prepare a report showing the current financial status and a 5 Year Financial Projection to be mailed out to residents prior to the Public Hearing.

CARRIED.

**8. BYLAWS**

- a) "Juan de Fuca Recreation Centre Fees and Charges Bylaw Amendment Bylaw No. 250, 2005"

**MOTION NO. 17/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** "Juan de Fuca Recreation Centre Fees and Charges Bylaw Amendment Bylaw No. 250, 2005" be given first reading.

CARRIED.

**MOTION NO. 18/05**

**MOVED BY: COUNCILLOR K. BROTHERSTON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** "Juan de Fuca Recreation Centre Fees and Charges Bylaw Amendment Bylaw No. 250, 2005" be given second reading.

CARRIED.

**MOTION NO. 19/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** "Juan de Fuca Recreation Centre Fees and Charges Bylaw Amendment Bylaw No. 250, 2005" be given third reading.

CARRIED.

- b) "District of Highlands Zoning Bylaw Amendment Bylaw No. 237 (Bear Mountain) 2004  
"Highlands Official Community Plan Amendment Bylaw No. 236" 2004.

**1. Rescind Motion No I95/04 to send Bylaw 236 to Public Hearing on January 18<sup>th</sup>, 2005.**

**MOTION 20/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council rescind Motion No. I95/04 to send "Highlands Official Community Plan Amendment Bylaw No. 236" to public hearing on January 18, 2005.

CARRIED.

**2. Rescind Motion No. I95/04 to send Bylaw 237 to Public Hearing on January 18<sup>th</sup>, 2005.**

**MOTION 21/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council rescind Motion No. I95/04 to send "District of Highlands Zoning Bylaw Amendment No. 237" to public hearing on January 18, 2005.

CARRIED.

**3. Set a new Public Hearing Date for Bylaws 236 and 237**

**AMENDING MOTION**

**MOTION 22/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** a public hearing date be set for "Highlands Official Community Plan Amendment Bylaw No. 236, 2004" and "District of Highlands Zoning Bylaw Amendment Bylaw No. 237 (Bear Mountain) 2004" for January 31, 2005, rather than January 18, 2005.

CARRIED.

OPPOSED: COUNCILLOR MENDUM.

**MAIN MOTION AS AMENDED**

**MOTION 23/05**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR CARDINAL**

**THAT** a public hearing be set for "Highlands Official Community Plan Amendment Bylaw No. 236, 2004" and "District of Highlands Zoning Bylaw Amendment Bylaw No. 237 (Bear Mountain) 2004" for January 31, 2005.

CARRIED.

OPPOSED: COUNCILLOR MENDUM.

**9. NEW BUSINESS**

**a) Monthly RCMP Mayor's Report – November, 2004 (File No. 0570-04)**

**MOTION NO. 24/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR CARDINAL**

**THAT** Council receive the Monthly RCMP Mayor's Report for November 2004 for information.

CARRIED.

- b) Report – Municipal Clerk**  
Notice of Intent with respect to Amendment to Council Procedure Bylaw

**MOTION NO. 25/05**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council receive the Notice to amend “Council Procedure Bylaw No. 224, 2004”.

CARRIED.

- c) Report – Municipal Planner**  
Malahat OCP – Request for Input

**MOTION NO. 26/05**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council direct staff to send a letter to the CRD Electoral Area Planning Services Department advising “no recommendations” with the proposed Malahat OCP.

CARRIED.

- d) Report – Municipal Planner**  
Kennel Request – Home Based Business  
Lot 7, Section 25, Highland District, VIP76681

**MOTION NO. 27/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council directs staff to advise the Wilsons in writing that should they wish to use the subject property as a kennel in conformance with relevant bylaws, Highlands and CRD regulations require that the property they are interested in purchasing be rezoned to Rural 3A (R3A).

CARRIED.

**10. ADJOURNMENT**

**MOTION NO. 28/05**

**MOVED BY: COUNCILLOR K. BROTHERSTON**

**SECONDED: COUNCILLOR M. BROTHERSTON**

**THAT** the Regular Meeting of Council be adjourned at 9:55 p.m.; and

**FURTHER THAT**, pursuant to Section 90(a) of the Community Charter, a meeting be convened "In-Camera" to discuss legal and personnel issues.

CARRIED.

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MAYOR

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ADMINISTRATOR