

**DISTRICT OF HIGHLANDS  
REGULAR COUNCIL MEETING**

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Minutes of the Regular Council meeting held on December 19, 2005 at Caleb Pike House, 1589 Millstream Road at 7:00 p.m.

**PRESENT:** Mayor Cardinal, Chair  
Councillor K. Brotherston  
Councillor Fall  
Councillor Kadar  
Councillor Mahovlich  
Councillor Mendum  
Councillor Williams

**IN ATTENDANCE:** Heinz Burki, Administrator  
Laura Beckett, Planner  
Sandi Chesley, Administrative Assistant

**1. APPROVAL OF THE AGENDA**

**MOTION NO. 551/05  
MOVED BY: COUNCILLOR BROTHERSTON  
SECONDED: COUNCILLOR KADAR**

**THAT** Council approve the agenda as circulated.

CARRIED.

**2. ADOPTION OF THE MINUTES**

a) Minutes of the Inaugural Council Meeting held December 5, 2005

**MOTION NO. 552/05  
MOVED BY: COUNCILLOR BROTHERSTON  
SECONDED: COUNCILLOR KADAR**

**THAT** the Minutes of the Inaugural Council Meeting held December 5, 2005 BE ADOPTED as circulated.

CARRIED.

**3. INTRODUCTION OF LATE ITEMS**

**4. PETITIONS AND DELEGATIONS**

Sandy McPherson, 671 Millstream Lake Road spoke regarding the Malahat Traffic Study.

**5. UN-FINISHED BUSINESS**

- a) Highlands Parks and Recreation Association Agreement  
RE: 2006 Master Plan
- b) Highland Heritage Park Society Master Plan 2006  
RE: 2006 Master Plan

**MOTION NO. 553/05**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** the Highlands Parks and Recreation Association Agreement, 2006 Master Plan and the Highland Heritage Park Society 2006 Master Plan be deferred to the next Regular Council meeting on January 9, 2006.

CARRIED.

- c) Memo from Administrator, dated December 14, 2005  
RE: Council Orientation Session in Nanaimo, January 25 – 27, 2006

The Administrator ask that Council advise staff as soon as possible if they will be attending the Council Orientation Session in Nanaimo.

**MOTION NO. 554/05**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** the memo from the Administrator, dated December 14, 2005 regarding the Council Orientation Session to be held in Nanaimo, January 25 – 27, 2006 be received for information.

CARRIED.

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

### **a) Committee Reports**

- i) Advisory Planning Commission – nothing to report
- ii) Community Energy Planning Steering Committee – Sandy McPherson, citizen representative, reported on the meeting that was held December 6, 2005. The Terms of Reference have been received. Ms. McPherson was in contact with the CRD Representative and was advised that after two or three meetings a summary will go to the West Shore municipalities to keep them up to date on the committee. The next meeting will be January 24, 2006.
- iii) Emergency Planning Committee – nothing to report
- iv) Greater Victoria Family Court Committee – Councillor Mahovlich reported that the next meeting will be held January 18, 2006 and she will be meeting with Councillor Williams and Sandy McPherson prior to then. Sandy McPherson reported on the Youth Mental Health Initiative. She met with the representatives from Rockheights school and they are very keen to have to have a pilot project located in their school.
- v) Inter-Municipal Committee on Disability Issues – nothing to report
- vi) Solid Waste Advisory Committee – nothing to report
- vii) Western Communities Policing Advisory Committee – Councillor Mendum reported that the committee met on December 15, 2005 and that they are working on a Terms of Reference as well as having a summary of the committee meetings brought forward to Council.
- viii) West Shore Parks and Recreation Society's Board of Directors – Mayor Cardinal reported that they have not met since the Inaugural meeting. There are a few representative changes. The next meeting will be the third Thursday in January.

### **b) Mayor's Report**

- i) Greater Victoria Public Library Board – nothing to report
- ii) Arts Committee – Mayor Cardinal pointed out that the previous Mayor sat on this committee and at present, there is no representation. This is a voluntary committee and because the District pays \$500 a year into it, Mayor Cardinal felt that there should be some representation. He felt that further discussions could be held in the new year.
- iii) Capital Regional District Board – Mayor Cardinal reported that Alan Lowe is now the Chair of the Board and Denise Blackwell is the Vice Chair. The composting bylaw has now been adopted.

- iv) CREST – The next meeting will be held December 21, 2005. Mayor Cardinal advised that he would not be able to attend the meeting.

Mayor Cardinal wanted to thank Les Allen and his family for putting up the Christmas Lights at the Caleb Pike House. The Santa Run was held on Saturday, December 17, 2005 and was a great success. There were 6 shopping carts full of items along with a number of cash donations. Mayor Cardinal extended a huge thank you to the Fire Department and to everyone involved for a job well done.

## **7. CORRESPONDENCE**

Correspondence to be received for information:

### **MOTION NO. 555/05**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the following letters be received for information:

- a) Letter from Highlands Firefighters Association, dated December 9, 2005  
Re: Santa Run on December 17, 2005
- b) Letter from UBCM, Brenda Gibson, General Manager, New Deal Management Services  
Re: Community Works Fund Agreement
- c) Letter from UBCM, Jared Wright, dated November 22, 2005  
Re: Riparian Areas Regulation – Implementation Status
- d) Letter from Mike Wise, Project Manager, Sea Breeze Victoria, dated December 8, 2005  
Re: Sea Breeze Transmission Projects – Update
- e) Letter from Greater Victoria Public Library, dated November 29, 2005  
Re: Five Year Financial Plan for the GVPL
- f) Letter from Kelly Daniels, CAO, Capital Regional District, dated November 30, 2005  
Re: District of Highlands' Regional Context Statement

CARRIED.

Correspondence Requiring Action:

- h) Letter – Elaine Limbrick, dated November 17, 2005  
Re: To Nominate Sandy McPherson for the Highlands Medal

**MOTION NO. 556/05**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Sandy McPherson be given the Highlands Medal for service to the community.

CARRIED.

- i) Letter – Eric Bonham, dated December 14, 2005  
Re: Water Conservation on the Island

Eric Bonham was not able to attend the Council meeting.

**MOTION NO. 557/05**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR**

**THAT** that the letter from Eric Bonham, dated December 14, 2005 regarding Water Conservation on the Island, be received for information.

**MOTION DEFEATED DUE TO LACK OF SECONDER.**

**MOTION NO. 558/05**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council authorize the Planner, along with Eric Bonham to attend the BCWWA Vancouver Island Water Conservation workshop on March 10, 2006 in Victoria.

CARRIED.

There was discussion regarding a grant application to the Ministry of Community Services for \$5,000 that the Planner would like to apply for regarding a water monitoring / conservation plan for the District of Highlands.

**MOTION NO. 559/05**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MENDUM**

**THAT** Council authorize the Planner to prepare and submit the grant application for \$5,000 to the Ministry of Community Services to meet the dead line of December 30, 2005.

CARRIED.

**8. BYLAWS**

- a) Highlands Zoning Amendment Bylaw No. 265, 2005  
Re: 641 Millstream Lake Road

The Planner gave an update on Bylaw No. 265, 2005.

**MOTION NO. 560/05**  
**MOVED BY: COUNCILLOR BROTHERSTON**  
**SECONDED: COUNCILLOR MENDUM**

**THAT** staff prepare another solution towards rezoning of properties related to Highlands Zoning Amendment Bylaw No. 265.

CARRIED.  
(Mayor Cardinal opposed)

- b) District of Highlands Parks Reserve Fund Expenditure Bylaw No. 279, 2005

**MOTION NO. 561/05**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR WILLIAMS**

**THAT** Council give first reading to the District of Highlands Parks Reserve Fund Expenditure Bylaw No. 279, 2005.

CARRIED.

**MOTION NO. 562/05**  
**MOVED BY: COUNCILLOR BROTHERSTON**  
**SECONDED: COUNCILLOR FALL**

**THAT** Council give second reading to the District of Highlands Parks Reserve Fund Expenditure Bylaw No. 279, 2005.

CARRIED.

**MOTION NO. 563/05**  
**MOVED BY: COUNCILLOR KADAR**  
**SECONDED: COUNCILLOR FALL**

**THAT** Council give third reading to the District of Highlands Parks Reserve Fund Expenditure Bylaw No. 279, 2005.

CARRIED.

c) Revenue Anticipation Borrowing Bylaw No. 280. 2005

**MOTION NO. 564/05**  
**MOVED BY: COUNCILLOR KADAR**  
**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** Council give first reading to the Revenue Anticipation Borrowing Bylaw No. 280, 2005.

CARRIED.

**MOTION NO. 565/05**  
**MOVED BY: COUNCILLOR KADAR**  
**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** Council give second reading to the Revenue Anticipation Borrowing Bylaw No. 280, 2005.

CARRIED.

**MOTION NO. 566/05**  
**MOVED BY: COUNCILLOR KADAR**  
**SECONDED: COUNCILLOR MENDUM**

**THAT** Council give third reading to the Revenue Anticipation Borrowing Bylaw No. 280, 2005.

CARRIED.

- d) Five Year Financial Plan Amendment Bylaw No. 281, 2005

**MOTION NO. 567/05**  
**MOVED BY: COUNCILLOR BROTHERSTON**  
**SECONDED: COUNCILLOR FALL**

**THAT** Council give first reading to the Five Year Financial Plan Amendment Bylaw No. 281, 2005.

CARRIED.

**MOTION NO. 568/05**  
**MOVED BY: COUNCILLOR KADAR**  
**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** Council give second reading to the Five Year Financial Plan Amendment Bylaw No. 281, 2005.

CARRIED.

**MOTION NO. 569/05**  
**MOVED BY: COUNCILLOR BROTHERSTON**  
**SECONDED: COUNCILLOR KADAR**

**THAT** Council give third reading to the Five Year Financial Plan Amendment Bylaw No. 281, 2005.

CARRIED.

**9. NEW BUSINESS**

- a) Memo from Administrator, dated December 13, 2005  
Re: Cancel January 3, 2006 Council Meeting

**MOTION NO. 570/05**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR KADAR**

**THAT** the regular Council meeting scheduled for January 3, 2006 be cancelled and rescheduled for January 9, 2006.

CARRIED.

- b) Memo from Administrator, dated December 14, 2005  
Re: Recommendations Required for CREST

**MOTION NO. 571/05**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council receive the following recommendations from the CREST to be presented at their Annual General meeting on December 21, 2005:

- That Council receives and approves the 2005 CREST Director's Report
- That Council receives and approves the December 21, 2004 Audited Financial Statements
- That Council approves the re-appointment of KPMG, Chartered Accountants, as auditors for CREST.
- That Council approves the CREST 2006 Operating Budget as proposed.
- That Council approves the Members' Levy for 2006 as proposed.

There was various views, opinions and options stated. The question was then called.

CARRIED.  
(Councillor Mendum opposed)

There was further discussion on whether Council wanted to have representation at the next CREST meeting to be held on December 21, 2005. Council supported Councillor Mahvolich attending the meeting and reporting back to Council.

- c) Memo from Administrator, dated December 8, 2005  
Re: Tree Removal Policy

**MOTION NO. 572/05**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council approve the Tree Removal Policy.

CARRIED.

There was discussion regarding "significant" trees and "protected" trees. It was further suggested that the Tree Management Bylaw No. 10, 1994 and District of Highlands Tree Management Amendment Bylaw No. 70, 1996 be consolidated.

**AMENDING MOTION NO. 573/05**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR FALL**

**THAT** the Tree Management Bylaw No. 10, 1994 and the District of Highlands Tree Management Amendment Bylaw No. 70, 1996 be consolidated.

CARRIED.

- d) Memo from Administrator, dated December 14, 2005  
Re: Maintenance Contract for the Bicycle Jump

**MOTION NO. 574/05**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** Council direct staff to amend the previous contract with Mr. Kelvin van den Bos to include regular safety inspections and follow up maintenance to the bicycle jump at Twinflower Park.

CARRIED.

- e) Email from Councillor Mahovlich, dated December 13, 2005  
Re: Malahat Traffic Study

Councillor Mahovlich brought to the attention of Council that the Ministry of Transportation is currently undertaking a traffic study of the Malahat and that STANTEC Engineering was contracted in July 2005 to do a route analysis. Councillor Mahovlich pointed out that one big impact would be the map route directing traffic entirely through the District of Highlands, outletting with a bridge through Gowland Todd Park. There was further discussion regarding the recommendations Councillor Mahovlich made.

**MOTION NO. 575/05**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MENDUM**

**THAT** Council put the Ministry of Transportation on notice indicating that the District of Highlands want to be involved in the STANTEC study.

CARRIED.

- f) Memo from Planner, dated December 8, 2005  
Re: Rezoning / OCP Amendment Application – Lot C, VIP76070, Sections 30 and 74

Kerry Sutton, the representative for Highlands Holdings was present and answered questions from Council.

**MOTION NO. 576/05**  
**MOVED BY: COUNCILLOR KADAR**  
**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** the rezoning/OCP amendment application regarding Loc C, VIP76070, Sections 30 and 74, Highland District be brought forward to a Committee of the Whole meeting on January 23, 2006 and that Council liaise with Mr. Sutton to set up an on site visit.

CARRIED.

(Councillors Brotherston and Kadar opposed)

- g) Memo from Building Official, dated December 14, 2005  
Re: Building Report for November

**MOTION NO. 577/05**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the Building Report for November 2005 be received for information.

CARRIED.

**10. ADJOURNMENT**

**MOTION NO. 578/05**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR KADAR**

**THAT** the Regular Meeting of Council adjourn and move into an "In-Camera" Special Council Meeting at 9:05 p.m., pursuant to Section 90(a) of the *Community Charter*, to discuss personnel and legal issues.

CARRIED.

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MAYOR

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ADMINISTRATOR