

**DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING**

Minutes of the Regular Council meeting held on May 1, 2006 at Caleb Pike House, 1589 Millstream Road at 7:00 p.m.

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

ABSENT: Councillor Kadar

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

1. APPROVAL OF THE AGENDA

MOTION NO. 185/06

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR BROTHERSTON

THAT Council approve the agenda as amended by:

Adding to:

New Business: 9g) Letter from UBCM, dated April 28, 2006

Re: Policing Costs in Small Communities and Electoral Areas

Petitions and Delegations: 4c) Karel Roessingh

Moving:

Unfinished Business item 5b) to New Business 9h)

CARRIED.

2. ADOPTION OF THE MINUTES

a) Minutes of the Regular Council Meeting dated April 18, 2006

MOTION NO. 186/06

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR BROTHERSTON

THAT the Minutes of the Regular Council Meeting of April 18, 2006 be adopted as circulated.

CARRIED.

- b) Minutes of Special Council Meeting dated April 26, 2006

MOTION NO. 187/06

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR BROTHERSTON

THAT the Minutes of the Special Council Meeting of April 26, 2006 be adopted as circulated.

CARRIED.

- c) Rise and Report from In Camera Meeting held April 18, 2006

Mayor Cardinal read out the following:

Excerpt from Special In-Camera Meeting – April 18, 2006

1. **THAT** Council rise and report the decision to abandon the appeal process as recommended in the Municipal Solicitor's letter, dated April 5, 2006.

Excerpt from In-Camera Meeting – April 18, 2006

1. **THAT** the following three applicants be appointed to the Advisory Planning Commission for a two year term ending March, 2008:
 - Honora Johannesen, Mara Dhillon and Fred York

THAT Council rise and report the appointments to the Advisory Planning Commission to become public and to notify the applicants.

2. **THAT** Council rise and report the memo from the City of Langford, dated April 11, 2006 regarding the West Shore Library Branch, Proposed Cost Sharing to become public information.

3. **INTRODUCTION OF LATE ITEMS**

4. **PETITIONS AND DELEGATIONS**

- a) Don Brown, CRD Chief Bylaw Enforcement Officer, letter dated April 21, 2006
Re: Increase in Dog License Fees

Mr. Brown addressed Council regarding the increase in dog license fees. He indicated that there has not been an increase in 15 years. This will increase revenues and keep requisition costs down. The Capital Regional District will make the final decision. Mr. Brown answered questions from Council.

MOTION NO. 188/06
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

THAT Council supports the increase of \$5.00 in the Dog License Fees.

CARRIED.
(Councillor Brotherston opposed)

- b) Ann and Gord Baird, letter dated April 24, 2006
Re: Request for removal of old building covenant (3295 Compton Road)

Mr. Baird outlined to Council their request to alter the building area/envelope in the building covenant. They wish to build on areas previously impacted while protecting the undisturbed areas. The Baird's wish to be true to the wording in the covenant and so are interpreting the word "improvements" in the covenant very broadly. For example they would include a septic field and fruit trees within the building area.

At this time, Council deferred the item to New Business 9a) in order to discuss it in conjunction with the Planner's Report.

- c) Karel Roessingh, 2639 Munn Road, spoke in support of the Baird's proposal. Mr. Roessingh commended Council on the 0% tax increase.

5. UNFINISHED BUSINESS

- a) Comprehensive Ground Water Monitoring Strategy
- Hiring of Consultant

The Planner request Council to defer the item pending the return of one of the Task Force members. The Task Force would meet to discuss and forward recommendations to Council.

MOTION NO. 189/06
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR MENDUM

THAT the Comprehensive Ground Water Monitoring Strategy, Hiring of Consultant be deferred to a subsequent Council meeting.

CARRIED.

- b) Report from the Municipal Planner, dated April 25, 2006
Re: Request for Regional Growth Strategy Amendment

- Moved to New Business 9h)

- c) Councillor Williams - verbal
Request to attend Municipal Law Seminar

MOTION NO. 190/06

MOVED BY: COUNCILLOR BROTHERSTON

SECONDED: COUNCILLOR MAHOVLICH

THAT the request from Councillor Williams to attend the Municipal Law Seminar on May 25, 2006 in Vancouver be deferred to New Business 9g) to be discussed with the UBCM letter regarding a conference on Policing Costs to be held on May 26, 2006, also in Vancouver.

CARRIED.

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

a) Committee Reports

- i) Advisory Planning Commission – nothing to report
- ii) Arts Committee – Councillor Fall did attend a West Shore Culture Arts Council, Arts and Culture Collaboratory meeting. At that meeting they discussed regional / sub -regional approaches to planning for arts culture. Specifically an “Arts & Culture Scan was discussed.
- iii) Community Energy Planning Steering Committee- Councillor Williams advised Council that the consultant group has prepare the Final Draft of the Greenhouse Gas Emissions. The Project Team will set a target to reduce the Greenhouse gas emissions from 1990 levels by 2010. For more information, Councillor Williams encourage everyone to visit the website www.onedaycapitalregion.bc.ca.
- iv) CRD Emergency Planning Committee- nothing to report
- v) CRD Environment Committee – Councillor Mendum reported that she attended the CRD Environment Committee meeting and that the topic was whether or not to allow motor assisted bicycles on the Galloping Goose Trail. In the end it was approved.
- vi) Greater Victoria Family Court Committee – Councillor Mahovlich reported on the Youth and Mental Health Initiative focus group that Sandy McPherson was working with.
- vii) Greater Victoria Public Library Board- nothing to report
- viii) Inter-Municipal Committee on Disability Issues–nothing to report
- ix) Solid Waste Advisory Committee –nothing to report
- x) Western Communities Policing Advisory Committee- nothing to report.

b) Mayor's Report

- i) Capital Regional Board - the next meeting is on May 10, 2006
- ii) CREST – the next meeting is on May 4, 2006
- iii) West Shore Parks and Recreation Society's Board of Directors- the last meeting was held April 20, 2006. A number of things were discussed. The audited Financial Statements were accepted, with a surplus of funds that was put into capital projects. Fees and Charges were increased by 2.5%. The Tom Thumb Safety Village has been moved to allow for more parking in the area. The Fields Needs Analysis Report from Ken Cossey will be presented for the first time at the next meeting.

The Mayor reported on the Economic Development Association meeting he attended. Local business and sports people attended. The discussion was to encourage the growth in athletic endeavours in the West Shore. The West Shore Economic Development Association will give a report to Council twice a year to keep them up to date on items that they are working on.

7. CORRESPONDENCE

Correspondence to Receive for Information:

- a) Letter from Rainier Jansen, Municipal Amateur Coordinator (MAC), dated April 10, 2006
Re: Amateur Radio Field Day in the Highlands

MOTION NO. 191/06

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR WILLIAMS

THAT Council receive for information the letter from Rainier Jansen, Municipal Amateur Coordinator (MAC) dated April 10, 2006 regarding the Amateur Radio Field Day in the Highlands.

CARRIED.

8. BYLAWS

- a) District of Highlands Bylaw No. 36 to Regulate Roads and Traffic,
Amendment Bylaw No. 285, 2006

MOTION NO. 192/06

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR MENDUM

THAT Council adopt "District of Highlands Bylaw No. 36 to Regulate Roads and Traffic, Amendment Bylaw No. 285, 2006".

CARRIED.

b) Tax Rates Bylaw No. 287, 2006

MOTION NO. 193/06
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR BROTHERSTON

THAT Council give first reading to the Tax Rates Bylaw No. 287, 2006.

CARRIED.

MOTION NO. 194/06
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR FALL

THAT Council give second reading to the Tax Rates Bylaw No. 287, 2006.

CARRIED.

MOTION NO. 195/06
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR BROTHERSTON

THAT Council give third reading to the Tax Rates Bylaw No. 287, 2006.

CARRIED.

MOTION NO. 196/06
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR FALL

THAT Council call a Special Council meeting on Monday, May 8, 2006 at 6:45 p.m.
before the Committee of the Whole meeting.

CARRIED.

c) Five Year Financial Plan Bylaw No. 288, 2006

MOTION NO. 197/06
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR BROTHERSTON

THAT Council give first reading to the Five Year Financial Plan Bylaw No. 288, 2006.

CARRIED.

MOTION NO. 198/06

MOVED BY: COUNCILLOR BROTHERSTON

SECONDED: COUNCILLOR FALL

THAT Council give second reading to the Five Year Financial Plan Bylaw No. 288, 2006.

CARRIED.

MOTION NO. 199/06

MOVED BY: COUNCILLOR BROTHERSTON

SECONDED: COUNCILLOR FALL

THAT Council give third reading to the Five Year Financial Plan Bylaw No. 288, 2006.

CARRIED.

9. NEW BUSINESS

- a) Report from Municipal Planner, dated April 26, 2006
Re: 3295 Compton Road – request to Alter Building Covenant Area

There was discussion and Gordon and Ann Baird answered questions from Council.

MOTION NO. 200/06

MOVED BY: COUNCILLOR MENDUM

SECONDED: COUNCILLOR FALL

THAT Council support amending the covenant for the building area in principle,

AND FURTHER THAT Council direct staff to work with the owners to amend the covenant for the building areas

AND FURTHER THAT Council may make a decision on accepting an amended covenant pending receipt of appropriate documentation.

CARRIED.

- b) Letter from Don Brown, Chief Bylaw Enforcement Officer, dated April 20, 2006
Re: Request to appoint three Animal Control Officers to cover for summer relief.

MOTION NO. 201/06

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR MENDUM

THAT Council appoint the following Animal Control Officers for the District of Highlands:
Wayne Brown, Phil Williams, and Michael Crowe.

CARRIED.

- c) Letter from Alan Philip, dated April 25, 2006
Re: Resignation from the Community Infrastructure & Services Advisory Committee

MOTION NO. 202 /06
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MENDUM

THAT Council receive the letter from Alan Philip, dated April 25, 2006 regarding his resignation from the Community Infrastructure & Services Advisory Committee.

CARRIED.

Councillor Fall noted that Mr. Philip was disappointed with the new committee structure and asked that when the new committees were formed, was there a process in place to review the new committee structures? There was discussion and Councillor Mendum advised that there was a resolution to review in six months. Councillor Mendum requested staff to send a thank you letter to Mr. Philip.

MOTION NO. 203/06
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR FALL

THAT Council forward to the policy and priorities list, to review the Committee Structures.

CARRIED.

- d) Memo – Building Official
Re: Building Report for April 2006

MOTION NO. 204/06
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM

THAT Council receive for information the Building Report for April 2006

CARRIED.

- e) Report – Building Inspector
Re: Development Variance Permit DVP-05-06 (712 Lorimer Road)
- request to give notification

MOTION NO. 205/06

MOVED BY: COUNCILLOR BROTHERSTON

SECONDED: COUNCILLOR MAHOVLICH

THAT notification be issued for the proposed Development Variance Permit DVP-05-06 pertaining to Lot A, Plan 45204, Section 31, Highland District (712 Lorimer Road).

CARRIED.

- f) Administrator – Verbal Update
Memo from Municipal Clerk, dated April 12, 2006
Re: Resignation of Certified Inspector, Kelvin Van Den Bos, dated April 10, 2006

The Administrator advised Council that staff received a letter from Kelvin Van Den Bos, Certified Inspector that he will no longer be able to carry out the District's playground inspections. Keith Gibson from MIA, advised that there is a one day program that a staff member can take. Mr. Burki talked with Don Kitchen the Building Inspector who said he would be willing to take this on. Mr. Kitchen will take the one day inspectors course when it becomes available.

MOTION NO. 206/06

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR BROTHERSTON

THAT Council receive for information the letter from Kelvin Van Den Bos, dated April 10, 2006 advising he will not be able to continue to do inspections on the District's playground areas.

CARRIED.

MOTION NO. 207/06

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR MENDUM

THAT Council request assurance from Keith Gibson that the District will not be liable if Mr. Kitchen carries out the inspections

AND FURTHER Council request the Building Inspector to carry on the monthly playground inspections and to attend the one day seminar.

CARRIED.

- g) Letter from UBCM, dated April 28, 2006
Re: One day conference, May 26, 2006 on Police Costs in Small Communities

Request from Councillor Williams to attend the Municipal Law Seminar on May 25, 2006, hosted by Lidstone Young Anderson.

Both of these conferences are held in Vancouver. There was discussion on who would like to attend. Councillor Williams advised that he would be interested in attending both.

MOTION NO. 208/06

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR MAHOVLICH

THAT Council authorize Councillor Williams to attend the Municipal Law Seminar on May 25, 2006 and the UBCM conference on May 26, 2006 in Vancouver.

CARRIED.
(Councillor Brotherston opposed)

Councillor Mahovlich left the Council meeting at 8:25 p.m. citing a potential conflict of interest.

- h) Report from Municipal Planner, dated April 25, 2006
Re: Request for Regional Growth Strategy Amendment

MOTION NO. 209/06

MOVED BY: COUNCILLOR MENDUM

SECONDED: COUNCILLOR FALL

THAT Council defer consideration of the draft letter, dated May 2, 2006 to the CRD Board requesting a Regional Growth Strategy Amendment

AND FURTHER THAT Council request staff to write to each property owner within the proposed Highlands Servicing Boundary to explain the Regional Context Statement, its acceptance and the next step for the Regional Growth Strategy amendment and invite their input.

AND FURTHER THAT Council request staff to bring forward the April 2005 report pertaining to this item with any additional comments.

CARRIED
(Mayor Cardinal and Councillor Brotherston opposed)

10. ADJOURNMENT

MOTION NO. 210/06

MOVED BY: COUNCILLOR MENDUM

SECONDED: COUNCILLOR BROTHERSTON

THAT the Regular Meeting of Council adjourn at 8:25 p.m.

CARRIED.

MAYOR

ADMINISTRATOR