

**DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING**

Minutes of the Regular Council meeting held on April 2, 2007 at Caleb Pike House, 1589 Millstream Road at 7:00 p.m.

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

IN ATTENDANCE: Christopher Coates, CAO
Laura Beckett, Municipal Planner
Sandi Chesley, A/Corporate Officer

1. APPROVAL OF THE AGENDA

MOTION NO. 120/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR FALL

THAT Council approves the agenda as amended by adding to Petitions and Delegations:
Marcie McLean
Elaine Limbrick

CARRIED.

Councillor Mahovlich removed herself from the meeting citing a potential conflict of interest-7:05pm

2. PETITIONS AND DELEGATIONS

Gordon Gunn, Associate Partner, Risk and Advisory Services, KPMG Chartered Accountants-

Mr. Gunn explained to Council and the audience that KPMG was engaged to undertake an independent financial impact assessment of Bear Mountain's planned development. Mr. Gunn outlined from the report the Scope and Objectives and the Findings and Conclusions. Mr. Gunn answered questions from Council and agreed to attend a future Committee of the Whole meeting.

MOTION NO. 121/07
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR BROTHERSTON

THAT Council move the report on the Financial Impact Assessment of the Bear Mountain Comprehensive Development to a Committee of the Whole meeting.

CARRIED.

MOTION NO. 122/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT Council request staff to gather information from BC Assessment regarding how "time-shared" properties will be assessed and voting rights and report back to a future Committee of the Whole meeting.

CARRIED.

Councillor Mahovlich returned to the Regular Council meeting at 7:50 p.m.

Marcie McLean, 1321 Millstream Road – read a letter regarding the proposed 2005 OCP and the legal opinion Councillor Mahovlich received about conflict of interest. This letter was signed by Jane Eert, 368 Millstream Lake Road, as well.

Elaine Limbrick, 3836 Munn Road – Ms. Limbrick spoke regarding Westshore Arts and on the proposed 2005 OCP.

3. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting dated March 19, 2007

MOTION NO. 123/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR KADAR

THAT the Minutes of the Regular Council Meeting of March 19, 2007 be adopted as amended:

Item 4a) – Committee Reports

- ix) delete ...”up from 1” at the end of the paragraph *and*

Motion No. 110/07 should indicate that Mayor Cardinal was opposed.

CARRIED.

- b) Minutes of the Committee of the Whole Meeting dated March 26, 2007

MOTION NO. 124/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR KADAR

THAT the Minutes of the Committee of the Whole Meeting of March 26, 2007 be adopted as circulated.

CARRIED.

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

- a) Committee Reports

- i) Advisory Planning Commission – (Councillor Brotherston) - nothing to report
- ii) Arts Committee – (Councillor Fall) – Councillor Fall commented that Jack Bell has built and installed the “mailbox” shelter at the entrance to the Highlands and suggested that an article go into the next newsletter as well as a request for public comment on the shelter.
- iii) Community Energy Planning Steering Committee – (Councillor Williams) – nothing to report.
- iv) Emergency Planning Committee – (Councillor Fall) – nothing to report.
- v) Greater Victoria Family Court Committee – (Councillor Mahovlich) – nothing to report.
- vi) Greater Victoria Public Library Board- (Councillor Kadar) – nothing to report

- vii) Inter-Municipal Committee on Disability Issues– (Councillor Kadar) – nothing to report
 - viii) Solid Waste Advisory Committee – (Councillor Kadar) – nothing to report
 - ix) Western Communities Policing Advisory Committee- (Councillor Mendum) – nothing to report.
 - x) Groundwater Task Force (Councillor Mahovlich) – nothing to report.
- b) Mayor's Report
- i) Capital Regional Board – nothing to report.
 - ii) CRD Parks Committee – nothing to report.
 - iii) CRD Environment Committee – The last meeting was held on March 28, 2007 and the Committee will be focusing on a policy to recognize Global Warming.
 - iv) CREST – nothing to report
 - v) West Shore Parks and Recreation Society's Board of Directors – nothing to report.
 - vi) West Shore Economic and Development Association – nothing to report.

5. RATIFICATION OF COMMITTEE RECOMMENDATIONS

Recommendations from the Committee of the Whole Meeting held March 26, 2007

MOTION NO. 125/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR BROTHERSTON

THAT staff bring forward a report with recommendations regarding a Committee to address Protective Services (Fire Department) matters.

CARRIED.

MOTION NO. 126/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT staff bring forward the draft Fire Department Establishment Bylaw for Council consideration as soon as possible.

CARRIED.

MOTION NO. 127/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT the District send correspondence to the Minister of Health, with a copy to the Union of BC Municipalities expressing concern with the manner in which the training and licensing for the FMR Program is conducted;

AND FURTHER THAT Council consider this as a resolution to the Union of BC Municipalities 2007 Convention.

CARRIED.

MOTION NO. 128/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT the District ensure that regular maintenance of water ponds for fire fighting and dry hydrants is carried out and that sufficient funds are budgeted annually for this purpose.

AND FURTHER THAT Council request staff to look into achieving an opportunity to negotiate with future proponents either funds towards a daytime fire fighter position or provide a volunteer fire fighter for the community.

CARRIED.

MOTION NO. 129/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT the issue of a centrally located Fire Hall be forwarded to the Fire Department Strategic Planning Process.

CARRIED.

MOTION NO. 130/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT Council move first and second reading of the Fireworks Regulation Bylaw No. 254, 2007.

CARRIED.

Recommendations from the Committee of the Whole Meeting held March 12, 2007

MOTION NO. 131/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT the correspondence from Mr. Dan Young, 1985 Millstream Road, received March 12, 2007 be received and considered in connection with the Official Community Plan.

CARRIED.

Rise and Report from the In-Camera Meeting held February 5, 2007
- Special Presentation to Bob McMinn

MOTION NO. 132/07
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR WILLIAMS

THAT Council Rise and Report from the In-Camera meeting held February 5, 2007 regarding a Special Presentation to Bob McMinn.

CARRIED.

Mayor Cardinal gave a speech honouring Mr. McMinn for his dedication and outstanding contributions spanning more than 40 years to the Municipality and the Province.

MOTION NO. 133/07
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR MENDUM

THAT Council confer Freedom of the Municipality upon Robert Gordon McMinn this 2nd Day of April, 2007.

CARRIED.

Mayor Cardinal advised that there will be a formal day to honour and a celebration planned for Mr. McMinn on June 24, 2007.

6. INTRODUCTION OF LATE ITEMS

7. UNFINISHED BUSINESS

8. CORRESPONDENCE

Correspondence to Receive for Information:

- a) Letter from Tracey Arthur, City Clerk, City of Langley, dated January 18, 2007 to the Right Honourable Stephen Harper, PM of Canada and the Honourable Diane Finlay, Minister of Human Resources and Social Development
Re: National Homelessness Initiative / Development of a Comprehensive National Housing Strategy
- b) Letter from Tracey Arthur, City Clerk, City of Langley, dated January 18, 2007 to the Honourable Rich Coleman, Minister Responsible for Housing
Re: BC Building Code
- c) Members Advisory from FCM, dated March 20, 2007
Re: Budget Delivers Infrastructure Investments but not Long-Term Solutions
- d) Letter from Stella-Jo Dean, Volunteer Chair, Pitch-In Canada, received February 1, 2007
Re: Operation Clean Sweep – Pitch-In Canada

MOTION NO. 134/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT correspondence a), b), c) and d) be received for information.

CARRIED.

Correspondence Requiring Action:

- e) Letter from Mayor Derek Corrigan, City of Burnaby, dated January 26, 2007
Re: Resolution Respecting Wildlife Rescue and Ecosystem Recovery Cost Accountability

MOTION NO. 135/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR WILLIAMS

THAT Council refer the letter from Mayor Derek Corrigan, City of Burnaby, dated January 26, 2007 regarding a Resolution Respecting Wildlife Rescue and Ecosystem Recovery Cost Accountability to the Community Infrastructure and Services Select Committee and the Fiscal and Environmental Select Committee requesting their input on whether Council should support this motion, and whether it should be sent to UBCM.

CARRIED.

- f) Letter from Rachael Parker, Deputy Clerk, District of Metchosin dated March 10, 2007 to UBCM regarding the Trade and Investment Labour Mobility Agreement (TILMA).

MOTION NO. 136/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM

THAT Council defer the letter from Rachael Parker, Deputy Clerk, District of Metchosin dated March 10, 2007 to UBCM regarding the Trade and Investment Labour Mobility Agreement (TILMA) to staff for a report on the Trade and Investment Labour Mobility Agreement.

CARRIED.

- g) Memo from UBCM, dated March 19, 2007
Re: 2007 West Nile Risk Reduction Funding Available for Communities

MOTION NO. 137/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT staff send a letter to the Capital Regional District advising that the District of Highlands is willing to participate in the program.

CARRIED.

9. BYLAWS

- a) Fireworks Regulation Bylaw, No. 254, 2007

MOTION NO. 138/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR KADAR

THAT Council move first reading of the District of Highlands Fireworks Regulation Bylaw No. 254, 2007.

CARRIED.
(Councillor's Brotherston and Williams opposed)

MOTION NO. 139/07
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR FALL

THAT Council move second reading of the District of Highlands Fireworks Regulation Bylaw No. 254, 2007.

CARRIED.
(Councillor's Brotherston and Williams opposed)

MOTION NO. 140/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM

THAT Council move third reading of the District of Highlands Fireworks Regulation Bylaw No. 254, 2007.

CARRIED.
(Councillor's Brotherston and Williams opposed)

10. UNFINISHED BUSINESS

- a) Report from Planner to CAO, dated March 27, 2007
Re: Development Variance Permit Application – Lot 3 Woodridge (3657 Woodridge Place)

MOTION NO. 141/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MAHOVLICH

THAT Council issue Development Variance Permit DVP-01-07.

CARRIED.

MOTION NO. 142/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM

THAT staff do a report outlining options to avoid the need for variances in newly subdivided properties.

AND FURTHER THAT staff send a letter to Ron Cheeke, Owner and Realtor for the Woodridge Subdivision, requesting that he advise future owners to contact the Municipal Office to obtain the bylaws and policies on this subdivision.

CARRIED.

11. NEW BUSINESS

- a) Report from Planner to CAO, dated March 29, 2007
Re: UVIC School of Earth and Science – Grant Application and Request for Highlands' Support.

MOTION NO. 143/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR MAHOVLICH

THAT Council supports the, "Ecosystem adaptation and fresh water availability in response to climate change on southern Vancouver Island," project as described in the NSERC grant application to be submitted by Andrew Weaver;

AND FURTHER THAT Council encourages the granting bodies to approve the application.

CARRIED.

- b) Report from Planner to CAO, dated March 27, 2007
Re: "Caring for Your Water Well" Information Sheet
Requesting inclusion with Property Tax Notices

MOTION NO. 144/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR KADAR

THAT Council direct staff to include the, "Caring for Your Water Well," information sheet with the 2007 and successive years' property tax notices including with contact information on the second sheet.

CARRIED.

12. ADJOURNMENT

MOTION NO. 145/07

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR BROTHERSTON

THAT the Regular Meeting of Council be adjourn at 9:00 p.m.

CARRIED.

MAYOR

ACTING CORPORATE OFFICER