



**DISTRICT OF HIGHLANDS
MINUTES OF THE
REGULAR COUNCIL MEETING**

**June 18, 2007 @ 7:00 P.M.
Caleb Pike House, 1589 Millstream Road**

PRESENT:

Mayor M Cardinal, Chair
Councillor K Brotherston
Councillor A Fall
Councillor J Kadar
Councillor J Mendum
Councillor K Williams
Councillor M Mahovich

IN ATTENDANCE:

Christopher Coates, CAO
Laura Beckett, Planner
Tina Neurauter, DCO
Pattie Whitehouse, Goldstream Gazette
13 members of the public

1. APPROVAL OF THE AGENDA

**MOTION NO. 225/07
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR BROTHERSTON**

THAT Council approve the agenda as presented.

CARRIED

2. PETITIONS AND DELEGATIONS

Jennifer Burgess, National Democratic Party Candidate for the area was in attendance at the meeting and introduced herself to Council and the audience.

Vicki Husband was in attendance and addressed Council with concerns regarding height restriction within the Bear Mountain development and the loss of promised commercial tax base. She feels that these issues are very important to Council.

Marie Brotherston was in attendance and read a prepared statement regarding what she believes to be a conflict of a District of Highlands Councillor and the Capital Regional Board. She feels the actions taken by this Councillor show a lack of respect for the democratic process and feels ashamed and angry by these actions. Councilors' have to be made responsible for their actions.

3. ADOPTION OF THE MINUTES

a) Minutes of the Regular Council Meeting - June 4, 2007

MOTION NO. 226 /2007
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR BROTHERSTON

THAT the Minutes of the Regular Council Meeting dated June 4, 2007 be adopted as circulated.

CARRIED

b) Minutes of the Committee of the Whole - June 11, 2007

MOTION NO. 227/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR BROTHERSTON

THAT the Minutes of the Committee of the Whole dated June 11, 2007 be received as amended:

COUNCILLOR MAHOVLICH shown as absent.

CARRIED

c) Draft Minutes - Community Infrastructure and Services Select Committee - May 23, 2007

MOTION NO. 228/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT the Draft Minutes of the Community Infrastructure and Services Select Committee held May 23, 2007 be received.

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) – \$30 000 for up to 15 grants is available
- 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) – AMG scheduled Wednesday, June 20, 2007
- 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) – reports on motorcycle speeding is still a concern, RCMP finding it hard to respond to Munn Road.

MOTION NO. 229/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR MENDUM

THAT the District communicate these concerns to Inspector Faulkner of the West Shore RCMP by way of a strongly worded letter requesting a RCMP presence in the District of Highlands.

CARRIED

- x) Groundwater Task Force (Councillor Mahovlich) – June 19th Highlands District Community Association is hosting a meeting. The Task Force will present a work plan for the ground water strategy, Golder and Associates will be attending.
- xi) CREST (Councillor Fall) – huge problems currently exist with CREST program. AGM being held July 4, 2007. Council should consider forwarding specific recommendation to the Governance Committee which would require unanimous consent. Next meeting June 28, 2007.
- xii) CRD Water (Councillor Brotherston) – the Board will be looking at piped water to the District of Highlands at its next meeting.
- xiii) Juan de Fuca Water (Councillor Brotherston) – nothing to report

b) Mayor's Report

- xiv) **CRD Board** – The Regional Growth Strategy amendments have been endorsed by the Planning and Protective Services Committee. A number of housekeeping issues were raised. View Royal put forward a motion to defer to the July 11, 2007 meeting. Two sets of bylaws will come forward, one to deal with house keeping issues the other to deal with the District of Highlands Regional Context Statement.
- xv) **CRD Committees** – nothing to report
- xvi) **West Shore Parks and Recreation Society's Board of Directors** – a meeting was held June 14, 2007 and items discussed included: the decision to not partner with John Stubbs Elementary School regarding the construction of new fields. The main reason for this is the possible negative impact this may have on the property owner/ occupants in the near area. The feeling is a better location could be identified with a more appropriate rental options. The BMX World Championships are requesting funding as the original cash projections are not being met.
- xvii) **West Shore Economic and Development Association** – Next meeting scheduled for July 9, 2007.

5. RATIFICATION OF COMMITTEE RECOMMENDATIONS

Councillor M Mahovlich declared a perceived conflict of interest and excused herself from the meeting at 8:05 pm.

**MOTION NO. 230/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL**

a) KPMG Report on Financial Impact of Proposed Bear Mountain Development:

- i) THAT Staff report on the options regarding the establishment of local Service (specified) areas.
- ii) THAT Staff report on the issue of potential voter rights for owners/ tenants of fractional ownership units.
- iii) THAT Staff recommend as to how to utilize the model established in the KPMG Report for financial planning purposes.

AMENDMENT

**MOTION NO. 231/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL**

- iv) THAT staff verify what statistics Mr. Gunn used for calculations in determining how many kilometers of roads, as reflected in the KPMG report.

CARRIED

The question was called on the main motion as amended

CARRIED

Councillor M Mahovlich returned to the meeting at 8:09 pm

b) Pending Projects List – June 7, 2007.

**MOTION NO. 232/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL**

THAT the Pending Projects List for June 7, 2007 be received.

CARRIED

c) Municipal Office Hours

**MOTION NO. 233/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR BROTHERSTON**

THAT Council approve a change in office hours to 8:30 a.m. to 4:00 p.m. effective July 2, 2007 and that the hours be expanded to 8:00 a.m. to 4:30 p.m. for the month of June each year. Further that the change be on a trial basis for six months and that Staff develop opportunities for accommodating persons who cannot conduct business during these hours as well as feed back on the new office hours.

CARRIED

d) Line Painting

MOTION NO. 234/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR WILLIAMS

THAT Council approve an additional road maintenance item for centre line painting on Millstream and Munn Roads.

CARRIED

e) Rise and Report from In-Camera

MOTION NO. 235/07
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR BROTHERSTON

i) Appointment of Deputy Corporate Officer

THAT Tina Neurauter be appointed as Deputy Corporate Officer subject to the terms and conditions of the employment agreement.

CARRIED

MOTION NO. 236/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR BROTHERSTON

ii) Advisory Planning Commission Appointments.

THAT Council appoint Marcie McLean, Eleanor Raynor, Colleen Robertson and Kent Willner to the Advisory Planning Commission for two year terms.

CARRIED

6. INTRODUCTION OF LATE ITEMS

7. UNFINISHED BUSINESS

**a) Memorandum from the CAO regarding Committee Structure for Fire Department Issues
– June 8, 2007**

MOTION NO. 237/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

THAT Council confirm the Community Infrastructure Committee as the citizen based committee to address fire department issues, that the Fire Chief be scheduled to attend Committee of the Whole meetings quarterly, invited to attend at any time and that Council support the CAO in a flexible work schedule to accommodate meetings with the Fire Chief as required.

CARRIED

8. CORRESPONDENCE

Correspondence to Receive for Information:

- a) West Shore Economic Development Association regarding receipt of Raising the Bar Award – June 1, 2007.

MOTION NO. 238/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR KADAR

THAT Council receive the correspondence from the West Shore Economic Development Association regarding receipt of Raising the Bar Award – June 1, 2007.

CARRIED

- b) Capital Regional District regarding effects of backyard burning – June 7, 2007

MOTION NO. 239/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT Council receive the report from the Capital Regional District regarding effects of backyard burning – June 7, 2007, and

AND FURTHER THAT this item be referred to the Fiscal and Environmental Select Committee for information.

CARRIED

- c) Letter from Peggy Burrell, Linda Bryant, Joe Bryant and Bill Mottram regarding Twinflower Park – June 8, 2007.

MOTION NO. 240/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR BROTHERSTON

THAT Council receive the Letter from Peggy Burrell, Linda Bryant, Joe Bryant and Bill Mottram regarding Twinflower Park dated June 8, 2007, and

AND FURTHER THAT this letter be forwarded to the Community Hall Task Force for information and a letter be written to Peggy Burrell, Linda Bryant, Joe Bryant and Bill Mottram informing them when this Task Force meets.

CARRIED

9. BYLAWS

a) Land Use Application Fee Amendment Bylaw No. 299, 2007

MOTION NO. 241/07

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR MENDUM

That the bylaw be amended to read:

6. a) ii) No application fee is required where the application is solely for the purposes of tree and vegetation removal for mitigation of the fire interface hazard, as described by the FireSmart Manual.

CARRIED

MOTION NO. 242/07

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR BROTHERSTON

THAT Council give FIRST READING to the Land Use Application Fees Bylaw Amendment bylaw No. 299, 2007.

CARRIED

MOTION NO. 243/07

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR BROTHERSTON

THAT Council give SECOND READING to the Land Use Application Fees Bylaw Amendment Bylaw No. 299, 2007 as amended.

CARRIED

MOTION NO. 244/07

MOVED BY: COUNCILLOR MENDUM

SECONDED: COUNCILLOR FALL

THAT Council give THIRD READING to the Land Use Application Fees Bylaw Amendment bylaw No. 299, 2007 as amended.

CARRIED

10. NEW BUSINESS

a) Capital Regional District regarding appointment Animal Control Officers.

MOTION NO. 245/07

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR MENDUM

THAT Council appoint Barrie Bude as an Animal Control Officer.

CARRIED

b) Building Official Report for May 2007.

**MOTION NO. 246/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR ANDREWS**

THAT Council receive the May 2007 Building Official Report.

CARRIED

c) Memorandum from the Planner regarding Preliminary Land Use Referral from Cowichan Valley Regional District regarding Development of Bamberton Lands.

Councillor M Mahovlich declared a perceived conflict of interest and excused herself from the meeting at 8:50 pm.

**MOTION NO. 247/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR BROTHERSTON**

THAT staff respond the CVRD's referral regarding the proposed development of the Bamberton Lands advising that Council will invite 3 Point Properties to a meeting to discuss the proposal in further detail,

AND FURTHER THAT 3 Point Properties be advised of Council's issues of concern being transportation, light emissions, impact of infrastructure including hospitals and impact on the Saanich Inlet.

CARRIED

Councillor M Mahovlich returned to the meeting at 9:05 pm.

d) In-Camera Meeting

**MOTION NO. 248/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR KADAR**

THAT the Regular Meeting be adjourned to In-Camera at 9:01pm.

CARRIED

11. ADJOURNMENT

**MOTION NO. 249/07
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR MENDUM**

THAT the Regular Meeting of Council be adjourn at 9:01 p.m.

CARRIED