



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

**Monday, November, 3, 2008 @ 7:00 p.m.
SCHOOL HOUSE, 1589 MILLSTREAM ROAD**

PRESENT:

Mayor Cardinal
Councillor A Fall
Councillor J Kadar
Councillor J Mendum
Councillor M Mahovlich
Councillor K Williams

ABSENT

Councillor K Brotherston

IN ATTENDANCE:

Chris Coates, Chief Administrative Officer
Laura Beckett, Planner
Tina Neurauter, A/ Corporate Officer
20 members of the public

1. APPROVAL OF THE AGENDA

**MOTION: 380 /2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM**

THAT the agenda be approved as amended:

UNDER PETITIONS AND DELEGATIONS ADD: Marcie McLean, Vicky Husband, Bob McMinn and Pattie Whitehouse.

CARRIED

2. PETITIONS AND DELEGATIONS

Marcie McLean, 1321 Millstream Road, addressed Council and asked for clarification regarding the first motion passed by Council at the Committee of the Whole meeting dated October 27, 2008 having to do with the Phase 1: Groundwater Protection Study and expressed her concerns regarding the proposed Terms of Reference for the Sustainability Task Force.

Vicky Husband, 301 Ross Durrance Road, addressed Council and expressed her concerns regarding transparency and accountability and her concerns regarding the proposed Urban Containment Boundary adjustment.

Bob McMinn, 499 Millstream Lake Road, addressed Council regarding concerns with the Towns For Tomorrow Funding Agreement which is on the agenda for endorsement by Council for its execution.

Pattie Whitehouse, 635 Lost Lake Road, addressed Council regarding the composition of the members for the Sustainability Task Force and encouraged Council to endorse the recommendation from the Fiscal and Environment Select Committee regarding the request from the Vancouver Humane Society for a resolution for a Cage Free Resolution.

3. ADOPTION OF THE MINUTES

a) Council - October 20, 2008

MOTION: 381 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

THAT the minutes of Council dated October 20, 2008 be adopted as amended:

CHANGE TITLE OF ITEM 5b) on page 4 and ITEM 11 ii) on page 7 to: Arbitration Proposal Submission; AND

CHANGE THE MOVER ON MOTION 369/ 08 to Councillor Mahovlich.

CARRIED

b) Committee of the Whole - October 27, 2008

MOTION: 382 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

THAT the minutes of Committee of the Whole dated October 27, 2008 be adopted.

CARRIED

c) Fiscal and Environmental Select Committee - October 1, 2008

MOTION: 383 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM

THAT the minutes of the Fiscal and Environmental Select Committee dated October 1, 2008 be received.

CARRIED

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

a) Committee Reports

- i) Advisory Planning Commission (Cllr. Williams) – Nothing to report.
- ii) CRD Arts Committee (Cllr. Fall) – Nothing to report.

- iii) Emergency Planning Committee (Cllr. Fall) – Nothing to report.
- iv) Greater Victoria Family Court Committee (Cllr. Williams) – Nothing to report.
- v) Greater Victoria Public Library Board (Cllr. Kadar) – Nothing to report.
- vi) Inter-Municipal Committee on Disability Issues (Cllr. Kadar) – Nothing to report.
- vii) Solid Waste Advisory Committee (Cllr. Kadar) – Nothing to report.
- viii) Western Communities Policing Advisory Committee (Cllr. Mendum) – Nothing to report.
- ix) Groundwater Task Force (Cllr. Mahovlich) – on the Agenda later in the evening.
- x) CREST (Cllr. Fall) – Nothing to report.
- xi) CRD Water (Mayor Cardinal) – Nothing to report.

b) Mayor's Report

CRD Board – Mayor Cardinal reported on the Board meeting of October 29, 2008 which discussed the Urban Containment Boundary Adjustment. The Board does not endorse the expansion of the Urban Containment Boundary Adjustment and will put its position forward the arbitrator.

CRD Committees

Parks – Nothing to report.

Environment – Nothing to report.

West Shore Parks and Recreation – Nothing to report.

Mayor Cardinal took a moment to address Council and those present in the audience to inform that Candidate Ron Doak, running for a Councillor position has taken a bad fall and has been hospitalized.

5. RATIFICATION OF COMMITTEE RECOMMENDATIONS

1) FISCAL AND ENVIRONMENT – October 1, 2008

- a) Letter – James Lam, Manager CRD Arts Development – June 9, 2008
RE: PROPOSED COMMUNITY ARTS MATCHING GRANT PROGRAM

Recommendation to Council:

FESC supports the proposed CRD community Arts Matching grant program in principle and requests that, once staff has provided information to Council on how this program might be implemented, that the staff report be shared with FESC.

MOTION: 384 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

That Council receive the recommendation from the Fiscal and Environment Select Committee regarding the Community Arts Matching Grant Program.

CARRIED

- b) Letter – Vancouver Humane Society, Leanne McConnchie – June 20, 2008 pg. 17
Re: REQUEST FOR CAGE FREE RESOLUTION

Recommendation to Council:

THAT the Council of the District of Highlands resolves to encourage Highlands's residents:

- 1) As restaurateurs and caterers in both private and district operations, to highlight the support for and availability of certified organic, free-range eggs on their menus;
- 2) As consumers, to request the option of purchasing certified organic, free-range eggs at retail food outlets and restaurants and where available, choose the certified organic, free-range option;
- 3) As wholesalers, to highlight the preference for and availability of certified organic, free-range eggs on their food supply inventories;
- 4) As retailers, to highlight the preference for and availability of certified organic, free-range eggs in their food stores;
- 5) That the operators and caterers of District-run facilities be requested to use only certified organic, free-range or free-run whole (shell) eggs;
- 6) That a letter be written to the Provincial Government, Federal Government and the Canadian Food Inspection Agency stating that the Highlands Council opposes battery cage egg production based on the inherent cruelty of confining egg-laying hens in battery cages; and
- 7) That a letter be written to the Union of BC Municipalities requesting all members to adopt a similar initiative.

MOTION: 385 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

That Council endorse the recommendation from the Fiscal and Environment Select Committee regarding the request for a Cage Free Resolution.

CARRIED

- c) Water Use on Bear Mountain Golf Course in the Highlands

Recommendation to Council:

THAT the issue of golf course irrigation for the Bear Mountain Golf Course in the Highlands be brought forward to Council for consideration and for status update of the irrigation plan, as stated in the Master Development Agreement, including the amount of water taken out daily from their wells located in the Highlands, and over what specific period of time, and that this information be sent to FESC.

MOTION: 386 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR FALL

That this item be considered with Item 10 c).

CARRIED

2) COMMITTEE OF THE WHOLE - October 27, 2008

- a) Report – Golder and Associates – October 22, 2008
 RE: PHASE I: GROUNDWATER PROTECTION STUDY

pg. 19

MOTION: 387 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR WILLIAMS

THAT staff obtain information on legislation establishing a statutory process for community based, legally binding water management plans to address groundwater extraction, impacts on groundwater quality from land use activities and water conservation, AND

THAT the report from Golder and Associates entitled, Phase I: Groundwater Protection Study be received.

CARRIED

- b) Memo – Chief Administrative Officer – October 21, 2008
 RE: ESTABLISHMENT OF A SUSTAINABILITY TASK FORCE

MOTION: 388 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

That Council approved the Terms of Reference established in the Chief Administrative Officers report with the addition of two members of the community being added under the heading 1.2 Task Force Composition and Liaison and Council authorizes staff to seek appointments from the various organizations.

The Terms of Reference for the Sustainability Task Force established October 27, 2008 are as follows:

SUSTAINABILITY TASK FORCE

1.1 Committee Name

The committee name shall be the *Sustainability Task Force*.

1.2 Task Force Composition and Liaison

The Task Force will be comprised of a representative from each Select Committee (2), Council (1), Groundwater Task Force (1), Community Centre Task Force (1), Highland District Community Association (1), Highlands Stewardship foundation (1), and two members of the community (2).

1.3 Budget

The Task Force shall have a budget of \$1000.00 to obtain materials and assistance not available through staff.

1.4 Objectives and Timelines

The Task Force shall prepare an interim Report, three months after its formation, outlining the issues to be examined and the suggested timelines for completion of reports and recommending initiatives that may be acted upon by Council. The Final Report shall be provided within 6 months of the Task Force's first meeting. Important to note that the Climate Change Charter and Sustainability Checklist concept are important issues for consideration relative to the Task Force's discussions in recommending sustainability initiatives and objectives.

1.5 Roles within the Task Force

The Task Force shall elect a Chair and Vice Chair for meeting management and a recording secretary for taking minutes. The Council appointee will be a functional voting member.

1.6 Reporting Protocol

The Task Force reports directly to Council through the office of the Chief Administrative Officer. Minutes and Recommendations are forwarded to Council for receipt and approval respectively.

1.7 Meetings

The Task Force shall meet as required by a majority vote or the call of the Chair with at least 48 hours notice unless waived by unanimous consent of all Task Force members. The Task Force will endeavor to create a meeting schedule that is agreed upon by the members.

1.8 Staffing

To connect with the Capital Regional District Climate Change staff in the early stages to provide significant assistance and direction, with its recommendations in September 2007. This will allow time for recommendations or amendments to be included in the 2008 municipal budget.

6. INTRODUCTION OF LATE ITEMS**7. UNFINISHED BUSINESS**

- a) Report – Municipal Planner
RE: REGIONAL GROWTH STRATEGY ARBITRATION – RATIONALE FOR POTENTIAL PROPERTIES FOR INCLUSION TO POSSIBLE SUBMISSION

MOTION: 389 / 2008
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR MAHOVLICH

That this item be moved to the end of the Agenda.

DEFEATED

OPPOSED: COUNCILLOR MENDUM
COUNCILLOR WILLIAMS
COUNCILLOR FALL

MOTION: 390 / 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR MAHOVLICH

THAT Council submit the entire set of areas in the staff report, that is areas 1-12, as Highlands' submission to the RGS Amendment Arbitration Process.

CARRIED

8. CORRESPONDENCE

- a) Letter – Councillor Day – October 14, 2008
RE: HERITAGE – ARCHIVE AND MUSEUM FACILITY

MOTION: 391 / 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT the letter be sent to the Highlands District Community Association and the Highlands Heritage Society.

CARRIED

- b) Letter – CRD, Susan Brice – October 2, 2008
RE: REGIONAL PESTICIDE REDUCTION EDUCATION INITIATIVE

MOTION: 392 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

THAT the letter be received.

CARRIED

- c) Letter – CRD, Bob Lapham – October 15, 2008
RE: STATE OF THE REGION REPORT

MOTION: 393 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR MENDUM

THAT the letter be received.

CARRIED

MOTION: 394 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM

THAT both select committees be forwarded information regarding this report and that copies be available for these members if they wish.

CARRIED

9. BYLAWS**10. NEW BUSINESS**

- a) Report – Chief Administrative Officer, October 23, 2008
RE: 2010 LEGACIES NOW – MEASURING UP PROGRAM FUNDING

MOTION: 395 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

That Council approve the request for an extension to the Contribution Agreement to February 29, 2009.

CARRIED

- b) Report – Municipal Planner, October 29, 2008
RE: APPOINTMENT TO GROUNDWATER TASK FORCE

MOTION: 396 / 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR KADAR

That Council endorse Michelle Mahovlich's continuing involvement as a member of the Groundwater Task Force.

CARRIED

- c) Report – Municipal Planner, October 30, 2008
RE: RECOMMENDATIONS RESULTING FROM
 PHASE 1 OF THE COMPREHENSIVE GROUNDWATER STUDY

MOTION: 397 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

That Council direct staff to seek an estimate on set-up and ongoing costs related to obtaining flow volumes from three pumping wells 405, 407 and 411 and water levels of existing and related monitoring/observation wells.

CARRIED

- d) Report – Chief Administrative Officer, October 30, 2008
RE: TOWNS FOR TOMORROW FUNDING AGREEMENT – PROPOSED COMMUNITY HALL

MOTION: 398 / 2008
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR MAHOVLICH

That Council approve the Towns for Tomorrow Contribution Agreement and authorize the Mayor and the Corporate Officer to execute the Agreement on behalf of the District.

DEFEATED

OPPOSED: COUNCILLOR FALL
COUNCILLOR MENDUM
COUNCILLOR WILLIAMS

MOTION: 399 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

That Council support a wording change in Schedule "A" to reflect a building size "up to 12,000 square feet.

CARRIED

MOTION: 400/ 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

That the Contribution agreement be referred back to staff and that council members forward any concerns with the proposed agreement to staff. Further that staff bring the matter forward to the November 17, 2008 regular council meeting.

CARRIED

11. ADJOURNMENT

MOTION: 396 / 2008
MOVED BY: COUNCILLOR
SECONDED: COUNCILLOR

THAT the Regular Council Meeting of Council adjourn at 9:40 p.m.

CARRIED

Mayor

Acting Corporate Officer