

**MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY
HELD ON MONDAY MARCH 20, 2006 AT 7:00 P.M.
IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

Present: Mayor Max Wyman
Councillor Linda Heneault
Councillor Connie Spiers
Councillor Lisa Turpin
Councillor Ken Wolder
Administrator Lori Pilon
Recording Secretary Sheila Blake

1. Call to Order

Mayor Wyman called the meeting to order at 7:00 p.m.

2. Approval of Agenda

MOVED and seconded that the agenda be approved.

Carried...

3. Public Participation

Tina Schneider regarding a developer's requested access via Oceanview Road

Schneider advised that:

- She has been a resident for 35 years and the original developers, Dawson Construction were not permitted to build above the water towers,
- 10 years ago Kelvin Grove developers put forward the same proposal to build on the plateau and permission was not granted, and
- The Schneiders are opposed to Four Winds Development's requested access via Oceanview Road and Lions Bay is not in the development business.

4. Delegations

A. Deputy Fire Chief Andrew Oliver and Training Officer Bob Allan regarding live burn at 360 Bayview Place

Deputy Fire Chief Oliver presented a report dated March 20, 2006 regarding the proposed house burn at 360 Bayview Place scheduled for the weekend of April 1 and 2, 2006 and reported that:

- An ambulance will be on scene and West Vancouver Fire Rescue will be on stand-by,
- The water main and hydrants in the area will be flushed prior to the burn to remove iron nodules that plug the screens reducing water flows, and

- This controlled and clean burn will provide an excellent opportunity to advance training.

Mayor Wyman confirmed that the Mayor and Fire Chief Fred Bain will respond to the media. Details of the burn will also be included in the Seagull as part of the Mayor's message.

MOVED and seconded that this matter be deferred to Item 6 Unfinished Business.

Carried...

B. Robert Millar and Costa Vassos regarding filming 'The Protégé' at Brunswick Beach.

The delegation was not present.

C. Norma Rodgers regarding Bear Smart Committee

Norma Rodgers presented the Lions Bay Bear Management Report dated March 13, 2006 and advised that:

- Initially in 1999 the Bear Smart Committee was an ad hoc committee but government funded Bear Smart Grants of \$5,000 in 2004, \$4,000 in 2005 and \$5,000 this year have resulted in the need for formalizing and documenting bear-related incidents,
- Before talking to the Manager of COS Southern Region, Rodgers requested direction from Council regarding:
 - if Larry McHale, District of West Vancouver forester is authorized to respond to bear incidents in Lions Bay and whether a paint ball gun can be used to haze bears,
 - how to proceed regarding the Bear Hot Line and Bear Management Plan, and
 - bylaw enforcement for 2006.

MOVED and seconded that this matter be deferred to Item 6 Unfinished Business.

Carried...

5. Adoption of Minutes

Regular Council Meeting held February 27, 2006

MOVED and seconded that the Minutes of the Regular Council Meeting held on February 27, 2006 be adopted.

Carried...

6. **Unfinished Business**

A. **Acquisition of Public Land**

An information report dated March 20, 2006 regarding Suzanne and Albert Forshaw's requested acquisition of public land was presented.

MOVED and seconded that a copy of the appraisal by MacIntosh Appraisals be provided to the Forshaws upon payment of the cost in the amount of \$2,140; that MacIntosh Appraisals be authorized to discuss the appraisal with the Forshaws; and that Council begin negotiations with the Forshaws for the sale of the public land.

Carried...

B. **Landscaping Plan – 80 Tidewater**

An information report dated March 20, 2006 regarding a proposed landscaping plan for 80 Tidewater Way was presented.

MOVED and seconded that Council approve the landscaping plan for 80 Tidewater Way on condition that no large items be placed that would obstruct municipal services.

Carried...

C. **Boundary Adjustment to Incorporate Crown Land – 89 Tidewater Way**

An information report dated March 20, 2006 regarding a boundary adjustment to incorporate crown land at 89 Tidewater Way was presented.

MOVED and seconded that Council proceed with the requested boundary adjustment.

Defeated...

Opposed: Mayor Wyman, Councillors Heneault, Spiers, Turpin and Wolder

MOVED and seconded that the request for boundary adjustment at 89 Tidewater Way be deferred and that staff contact Kathy Chan to arrange for her attendance at a future Council meeting to further discuss this matter.

Carried...

D. **North Shore Bylaw Notice Dispute Registry Expansion of service to include Lions Bay**

A letter dated March 14, 2006 from the District of West Vancouver regarding North Shore Bylaw Notice Dispute Registry - Expansion of Service - Lions Bay together with a letter of understanding was presented for information.

MOVED and seconded that Council defer this matter and request staff to invite a representative from the District of West Vancouver to a future Council meeting to provide background information on the North Shore Bylaw Notice Dispute Registry.

Carried...

E. TransLink and Small Business

An information report dated March 20, 2006 regarding the TransLink parking stall tax and small business was presented.

Councillor Wolder advised that the BC Marine Trades Association and the Retail Council of BC are opposing this legislation.

MOVED and seconded that the information report dated March 20, 2006 regarding TransLink and Small Business be received for information.

Carried...

F. Installation of Bell Canada Fibre Optics Line on CN Right-of-Way

An information report dated March 20, 2006 regarding installation of a Bell Canada fibre optics line on the CN right-of-way and a letter dated March 6, 2006 from Bell Canada were presented.

MOVED and seconded that the compensation offer from Bell Canada of \$1,063.50 be accepted.

Carried...

G. Train Whistles at Public Crossings Update

An information report dated March 20, 2006 regarding an update of train whistles at public crossings and an email dated February 28, 2006 from Graham Dallas, Public and Government Affairs, CN Rail and a report *Guideline No. 1: Procedure & Conditions for Eliminating Whistling at Public Crossings* were presented.

MOVED and seconded that Council receive the information report dated March 20, 2006 regarding an update of train whistles at public crossings, an email dated February 28, 2006 and a report from Graham Dallas, CN Rail.

Carried...

MOVED and seconded that staff investigate the possibility of eliminating train whistles within the village and assess the costs involved relating to liability and crossing changes and correspond with communities that have eliminated train whistles.

Carried...

H. Bears Smart Committee

MOVED and seconded that Council support the 'Bear Smart' Community Program application for 2006 and that the matter of stewardship be further discussed In Camera.

Carried...

I. Controlled Burn at 360 Bayview Place

MOVED and seconded that staff contact each neighbour in the area affected to ensure residents are comfortable with this controlled burn and that staff confirm insurance coverage for Lions Bay Fire Rescue and if necessary convene a special meeting of Council.

Carried...

Opposed: Councillors Heneault and Spiers

7. Reports

A. Administrator

i) Position of Administrator

An information report dated March 20, 2006 regarding the position of Administrator was presented.

Mayor Wyman extended best wishes to Lori Pilon in the future.

MOVED and seconded that the letter of resignation received from the Administrator Lori Pilon effective April 30, 2006 be accepted with sincere regret; that the proposed hiring process be accepted with the first interview scheduled for April 3, 2006; and that the Council meeting scheduled for May 1, 2006 be cancelled.

Carried...

ii) CUPE Decertification

An information report dated March 20, 2006 regarding CUPE decertification was presented.

MOVED and seconded that Council accept the information report dated March 20, 2006 regarding CUPE decertification.

Carried...

MOVED and seconded that the Village accept the Notice of Cancellation of Certification; that over the next 6-month period the Village develop a Village Personnel Policy with input from staff using the Collective Agreement as a guide; and that until the Personnel Policy is developed and adopted by Council; the Village be 'guided' by the Collective Agreement with regard to existing employees and in particular the following be confirmed:

- effective April 1, 2006 hourly rates of pay will be increased by 3%,
- terms of overtime and on-call will remain the same, and
- hours of work and weekly schedule will remain the same.

Carried...

B. Finance Manager

An information report dated March 20, 2006 regarding the Infrastructure Program Financing Review was presented.

MOVED and seconded that Council receive the information report dated March 20, 2006 regarding the Infrastructure Program Financing Review.

Carried...

The Administrator advised Council that:

- This report has been brought forward to ensure that all Council members were fully informed for the public consultation meeting scheduled for March 21, 2006, and
- There have been increases to the budget since the initial presentation to the public in September primarily due to requests by Council such as the addition to the review of Lions Bay Avenue and Panorama Place, Bayview Road School improvements added at the request of the previous Council and contingencies of 15% have also been added.

Council unanimously expressed concern regarding EarthTech and it was agreed that discussion of concerns be referred to the next Strategic Planning session.

C. Council

i) Councillor Turpin

Councillor Turpin presented an information report dated March 20, 2006 and advised that:

- Former resident Rob Crumlin died recently as a result of a skiing accident, and
- She has received verbal complaints concerning a family who enjoy speeding down Oceanview Road.

Councillor Turpin to ask concerned residents to write to Council so that action can be taken.

MOVED and seconded that Councillor Turpin's report dated March 20, 2006 be received.

Carried...

ii) Councillor Spiers

Councillor Spiers provided a verbal report and advised that:

- The filming policy should be reviewed, and
- A second left-hand turn above the existing Brunswick Beach turn-off is confusing.

MOVED and seconded that Councillor Spiers report be received.

Carried...

iii) Councillor Heneault

Councillor Heneault presented an information report dated March 20, 2006 and advised that:

- The issue of gas tax allocation was not on the GVRD agenda, and
- Some Brunswick Beach residents are concerned that the filming company returned to do more shooting without permission.

This item to be discussed under Item 9 New Business.

MOVED and seconded that Councillor Heneault's report be received.

Carried...

iv) Councillor Wolder

Councillor Wolder presented an information report dated March 20, 2006 and advised that:

- Engine 61 had to be towed to North Vancouver for repairs,
- Council should seriously consider the purchase of a new fire engine. The payments would likely be the same as current ongoing repair bills.

MOVED and seconded that Councillor Wolder's report be received.

Carried...

D. Committee

Meeting Notes of the Emergency Services Committee meeting held February 24, 2006 were presented.

Council was advised that a new generator would cost \$60,000.

MOVED and seconded that the meeting notes of the Emergency Services Committee meeting held February 24, 2006 be received.

Carried...

8. Correspondence

A. A correspondence list for the period ending March 15, 2006 was presented in writing.

MOVED and seconded that the correspondence list for the period ending March 15, 2006 be received.

Carried...

B. A list of Action Items for the period ending March 15, 2006 was presented in writing.

MOVED and seconded that the list of Action Items for the period ending March 15, 2006 be received.

Carried...

i) Email dated March 9, 2006 from Ronald Williams and Susan Gerlitz regarding unacceptable 2006 water and garbage levies.

The Administrator has responded to Williams.

MOVED and seconded that in future a letter accompany the utility and property tax notices with an explanation for increased levies.

Carried...

ii) Letter dated March 13, 2006 from Carol Conlin regarding dog waste bags at Harvey Creek.

A letter of apology has been sent and a note issued to the Works Department. This matter will now be attended to on a regular basis.

9. New Business

A. Filming Policy

An information report dated March 20, 2006 regarding the Village's filming policy and filming of 'The Protégé' at Brunswick Beach; a letter of conditional approval dated March 13, 2006 to Robert Millar, Howe Sound Productions Ltd. and several letters from residents of Brunswick Beach were presented.

MOVED and seconded that a sub-committee of Council with Councillors Spiers, Heneault and Wolder and the Administrator as staff support review the current policy and make recommendations for improvement.

Carried...

B. Canada Day Funding

An information report dated March 20, 2006 regarding Canada Day – July 1, 2006 was presented.

MOVED and seconded that Council fully endorse an application to the Celebrate Canada Program of the Canada Heritage Ministry of the Federal Government for a funding contribution to the Village's Canada Day Celebration.

Carried...

C. Request to waive/reduce building permit damage deposit

An information report dated March 20, 2006 regarding a request to waive or reduce the Building Permit damage deposit for 2 Goldenrod Avenue was presented.

MOVED and seconded that the damage deposit for construction of a home at 2 Goldenrod Avenue be reduced from \$3,000 to \$1,000.

Carried...

Opposed: Mayor Wyman and Councillor Wolder

10. In Camera

MOVED and seconded that Council move in Camera at 9:48 p.m. regarding:

A. Labour Relations pursuant to Section 90 (1) (c) of the Community Charter (1 item)

B. Legal pursuant to Section 90 (1) (g) of the Community Charter (2 items)

Carried...


MOVED and seconded that the meeting revert back to regular meeting at 10:15 p.m.


Carried...

11. Adjournment

MOVED and seconded that the meeting be adjourned at 10:15 p.m.

Carried...



Mayor

Administrator