

**MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY
HELD ON MONDAY APRIL 3, 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

Request to move New Business Item 10A Tennis Courts to Delegation Item 4B.

MOVED and seconded that the agenda as amended be approved.

Carried...

3. Public Participation

A. Oliver Ganske, 440 Mountain Drive requested clarification of Council's position regarding the application to cut trees in Kelvin Grove Park.

Mayor Wyman advised that this item was on the agenda for discussion and would include presentation of a report from the Tree Committee.

B. Jo Kirkpatrick, 15 Brunswick Beach Road presented a letter dated April 3, 2006 regarding comments on the three-day film shoot at Brunswick Beach (March 15-17, 2006).

Kirpatrick advised that she has been a resident of Brunswick Beach for 25 years and has never experienced the type of discord amongst residents which is currently evident.

Mayor Wyman advised that Councillors will be meeting on April 5, 2006 to discuss this issue and will consider suggestions contained in her report.

C. Tom Burke, 435 Upper Bayview Road on behalf of Marek Sredzki regarding Sredzki's proposal to upgrade tennis court. Burke advised that:

- Sredzki's report dated March 26, 2006 regarding the tennis court is excellent and accurate,
- The condition of the tennis court on Mountain Drive has deteriorated over the year but does get considerable use, and
- It is a valuable village asset which should be maintained.

Mayor Wyman suggested this item be discussed further under Unfinished Business Item 6E.

4. Delegations

Kathy Chan regarding boundary extension – 89 Tidewater Way

An information report dated April 3, 2006 regarding a boundary extension to incorporate crown land at 89 Tidewater Way was presented. Chan advised that:

- She had been invited by Council to attend this meeting regarding the boundary extension application,
- She wished to incorporate a parcel of crown land abutting her property at 89 Tidewater Way for privacy and noise mitigation, and
- It was not her intent at this point to subdivide the property.

MOVED and seconded that this issue be deferred until the next Council meeting.

Carried...

Councillor Heneault opposed

5. Adoption of Minutes

Regular Council Meeting held March 20, 2006

MOVED and seconded that the Minutes of the Regular Council Meeting held on March 20, 2006 be adopted.

Carried...

6. Unfinished Business

A. Bear Awareness Committee

An information report dated April 3, 2006 regarding the Bear Awareness Committee was presented identifying three issues which Norma Rodgers requested clarification from Council before meeting with the Manager of COS Southern Region.

MOVED and seconded that Council receive the report dated April 3, 2006 regarding the Bear Awareness Committee.

Carried...

MOVED and seconded that information with respect to liability, costs and response time regarding reported bear incidents be obtained for discussion at the next Council Meeting.

Carried...

B. Sale of Land to MoT – Lot 50 Kelvin Grove Way

An information report dated April 3, 2006 regarding the sale of Lot 50, 55 Kelvin Grove Way to the Ministry of Transportation was presented. The Administrator advised that:

- The MoT require the land to build the minichange at Kelvin Grove,
- The initial offer of \$225,000 has been increased to \$350,000, and
- The proceeds will be applied to capital projects.

MOVED and seconded that the Village:

- accept the offer from the Ministry of Transportation to purchase Lot 50 at 55 Kelvin Grove Way in the amount of \$350,000,
- publish notice of the proposed disposition as set out in Section 26 of the *Community Charter*; and
- that sale proceeds be deposited into reserves pursuant to Section 188 of the *Community Charter*.

Carried...

C. Boundary Extension Benefits and Liabilities – Ocean Point

An information report dated April 3, 2006 regarding boundary extension benefits and liabilities – Ocean Point was presented. The Administrator advised that:

- Additional benefits include control over development, and
- Revenue from other properties including CN Rail, and social or political impacts are not included in the report.

MOVED and seconded that Council receive the report dated April 3, 2006 regarding boundary extension benefits and liabilities – Ocean Point for information.

Carried...

D. Infrastructure Master Plan

An information report dated April 3, 2006 regarding the Infrastructure Master Plan – Road Program and two reports dated March 21, 2006 from Earth Tech regarding the Harvey Creek 400,000 gallon reservoir preliminary structural assessment and the Lions Bay Water Treatment Plant - Proposal for Engineering Services were presented.

MOVED and seconded that Council receive the information report dated April 3, 2006 regarding the Infrastructure Master Plan – Road Program and the two reports dated March 21, 2006 from EarthTech regarding the Harvey Creek 400,000 gallon reservoir preliminary structural assessment and the Lions Bay Water Treatment Plant - Proposal for Engineering Services.

Carried...

i) Road Program 2006 – 2008

MOVED and seconded that Council provisionally approve the following major projects:

- R20** \$50,000 for partial pavement restoration on Bayview Road,
- R28** \$200,000 for design and construction of the bank stabilization at Kelvin Grove,
- R30** \$330,000 for design and construction of paving Brunswick Beach Road, and
- additional work throughout the Village, including geotechnical reviews.

In the event the Village cannot contact the owner of Lot 53, 105 Kelvin Grove Way in a timely manner the following projects would be undertaken:

- R20** \$50,000 for partial pavement restoration on Bayview Road,
- R08** \$150,000 for design and construction of the bank stabilization/road on Mountain Drive,
- R20** \$150,000 for repaving of Bayview Road cul-de-sac to 475 Bayview Road,
- R30** \$330,000 for design and construction of paving Brunswick Beach Road, and
- additional work throughout the Village, including geotechnical reviews.

Staff be authorized to proceed with borrowing utilizing the alternative approval process to initiate the borrowing of \$1,300,000 to finance this program over the next five years.

Carried...

MOVED and seconded that there shall be a consultation process with Brunswick Beach residents prior to the commencement of the Brunswick Beach paving upgrades.

Carried...

ii) Harvey Creek 400,000 gallon reservoir preliminary structural assessment

The Administrator advised that:

- The remedial cost regarding seismic upgrades to the Village's major water reservoir is \$235,000,
- A new replacement reservoir was estimated to cost \$1 million, and
- It is proposed that this reservoir be drained in August 2006 and resealed. It is estimated that the process will take 4 days plus reconditioning time of the reservoir.

MOVED and seconded that the report dated March 21, 2006 regarding the Harvey Creek 400,000 gallon reservoir preliminary structural assessment be received.

Carried...

iii) Water Treatment Plant Proposal for Engineering Services

The Administrator advised that this report was provided at the request of Council.

MOVED and seconded that the Administrator invite representatives from EarthTech to attend a working session with Council to provide an update on the status and estimated cost of projects.

Carried...

MOVED and seconded that the Administrator provide Council with a report outlining the status quo regarding EarthTech including tasks that EarthTech has accomplished to date and what is outstanding regarding their contracts.

Carried...

E. Tennis Courts

A report from Marek Sredzki dated March 26, 2006 regarding the Village tennis court was presented for information. Items that were discussed included:

- Whether a full upgrade or remedial work should be undertaken,
- The drainage issue needs to be dealt with, and
- Grant funding may be available for a Lions Bay Tennis Club.

MOVED and seconded that Council approve in principal conditional on feedback from Finance Officer Robin Hicks and consultation with Works Manager Joe Canning and Marek Sredzki.

Carried...

MOVED and seconded that Joe Canning, Works Manager meet with interested parties to discuss proposals contained in Sredzki's report regarding options to repair and maintain the tennis court.

Carried...

7. Reports

A. Administrator

i) Sale of Land to Forshaws – 360 Bayview Place

An information report dated April 3, 2006 regarding the acquisition of public land by Suzanne and Albert Forshaw was presented.

MOVED and seconded that the report dated April 3, 2006 the acquisition of public land by Suzanne and Albert Forshaw be received and that the Forshaw's:

- would compensate the Village in the amount of \$27,000 for the purchase of a parcel of municipal land abutting 360 Bayview Place,
- will reimburse the Village of Lions Bay for all costs incurred with regard to the sale and transfer of this land,
- could proceed with the removal of trees from the above mentioned parcel of land notwithstanding that the land has yet to be transferred, and
- will arrange for G.R. Williams Land Surveyor Ltd. to survey and register subdivision/amalgamation of the lot.

It was also agreed that the Village of Lions Bay will:

- do all things necessary to effect transfer of land including, but not limited to, closure of highway and notice of proposed property disposition pursuant to the *Community Charter*, and
- initiate transfer documents.

Carried...

ii) Signing Authority

An information report dated April 3, 2006 regarding signing authority was presented.

MOVED and seconded that Mayor Max Wyman and Anne Page be designated as banking signatories effective April 14, 2006.

Carried...

iii) **Notes from the Public Meeting regarding the Five Year Financial Plan 2006 – 2010 held March 21, 2006**

MOVED and seconded that the notes from the Public Meeting held March 21, 2006 regarding the Five Year Financial Plan 2006 – 2010 be received.

Carried...

B. Finance Manager

An information report dated April 3, 2006 regarding the Parcel Tax Roll Review 2006 was presented.

MOVED and seconded that pursuant to Section 208 (3) of the *Community Charter*, the sitting of the 2006 Parcel Tax Roll Review Panel for the Parcel Tax Roll, be held in the Council Chambers on Monday, May 1, 2006 at 5:00 p.m. and that pursuant to Section 204 (2) of the *Community Charter* Council appoint Councillors Heneault, Turpin and Wolder as members of the Parcel Tax Review Panel.

Carried...

C. Mayor

Mayor Wyman presented a report advising that he recently attended the Sea to Sky Cultural Corridor Meeting. The objective is to discover what challenges and opportunities exist regarding collaboration of cultural organizations and communities in the Sea to Sky Corridor.

MOVED and seconded that Mayor Wyman's report be received.

Carried...

D. Council

i) **Councillor Turpin**

Councillor Turpin presented a report dated April 3, 2006 and advised that:

- More chairs are needed and funds for 10 additional tables were raised from the garage sale,
- The Village may wish to consider a recipient for Citizen of the Year award, and
- Lions Bay Beach Park bathrooms need attention.

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

Carried...

MOVED and seconded that:

- the beach park be opened the weekend before Easter,
- time locks be installed in the washrooms,
- a notice be prominently posted advising the public that the washrooms are closed between certain hours with a Village contact number included in case of emergency.

Carried...

ii) Councillor Spiers

Councillor Spiers presented a report dated April 3, 2006.

MOVED and seconded that staff investigate Kiewit's long term plans for Brunswick Pit and inquire why the Village was not consulted before a 25-year lease was negotiated between MoT and Kiewit.

Carried...

MOVED and seconded that Councillor Spiers report be received.

Carried...

iii) Councillor Heneault

Councillor Heneault presented a report dated April 3, 2006.

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

Carried...

iv) Councillor Wolder

Councillor Wolder presented a report and advised that:

- Engine 61 was back in service prior to the live burn weekend,
- A great deal of planning went into the very successful burn exercise,
- Excellent news coverage and feedback was received from the Justice Institute and West Vancouver Safety Officers, and
- The Forshaws have designed souvenir T-shirts for the firefighters and will donate \$5,000 to the Village to benefit Lions Bay Fire Rescue.

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

Carried...

MOVED and seconded that congratulations be forwarded to Lions Bay Fire Rescue for a job well planned and carried out with commiseration for the loss of the dummy.

Carried...

MOVED and seconded that a letter of thanks be sent to Dorte Allen and Terkel Henriksen for the support they provided.

Carried...

E. Committee

i) Board of Variance meeting held on March 30, 2006

Minutes of the Board of Variance meeting held on March 30, 2006 were presented.

MOVED and seconded that the Minutes of the Board of Variance meeting held on March 30, 2006 be received.

Carried...

ii) Tree Committee

Two reports from the Tree Committee dated April 1, 2006 regarding tree cutting applications on municipal property were presented.

1. Tree Cutting Application - Wanda Keay

MOVED and seconded that the application be approved pursuant to the Tree Committee's recommendations.

Carried...

2. Tree Cutting Application - Kambiz Azordegan

MOVED and seconded that this matter be deferred and the applicant be requested to:

- flag the trees that are referred to in the application, and
- identify whose property the trees are on and provide this information on a map.

Carried...

Council requested that an on site visit be scheduled once the Village received the additional information.

iii) Sea to Sky Cultural Corridor Collaboration Meeting held March 30, 2006

A memo from Rockandel & Associates regarding the Sea to Sky Cultural Corridor Collaboration Meeting held March 30, 2006 were presented.

MOVED and seconded that the memo from Rockandel & Associates regarding the Sea to Sky Cultural Corridor Collaboration Meeting held March 30, 2006 be received.

Carried...

8. **Bylaws**

A. **Bylaw No. 381 – Five Year Financial Plan 2006 – 2010**

MOVED and seconded that Council give first, second and third readings to the Five Year Financial Plan Bylaw No. 381, 2006.

Carried...

B. **Bylaw No. 382 – Sewer User Rates**

MOVED and seconded that Council give first, second and third readings to the Sewer User Rates Bylaw No. 122, 1984, Amendment Bylaw No. 382, 2006.

Carried...

9. **Correspondence**

A. **A correspondence list for the period ending March 30, 2006 was presented in writing.**

MOVED and seconded that the correspondence list for the period ending March 30, 2006 be received.

Carried...

B. **A list of Action Items for the period ending March 30, 2006 was presented in writing.**

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

Carried...

1.(25) **Letter dated March 21, 2006 from Marlene Grinell, Chair, TransLink Governance Review Panel regarding Request for Information regarding TransLink Governance Review Panel**

MOVED and seconded that Councillor Turpin draft a letter to TransLink for consideration at the next Council meeting.

Carried...

2.(41) **Email dated March 29, 2006 from Bob Hutton re: Water Line Flushing**

The Administrator has responded to Hutton and apologized for the short notice that the Village provided regarding water main flushing.

3.(42) Email dated March 29, 2006 from Rafe Mair and Wendy Conway-Mair regarding Water System

Mayor Wyman has responded to Mair.

With respect to the two preceding letters both the Administrator and the Mayor have apologized for the lateness of notification and confirmed that any damage will be covered by the Village insurance policy if it can be proved that any damage occurred as a result of flushing the water system.

4.(45) Letter from Elaine Callahan regarding proposed burn

MOVED and seconded that staff write to Elaine Callahan explaining the extent of the precautions taken and responding to her questions.

Carried...

5.(23) Email dated March 21, 2006 from David Smithers regarding noise complaint

MOVED and seconded that the Noise Bylaw No. 283 be brought back to Council for review at the next meeting.

Carried...

6. Email dated April 1, 2006 from Rafe Mair regarding a speed bump north of the stop sign at the south end of Crosscreek Road

MOVED and seconded that Council request staff to investigate ways in which this stop sign can be enforced and report back to the next Council meeting.

Carried...

10. New Business

A. Tennis Courts

Discussed under Unfinished Business Item 6E.

B. Stormwater Drainage Policy

MOVED and seconded that Councillor Turpin work with the Administrator to draft a policy regarding stormwater drainage including the installation of curbs.

Carried...

11. In Camera

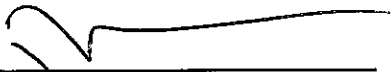
MOVED and seconded that Council move in Camera at 9:30 p.m. regarding:

- A. Legal pursuant to Section 90 (1) (g) of the *Community Charter* (1 item)
Carried...

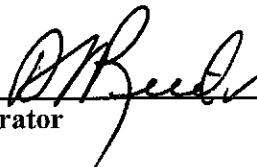
MOVED and seconded that the meeting revert back to regular at 10:00 p.m.
Carried...

12. Adjournment

MOVED and seconded that the meeting be adjourned at 10:00 p.m.
Carried...



Mayor



Administrator