



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

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MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, SEPTEMBER 5, 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 Don Reid
Recording Secretary Sheila Blake

1. Call to Order

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

2. Approval of Agenda

Resolution Number C-82

Moved By Councillor Turpin
Seconded By Councillor Heneault

RESOLVED that: the Agenda for the Regular Council Meeting of September 5, 2006 be approved as presented.

Carried...

3. Public Participation

A. John Robins – 17 Brunswick Beach Road advised that:

- Thanked Council for the paving to be done at Brunswick Beach,
- Referred to his application to remove two trees which stand in the centre of road access to a lot he owns. Robins confirmed that letters have been sent to affected residents, however, the time frame for review of this application extends beyond the planned date for the road work. He is therefore requesting an expeditious review of his application, and
- Prior to purchasing the subject lot he confirmed with the Village office that road access to the lot existed.

Council advised Robins that this matter is on the Agenda and will be discussed later.
This matter was discussed under Item 13 - In Camera. Councillor Spiers left the Council Chambers at 9:10 pm to avoid any conflict of interest and returned at 9:34 pm.

B. Jim Stephenson, 35 Brunswick Beach Road advised that:

- Construction noise, even overnight, is to be expected under the circumstances, however an effort should be made to better manage the noise, particularly the very irritating back-up beepers and provide more disclosure to residents regarding times and duration of the ongoing rock crushing and washing, and
- The back-up beepers are extremely loud, possibly because the operators are wearing ear protection. Could this be checked? It would be particularly helpful if noise could be minimised between 10:00 pm and 7:00 am and information posted on a website, if only as a courtesy.

Council advised that Kiewit and Sons did provide a tour of the Pit workings and a schedule of estimated operating times. An updated schedule will be circulated indicating Kiewit's plan to finish the crushing and washing by the first or second week in September during which time there will be night shifts. This is an improvement on the previously estimated mid to late October.

4. Delegations

A. Ryan Tones, Peter Kiewit and Sons regarding presentation of donation to Lion Bay Fire Rescue

During Kiewit's recent Family Day celebration employees raised \$660 by "getting wet to put out fires in Lions Bay" to be donated to the Lions Bay Fire Rescue Department in thanks for their excellent contribution to safety etc.

Councillor Wolder thanked Kiewit for this donation and also for their continuing support of the Lions Bay Firefighters' Day by providing generators etc.

In response to questions regarding light and dirt pollution and noise from back-up beepers Ryan Tones advised that:

- Magnesium has been spread on the floor of the pit to keep dust down and the area has been sprinkled and swept,
- Back-up beeper noise has been minimised with trucks moving in a circular pattern, however, front end loaders must move back and forth. A request for a decibel variance was submitted to WCB, however, current decibel level is at a minimum acceptable to WCB,
- Light pollution may be adjusted by moving stands, and
- With regard to Village wide water restrictions when Kiewit & Sons are washing at night, the Village water tanks actually re-fill. Kiewit & Sons recycle their water resource.

Council asked the Administrator to continue working with Ryan Tones to mitigate the affect of the above issues.

5. **Adoption of Minutes of Regular Council Meeting held July 17, 2006.**

Resolution Number C-83

Moved By Councillor Turpin
Seconded By Councillor Spiers

RESOLVED that the Minutes for the Regular Council Meeting July 17, 2006 be approved as presented/amended.

Carried...

It was requested that any instructions to staff be recorded in the Minutes.

6. **Business Arising from Minutes**

None

7. **Unfinished Business**

A. **Memorandum of Understanding between the Village of Lions Bay and Tamarack Properties re: Seniors' Housing**

This legal document will be discussed In Camera and the resultant resolution then recorded here.

Resolution Number C-84

Moved by Councillor Turpin
Seconded by Councillor Spiers

RESOLVED that : the Memorandum of Understanding between the Village of Lions Bay and Tamarack Properties Ltd. be approved as amended and duly signed.

Carried...

8. **Reports**

A. **Administrator**

i) **Community Service Requests to August 30, 2006**

Resolution Number C-85

Moved by Councillor Wolder
Seconded by Councillor Spiers

RESOLVED that:- the report regarding the Community Service Requests up to August 30, 2006 be received.

Carried...

ii) **Information memo regarding Minutes of June 5, 2006.**

Resolution Number C-86

Moved by Councillor Turpin
Seconded by Councillor Spiers

RESOLVED that :- the report regarding the Minutes of June 5, 2006 be received.

Carried...

B. Finance Manager

i) **Basic Provincial Local Government Grant Funding revisions**

Resolution Number C-87

Moved by Councillor Heneault
Seconded by Councillor Spiers

RESOLVED that :- the report Basic Provincial Local Government Grant Funding revisions dated September 5, 2006 be received.

Carried...

The Finance Manager reported that:

- The Village's total will increase significantly over 3 years, this year's increment being \$ 47,000.00 with an extra \$ 94,000 next year, and
- There will be increased policing costs next year which may be reduced through discussion with the Solicitor General as the Village's costs are way out of proportion compared to other jurisdictions under 15,000

ii) **Lions Bay Dispatch Function**

Resolution Number C-88

Moved by Councillor Turpin
Seconded by Councillor Wolder

RESOLVED that :- the report Lions Bay Dispatch Function report dated September 5, 2006 be received.

Carried...

The Finance Manager advised that the option of going to Surrey with the District of North Vancouver, West Vancouver, and Bowen Island provided the greatest cost savings. There will be some additional

technical system cost increases. Establishing our own despatch system is impractical.

C. Public Works Manager

No report

D. Mayor and Council

i) Mayor Wyman

Resolution Number C-89

Moved By Councillor Spiers
Seconded By Councillor Wolder

RESOLVED that :- the report from Mayor Wyman dated September 5, 2006 be received.

Carried...

Mayor Wyman advised that :

- The Sea to Sky Cultural Alliance is going well. A one day Cultural Forum is scheduled to take place in Squamish November 18, 2006,
- He will be attending the Howe Sound Community Forum on Friday,
- The highway design team will be reporting back with possible alternatives regarding Highway emergency provisions, and
- The Four Winds property has been sold. The Administrator advised the new owner does not intend to proceed with the planned development.

ii) Councillor Heneault

Resolution Number C-90

Moved By Councillor Turpin
Seconded By Councillor Spiers

RESOLVED that :- the report from Councillor Heneault dated September 5, 2006 be received.

Carried...

iii) **Councillor Spiers**

Resolution Number C-91

Moved By Councillor Turpin
Seconded By Councillor Wolder

RESOLVED that :- the report from Councillor Spiers dated September 5, 2006 be received.

Carried...

Councillor Spiers advised that:

- Kiewit's all-night work is a real problem for Brunswick Beach residents who cannot manage without sleep,
- The Contract provides for respect of Municipal bylaws. Night shifts do not respect our Bylaws. The Village could extend its bylaw hours to enable Kiewit to modify their night shift to get away from all-night work. No noise between 11:00 pm and 7 am would be acceptable,
- The Contractor makes money for every hour worked. It should be borne in mind that Brunswick Beach residents also have businesses to manage, and
- There is concern regarding the new lease on the pit and that a precedent is being set regarding regular pit operation, bearing in mind it will take another 4 years to complete the highway.

Council pointed out that Kiewit are very co-operative but they are bound by the MoT contract.

iv) **Councillor Turpin**

Resolution Number C-92

Moved by Councillor Spiers
Seconded by Councillor Wolder

RESOLVED that : the report from Councillor Turpin dated September 5, 2006 be received.

Carried...

Responding to Councillor Turpin's report on vandalism Councillor Wolder advised that:

- There have been fires at the beach every second night for the last 3 weeks. Youth usually arrive around 10:30 pm and leave around 12:30 am. He has told them repeatedly that if the fire is not extinguished he would call 911,

- He called 911 and asked for fire but was given the police. No one came so he went to the beach and extinguished the fire himself. The Village Fire Department is aware of this problem,
- The Beach is posted but signs are stolen every weekend,
- Beach park vandalism is a real issue with broken bottles, embers still burning next day, grass dead, sprinklers not working, bathrooms damaged,
- There is also unruliness from outside residents who have absolutely no respect for the beach park. He has noticed, on several occasions, a particular group from Squamish who arrive with several children. The kids are allowed to bounce on boats stored there; they leave behind a mess of litter and dog faeces, and
- Local residents are unable to find parking place. Bylaw enforcement of those illegally parked not being enforced.

Council agreed that funds should be budgeted and this problem further discussed at the next budget/planning/strategic meeting.

E. Committees

i) Tree Cutting applications.

Resolution Number C-93

Moved by Councillor Turpin
Seconded by Councillor Wolder

RESOLVED that : the report Tree Cutting Application from the Administrator dated September 5, 2006 and the report Tree Permit #19 dated August 29, 2006 be received.

Carried...

ii) Appointment to Tree Committee

Resolution Number C-94

Moved by Councillor Heneault
Seconded by Councillor Spiers

RESOLVED that :- the report, Appointment to the Tree Committee dated Sept. 5, 2006 from the Administrator, be received; that the Terms of Reference for the Tree Committee be amended to allow for increased membership and that Council appoint additional members to the Tree Committee

Carried...

- iii) **Trails and Pathways Committee meeting notes of meetings held August 3 and 28, 2006.**

Resolution Number C-95

Moved by Councillor Spiers
Seconded by Councillor Turpin

RESOLVED that :- the meeting notes of Trails and Pathways Committee meetings held August 3rd and 28th, 2006 be received.

Carried...

Councillor Turpin advised that Ed Langford (SAR) has detailed trail knowledge. If asked he would be willing to help. He could be used as a liaison person and provide maps.

9. Resolutions

- A. Council Meeting date change**

Resolution Number C-96

Moved by Councillor Turpin
Seconded by Councillor Wolder

RESOLVED that : the report Date Change for the second regular Council meeting in September dated September 5, 2006 from the Administrator be received and that Council approve the recommended change from September 18, 2006 to September 19, 2006.

Carried...

10. Bylaws

- A. North Shore Adjudication Registry Bylaw No. 385, 2006 (first, second and third reading)**

Resolution Number C-97

Moved by Councillor Turpin
Seconded by Councillor Wolder

RESOLVED that : Bylaw 375, 2006 being a Bylaw to provide for the enjoining of the Village of Lions Bay into the North Shore Adjudication Registry, be introduced and read a first, second and third time.

Carried...

The Administrator explained that this Bylaw provides the Village with an alternate payment method and avoids the Village having to go to court.

B. Animal Control Bylaw No. 376, (Licensing, registration and impounding of dogs) (adoption)

Resolution Number C-98

Moved by Councillor Heneault
Seconded by Councillor Spiers

RESOLVED that : the Animal Control Bylaw No. 376, 2006 to provide for the Licensing, Registration and Impounding of Dogs be adopted.

Carried...

11. Correspondence

Resolution Number C-99

Moved by Councillor Wolder
Seconded by Councillor Spiers

RESOLVED that : the list of Correspondence and Action Items for the period ending August 30, 2006 be received.

Carried...

Item 18 - Councillor Turpin sought clarification of Item 18, a letter from John Cavanagh re designated arterial highway through West Vancouver and reference to project directions for Lions Bay and classifying property as an arterial highway. What property and what zoning rights?

Item 25 - Councillor Turpin referred to John Les' letter re Policing and pointed out that the Police were in the village recently collecting speeding tickets. Suggested Lions bay should get a proportion of fines to offset policing costs.

12. New Business

A. Village of Lions Bay Sea to Sky Highway Improvements Project Focus Groups

The Administrator reported that 73 residents have indicated they would be prepared to take part in the focus groups.

A meeting of the three groups is planned for September 12, 2006 prior to the first meeting scheduled for September 18 at 7:00 pm.

13. In Camera

- A. Personal pursuant to Section 90 (1) (a) of the Community Charter (2 Items)
- B. Legal pursuant to Section 90 (1) (g) of the Community Charter (2 Items)

Resolution Number C-100

Moved by Councillor Turpin
Seconded by Councillor Wolder

RESOLVED that: Council does move into closed session to discuss matters.

Carried...

Resolution Number C-101

Moved by Councillor Heneault
Seconded by Councillor Spiers

RESOLVED that : Council does now rise and report.

Carried...

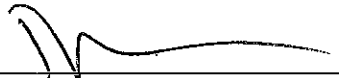
14. Adjournment

Resolution Number C-102

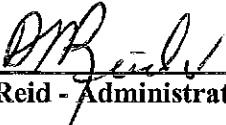
Moved by Councillor Turpin
Seconded by Mayor Wyman

RESOLVED that : that the regular Council meeting of September 5, 2006 adjourn at 10:40 pm the date of the next Council Meeting being September 19, 2006 at 7:00 pm.

Carried...



Max Wyman - Mayor



Don Reid - Administrator