



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 MONDAY JANUARY 8, 2007 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 pm.

2. Approval of Agenda

Resolution Number: C-176

Moved by Councillor Turpin
Seconded by Councillor Heneault

Resolved that: the Agenda for the Regular Council Meeting of January 8, 2007 be approved as presented.

Carried...

3. Public Participation

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

- There has been a meeting this past week of Brunswick Beach residents to share concerns around a perceived lack of communication between residents and Council,
- There is a proposal to form a Brunswick Beach residents Group with a view to becoming better informed around a number of issues such as the review of the OCP, and
- He would like to request use of the Community Hall, without cost, to show "An Inconvenient Truth" produced by the Al Gore Foundation. Not permitted to charge for this showing but could accept donations. He has given this presentation twice, once to the Unitarian Church and secondly to a

Retirement Home of 80 people in California. Well received on both occasions.

B. Sandra Kirkpatrick, 61 Brunswick Beach Road asked:

- Why is there a barrier at the NW side of Alberta Bay consisting of two large yellow posts supporting a chain. Very unattractive and blocks access to the beach for small boats.

The Administrator advised that the barrier has been there for some time. This area is reserved for emergency access to the beach for police and emergency vehicles, not public access. The Administrator to make further enquiries and report back to the next Council meeting..

C. Oliver Ganske, 440 Mountain Drive asked:

- Whether there has been any follow up regarding the fissure in the intake road up to Harvey Creek.

The Administrator advised that the fissure has been excavated and stabilised and that a geologist from Golder Associates saw the area before and after the remedial work and approved. The Administrator will provide the name of the geologist at the next Council Meeting. Public Works staff initially noticed the fissure and now monitor that area daily.

D. Michael Roell, 150 Sunset Drive asked:

- Whether the Memo of Understanding concerning the Seniors' Housing proposal could be made public. Council runs on the basis of open and transparent communication but this document is not on public record. Is there some legal prohibition?

The Administrator advised that:

- The document is a Contract agreement between two parties,
- A copy can be requested under the Freedom of Information Act but it cannot be released to the public in its current format,
- Due to the nature of the document the second and third parties must be notified. They have 10 days to decide whether or not the information can be released, then 21 days to object pursuant to the Freedom of Information Act. Minimum of 52 days before permission received to make public. Certain aspects would be edited out, and
- Following a previous request Council's Solicitor advised that a request be formally made and the process followed, that the document cannot otherwise be released.

E. Peter Gross, 100 Sunset Drive advised that:

- He and Mike Santos recently held a very successful Pub Night, raising approximately \$1,600 to purchase a new portable sound system for the Village Hall. They hope to organise another fundraiser, and
- They will buy the equipment and are talking to Joe regarding installation in time for the upcoming children's play.

On behalf of the Village, Mayor Wyman thanked Peter and Mike very much.

F. Jo Kirkpatrick, 15 Brunswick Beach Road advised that:

- She is not a tree hugger but is most concerned about the tree cutting at Brunswick Beach, and
- It is urgent that we look after our environment and she wondered why the tree committee was disbanded.

The Administrator advised that the tree committee has been suspended, not disbanded, until a Village Tree Policy is in place. The cutting referred to is not a tree issue. The tree is on municipal land. The issue was one of access.

Jo Kirkpatrick replied that :

- She is concerned about the procedure; that the Kelvin Grove/Rogers matter was an arduous procedure, however, the Brunswick Beach matter was quickly sanctioned, and
- She is very concerned that more trees will now be removed and feels this is not an access issue since the residents in question can otherwise access their property. She asked Council to ensure this procedure is not repeated without due caution. There was a resident living by the tree in question who was not aware of the situation.

Councillor Wolder advised that when the Brunswick Beach water line was installed many trees were removed and nobody was consulted. The situation is similar with roads and legal accesses. The road in question is on the municipal map. There are other roads in the municipality that have not been opened. The cutting of the tree in question will not set a precedent in Brunswick Beach as there are no other roads on the map in that area.

G. Norman Pellow, 6 Brunswick Beach Road asked:

- Is it correct that all the trees will be cleared and grubbed on the mountain side of the railway tracks and that rock grinding will proceed on a 24 hour basis,
- He is concerned that when all the trees have been removed and rock crushing commences, the downdraft will bring fine particles down into the houses. He is concerned for the health of his 6 year old. The noise is quite another matter, and

- He would like some assurance that regular monitoring of the air will take place especially with regard to particulates.

Mayor Wyman assured Mr. Pellows that he will follow up with Highways to ensure residents are protected.

H. Kate Moloughney, 1 Brunswick Beach Road asked :

- Why Council held a meeting very relevant to Brunswick Beach residents when there was a power outage,
- Why were Brunswick Beach residents not notified regarding hotel vouchers when without power for a week,
- With regard to trees, she is a friend of Robins and assured Council this is not a personal issue. There is a row of trees in front of the Robins property. Residents are concerned that further expansion requiring more access will result in the removal of more trees. Council must also be concerned on an environmental level. The Earth belongs to everyone and we are doing a hopeless job of protecting our planet. We must take global warming seriously and the affect such is having on our environment, and
- In conclusion, no clean up has been done around the Village, after the November storms. The Village is a mess and many residents share her concerns.

The Administrator advised that :

- Arrangements were made for a contractor to pick up the debris but the work was constantly postponed,
- The Public Works department are now doing the work which is taking a great deal longer than anticipated but the work should be finished within the next 10 days. The Village has a small work staff. They are working as fast as possible. The alternative is to hire more people which adds to the tax base.

Councillor Spiers advised that Brunswick Beach residents were advised of the meeting after the power was restored. Apparently the Agenda for that meeting was not made public in Brunswick Beach before the power outage. Further she is concerned residents were not made aware of Hotel vouchers.

Councillor Heneault suggested that Council receive clarification around the conflict of interest rules in the event a Councillor has to remove themselves from a meeting.

The Administrator advised that :

- Conflict of interest rules are indicated where there is a pecuniary interest. It is up to the individual whether or not to declare a conflict of interest. In this instance staff advised the Councillor she had a pecuniary interest in this particular problem i.e. a loss or gain directly related to property or a direct interest in the final decision. Conflict of Interest rules do not deal with

personal relationships or individual business relationships. The Administrator stressed that the decision is that of the Councillor.

Councillor Spiers replied that she had no pecuniary interest in the matter and that emails to Council did not declare a conflict around the opening of the road and she was not invited to attend.

4. Delegations

A. 7:00 - 7:10 pm. Norm McPhail, Inspector RCMP regarding policing update reported that:

- He is responsible for servicing the area from Bowen Island, West Vancouver boundary and up to Duffy Lake, including Tribal Police and Squamish First Nations,
- In general about current policing strategies and advised that he plans to meet soon with Council to discuss the Community's goals and how the RCMP can provide improved service to the Village,
- He confirmed that the standard police response is the same for Whistler as Lions Bay and that the Highway is a most important issue for everyone especially with regard to emergency planning and remedies,
- He discussed the emergency despatch service emphasizing the importance of all parties using the same channels, and
- Increased presence in Village. Suggested setting up an in camera meeting before taking to a public session where the RCMP could appear formally.

Mayor Wyman thanked Inspector McPhail and confirmed that:

- Residents will welcome an increased police presence in the Village and their involvement in the Community's emergency planning program. The RCMP will be a significant element of the Community's future planning, and
- There is major concern over Attorney General's recently established new payments under the Small Community Policing recovery system, which will cost each resident \$156.00, equating to 75% of the cost of one policeman for 5 days out of 7. The Community is justified in expecting to receive the service we pay for, possibly a Community Constable who could be responsible for bylaw enforcement, school patrol, and be a presence in the Village.

Inspector McPhail recommended that Council put forward a request in writing.

Councillor Turpin enquired about:

- The location of spaces for speed enforcement areas,
- How to manage connections to West Vancouver and Squamish via a fully divided highway ensuring U turns are in place,
- School visits are excellent and will hopefully continue,
- Regular reports covering police activities in the Community, and
- RCMP should have a 1-800 number for Lions Bay residents.

Inspector McPhail replied that:

- He has been appointed Supervisor for Community Policing for the Sea to Sky Highway, working with the Downtown Community. This is a Police Officers integrated program,
- There is discussion around the transition from Squamish Regional despatch or E-Comm and recommendations will be brought to Council before April,
- Resources in Pemberton are expanding. Hope to bring about similar improvements in Lions Bay within the year, and
- Joe Schofield planning 2010 has the location of spaces for speed enforcement areas.

Councillor Wolder advised that incidents often go unreported to the Police when it is evident they will be unable to respond in time. He suggested such incidents should be reported so that the Village statistics are correctly recorded resulting in the Community receiving the service for which it is now paying.

Inspector McPhail concurred that it is difficult to make changes without complete information and that all incidents should be reported. He advised that:

- The best way to contact him is via email or his cell phone also Kevin Bracewell for Squamish, Lions Bay and Bowen Island,
- A marine unit is being created for Bowen Island to Squamish Harbour to deal with an oil spill for instance. There is a business case approved for 26 vessels to patrol between Bowen Island and our areas,
- There are currently a number of missing police positions which is challenging, and
- Staging for the Olympics going to happen in Squamish and all will come through Lions Bay. Olympic planners have already presented information to Pemberton, Whistler and Squamish and will present to Council if invited.

Mayor Wyman thanked Inspector McPhail for taking the time to inform and update Council.

5. Adoption of Minutes

Resolution Number: C-177

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: the Minutes for the Regular Council Meeting of December 18, 2006 be approved as amended.

Page Six last paragraph should read Forum.
Page One, Item 3, first paragraph should read insufficient.

Carried...

6. **Business arising from Minutes**

None

7. **Unfinished Business**

Presentation to Councillor Turpin

Mayor Wyman was one of the New Year's Day "Dip and Dash" judges and it was noted one of our Councillors was present but managed to avoid getting wet! Council thought it prudent to give her a "Dip and Dash" certificate noting her presence but her lack of participation.

8. **Reports**

A. **Administrator**

i) **Hall Rental request**

The Administrator advised the Village does not have a policy to grant use of the Hall without charge and recommended that the normal fee would apply but would be guided by Council.

Councillor Heneault suggested that:

- Council consider waiving fees for resident groups initiating non profit presentations or charge a minimum fee of \$40 to cover costs of Hydro, clean up etc.

Resolution Number C-178 (verbal)

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: Council approve the presentation "The Inconvenient Truth" to be viewed in the Community Hall for a cost recovery fee of \$40.

Carried...

Councillor Heneault suggested the proposed Brunswick Beach Residents Group be encouraged and that when formed, the Group be asked to provide Council with a contact person and all other pertinent information.

B. Finance

i) BC Assessment Information Report – Property Taxation 2007

An information report dated January 8, 2007 covering the BC Assessment Information Report – Property Taxation 2007 was presented.

The Administrator advised that :

- There has been an average 21% increase in property assessments, and
- Tax rates will be set to bring in funds needed for the budget and not on growth as identified here.

Councillor Turpin suggested that applications be made for land values in the Village to be brought back to more realistic levels in light of wind storms, new highway, etc.

The Administrator to investigate.

C. Public Works

No report

D. Building Inspector

No report

E. Mayor and Council

i) Mayor

Resolution Number C-179

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: The Mayor's report dated January 8, 2007 be received
Carried...

- MP Blair Wilson will come to Council to discuss leveraging the necessary funds, in tandem with the new Provincial Infrastructure funding for small communities to upgrade our Community Hall/Emergency Building facilities, and
- Mayor's New Year Levee. Mayor Wyman will host an afternoon social at the Village Hall January 14 to continue to build community

spirit along the theme of: "Lions Bay – Where people are part of the solution, not part of the problem".

F. Committees

No reports

9. Resolutions

A. Appointment to GVRD Labour Relations Bureau

Resolution Number C-180

Moved by Councillor Heneault
Seconded by Councillor Turpin

Resolved that: Mayor Wyman and Councillor Wolder be appointed as the Municipal representative to the GVRD Labour Relations Bureau for the year 2007.

Carried...

B. Clarification of presentation of June 6, 2006

Resolution Number C-181

Moved by Councillor Turpin
Seconded by Councillor Heneault

Resolved that: Council does understand that the report received from Tamarack Properties for the Seniors Housing, does indicate that the 76% of persons in favour of the project reflects that 76% of the persons responding were in support of the project and not that 76% of the Village population were in favour.

Carried...

10. Bylaws

None

11. Correspondence

A list of correspondence and Action Items to January 5, 2007 was presented.

Resolution Number C-182 (verbal)

Moved by Councillor Wolder
Seconded by Councillor Spiers

Resolved that: the List of Correspondence up to January 5, 2007 be received.

Carried...

- Councillor Heneault requested a copy of the discussion paper on Affordable Housing referred to in Letter #7.
- Councillor Turpin requested that Letter # 17 be filed in the Fire Rescue file.
- Councillor Heneault suggested that Letter #18 regarding Conversation on Health be forwarded to Louis Peterson and that a separate meeting be set with the Administrator and possibly a representative from Kiewit to discuss particulates resulting from rock crushing as it pertains to the health of Lions Bay residents.
- Councillor Heneault referred to Letter #21 and enquired how Council can access the grant programmes referred to.
- Letter # 28 from Lawrence Ruskin regarding Hydro advising re location of power lines and awareness of hazards. Councillor Wolder advised he has been trying for 4 months to get a Hydro representative to come to the Community in this regard. Council instructed the Administrator to follow up with Hydro.

Mayor Wyman advised he received an email letter notifying Council of a meeting of the "Keep Lions Bay Unique Committee" and that an Engineer's report is to be presented. Mayor Wyman advised this will not be a Council meeting but an independent meeting of the Village. The Administrator to reply on Council's behalf. Council will attend as interested individuals, not in an official capacity.

12. New Business

Resolution Number C-183

Moved by Councillor Wolder
Seconded by Councillor Spiers

Resolved that: The schedule of Council meetings for the year 2007 be adopted.

Carried...

13. In Camera

None

14. **Adjournment**


Resolution Number C-184

Moved by: Councillor Turpin

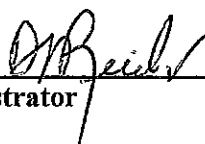
Seconded by: Councillor Heneault

Resolved that: the Regular Council Meeting of January 5, 2007 does adjourn at 8:31 pm
and the next Council Meeting is Monday, January 22, 2007 at 7:00 pm

Carried...



Mayor



Administrator