



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 FEBRUARY 19, 2007 at 7:00 P.M. IN THE COMMUNITY HALL, 400 CENTRE ROAD, LIONS BAY

Present: Mayor Max Wyman
Councillor Linda Heneault
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 7:20 p.m.

2. Approval of Agenda

Resolution Number: C-210

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: the Agenda for the Regular Council Meeting of February 19, 2007 be approved as presented.

Carried...

3. Public Participation

Regarding discussions prior to this meeting re the highway work schedule.

- A. Alice Tickner** said the community is very lucky to get 7 hours of peace and the third option provided for Brunswick Beach (a west-facing wall, and a shift of the road alignment eastward) is excellent. A berm would also be good. She also wished to point out that the Wild at Art Festival in Squamish between now and next weekend has Michael Tickner as the feature artist next Sunday at 4 pm.
- B. Birgitta von Krosigk** said she would like to know when Kiewit plans to proceed with cleaning up of already cut area. She is delighted that Council has been looking at options and that there is more disclosure and open discussion, and assumes we will now be waiting to hear back from Council. Mayor Wyman committed to keeping residents informed.

- C. **Peter Anderson** said that while the area south of the road crossing has been addressed we need to know what plans the contractor has for slashing and burning on the north side where interchange is to go. He is concerned about residents at north end and visual impact of lower level and light pollution. He asked for confirmation that clearing would take place from the railway crossing to just past Glenn Gates' house and that the slope would be stabilized with rocks or a retaining wall. Geoff Freer advised that they are pushing for landscaping and proper trees rather than shrubbery. Max Wyman advised that a strip of trees along the side of the north end, east of the railway track, would be protected and preserved as a buffer for the homes.
- D. **Louis Peterson** said a commitment was made not to do anything until after this meeting, including removing stakes.
- E. **Oliver Ganske** said the contractor had been flexible in presenting true alternatives. However, no amount of saving trees will hide the scar of the gravel pit, above the highway. We need to push the design team to present us with visuals. Is it possible to ask for Brunswick Beach perspective looking up at the area below the highway and plans for slope side so we can ask for something that would successfully heal that area? Mayor Wyman agreed to take that suggestion into Committee.
- F. **Brenda Broughton** said she has been disappointed by the Ministry's lack of transparency both here and in Horseshoe Bay and the individuals chosen. She applauds the wisdom of creating this win-win solution.

Mayor Wyman advised that a request was made for the removal of certain individuals from the MoT contingent and that was done. The team today is full of good will and has recognised the power of this community in terms of what we are prepared to do. In terms of government time and contractor time we have been fortunate to get these responses. It has been good to receive input from the community, and there is a real sense that Option 3 at Brunswick Beach is the most advantageous. This is a fine compromise.

- G. **Michael Broughton** said he believes we are setting a standard and that the quality for the entire development will be improved as a result of our concerns this evening. There will be a lot more focus on coordination. It was a very positive meeting.
- H. **Richard Mossakowski** said it is essential to get a highways landscaping architect to discuss beautification ideas and not leave that issue to last moment.
- I. **Oliver Ganske** asked if Kiewit would be responsible for landscaping the gravel pit. This is something the Committee should follow up. Ryan Tones was unable

to provide an answer and advised that the gravel pit has been leased to Miller Capilano for 25 years so it is their concern rather than Kiewit's.

4. Delegations

Ray Kisser regarding trees at Kelvin Grove, presented a letter dated January 31, 2007 together with back up letters and reported that he has done the work as requested by the Municipality. Paid money and planted trees, however the rest of the agreement has not been met. He feels he is owed the performance as stated in the letter from the Village. The central clump, clearly identified was to be topped. This did not happen. Council agreed to go back and look at the letters covering this matter. This matter to be discussed further under Item 7 Unfinished Business.

5. Adoption of Minutes of February 5, 2007

Resolution Number: C-211

Moved by Councillor Wolder
Seconded by Councillor Heneault

Page 11 - Waste Collection Bylaw – Add: “Staff is directed to revisit the user rate schedule.”

Page 13 - Filming – It was pointed out that two (2) voted against. The Administrator advised a vote is recorded, only if council so directs.

Resolved that: the Minutes for the Regular Council Meeting of February 5, 2007 be approved as amended.

Carried...

6. Business arising from Minutes

None

7. Unfinished Business

Ray Kisser regarding trees at Kelvin Grove: Council discussed the request from Ray Kisser to fulfil obligations in a letter presented to Council. Council is in the difficult position of questioning a decision of previous Council unless something has changed the aspect of that decision. They need the guidance of the tree bylaw, which is still in the process of amendment, to make a decision. Council agreed there is an obligation in place from the previous Council but deferred a decision on this matter until the amended tree bylaw is in place; six weeks at the most.

8. Reports

A. Administrator

None

B. Finance

i) Water Rates 2007

An information report dated February 19, 2007 was presented.

Resolution Number C-212

Moved by Councillor Turpin
Seconded by Councillor Heneault

Resolved that: The report of the Finance Manager re Water Rates dated February 19, 2007 be received.

Carried...

The Finance Manager advised that rates are payable in two equal payments so the Municipality, if acceptable, can move forward. Strong representation was made at the last meeting from Brunswick Beach concerning perceived inequities of water tax and excessive increases. The proposed rates were revisited and a compromise was reached. All Lions Bay residents will now pay a \$740 Water Tax to enable us to move toward an equitable and level water tax for the entire village.

Discussion ensued about the manner in which the Tax was arrived at. Councillor Turpin commented that if the true cost of turning on the tap is \$500 per household than the true cost should be \$500. The inequities in the Lions Bay proper water rate since Brunswick Beach started paying rates is significant - \$1,690.00 since the water tax was established 5 years ago. We are currently taking money from Lions Bay reserves to augment the actual cost to turn on the water. The true cost of what we in Lions Bay have been paying seems to go unnoticed by Brunswick Beach residents. This will be another year we are prepared to take from reserves to turn on the taps, and this is not right. Councillor Wolder commented that Council is basically easing in the increase over two years. We are committed to this and should revisit it in 2008.

The Administrator suggested that staff come forward with a detailed report covering the goals being discussed and a history of the restructuring process with the aim of having a uniform water rate, and that the next Council meeting commit the rate for 2008. It was agreed to defer this matter until the next Council meeting.

ii) **Financial Plan 2007 – 2011**

Resolution Number C-213

Moved by Councillor Heneault
Seconded by Councillor Turpin

Resolved that: The report of the Finance Manager re Financial Plan 2007–2011 dated February 19, 2007 be received.

Carried...

The Finance Manager confirmed that a new fire truck is not included in the Fire Department budget because estimated cost of the truck is unknown. The Fire Department budget is down \$4,000 from last year.

C. Public Works

No report

D. Building Inspector

No report

E. Mayor and Council

i) **Mayor Wyman**

Mayor Wyman presented a report dated February 19, 2007.

Resolution Number C-214

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: The report of Mayor Wyman dated February 19, 2007 be received.

Carried...

Mayor Wyman reported for the record that the bylaw regarding trees on municipal land has been redrafted and circulated to interested parties. Once that process is complete, a second public tree meeting will be held.

ii) **Councillor Heneault**

Councillor Heneault presented a report dated February 19, 2007.

Resolution Number C-215

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: the report of Councillor Heneault dated February 19, 2007 be received.

Carried...

Councillor Heneault reported that she felt it should be a priority of this Council to clarify the details regarding the Brunswick Beach and Lions Bay amalgamation process to eliminate future misunderstanding.

The team working on the Winter Lights Festival are doing an incredible job including running 4 workshops with over 100 participants. The intent is to bring the community together. Goals have been accomplished. Mayor Wyman expressed admiration for the way the team has put the festival together.

Councillor Turpin advised that Rose Dudley organised a wonderful Block Watch street clean up. Whole streets turned out. Hope to make this an annual event.

F. Committees

No reports

9. Resolutions

A. Receipt of Resignation

Resolution Number C-216

Moved by Councillor Turpin
Seconded by Councillor Heneault

Resolved that: Council does receive, with regret, the resignation of Councillor Spiers effective February 8, 2007.

Carried...

B. Declaration of Election

Resolution Number C-217

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that:

Whereas Councillor Spiers has resigned, and
Whereas the *Community Charter* 121 requires that a by-election be held within
80 days to fill the vacancy;
Therefore the Municipality does call a general by-election for May 5, 2007.

Carried...

The Administrator advised that the terms and dates for the election process are defined by the *Community Charter*. A Chief Electoral Officer must be appointed. The Advance Poll will be 10 days prior to the May 5 by-election.

C. Appointment of Chief Electoral Officer

Resolution Number C-218

Moved by Councillor Turpin
Seconded by Councillor Heneault

Resolved that: The Administrator, Don Reid be appointed as the Chief Electoral Officer for the Village of Lions Bay.

Carried...

Mayor Wyman wished to personally thank Councillor Spiers for her work on Council, a difficult job she handled with tenacity. She will be missed at the table.

10. Bylaws

A. Water Rates and Regulations Bylaw 387, 2007 (first, second and third reading)

Deferred

B. Water Parcel Tax Bylaw No. 388, 2007 (First, Second and Third reading)

Deferred

C. Sewer User Rates Bylaw No. 389, 2007 (Adoption)

Resolution Number C-219

Moved By Councillor Turpin
Seconded By Councillor Wolder

RESOLVED that: Bylaw 389, being a bylaw to provide for the setting of the Sewer User Rates for 2007, be introduced and passed.

Carried...

D. Waste Collection Rates Bylaw No. 390, 2007 (Adoption)

Deferred

11. Correspondence

A. A List of Correspondence and Action Items to February 15, 2007 was presented.

Resolution Number C-220

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: the List of correspondence up to February 15, 2007 be received.

Carried...

(8) Fax received February 2, 2007 from BC One Call re Notice of Intent to Excavate.

Councillor Turpin requested that this date be flagged to question Kiewit. Work slated to start July 2, 2007.

Action Items

1 (7) Letter dated February 2, 2007 from Tony Cox, Treasurer and M. Loutet, Chairperson, Lions Bay Historical Society re: Continued support for the 2007 grant. This was approved.

2 (21) Email sent February 8, 2007 from Rafe Mair, resident re: Speed Bump Cross Creek Road

The issue has been raised to the RCMP who will take it up with their officers. Suggestions for dealing with this ongoing problem included a curb in the middle of the bridge so people slow down, or vertical cones so fire truck not impeded.

Staff is asked to report on progress made on this issue.

3 (27) Letter dated February 12, 2007 from Louis K. Peterson, resident, re: Council and Village Issues.

Mayor Wyman has spoken and written to Peterson in this regard. It is good when a committed resident takes an interest in council issues. The truth about the referenced situation was rooted in a misunderstanding in the community. Misinformation creates a great deal of uncertainty, and we must continue to improve our communication. The Message from the Mayor has received excellent feedback, but more must be done. The new *Seagull* should provide a serious contemplative reflection of what is being discussed in Council, and could include a substantial discussion of Council matters rather than a simple reprinting of Council minutes. Residents should be encouraged to attend Council meetings and see what is done.

B. Summary of Highway Work to Date from Mayor Wyman

Email dated February 13, 2007 from Mayor Wyman to Geoff Freer was presented providing a Summary of Highway Work to date.

12. New Business

None

13. In Camera

None

14. Adjournment

Resolution Number C-221

Moved by: Councillor Turpin
Seconded by: Councillor Heneault

Resolved that: the regular Council meeting of February 19, 2007 does adjourn at 9.30 pm, the date of the next regular Council meeting being March 5, 2007 at 7:00 pm.

Carried...

Resolution Number C-222 (verbal resolution)

Moved by Councillor Turpin
Seconded Councillor Wolder

Resolved that: Council does reconvene under new business at 9:30 to discuss options presented by Kiewit.

Carried...

Resolution Number C-223 (verbal resolution)

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: Council accept the time-line proposal, the day shift proposal and option #3 of the design concept that includes expansion to the east and an MSE wall as close to the east as possible, maintaining the tree line at Brunswick Beach, plus the continued existence of the tree line at the north end of Brunswick Beach; and that the request be made that from now on the Ministry include a professional landscaper in the discussion with the Highways Committee.

Carried...

Resolution Number C-224 (verbal resolution)

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: Council does adjourn at 9:35 pm.

Carried...



Mayor



Administrator