



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 April 2, 2007 at 7:00 P.M. IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

Present: Mayor Max Wyman
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-268

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: the Agenda for the Regular Council Meeting of April 2, 2006 be approved as amended.

Agenda to be amended to add BC Hydro as the third delegation under Item 4.

Carried...

3. Public Participation

Louis Peterson invited members of Council to the 2007 Annual Dinner of the Lions Bay Community Scholarship Foundation to be held Friday April 27 at 7:00 pm at Bay Moorings Restaurant, Horseshoe Bay.

4. Delegations

A. Darrel Loppe regarding the fence on Crosscreek Road and advised that:

The easement referred to by Strata VR18 and VR11 in their letter to Council dated February 15, 2007 was in fact a Transfer of Land to the MoT. Ownership of that land was later transferred to the Village. The retaining wall and fence was built on this land.

The Administrator's report advises that the benefiting owner pays for maintenance of a fence and that when Highways builds a fence, subsequent maintenance is to the account of the property owner. However, the fence is not on Strata property. Nowhere in the Act does it state the home owner should pay for a fence that is not on his property, and at no time has MoT suggested that a home owner should be responsible for a fence built on government property, whether Municipal or Provincial.

The Administrator's report refers to someone's recollection that the Townhouses requested this fence be built. The request was in fact to do with the small gaps at the bottom of the fence which we asked to be filled due to headlights shining into our homes. We did not request the construction of the fence neither did we have input as to the design of the wall or the fence. This can be verified by several long term residents who are still in the Village.

Before the fence was built the Townhouses faced a bank that was covered in a beautiful grove of trees with no fence. The trees shaded us, protected us and separated us from Crosscreek Road. The primary reason for widening Crosscreek Road was to allow the fire truck to turn left out of the fire hall (present Village Office) to access lower Lions Bay after changes were made to the highway. To accommodate these changes our land was expropriated, Crosscreek Road was widened and the huge retaining wall and fence was built. These changes were made to accommodate the Village's needs. And now it is being suggested that we should pay for all or part of the cost of a new fence that was needed only because our grove of trees was cut down to accommodate the needs of the Village.

He added that there is a drop of up to 20 feet below the retaining wall. At least one teenager has fallen down the drop, fortunately in an area that was only 8 or 9 feet deep. He was unharmed. Next time the outcome might not be as favourable.

Mayor Wyman thanked Darryl Loppe for his submission and referred to a report from Sheila Blake of Strata VR11 which included an estimate from Curtis Lumber Company for replacement of 150 feet of fence for \$1,711.00 excluding labour. This is a great deal less than Council had understood and should be taken into consideration. The matter will be discussed further under Item 7, Unfinished Business.

B. BC Hydro presentation - an Analysis of last Fall's Storms, Vegetation Control and Underground cables.

Mayor Wyman advised that he attended a meeting organised by MLA Joan McIntyre with the BC Hydro CEO and staff members to discuss Hydro's reaction to what happened during the storms. This presentation is a follow up of that excellent meeting.

In attendance from BC Hydro were:

Neil Sharpe, General Manager, Field Operations - Distribution, Lower Mainland

Rob Lidstone, Senior Field Manager, North Shore/Coastal, Field
Operation/Distribution

Gregg Hallaway, Manager, Vegetation Services, Lower Mainland

Arlene Shwetz, Manager, Community Relations

Ed Waugh, Design Manager, North Shore/Coastal

Donna McGeachie, Manager, Community Relations - BCTC

See attached reports

In response to questions, Hydro representatives pointed to their very aggressive tree management program since 1991 and 1992, described their communications process with residents when trees are cut, described the way they plan to leave a more diffused edge to tree cuts to avoid windfalls, and explained how they are working in with Kiewit in relation to the highway project.

The majority of outages during the storms were due to due to disruption of both sections of line, north and south of the Village. The question of independently generated power to back up our system was raised, at least to power emergency buildings, and it was agreed that this was a possibility. We should look for examples to Boston Bar IDP, Whistler area and Deeks Creek.

The issue of undergrounding was discussed. Challenges include easements and heavy equipment causing disruption and damage to landscaping and existing structures. It was suggested that it would seem logical to have lines placed underground during highway construction. However, it was pointed out that the cost factor is high - generally \$800 to \$1,000 trench metre. Initially reliability is good but underground does break down due to shifting, age of cable, then twice as long to find problem and a lot longer to repair. If there was no cost consideration, underground is more reliable initially but has different issues in the long run. The Administrator requested clarification regarding the \$2,000 per foot he was quoted. That figure was acknowledged and could depend on the project, legal issues, easements, archaeological challenges, ecological issues etc.

Residents asked for improved communication. Had they known the outage would last 6-7 days they could have made other arrangements. Hydro acknowledged the problem, but pointed out that crews were ready to move but constrained by weather. Tried to give Lions Bay daily updates but bad weather impeded progress. However, there is a commitment from Hydro to look at new forms of communication, and Hydro is adding five trunk lines to its phone system.

Fire Chief Andrew Oliver questioned not being allowed to remove a fallen tree to open a road to allow emergency vehicles through to the other half of the Village, and it was agreed that he would pursue this conversation privately with Hydro.

Hydro representatives were thanked by a resident for their “fantastic job” (applause). Mayor Wyman thanked all the Hydro staff for their generosity of time in making this presentation.

5. Adoption of Minutes

A. Regular Council Meeting held March 19, 2007

Resolution Number C-269

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: the Minutes for the Regular Council Meeting March 19, 2007 be approved.

Carried...

B. Special Council Meeting held March 23, 2007

Resolution Number C-270

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: the Minutes of the Special Council Meeting held on March 23, 2007 be approved as amended.

Minutes to be amended to note that Councillor Wolder was not present and Resolution C-267 was seconded by Councillor Heneault.

Carried...

6. Business Arising from Minutes

A. Fence at Crosscreek Road

An information report dated March 28, 2007 was presented by the Administrator.

The Administrator confirmed most of what Darrel Loppe submitted and advised he had only just seen the quote referred to. The quote in his report was provided by the MoT. He feels the safety issues have been addressed with the 3' no-posts seen along the Sea to Sky highway, notwithstanding the fact a youngster recently fell from such a wall. He agrees the fence is on municipal property but feels the municipality does not need a wooden fence, just the retaining wall and that in

most places neighbours basically agree to share the cost on a 50/50 basis which is what he proposes.

Councillor Wolder commented regarding no-posts along the highway, that the highway is not a walking area. Crosscreek Road is clearly a walking area. He suggested that the Building Inspector specify a safe height, probably 40 inches and exceed that by a foot or two. It is important to ensure the safety of people walking along there. Someone has already fallen. Council agreed that children will walk along the top of the no-posts. Councillor Turpin advised that children already walk along those unfenced no posts near the stop sign and are constantly falling off. Council expressed concern about a child falling from the retaining wall after a fence that has been in place for 20 years is removed.

Council recommended considering the quote from Curtis Lumber referred to in Sheila Blake's report and asking the Works Manager to follow this up and provide a report at the next Council Meeting, together with his comments concerning use of the wood from the storm damaged trees. Council also directed staff to come back with a new quote so we can get on with this work.

B. Items from March 5, 2007 Council Meeting

Council thanked the Administrator for this status report.

Resolution Number C-271

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: the Administrator's status report be received as amended.

Council directed staff to get an update from the Public Works Manager with respect to Rafe Mair's letter concerning people running the stop sign at the Crosscreek bridge and methods of traffic calming.

Carried...

7. Unfinished Business

None

8. **Reports**

A. **Administrator**

- i) An information report dated March 26, 2007 regarding Brunswick Beach Restructure chronology was presented.

Recap to 1996 including money that came from Brunswick Beach at the time of amalgamation. Backup documents are in the Village Office.

- ii) An information report dated March 28, 2007 covering significant issues dealt with over the year to March 31, 2007 was presented.

B. **Finance**

- i) **Revised Financial Plan 2006 – 2010**

An information report dated March 19, 2007 was presented.

Resolution Number C-272

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: the report of the Finance Manager be received and that the Bylaw 392, to approve the revised 2006 Financial Plan, be introduced and read a first, second and third time.

Carried...

- ii) **Parcel Tax Roll Review 2007**

An information report dated April 2, 2007 was presented.

Councillors Turpin, Wolder and Heneault were appointed to the parcel tax review panel.

- iii) **First Quarter Status Report**

An information report dated April 2, 2007 was presented.

C. Public Works Manager

An information report covering the period January 1, 2007 to March 31, 2007 was presented.

Resolution Number C-273

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: the report from the Public Works Manager be received.

Carried...

D. Building Inspector

An information report dated April 2, 2007 covering the period January 1, 2007 to March 31, 2007 was presented.

Review of Building Inspector's fees to be discussed at next Council meeting.

Resolution Number C-274

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: the report from the Chief Building Official for the period ending March 31, 2007 be received.

Carried...

E. Lions Bay Fire Department

An information report dated March 30, 2007 was presented together with a copy of a letter dated March 23, 2007 from Rob Ahola, P. Eng. MoT Construction Director and a copy of a letter dated February 20, 2007 from Phil Taudin-Chabot, Manager, Coastal Fire Centre.

Council confirmed that the Fire budget is approved.

Fire Chief Oliver advised that the Public Works Manager will provide the Fire Rescue Department with a quote to move the fence at the fire pit. The Department is looking for trailer to house rope rescue equipment. Auto ex bus course is in the training budget. Next month he will bring the fire truck information. The department will possibly be losing two members; however, two strong members have started. Suggest next year seriously considering crew on staff for daytime. There were only four crew at an MVA last weekend. Council suggested the matter of crew on staff be taken to the OCP review.

Other issues: we need to keep up pressure relating to Highway turn-arounds. Regarding PEP payments, he pointed out that over the past two to three years the

department has been taking registration numbers and make of vehicle and forwarding to PEP. 50% of calls not covered. Unless there is a threat to life they will not provide an incident number and without a number will not pay. The problem is, it is impossible to assess until on site then too late for PEP incident number.

Mayor Wyman thanked Fire Chief Oliver for his excellent report.

Resolution Number C-275

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: the report of the Fire Chief dated March 30, 2007 be received.
Carried...

F. Mayor and Council

i) Mayor Wyman

An information report dated April 2, 2007 was presented.

Resolution Number C-276

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: the report from Mayor Wyman dated April 2, 2007 be received.

Carried...

ii) Councillor Turpin

An information report dated March 29, 2007 was presented.

Resolution Number C-277

Moved by Mayor Wyman
Seconded by Councillor Wolder

Resolved that: the report from Councillor Turpin dated March 29, 2007 be received.

Carried...

Councillor Turpin recommended organising a road works policy, a plan of how the community's roads and verges should look and defining where municipal property starts and finishes.

Council recommended that Councillor Turpin draft a report for the Roads Committee's response which could then be taken to the appropriate OCP Committee.

The Administrator advised that B&A Blacktop are coming to look at Panorama Road and the Public Works Manager will explain to them what is required i.e. pitch the road toward the mountain and drain water on the far side as opposed to the way it is now, where it drains towards the downhill properties. Culverts are not working because the road is pitched the wrong way. The challenge on Panorama are the many encroachments such as hedges, gardens, rock walls, buildings. These are all on the road allowance, so there is not a huge road surface area to work with. The Administrator has asked the Public Works Manager to prepare a report and bring back to the next Council meeting for discussion.

Resolution Number C-278

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: Council does request that UBCM initiate dialogue with ICBC to enable communities to recover the actual costs of Fire and Rescue responding to MVA incidents on Provincial Highways. Further that a copy of this resolution with a letter of explanation be sent to area municipalities for their support.

Carried...

Administrator to pass letter by Andrew Oliver to make sure his thoughts are reflected.

iii) **Councillor Wolder**

An information report dated April 2, 2007 was presented.

Resolution Number C-279

Moved by Mayor Wyman
Seconded by Councillor Turpin

Resolved that: the report of Councillor Wolder dated April 2, 2007 be received.

Carried...

G. Meeting Notes

i) Wildland Fire Plan Meeting, March 15, 2007

An email from GVRD's Ken Juvik, Watershed Forester, dated March 19, 2007 was presented for information.

For information.

9. Resolutions

None

10. Bylaws

11. Correspondence

A. List of correspondence and action items to March 30, 2007 was presented.

12. New Business

A. Call for Coalition of Canadian Municipalities against Racism and Discrimination from UNESCO.

Resolution Number C-280

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: the Village of Lions Bay does support the position of the Canadian Commission for UNESCO in its call for a coalition of Canadian Municipalities Against Racism and Discrimination. The Village does further agree that it should be a member of this coalition and confirms that Mayor Wyman should contact the organisation and advise them of our position.

Carried...

Council suggested sending some booklets to the new Vice Principal of the school to incorporate into some of the teaching.

B. Request for property address change at 305 Bayview Place.

An information report dated April 9, 2006 was presented.

Resolution Number C-281

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: Council approve the renumbering of 305 Bayview Place to 307 Bayview Place.

Carried...

C. Request for boundary extension at 89 Tidewater Way - Chan

An information report dated March 26, 2007 was presented.

Resolution Number C-282

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: Council accept the expansion of the Municipal boundary to include the parcel now owned by Mrs. Chan, provided there are no costs to the Municipality.

Carried...

D. WCB – Backup Beepers

An information report dated March 26, 2007 was presented together with a report from Jim Hughes, Certified Occupational Health & Safety Officer.

WCB will provide an exemption only in the event equipment was originally manufactured without a back-up beeper. All Kiewit's equipment is installed with back-up beepers.

E. Request for Community Hall Rental Waiver for 30 Days of Sustainability presentation.

An information report dated March 26, 2007 was presented.

Resolution Number C-283

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: Council confirms the report of the Administrator and the Community Hall be offered to the "30 Days of Sustainability" at the reduced rate of \$40.

Carried...

F. Request for encroachment and a request to pave on Panorama Road

An information report dated April 2, 2007 was presented.

Defer until report is received from the Public Works Manager at the next Council Meeting and the Lions Bay Fire Rescue Department has also been asked to inspect the areas in question.

G. Events Committee request for support to purchase kitchen utensils and supplies.

Permission sought to spend money they have raised. Staff was instructed to thank them and ask them to proceed.

H. Exemption Section 8 of Waste Collection Bylaw No. 346

Resolution Number C-284

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: The Council of the Village of Lions Bay grant to the Lions Bay Community School relief from Section 8 of Waste Collection Bylaw No. 346 and that they be permitted to place paper recyclable materials only at the curb on the night before the regular collection day.

The Administrator advised that because of the school's cleaning schedule they are unable to put recyclables at the roadside in the morning. An exemption to put recyclables at the roadside at night on Monday for Tuesday pick up is requested.

Amend to add: "provided recyclables exclude any food or food type container which may attract wild life"

Carried...

Council suggested advising the community that only the Lions Bay Elementary School has been granted an exemption to the rule for paper products.

13. **In Camera**

Resolution Number C-285

Moved by: Councillor Turpin
Seconded by: Councillor Wolder

Resolved that: Council does move into closed session to discuss procedural and land issues.

Carried...

Resolution Number C-286

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: Council does rise and report.

Carried...

Resolution Number C-287

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: Council approves the minutes of the In Camera sessions for April 3, 2006, April 18, 2006, June 19, 2006, July 4, 2006, July 17, 2006, September 5, 2006, September 19, 2006, October 2, 2006, October 17, 2006 and November 6, 2006.

Carried...


14. **Adjournment**

Resolution Number C-288

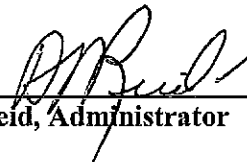
Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: the Regular Council meeting of April 2, 2007 be adjourned at 9:55 p.m. and that the next Regular Council Meeting be held April 16 at 7:00 p.m.

Carried...



Max Wyman, Mayor



Don Reid, Administrator