



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, MAY 7, 2019 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin
Councillor Neville Abbott
Councillor Fred Bain
Councillor Norm Barmeier
Councillor Jaime Cunliffe

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer
Office Coordinator Shawna Gilroy (Recorder)

Guests: Bill Cox, BDO Canada
Paul Fripp, BDO Canada

Delegations: 0

Public: 3

1. Call to Order

Mayor McLaughlin called the meeting to order at 7:03 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT item 8Ci – Councillor Abbott: January 6, 2019 Letter re. Communications be moved to item 8Av, pushing 8Av to 8Avi; and

THAT item 8Bv – Events Committee/Volunteer Week be added; and

THAT item 8Bvi – Village Update Articles be added; and

THAT the agenda be adopted, as amended.

CARRIED

3. Public Participation (2 minutes per person totalling 10 minutes maximum)

A. Bill Cox, Partner, BDO Canada and Paull Fripp, Partner, BDO Canada – Presentation of Village of Lions Bay 2018 Final Audit Report to Mayor and Council

Mr. Cox and Mr. Fripp joined Council at the table to present the 2018 year-end financial statements and the final audit report. Council queried a few items, including the following from Mayor McLaughlin regarding the Accumulated Sewer Surplus:

“With regard to the question pertaining to revenue and expenses from 1983 to 2018, records prior to 2009 (the year our current accounting software was installed) have been placed in storage. Records from the 1980’s are manual. It would be very challenging and time-consuming to go through the archived records to determine a number that we already have – the accumulated sewer surplus. The total revenue collected since 1983 less the expenses incurred for the maintenance of the sewer treatment plant is \$211,633. The annual revenue and expenses have been audited by an external auditor each and every year. While auditors may change, a high professional standard has been in place since 1983. Do you have faith in the integrity of the accumulated sewer surplus?”

Mr. Cox advised Council that they do have faith in the integrity of the audit processes related to the Municipality’s financial statements, including the accumulated sewer surplus.

Moved/Seconded

THAT the report “Village of Lions Bay 2018 Final Audit Report” be received for information purposes.

CARRIED

4. Closure of Meeting for Audit Discussion

Moved/Seconded

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter*:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (o) the consideration of whether the authority under section 91 [other persons attending closed meetings] should be exercised in relation to a council meeting.

AND THAT Bill Cox, Partner, BDO Canada and Paul Fripp, Partner, BDO Canada be allowed to attend the Closed portion of the meeting per section 91 of the *Community Charter*.

CARRIED

Council anticipates reconvening the open meeting immediately after discussion of the Audit Report with Mr. Cox and Mr. Fripp to continue with the balance of the Open Meeting Agenda.

The meeting was closed to the public at 7:52 p.m. and all staff left the room to allow Council an opportunity to discuss audit matters with BDO Canada in camera, per normal practice; therefore no minutes were recorded. The open meeting resumed at 8:02 p.m. when staff re-joined the meeting. Council indicated there was nothing to report out.

Audio: 01:00

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – April 16, 2019

Item 12C – AECOM Verbal Update was amended by adding “for the duration of the Harvey Tank Replacement Project” to the very end of the paragraph.

Moved/Seconded

THAT the Regular Council Meeting Minutes of April 16, 2019 be approved as amended.

CARRIED

6. Business Arising from the Minutes

None

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
76	March 19, 2019	Staff to consider the creation of a policy for the Infrastructure Committee and report back to Council.	[In progress] Council and CAO discussed issues related to Infrastructure Committee meetings and the CAO will bring a list of discussion points to the next committee meeting.
78	March 19, 2019	R1: Don Shaw – Train Whistle – CAO DeJong to respond advising that whistling cessation applications are very involved and require costly processes which the Municipality is not presently in a position to pursue.	[Complete]
83	April 2, 2019	Item 8Aiii: Investigate option of falling outside the UCB to avoid future bylaws	[In progress]

		intended for larger municipalities	
87	April 2, 2019	R5: McLaughlin/Doherty – Volunteer Week – Mayor to respond	[Complete]
88	April 16, 2019	Councillor Abbott to follow up with former Mayor Douglas Miller re. BC Hydro Tiers	[In progress]
89	April 16, 2019	R3: Alison Fischer – Wood Burning	[Complete]
90	April 16, 2019	R4: Jennifer Monroe – Tree Cutting or Deforestation on School District property	[In progress] the trees cut were approved by the school board but further investigation required.
91	April 16, 2019	R5: David Waller – Taxation	[Complete]
92	April 16, 2019	R6: Penny Nelson – Public Consultation	[In progress]

Audio: 01:22

8. Reports

A. Staff

i. CAO: 290 Oceanview Road Encroachment Agreement

The owners of 290 Oceanview Road applied for an encroachment agreement in order to extend an existing retaining wall to preserve soil for a beautification project in front of their home. It was noted that a study being done on the Oceanview culverts had no impact or risks associated with the retaining wall and that PWM Jaffer saw no issues with the encroachment.

Moved/Seconded

(1) THAT the Municipality enter into an Encroachment Agreement with the Owners of 290 Oceanview Rd in substantially the same form as the draft Agreement attached to this report; and

(2) THAT the CAO and Mayor be authorized to execute the Agreement.

CARRIED

ii. CAO: North Shore Adjudication Agreement (Verbal Update)

CAO DeJong advised Council that the new adjudication agreement has been sorted out and reminded them that we have already taken care of the amendment to Bylaw Notice Enforcement Bylaw No. 385 which enables Lions Bay to enter into a new agreement with the District of North Vancouver instead of the City of North Vancouver. It was noted that the most substantial change to the model is that we now only pay for adjudication that we hold as opposed to providing a deposit for the year and receiving a refund at the end of the year, which change is of benefit to us. It was also mentioned that this does not change the amount allocated for in the 2019 budget.

iii. CFO: Financial Statement Approval Report

CFO Rooke provided out an on-table amendment to the financial statement report highlighting minor typos in yellow. Council queried items which arose from the audit presentation earlier in the meeting.

Moved/Seconded

THAT the Village of Lions Bay's 2018 Audited Financial Statements as presented to Council on May 7, 2019 be approved pursuant to the Community Charter section 167(1);

AND THAT the 2018 Audited Financial Statements be included in the 2018 Annual Report pursuant to the Community Charter section 98.

CARRIED

Audio: 01:35

iv. PWM: Update on Harvey Tank Rebuild (Verbal Update)

PWM advised Council that the Oceanview tank is now in service with the blessing of Vancouver Coastal Health (VCH). There is additional testing that VCH has mandated which will require staff to work overtime in order to complete during the course of the project. He explained that the next step is to begin the deconstruction of the tank which will take approximately one month.

PWM Jaffer provided a brief update on the CN Parking Lot and will add a piece in the Village Update on both the Harvey Tank and CN Parking Lot topics.

v. Councillor Abbott: January 6, 2019 Letter re. Communications

Councillor Abbott advised Council that he made some progress on the goals outlined in his email to CAO DeJong on January 6, 2019. He discussed coming up with a more formal strategic plan in order to improve communications. In reflection, he was unaware if he had that mandate from Council and queried their feedback. He noted knowing people with communications backgrounds who could provide input.

CAO DeJong referred to his email to Council of April 24th, which listed over 16 ways in which the Municipality communicates with residents and about a dozen ways available for residents to communicate with the Municipality, and which attached a communications survey from 2014. He explained that as a small municipality, we do not have the resources to take on social media as a communications medium. He agreed with Council that a communication policy is required and that it should identify different means of communication intended for different purposes.

It was determined that the first step would be to produce an updated communications survey for residents. Councillor Abbott will get the ball rolling with a series of suggested questions to circulate to staff and the rest of Council.

vi. CAO: Policy Amendments re. Website, Village Update and Correspondence

CAO DeJong explained that the current Correspondence Policy contained information in section 4.3 that he thought belonged with the website policy instead, and then ought to be renamed the “Website and Village Update Content Policy”. Additional items were added to this policy with respect to business logo advertising and the intent of Mayor and Council messages put out in the Village Update. Council debated the last sentence of section 5 of the policy, being that they disagreed with the CAO being editor of the Village Update with discretionary authority to edit all content in the best interests of the municipality.

The wording was amended to say “Ultimately the CAO as editor of the Village Update is entrusted with the responsibility to work with the author to refine the content in the best interest of the municipality, but may choose to publish or not publish the article in the event of an impasse.”

Moved/Seconded

(1) THAT the Website and Village Update Content Policy No. 1704 be approved, as amended; and

(2) THAT the Correspondence Policy No. 1405 be approved, as amended.

CARRIED

Audio: 02:37

B. Mayor

i. Glass Case Notice Board at the General Store

Mr. Doherty who represents the strata has exchanged back and forth correspondence with Mayor McLaughlin with respect to the glass case notice board at the general store. Mayor McLaughlin requested access to post our stuff from time to time but that we would not officially take it over. PWM Jaffer offered to re-cork the board to spruce it up.

ii. Feedback Letter Box at the General Store

This item was deferred until such time as the communications survey has been completed.

iii. MLA and MP Meetings

The Mayor will be speaking with the MLA and MP over the phone seeking further input regarding our two outstanding grants.

iv. TransLink Meeting

The Mayor met with TransLink and the other three smaller communities and noted that there may be some changes and greater opportunities coming soon. TransLink have also considered to schedule later night services for Friday and Saturday bus routes.

v. Events Committee/Volunteer Week

Mayor McLaughlin informed Council that he spoke with the chair of the Events Committee regarding the Canada Day celebration this year. It was advised that they plan to make it a family day event, i.e. bring your dinner and come to the beach. There will be live music and fireworks at 9:30 pm. The two student awards and the Citizen of the Year and Distinction awards would be presented at Canada Day in the evening, however it was discussed that next year the Curly Stewart Award would be presented at a Council meeting with the recipient and parents invited, and that the Citizen of the Year and Citizen of Distinction Awards would be presented at the annual celebration of Volunteer Week instead.

vi. Village Update Articles

Council was instructed to think about which upcoming dates they wished to write an article in the Village Update and it would be brought back to the next meeting for discussion.

C. Council

None

D. Committees

None

E. Emergency Services

None

Audio: 02:51

9. Resolutions

A. Resolution to Change Council Meeting Date

CAO DeJong explained that the reason for requesting the change of date is to adopt the Fees Bylaw and Bylaw Enforcement Officer Bylaw before the May long weekend in anticipation of the parking meters and Bylaw Enforcement Officers starting their season.

Moved/Seconded

THAT the Regular Council Meeting of May 21, 2019 be rescheduled to May 14, 2019 at 7:00 p.m.

CARRIED

10. Bylaws

A. 2019-2023 Five Year Financial Plan Bylaw No. 560, 2019 – Adoption

Moved/Seconded

THAT the 2019-2023 Five Year Financial Plan Bylaw No. 560, 2019 be adopted.

CARRIED

B. Tax Rate Bylaw No. 561, 2019 – Adoption

Moved/Seconded

THAT Tax Rates Bylaw No. 561, 2019 be adopted.

CARRIED

C. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 563, 2019 – Three Readings

Moved/Seconded

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 563, 2019 be introduced and given three readings.

CARRIED

D. Bylaw Enforcement Officer Bylaw No. 506, 2016, Amendment Bylaw No. 562, 2019 – Three Readings

Moved/Seconded

THAT Bylaw Enforcement Officer Bylaw No. 506, 2016, Amendment Bylaw No. 562, 2019 be introduced and given three readings.

CARRIED

Audio: 03:02

11. Correspondence

A. List of Correspondence to May 2, 2019

Moved/Seconded

THAT the following actions be taken with respect to the correspondence:

- G1: Legislative Services re. E-Comm – no response
- G2: Bill C-68 – no response
- G3: Gas Tax – Mayor McLaughlin to respond via phone call on Friday
- G4: National Missing Children’s Month – no response
- G5: Continued Widening of TransCanada Highway 1 – no response
- G6: Criminal Justice Reform in BC – no response
- G7: UBCM 2018 Asset Management Planning – no response
- G8: E-Comm Board of Directors Designate Response – no response
- G9: Small Business Property Assessment and Taxation Letter – no response
- R1: Karl Buhr – Average Speed Over Distance – CAO to prepare letter for Mayor McLoughlin to the Minister substantially noting the points raised by former Mayor Buhr
- R2: David Waller – Taxation (Response) – no further response
- R3: Penny Nelson – Public Consultation (Response) – no further response
- R4: Betty Birrell – Outhouse – CAO DeJong to reply

Moved/Seconded

THAT Council approve \$1000 for a temporary washroom at the trailhead for a trial period from May until the end of September; and

THAT staff make the arrangements and gauge its success.

CARRIED

Councillor Barmeier recused himself from the meeting at 10:18 p.m. due to a conflict of interest in the next correspondence item.

- R5: Norm Barmeier – Relaxation of Noise Bylaw –

Moved/Seconded

THAT the noise bylaw be relaxed from the hours of 7:00 p.m until 11:00 p.m on May 25 at Norm Barmeier’s private residence at 335 Oceanview Road, for a house concert.

CARRIED

Councillor Barmeier rejoined the meeting at 10:23 p.m.

12. New Business

None

13. Public Questions & Comments (2 minutes on any topic discussed in this meeting)

None

14. Closed Council Meeting

Proposed topics for discussion in the absence of the public:

- A. Sale of 52 Brunswick Beach Road
- B. Personal Information
- C. Police Information
- D. Awards

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter*:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (m) a matter that, under another enactment, is such that the public may be excluded from the meeting;

(n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);

CARRIED

The meeting was closed to the public at 10:25 p.m.

The meeting was re-opened to the public at 11:15 p.m.

15. Reporting Out from Closed Portion of Meeting

Council reported out the following items:

- The sale price of 52 Brunswick Beach Road was \$1,925,000;
- While Council wanted to support the Eat Together event hosted by Tamara Leger, it will not proceed;
- Police Action – the RCMP Public News Release provided to Mayor McLaughlin stated that on March 29th charges were sworn against two men and one woman for two counts of Possession for the Purpose of Trafficking and one count of Possession of Proceeds of Crime, the trio are identified as: Herman Hause, age 60, Andy Polo, age 58, and Collette Arsenault, age 50. The group appear to be originally from Alberta but have been connected to the Lower Mainland area for the past number of years;
- The Curly Stewart Memorial Trust Fund Award applications were discussed and a selection was made; and
- The Citizen of the Year and Citizen of Distinction award nominees were discussed and a selection was made.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 11:17 p.m.

Mayor

Corporate Officer

Date Approved by Council:	May 14, 2019
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