



**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, DECEMBER 20, 2022, at 6:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY
AND VIA ZOOM VIDEO CONFERENCE**

MINUTES

In Attendance: Mayor Ken Berry (via videoconference)
Councillor Neville Abbott
Councillor Michael Broughton
Councillor Marcus Reuter

Staff: Public Works Manager Nai Jaffer (via videoconference)
Renée Frappier, Recorder, Raincoast Ventures Ltd. (via videoconference)

Public: 10 via videoconference

1. Call to Order

Mayor Ken Berry called the meeting to order at 6:07 p.m.

2. Closed Council Meeting (6:07 PM)

Proposed topics for discussion in the absence of the public:

A. Committee Appointments

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*, and where required, the Council does consider that the matters could reasonably be expected to harm the interests of the municipality if they were held in public:

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

CARRIED

The meeting returned to open session at 7:05 p.m.

3. Reporting Out from Closed Portion of Meeting

None.

4. Adoption of Agenda

Moved/Seconded

THAT the agenda of the December 20, 2022, Regular Council Meeting be adopted, as presented.

CARRIED

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

A. Alison Dudley

Alison Dudley expressed concern that a major spending decision, the layoff of the Chief Administrative Officer (CAO) and the subsequent severance package, was made behind closed doors. It was asked whether, once package negotiations were complete, Council would inform Village of Lions Bay Residents of the cost to taxpayers.

Council noted it had been as transparent as possible, given the nature of discussions. Further details would be made available later in the process.

6. Public Delegation Requests Accepted by Agenda Deadline (10 minutes maximum)

None.

7. Review and Approval of Minutes of Prior Meetings

A. Regular Council Meeting – December 6, 2022

Moved/Seconded

THAT the Regular Council Meeting Minutes of December 6, 2022, be approved as circulated.

CARRIED

B. Special Council Meeting – December 8, 2022

Moved/Seconded

THAT the Special Council Meeting Minutes of December 8, 2022, be approved as circulated.

CARRIED

- C. Committee of the Whole – December 8, 2022
Moved/Seconded
THAT the Committee of the Whole Meeting Minutes of December 8, 2022, be approved as circulated.

CARRIED

8. Business Arising from the Minutes

In response to questions regarding the December 6, 2022, Regular Council Meeting, it was noted the Public Works Manager would contact a concerned resident regarding a potential chain-link fence installation at Marjorie’s Meadows upon receipt of contact details from Councillor Broughton.

Arising from the Committee of the Whole Meeting of December 8, 2022, it was noted that Craig Doherty, resident, and owner of the General Store, requested that the community behaves with kindness, patience, and respect toward all staff, especially during the Christmas season.

ACTION: Mayor Berry agreed to contact Finance Minister Selina Robinson to obtain further details regarding the Speculation and Vacancy Tax.

9. Unfinished Business

- A. Follow-Up Action Items from Previous Meetings

No.	Date	Item Description	Action
253	July 5, 2022	Highway maintenance follow up	Awaiting Miller-Capilano Pavement Assessment due at the end of February.
255	October 4, 2022	Climate Action Committee year-end report	Norm Barmeier is working on a report
256	December 6, 2022	Speculation and Vacancy Tax	Mayor Berry to consult with Mayor McEwen of Anmore

Updates to action items included:

- 253: Miller-Capilano Pavement Assessment was submitted for Ministry of Transportation and Infrastructure (MOTI) review
 - A report will be issued by February 28, 2023, identifying pavement to be replaced 2023-2025
- 256: Mayor Berry reported that the Village of Anmore was unaffected by the Speculation and Vacancy Tax; Mayor McEwen could provide no further insight

- Identifying how many properties may be impacted in the Village of Lions Bay was warranted.

ACTION: Mayor Berry agreed to contact Finance Minister Selina Robinson for further details regarding the Speculation and Vacancy Tax.

B. Information and Resource Requests

The Information and Resource Requests (IRRs) Report was provided for information.

During discussion, it was noted that the Emergency Program Coordinator's contract to complete an Evacuation Plan and other deliverables would soon end while work was underway with the unspent budget.

Moved/Seconded

THAT the Village of Lions Bay approve an extension to the Emergency Coordinator's contract to complete the Evacuation Plan without adding additional value.

CARRIED

10. Reports

A. Staff

i. CAO Request for Decision: 2023 Council Meeting Calendar

During discussion, comments were offered regarding:

- Option Two provides greater predictability and the ability to address matters as they arise
- January 2023 meetings should be held on the 10th and 17th.

Moved/Seconded

THAT the proposed Council meeting dates for 2023 set out in Option 2 attached to the report entitled "Council Meeting Calendar" be approved by Council as amended, with meeting dates on January 10 and January 17, 2023.

CARRIED

Moved / Seconded

THAT Council considers publication of the meeting schedule in the Village Update to be reasonably equivalent to that which a local newspaper publication would provide if it were practical.

CARRIED

Moved/Seconded

THAT staff publish the 2023 Council meeting schedule in the Village Update and in accordance with legislative requirements.

CARRIED

B. Mayor

i. Departing Staff and Council Member

Mayor Berry expressed gratitude to Pamela Rooke, departing Chief Financial Officer, and wished her luck in her new position. The Mayor wished Peter DeJong well in his future endeavours and more relaxing days ahead for Norm Barmeier.

C. Council

i. Councillor Broughton – First Nations Acknowledgement for Agendas

After consulting with the Squamish Municipality and a Squamish Band leader regarding appropriate wording for a land acknowledgment at the beginning of Village of Lions Bay meetings, Councillor Broughton recommended the following: “We are privileged to be meeting and doing work on the traditional unceded territory of the Squamish, Tseil-Waututh, and Musqueam Nations.”

In response to a question, Councillor Broughton noted:

- As confirmed with Ruth Simons, the Village of Lions Bay was on the traditional territories of all three Nations; the territories overlap.

Action: Councillor Broughton agreed to reconfirm the territorial acknowledgments appropriate to the Village of Lions Bay.

ii. Councillors Abbott and Broughton – Update on Beach Park Activities

Multiple working group meetings were held over the past week, with breakout group sessions on Sunday, December 18, and Monday, December 19, 2022. The next meeting would be held on January 9, 2023, and “Have Your Say” would be held soon after. The group was demonstrating strength in communication with diverse skills represented.

D. Committees

i. Standing Committees to be Established by the Mayor and Appointment of Standing Committee Council Members

Mayor Berry updated the meeting on the status of various standing committees, noting:

- The Human Resources Committee would soon be constituted by Mayor Berry, Councillor Abbott, and Councillor Reuter; when Terms of Reference (TOR) and a Non-disclosure Agreement (NDA) were in place, interviews with qualified residents would be conducted.

During discussion, comments were offered regarding:

- An open call for standing committee volunteers
- A list recording expressions of interest
- Working groups were an effective way to welcome participation from more members of the community
- Scott Gordon and Susan Davis were an effective team.

Action: It was requested that an ad be placed in the Village Update requesting volunteer interest in participating on the standing committees.

ii. Committee of the Whole Recommendations of December 8, 2022

During discussion, it was noted:

- A review of the Parking Plan would be conducted in advance of standing the Parking Committee

Action: The Public Works Manager was requested to look into the status of the 2022 parking plan.

Moved/Seconded

THAT Council approve the Committee of the Whole recommendations:

To establish or re-establish the following Select Committees with the following Council members appointed:

1. Climate Action – Councillors Abbott and Reuter
2. Highway Impacts Committee – Councillors Broughton and Reuter.

AMENDED

Moved/Seconded

THAT Council approve the Committee of the Whole recommendations:

a. To establish or re-establish the following Select Committees with the following Council members appointed:

1. Climate Action – Councillors Abbott and Reuter
2. Highway Impacts Committee – Councillors Broughton and Reuter; and

b. To appoint Council Liaisons as identified within the Minutes of the December 8, 2022, Committee of the Whole Meeting (page 20 of the agenda package).

CARRIED

iii. Trees, Views, and Landscapes Committee – Tree Application #125: 61 Brunswick Beach Road

During discussion, comments were offered regarding:

- Appropriate height to which branches may be cut
Moved/Seconded
THAT Council approves Tree Cutting Permit Application No. 125 – 61 Brunswick Beach Road, subject to the following:
 - a. For the trees that have been identified, trimming/removal is permitted to a height equalling eight feet above the roof for any branches or limbs that are above the property lines of 61 Brunswick Beach Road. If any additional work is requested, a detailed scope of work is required. For example, how high would the cutting extend and how close would the branches be cut to the tree?
 - b. It is recommended that the small Cedar next to the railing close to the house be removed.
 - c. If the applicant wishes, he may remove the small group of bushes and small trunk that are directly behind the stone sign that indicates the house number.
 - d. The applicant MUST use a certified arborist whom BC Hydro permits to trim/cut close to Hydro lines.
 - e. The applicant must clean up and remove all associated debris and notify the Municipality as soon as possible after the cutting to advise that this has been done.
 - f. The tree-cutting permit shall be valid for one year, subject only to confirmation prior to any cutting, or repeated cutting, within that period of:
 1. Compliance with the bylaw restrictions regarding bird nesting season;
 2. If working from the road, a traffic control plan approved by Public Works;
 3. Damage deposit, arborist/contractor's WorkSafe BC certificate and insurance in compliance with Municipal requirements; and
 4. Any other Municipal bylaw requirements.

CARRIED

E. Emergency Services
None.

11. Resolutions

None.

12. Bylaws

A. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 623, 2022
During discussion, the following was noted:

- The rate was increased from \$1,750 to \$3,000, which was the actual cost of a bench installation.
- Staff would bring forward a Donation Policy specifying how long the benches would be maintained without renewal and what an extension of the term would look like.

Moved/Seconded

THAT the Fees Bylaw No. 497, 2016, Amendment Bylaw No. 623, 2022, be adopted.

CARRIED

B. Pesticide Bylaw No. 430, 2011, Amendment Bylaw No. 624, 2022

During discussion, it was noted:

- Intention to meet the Minister’s criteria by formalizing the bylaw to comply with a permanent ban
- Exclusions noted on page 150 of the meeting package were surprising.

Action: The Public Works Manager was requested to confirm that Amendment Bylaw No. 624, 2022 and the associated list of exclusions (page 150 of the meeting package) were in alignment with Ministry requirements, without unintentional additions or subtractions.

Recommendation

THAT approval of the Pesticide Bylaw No. 430, 2011, Amendment Bylaw No. 624, 2022, introduced and read a first, second and third time.

DEFERRED

13. Correspondence

A. List of Correspondence to December 15, 2022

During review of correspondence received to December 15, 2022, the following actions were identified:

FROM	TOPIC	ACTION
G1 Union of BC Municipalities	Lions Bay’s 2021 CRI project	For Information
G2 MP Patrick Weiler	Consultations on a National School Food Policy	For Information
G3 Canada Post	Introduction to Canada Post Government Affairs Team	For Information
G4 Fisheries and Oceans Canada	Workshop Invitation	For Information

G5 Trish and Eric Boyum	Bears	For response; present the offered photo print to Critter Care Wildlife Society
G6 Union of BC Municipalities	Community Building Fund	For Information
G7 Transport Canada	Call for Proposals	For Information
R1 Rose Dudley	Building Code Compliance	For Response
R2 Karen Dyer	Park Committee	For Councillor Abbott's Response
R3 Rebecca Caspersen	Parking Committee	For Councillor Abbott's Response
R4 Ute Philips	Departure of Peter DeJong	For Information
RR4 Mayor Berry response to Ute Philips	Departure of Peter DeJong	For Information
R5 Andrew Wray	CFO and CAO moving on	For Response
R6 Rebecca Caspersen	Staff and Council member loss	For Response
R7 Alison Dudley	Cost of termination of CAO	For Response
R8 Riley Darr	Events Committee	For Councillor Abbott's Response
R9 John Dudley	CAO and CFO moving on	For Response
R10 Rose Dudley	Reaction to Council direction	For Response
R11 Mike Hurst	Suite surcharge	For response and discussion at the next Council meeting
R12 Stephanie Beattie	Transparency questions	For Response
R13 Stephanie Beattie	By-Election/CAO dismissal	For Response
R14 Gail Craig	CAO and CFO moving on	For Response
R15 Douglas Miller	Departure of CAO and CFO	For Response
R16 Rod Baker	Norm, Peter, and Pam	For Response
R17 Ute Philips	Council Committees	For Response
R18 John Phillips	Loss of senior management	For Response

During discussion, comments were offered on:

- Streamlining of response process and acknowledgment of receipt
- Appropriateness of the Standing Committee for Policies, Procedures and Bylaws to review the correspondence policy.

14. New Business

A. None.

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

None.

Mayor Berry and Councillor Abbott thanked the Gallery for attending and wished everyone a wonderful holiday season.

Moved/Seconded

THAT the public session be closed at 8:24 p.m.

CARRIED

16. Resumption of Closed Meeting in accordance with the reasons stated at Item 2

The meeting returned to the closed session at 8:25 p.m.

17. Reporting Out (if applicable)

None.

18. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:15 p.m.

Mayor

CAO

Date Adopted by Council:	January 17, 2023
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