



**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, FEBRUARY 21, 2023 at 6:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY
AND VIA ZOOM VIDEO CONFERENCE**

MINUTES

In Attendance: Mayor Ken Berry
Councillor Neville Abbot
Councillor Michael Broughton
Councillor Marcus Reuter

Staff: Marina Blagodarov, Administrative Assistant
Kelsey Guenette, Raincoast Ventures Ltd. (via videoconference)
(Recorder)
Nai Jaffer, Public Works Manager (via videoconference)
Ron Miller, Acting Chief Administrative/Financial Officer (Acting CAO/CFO)

Public: 11 in person; 77 via videoconference

1. Call to Order

Mayor Berry called the meeting to order at 6:08 p.m.

2. Closed Council Meeting (6:00 PM)

Proposed topics for discussion in the absence of the public:

- A. Legal
- B. Personnel

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;
 - c) labour relations or other employee relations;
 - n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);

CARRIED

3. Reporting Out from Closed Portion of Meeting/Mayor’s Address

It was reported that the Closed Regular Council Meeting Minutes held December 8, 2022, had not been approved.

4. Adoption of Agenda

During discussion on the February 21, 2023 Regular Council Meeting agenda, Councillor Marcus Reuter expressed a preference for written reports that could be included in the agenda package prior to the meeting rather than verbal reports.

Additionally, discussion ensued on whether the source of direction for the Finance Committee comes from the Mayor as a standing committee, or from Council as a whole.

Moved/Seconded

THAT the agenda of the February 21, 2023 Regular Council Meeting be adopted with the addition of Item 15(B) CAO Position Posting.

CARRIED

5. Public Participation

A. Arlene Halstrom,

Arlene Halstrom requested Council’s assistance to provide a CN Rail contact who will respond to email complaints and suggested that residents in the identified area also compose emails. Additionally, concerns were raised related to salt distribution by the Village salt truck.

Nai Jaffer, Public Works Manager, advised that staff would examine the salt truck’s auger system to identify potential problems as soon as possible.

B. Wayne Halstrom

Wayne Halstrom expressed concerns regarding the significant lack of oversight by the previous administration and encouraged Council to work together to move on.

C. Jamie Cunliffe

Jamie Cunliffe requested that the Mayor recant a statement made during the February 15, 2023 Special Council meeting regarding Council’s direction related to the employment of the previous CAO.

The Mayor advised that the statement would be reviewed; however, it would not be recanted at this time.

D. Gail Craig

Gail Craig requested clarification on whether disciplinary action would be taken for the release of the closed agenda package for the February 15, 2023 Special Council Meeting.

E. Rose Dudley

Rose Dudley expressed concerns regarding the lack of in-office time of the Acting CAO/CFO.

The Mayor responded, noting that the current Acting CAO/CFO works only part-time for the Village, but is aware of the challenge.

F. Ehsan Monfared

Ehsan Monfared expressed dismay regarding the conduct occurring at the Council table and reminded that Council and residents are all neighbours and need to work together.

G. Randi Bryne

Randi Byrne noted the importance of a timely by-election for the Village and expressed concerns regarding the lack of accountability for actions.

H. Eric Upenieks

Eric Upenieks questioned whether Council was given notice prior to the Building Inspector resigning and what steps have been taken to hire a new building inspector.

The Mayor responded, noting that no notice had been provided prior to the resignation, and the position would be posted tomorrow. The morning following the resignation, Council began outreach to other communities, including West Vancouver and Bowen Island, for part-time help, and has also reached out to architects and engineers.

I. Jon Povill

With reference to an article in the Lions Bay Watershed, Jon Povill requested clarification on an offer made by the previous Building Inspector to continue to oversee remaining open construction cases in the Village for free with two conditions – that Councillors need to respect the boundaries and office areas of staff, and that vacant positions not be filled with friends of friends.

The Mayor advised of not having received indication of the offer.

Councillor Reuter informed of having received the offer, which was discussed with Councillor Neville Abbott and the Acting CAO/CFO with the expectation that the Acting CAO/CFO would relay it to the Mayor.

J. Pardeep Sangha

Pardeep Sangha informed that construction at their building site was stalled and left exposed without backfill until an inspection is completed and requested that the Building Inspector position be filled as soon as possible.

Pardeep Sangha was encouraged to contact the Acting CAO/CFO for assistance with the matter, and Council noted that it would explore the possibility of accommodating the previous Building Inspector's offer.

K. Mary Brown

Mary Brown questioned whether the Klatt building would be complete before the expiration of the grant on December 31, 2023, and if there were approved building plans to put forward.

The Public Works Manager advised that the issued for tender drawings were prepared and ready to be issued on December 15, 2022.

Councillor Abbott noted that further discussion would occur on the matter during the closed meeting and approved information would be shared in the reporting out.

L. James Mole

James Mole expressed concerns related to the potential availability of a new Building Inspector, if hired, and requested that Council work to bring the previous Building Inspector back to the position.

M. Rebecca Caspersen

Rebecca Caspersen requested solutions from Council on how to mitigate damage to the Village from a potential lawsuit by the previous CAO.

Councillor Abbott noted that it was unable to discuss the matter; however, information would be released as it becomes legally available.

N. Penny Nelson

Penny Nelson requested clarification on when the previous Building Inspector's offer was relayed to the Acting CAO/CFO.

Councillor Reuter advised that discussion with the Acting CAO/CFO occurred 11 days ago.

6. Public Delegation Requests Accepted by Agenda Deadline

None.

7. Adoption of Minutes of Prior Meetings

A. Special Council Meeting – November 24, 2022

Moved/Seconded

THAT the Special Council Meeting Minutes of November 24, 2022 be approved as circulated.

CARRIED

B. Special Council Meeting – November 30, 2022

Moved/Seconded

THAT the Special Council Meeting Minutes of November 30, 2022 be approved as circulated.

CARRIED

- C. Regular Council Meeting – February 7, 2023
 Moved/Seconded
 THAT the Regular Council Meeting Minutes of February 7, 2023 be approved with the following amendments:
- Item 5(F), identify the “Unidentified Speaker” as “Arlene Halstrom”
 - Item 13(A), replace “November 1, 2023” with “November 1, 2022”.

CARRIED

8. Business Arising from the Minutes

Councillor Reuter noted that unfinished business regarding the Speculation and Vacancy Tax was not yet complete and should not have been removed from the Unfinished Business table.

9. Unfinished Business

- A. Follow-Up Action Items from Previous Meetings

No.	Date	Item Description	Action
253	July 5, 2022	Highway maintenance follow up	A report will be issued by February 28, 2023, identifying pavement to be replaced 2023-2025
258	December 20, 2022	First Nations Acknowledgement for Agendas	Councillor Broughton to reconfirm the territorial acknowledgements appropriate to the Village of Lions Bay
264	February 7, 2023	Lions Bay Connector	Follow up

Updates to action items included:

- 253: The report will be provided prior to 2023 budget approval
- 258: Councillor Broughton provided wording for the territorial acknowledgement, which was consistent with the Lions Bay Elementary School and input received from residents, and noted that it would be implemented for the next Council meeting
- 264: Lions Bay Connector information would be released to the public.

ACTION: Councillor Marcus Reuter to take lead on the Speculation and Vacancy Tax issue.

10. Reports

- A. Staff

- i. Budget Update

The Acting CAO/CFO informed that the budgets were ready for presentation to Council and the Finance Committee.

ACTION: The Acting CAO/CFO to inquire with legal counsel whether budgets are required to be presented to Council or the Finance Committee first.

B. Mayor

i. Mayor's Report

The Mayor read correspondence requesting a by-election sent to the Ministry of Municipal Affairs (MMA) on February 17, 2023 and advised that a follow up meeting with Council and MUNI was scheduled on February 23, 2023.

C. Council

None.

D. Committees

i. Lions Bay Beach Park Revitalization Project

Councillor Neville Abbott and Councillor Michael Broughton informed that the Lions Bay Beach Park was moving forward on its action plan with assistance from the Acting CAO/CFO, and a Lions Bay Beach Park Committee meeting was scheduled on February 23, 2023.

ii. Board of Variance Meeting Minutes – February 8, 2023

Moved/Seconded

THAT the Village of Lions Bay Council receive the February 8, 2023 Board of Variance Meeting Minutes for information.

CARRIED

iii. Finance Committee

None.

11. Resolutions

None.

12. Bylaws

A. Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No.
During discussion, comments were offered regarding potential budget implications (i.e., bylaw enforcement), bear smart education to the public, and the importance of moving forward with the bylaw amendment before bears return to the area.

Moved/Seconded

THAT the Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No., be read a first and second time, and be read for the third and adopt at the next Council meeting.

CARRIED

13. Policies and Procedures

None.

14. Correspondence

A. List of Correspondence to February 11, 2023

During review of general correspondence, it was highlighted that Lions Bay Resident Mary Miles, creator of the Lions Bay Native Plant Garden and resident artist at VanDusen Botanical Garden, had recently passed away.

Other correspondence topics included hiring processes, the Mayor's comments at a recent Village update, and Zoom entry difficulties for the February 15, 2023 Special Council Meeting. Staff would follow up on a letter related to a disputed parking ticket, and a letter regarding the Sea to Sky Invasive Species Council.

Moved/Seconded

THAT the correspondence for the February 16, 2023 Regular Council Meeting of the Village of Lions Bay be received as circulated; and

THAT all such correspondence be acknowledged in writing; and

THAT any correspondence seeking an action within the proper jurisdiction of the municipality is referred to the Chief Administrative Officer.

CARRIED

FROM	TOPIC
G1 Patrick Weiler, MP	Invitation to meet
G2 SSISC Board Member	Council Member
R1 Trudi Luethy	Mary Comer-Miles
R3 Gail Craig	Letter to Council
R4 Ehsan Monfared	Village Business
R5 Norma Rogers	Municipal Clerk
R6 Charlie Bradbury	Letter to Council
R7 Dave Butler	Letter to Council
R8 Penny Nelson	Letter to Council
R9 Riley Darr	Events Committee
R10 Anne Bjornson	Parking Ticket
R11 Norm Barmeier	Zoom Meeting

15. New Business

- A. BC Building Stronger Communities with \$1 Billion Growing Communities Fund
 The Mayor advised that the Village of Lions Bay may receive approximately \$500,000 through the Growing Communities Fund.

During discussion, Councillor Abbott suggested potential projects that the Village could undertake with the funds.

- B. CAO Position Posting
 Moved/Seconded
 THAT Council directs the Acting CAO/CFO to post for a Village Manager/CAO as soon as possible.

CARRIED

Moved/Seconded
 THAT Council directs the Acting CAO/CFO to post for a CFO/Treasurer as soon as possible.

CARRIED

16. Public Questions & Comments

- A. Jamie Cunliffe
 Jamie Cunliffe questioned whether the Closed Special Council Meeting Minutes of the December 8, 2022 meeting presented on-table during consideration of Item 7(C) would become part of public record.

The Mayor responded, noting that the Acting CAO/CFO would be directed to consult with the Village’s legal counsel.

- B. Penny Nelson

Penny Nelson stressed the importance of adopting the Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw to avoid further termination of bears in the Village.

C. David Shore

David Shore suggested that the Village use volunteers in the community, many of whom are subject matter experts, via ad hoc committees, to assist with ongoing Village projects, to avoid expending exorbitant amounts of funds on external consultants.

D. Tanya Cosgrave

Tanya Cosgrave suggested that the Village freelance a grant writing position to a Village resident with the appropriate expertise/experience.

E. Ehsan Monfared

Ehsan Monfared expressed concerns regarding the condescending tone Village residents take with Council and noted that it should not be permitted. Additionally, it was noted that the raising of budgetary questions in terms of fiscal management and taxpayer dollars, in order to not bypass fiscal prudence, was valid.

17. Closed Meeting (continuation)

Moved/Seconded

THAT the meeting be closed to the public on the basis of the matters noted in Item 2.

CARRIED

The meeting returned to closed session at 9:33 p.m. and returned to open session at 10:25 p.m.

18. Reporting Out

None.

19. Adjournment

Moved/Seconded

THAT the February 21, 2023 Regular Council Meeting for the Village of Lions Bay be adjourned.

CARRIED

The meeting was adjourned at 10:24 p.m.

Mayor

Acting CAO/CFO

Date Adopted by Council:	March 7, 2023
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