



**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, JANUARY 17, 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)
Anthony Tobin, Acting Chief Administrative Officer

Public: 6 in person; 32 via videoconference

1. Call to Order

Mayor Berry called the meeting to order at 6:03 p.m.

2. Closed Council Meeting (6:00 PM)

Proposed topics for discussion in the absence of the public:

- A. LBBP 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 7:00 p.m.

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

The Mayor reported that Council unanimously agreed to appoint Susan Davis, Oliver Ganske, Scott Gordon, and Kirsty Pappas to the Lions Bay Beach Park Advisory Committee, as well as Councillors Abbott and Broughton.

4. Adoption of Agenda

During discussion on the January 17, 2023 Regular Council Meeting agenda, concerns were raised regarding the lack of review of the Finance Committee Terms of Reference by Council prior to Committee appointments.

ACTION: Mayor Berry to provide the Finance Committee Terms of Reference for review at a future Council meeting.

Moved/Seconded

THAT the agenda of the January 17, 2023 Regular Council Meeting be adopted, with addition of the Mayor’s Address, and to consider Item 5. Public Participation as the item immediately following adoption of the agenda.

CARRIED

Mayor Berry acknowledged that although Council and the Acting Chief Administrative Officer (A/CAO) have held short days in office, open and transparent communication with staff and the Village is sought, and the A/CAO has produced the first draft of a new Council Procedure Bylaw to facilitate effective communication between Council. Mayor Berry appreciated the observations and constructive feedback for improvements for daily operations and Council meetings offered by residents.

5. Public Participation (postponed until after Reports)

A. Karl Buhr

Karl Buhr expressed concerns regarding the new draft Council Procedure Bylaw, due to inconsistencies discovered throughout, such as deadline requirements for posting of the agenda. Additionally, the draft does not include any tracked changes, making it difficult to determine edits that have been made. It was suggested that staff make incremental changes to the existing bylaw as desired, redlining for review.

Council responded noting that there would be further discussion on the draft.

B. Karen Dyer

Karen Dyer requested clarity on the by-election and the estimated cost to the Village.

Council noted that the matter would be discussed, and a date would be scheduled as soon as possible. It was further noted that some contractors had submitted proposals in the \$30,000-35,000 range for running of the by-election.

6. Review and Approval of Minutes of Prior Meetings

A. Regular Council Meeting – December 20, 2022

During discussion on the minutes, it was noted that a meeting with Public Works Manager Nai Jaffer would be scheduled in the near future to discuss safety solutions regarding the chain link fence at Marjorie Meadows.

Moved/Seconded

THAT the Regular Council Meeting Minutes of December 20, 2022 be approved with amendment on Page 8, Item 10.D. to correct the first bullet as follows: “The Human Resources Committee would soon be constituted by Mayor Berry and would include Councillor Abbott and Councillor Reuter...”

CARRIED

B. Special Council Meeting – December 29, 2022

Moved/Seconded

THAT the Special Council Meeting Minutes of December 29, 2022 be approved as circulated.

CARRIED

7. Business Arising from the Minutes

In response to a question regarding the 2022 parking plan status, the Public Works Manager indicated that the work is typically done by the Municipal Coordinator, as they have access to parking statistics.

During discussion on correspondence to the Village, it was suggested that acknowledgement of correspondence be given as promptly as possible, including when/if to expect a more detailed response. Correspondence requesting action be taken could be referred to staff with updates given to Council.

It was questioned whether the former Chief Financial Officer was receiving compensation for extending their last day of work, as the letter of resignation was not amended to reflect the change.

8. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

It was noted that once the A/CAO has had sufficient time to review unfinished business and meet with staff and advisors, a status report will be provided at a future Council meeting.

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
257	December 20, 2022	Speculation and Vacancy Tax	Mayor Berry to contact Finance to obtain further details regarding the Speculation and Vacancy Tax
258	December 20, 2022	First Nations Acknowledgement for Agendas	Councillor Broughton to reconfirm the territorial acknowledgements appropriate to the Village of Lions Bay
261	December 20, 2022	Pesticide Bylaw No. 430, 2011, Amendment Bylaw No. 624, 2022	Confirm that Bylaw is in alignment with Ministry
262	December 20, 2022	Correspondence R11	Suite surcharge

Updates to action items included:

- 253: The report will be provided prior to 2023 budget approval
- 257: Mayor Berry advised that additional follow up on the Speculation and Vacancy Tax was needed
- 258: Councillor Broughton informed that contact had been made with cultural and language services to assist with drafting an appropriate territorial acknowledgement
- 261: Nai Jaffer confirmed that the bylaw aligned with the Ministry
- 262: Discussion on the suite surcharge would be deferred until the A/CAO was prepared.

9. Reports

A. Staff

i. CAO Report

A/CAO Anthony Tobin expressed appreciation to Council for appointment to the position and indicated a strong commitment to ensuring the Village was functioning as best as possible, with ample safeguards in place in all aspects. The importance of understanding before action, with as much consultation as possible, was noted.

Mayor and Councillor Broughton appreciated the A/CAO's expertise and experience brought to the position.

B. Council

i. Councillor Abbott and Broughton – Lions Bay Beach Park Workshop Group Report

The Lions Bay Beach Park Workshop Group Report was provided for information.

It was noted that a correction to the report was needed under "Access to the VU" to remove the word "wildlife".

ii. Councillor Abbott – Bear Smart Committee Request for Changes to the Waste Collection Bylaw

The Bear Smart Committee Report was provided for information.

In response to questions, it was noted that the amended Garbage and Recycling Collection Bylaw No. 455, 2013, was developed by the Bear Smart Committee and would have no impacts to bylaw enforcement.

It was requested that the bylaw be added to the next Council agenda for its first reading.

C. Committees

i. None.

D. Emergency Services

i. Phil Folkerson – Lions Bay Emergency Program Update

The Lions Bay Emergency Program Update was provided for information.

10. Resolutions

Moved/Seconded

THAT Councillor Broughton take on the role of Acting Mayor for the remainder of the month if Councillor Abbott is unavailable.

CARRIED

11. Bylaws

- A. Pesticide Bylaw No. 430, 2011, Amendment Bylaw No. 624, 2022
In response to a question, it was noted that the author of the bylaw amendment (former CAO) does not have any impact on approval.

Moved/Seconded

THAT the first reading of Pesticide Bylaw No. 430, 2011, Amendment Bylaw No. 624, 2022, be approved.

CARRIED

Moved/Seconded

THAT the second reading of Pesticide Bylaw No. 430, 2011, Amendment Bylaw No. 624, 2022, be approved.

CARRIED

Moved/Seconded

THAT the third reading of Pesticide Bylaw No. 430, 2011, Amendment Bylaw No. 624, 2022, be approved.

CARRIED

12. Correspondence

- A. List of Correspondence to January 12, 2023
During review of correspondence, it was noted that all correspondence should be received and acknowledged for information, and those requiring action should be referred to staff.

Councillors were directed to Section 4 of the Community Charter regarding interpretation of municipal legislation.

The meeting adjourned at 8:35 p.m. and reconvened at 8:40 p.m.

Moved/Seconded

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

FROM	TOPIC	ACTION
G1 Margus Riga	Parking Fees	For Information
G2 BCSPCA	AnimalSense Magazine	For Information
G3 MLA, Jordan Sturdy	Constituency Update	For Information
G4 Senator for BC, Mobina Jaffer	Congratulations	For Information
G5 Metro, George Harview	Nominations for Membership	For Response
G6 Transport Canada	Enhance Rail Safety Engagement	For Information
G7 WildSafe BC	WildSafeBC Community Program	For Information
G8 Patrick Weiler, MP	Community Services Recovery Fund	For Information
G9 LMLGA, Imlga	Local Government Association Conference	For Information
R1 Jim	Policy	For Response
R2 Alison Dudley	Land Acknowledgement Suggestion	For Information
R3 Gail Craig	Staffing	For Information
R4 Sue and Carl May	Kelvin Grove Trail	For Response
R5 Trailblazers, John Dudley	262 Bus	For Response
R6 Ute Philips	Council Committees	For Response
RR6 Ute Philips	Council Committees	For Response
R7 Ute Philips	Public Works Employees	For Response
R8 Rose Dudley	Concerns over In-Camera Meeting	For Response
R9 Norma Rodgers	Finance Committee	For Response
R10 Gail Craig	Closed Meetings	For Response
R11 Ute Philips	Terms of Reference	
R12 Rose Dudley	Tree Work at 61 Brunswick Beach Road	For Information

CARRIED

13. New Business

A. None.

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

A. Karen Dyer

Karen Dyer recommended that staff research a new speaker/microphone system for future Council meetings.

15. Closed Meeting (continuation, if applicable)

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 8:51 p.m.

16. Reporting Out (if applicable)

None.

17. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at [insert time] p.m.

Mayor

CAO

Date Adopted by Council:	September 5, 2023
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