



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, TUESDAY, OCTOBER 4 at 6:00 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 (arrived at 6:01 pm)

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer (via video conference)
Municipal Coordinator Linda Brick (Recorder)

Delegations: 1

Public: 21

1. Call to Order

Mayor McLaughlin called the meeting to order at 6:00 p.m.

2. Closed Council Meeting

Proposed topics for discussion in the absence of the public:

- A. Personnel Matters
- B. Legal Advice
- C. Litigation

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;
 - g) litigation or potential litigation affecting the municipality; and
 - i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

The meeting was closed to the public at 6:03 p.m.

The meeting was re-opened to the public at 7:00 p.m.

3. Reporting Out from Closed Portion of Meeting

None

4. Adoption of Agenda

Moved/Seconded

THAT the agenda be amended as follows:

- Additions to item 8. report and feedback report regarding LBBP be added; and
- The order of items 10 A. iv. and 10.A. v. be reversed
- THAT Item 10. A. 4 equipment loan and item 10. A. 5 purchase of public equipment be removed from the agenda

THAT the agenda be adopted, as amended.

With the consent of Council, the resolution was bifurcated and voted on as follows:

Moved/Seconded

THAT Item 10. A. 4 equipment loan and item 10. A. 5 purchase of public equipment be removed from the agenda.

DEFEATED

Opposed: Mayor McLaughlin, Councillors Bain, Barmeier and Cunliffe

Moved/Seconded

THAT the agenda be amended as follows:

- Additions to item 8. report and feedback report regarding LBBP be added; and,
- The order of items 10 A. iv. and 10.A. v. be reversed.

THAT the agenda be adopted, as amended.

CARRIED

5. Public Participation

A. Michael Broughton

M. Broughton commented on the Lions Bay Beach Park revitalization requesting that Council engage in a fulsome community engagement process before making a final decision. Suggested that specific user groups be surveyed for input on the park development.

6. Public Delegation Requests Accepted by Agenda Deadline

A. David Shore and Marek Sredzki, re: Lions Bay Beach Washrooms Park

M. Sredzki requested that the Lions Bay Beach Park item be removed from the agenda and brought forward for consideration by a new Council. Expressed concern that not enough time has been provided for residents to provide feedback and opined the survey could be considered vote buying as the date of distribution coincided with the All-Candidates meeting.

D. Shore provided his historical context regarding the Lions Bay Beach washroom replacement, suggesting that the project could have been completed by volunteers from the community at a lower cost than proposed. Encouraged Council to postpone consideration on the Lions Bay Beach Park project until after the election.

7. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – September 20, 2022

Council requested that the minutes be amended to reflect the Bayview DWIP project as opposed to the Bayview Drip project.

Moved/Seconded

THAT the Regular Council Meeting Minutes of September 20, 2022 be approved as amended.

CARRIED

8. Business Arising from the Minutes

A. Remembrance Day

The Mayor advised that there is nothing new to report at this time on the Remembrance Day planning. Councillor Bain advised that the Memorial Committee hopes to install a new plaque prior to November 11, 2022.

B. Climate Action Committee.

Councillor Barmeier advised that an end of year report will be prepared for the new Council.

9. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

No.	Date	Item Description	Action
245	April 19, 2022	CN Vegetation Program	CAO following up
252	July 5, 2022	Municipal financial comparisons	CFO to provide report in November
253	July 5, 2022	Highway maintenance follow up	Staff report requested for November 15.
254	September 20, 2022	Klatt Building update LB Connector update Bayview DWIP update	Klatt report in Agenda. Connector plans in progress. July 2023 for Bayview DWIP grant result.
255	October 4, 2022	Climate Action Committee year end report.	Councillor Barmeier (see Item 10.C)

10. Reports

A. i. PWM RFD – [REDACTED] Road Encroachment Agreement & Sec. 219 Covenant

Staff recommended that the item be withdrawn from the agenda as the applicant is not ready to sign the agreement.

Moved/Seconded

THAT the item be referred to the November 15, 2022 Regular Council meeting agenda.

CARRIED

ii. CAO RFD – Renewal of Crown Lease for North Brunswick Beach Straddling Magnesia Creek

CAO DeJong advised that the terms of the lease renewal are being reviewed and the Ministry has granted a submission extension date until December 31, 2022. Staff further advised that:

- The Ministry has been requested to resurvey the foreshore as the land in question has been accreted to the foreshore by Magnesia Creek over time and the original plan differs from the current plan.
- The Ministry is agreeable to the \$1 lease amount.

Moved/Seconded

THAT the item be referred to the November 15, 2022 Regular Council meeting agenda.

CARRIED

iii. PWM – Information Report – Public Feedback on CUBB Project

PWM Jaffer advised that this replacement project focuses on the aging water mains on Upper Bayview, Bayview Place and Centre Road as identified in the Infrastructure Master Plan. The end result will be a shovel ready project for upcoming grant applications. Included in the scope of work is a review and redesign of the PRV chamber which will meet WorkSafe BC requirements for a low-risk environment and negate confined space procedures. An FAQ will be prepared and posted in the Village Update and on the website addressing respondent questions.

In response to Council inquiries staff advised:

- The survey was conducted via Village Update and on the website only.
- 24% of the affected property owners responded.
- This is an information report only and all decisions will be made by the new Council.

Council requested that the information report be included in the Regular Council agenda package when consideration of the item returns to Council.

Moved/Seconded

THAT the Information Report “Public Feedback on CUBB Project” be received for information purposes.

CARRIED

v. CFO – RFD – Purchase of Public Works Equipment

In response to Council inquiries staff advised:

- All mini-excavators, which met the criteria, were over the weight class of the existing trailer.
- Staff propose to purchase a trailer on which the mini-excavator can be moved. The alternative is to hire a company to move it when needed at a cost of \$150 - \$250 per move. The mini-excavator may be moved 2-3 times per month.
- The Village has been offered a discount on the purchase of the new trailer and a credit for trade in of the aging trailer.
- The aging trailer is on the asset replacement plan and was to be included in the 2023 budget.
- If the purchase is not approved for this aging piece of equipment a budget request may be put forward in 2023.

Council suggested that staff investigate the option to move the attachments separately from the equipment.

Moved/Seconded

THAT Council approve the purchase of an equipment trailer and flail mower in the amount of \$39,052 to be funded by surplus.

DEFEATED

Voting Against: Mayor McLaughlin, Councillors Abbott, Cunliffe, Barmeier, and Bain

iv. CFO – RFD – MFA Equipment Financing Resolution

In response to Council inquiries staff advised that purchase of the equipment was approved in the budget and staff have proceeded with placing the order. The approval of borrowing from MFA will ensure that funds are available to pay for the purchase without depleting reserves.

Moved/Seconded

THAT the Council of the Village of Lions Bay authorizes up to \$195,000 be borrowed, under Section 175 of the *Community Charter*, from the Municipal Finance Authority, for the purpose of purchasing a skid steer loader and a mini excavator; and,

THAT the loan be repaid within five years, with no rights of renewal.

CARRIED

Voting Against: Councillor Abbott

vi. PWM – RFD – Garbage, Recycling, and Organics Collection and Hauling Contract for 2023

PWM Jaffer advised there is currently a significant delay in the manufacturing of bear proof totes; municipalities cannot expect a collector to begin with manual collection and then switch to automatic collection midway through a season.

It was noted that:

- The current contract has not expired and runs until December 31, 2022, no contract has been signed without Council approval;
- The move to totes would increase bear resistance in garbage cans and improve the collection process;
- The impact on residents' ability to navigate steep driveways with large totes on wheels is of concern and will be taken into account for the development of survey questions;
- The survey will be conducted via mail drop in addition to online and Village Update options;

- The Bear Smart, Climate Action and Bird Friendly committees will be provided opportunities to provide input;

Council suggested that unlimited green waste should be maintained.

Moved/Seconded

THAT Council authorizes the Mayor and the CAO or the CFO to execute a nine-month extension to the existing Solid Waste Collection Agreement with Waste Control Services Inc. dated for reference September 30, 2023.

CARRIED

vii. CAO – Information Report – Klatt Emergency Building Expansion and Retrofit Project Update

CAO DeJong provided an update on the budget for the Klatt building expansion noting that:

- the project team have revised the proposed project design to be more in line with the budget;
- the roof on the second floor will not be raised; and,
- firefighters may be used for the construction project depending on the availability of qualified personnel in the Department at the time of the project.

Moved/Seconded

THAT the Information Report, “Klatt Emergency Building Expansion and Retrofit Project Update” be received.

CARRIED

viii. CAO – RFD – Lions Bay Beach Park Revitalization Project Update

Moved/Second

THAT Council delay proceeding with any of Options 1-4 and a-c identified in this report until such time as the new council is sworn in; this will have the effect of jeopardizing completion of the main elements of the project in time for the summer 2023 season.

CARRIED

Staff confirmed that the resolution will not jeopardize the grant as there remains sufficient time for completion of the project.

B. Mayor

None

C. Council

Councillor Barmeier advised that the Climate Action Committee year end report will be brought forward for the next Council.

D. Committees

None

E. Emergency Services

i. Surrey Regional Fire Dispatch Monthly Report

Moved/Seconded

THAT the monthly report be received for information.

CARRIED

11. Resolutions

None

12. Bylaws

None

13. Correspondence

A. List of Correspondence to September 29, 2022

Moved/Seconded

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

Sept 6/22	Richard Manwaring, Deputy Minister	BC Timber Sales & Pest Management	Bring forward for strategic planning session.
Sept 19/22	Ambrose Yung, Registrar	Youth Parliament	For Information
Sept. 27/22	The Honourable Mitzi Dean	Foster Family Month in British Columbia	Action - report in Village Update
Sept 22/22	Patrick Weiler, MP	New Horizons for Seniors Program	For Information
Aug 31/22	Basic Income BC	The Case for Basic income for municipalities	For Information
Sept 2/22	BC Rural Health Network	Rural Health Care Crisis	Staff to follow up with BC Rural Health network to appear as a delegation and

			inquire about a Nurse Practitioner for Lions Bay.
Sept 6/22	Patrick Weiler, MP	Government of Canada invests in training equipment	For Information
Aug 30/22	Jan Schneider	Speculation and Vacancy Tax	Bring forward for strategic planning session.
Sept 2/22	Mark Ergetowski	Hwy 99 - Motorcycle Complaint	For information
Aug 31/22	Karl Buhr	Urban or rural? Residential Woodsmoke Metering Proposal	Bring forward for strategic planning session.

CARRIED

14. New Business

- A. Lions Bay Beach Park Revitalization
 Council requested that the information be updated on the website and feedback be continued to be received on this matter.

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

Randi Byrne

R. Byrne commented on the encroachment agreement for his property and expressed concern with the 60 day removal clause.

David Shore

D. Shore expressed support for deferring decision on Lions Bay Beach Park. Commented on the minutes of September 20, 2022 highlighting that he inquired as to why an outside project manager had been hired, what criteria was used for selecting the manager, and the cost of the manager. He further expressed concern with the process used for the bid.

Michael Broughton

M. Broughton commented on the proposed plans for Lions Bay Beach Park; urged Council to provide more information to residents regarding if the washroom building will be replaced and what the completed building would look like.

16. Closed Council Meeting

*The meeting returned to a closed session at 8:34 pm.
 The meeting was re-opened to the public at 9:40 p.m.*

17. Reporting Out From Closed Portion of Meeting

18. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:40 p.m.

Mayor

Corporate Officer

Date Approved by Council:	November 15, 2022
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