



# THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

## **REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, MARCH 4, 2014 at 7:00 PM IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

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### **MINUTES**

In Attendance: Mayor Brenda Broughton  
Councillor Scott Ando  
Councillor Fred Bain  
Councillor Ron McLaughlin  
Councillor Joanne Ronsley  
Grant McRadu, Interim CAO  
Mandy Koonts, Municipal Coordinator (Recorder)

**1. Call to Order**

Mayor Broughton called the meeting to order at 7:00 p.m.

**2. Approval of Agenda**

Moved: Councillor Ronsley  
Seconded: Councillor Ando

Three items were added to the agenda:

- 8C(iii): Historical Society Kiosk
- 7A: Community Centre Renewal Resolution
- 7B: Public Service Announcement

One amendment was made to the agenda:

- 10B: amended to read "first reading only"

BE IT RESOLVED THAT the Village of Lions Bay Council approves the Agenda of the Regular Council Meeting of March 4, 2014, as amended.

**CARRIED**

**3. Public Participation**

Mayor Broughton read the guidelines for public participation.

Mr. Mark Hirst:

Mr. Hirst expressed concern with proposed changes to the filming policy and associated bylaw stating that only a handful of residents are in favour of filming in the Village. Mr. Hirst stated great effort went into establishing the bylaw to ensure a peace and tranquility for residents; the Bylaw is fair and the process is inclusive of all residents. The 100% approval rating guarantees only affected persons have a say. Mr. Hirst requested to be kept apprised of any proposed changes or decisions with respect to the policy and/or the bylaw.

Mr. Kambiz Azordegan:

Mr. Azordegan expressed the opinion that the Filming Committee is wasting its time reviewing the filming policy and bylaw stating the work was already done and residents don't want any changes to the policy and bylaw currently in place. Mr. Azordegan questioned if Staff and Council are pushing these policy changes as a favour to provincial government. Mr. Azordegan requested copies of minutes identifying Council's support of the decision to review the filming policy.

Mr. Alan Henshaw:

Mr. Henshaw requested clarification from Council on whether Lions Bay Fire Rescue has resources and contingency plans in place to deal with a fire similar to the one at Strachan Point in February; particularly in light of the challenges faced by LBFR in fighting that fire. Mayor Broughton advised the 2014 provisional budget includes a capital project proposal to bring additional water tanks online.

Ms. Farrah Azordegan:

Ms. Azordegan expressed concern at the recent canvass by film personnel and the inconvenience posed by their repeated attendance at her residence. She feels these types of canvasses without prior notice are inappropriate and awkward for residents. Ms. Azordegan further iterated that filming would impact her neighbourhood and lifestyle in a negative way and sought clarification on when and why the decision has been made to review the filming policy and bylaw again.

**4. Delegations**

A. Jon Wescott – Offer of Kayak Lessons & Centennial Trail Run/Training  
Councillor Bain recused himself 7:18 p.m. due to potential Conflict of Interest.

Mr. Wescott was not in attendance; Mayor Broughton spoke to this request in his absence. Mr. Wescott is requesting permission to utilize beach access and one of the picnic tables at Lions Bay Beach Park to offer free kayak lessons to Village residents. Mayor Broughton also discussed Mr. Westcott's offer to facilitate training and a run on the Centennial Trail and suggested this event could be held in conjunction with National Fitness Day on June 1<sup>st</sup>. Interim CAO McRadu advised additional research needs to occur to establish liability concerns and insurance needs for the proposed events. Councillor Ronsley suggested including other residents with relevant knowledge to assist in facilitating these events.

Task:	Staff to contact Mr. Westcott to further discuss liability and insurance issues as well as logistics with respect to the proposed events.
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Councillor Bain rejoined the meeting at 7:23 p.m.

**5. Adoption of Minutes**

A. Minutes of the Regular Council Meeting of February 18, 2014

Moved: Councillor Ando

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council approves the Minutes of the Regular Council Meeting of February 18, 2014, as submitted.

**CARRIED**

**6. Business Arising from the Minutes**

A. Snow Removal on Private Property Update

Mayor Broughton recused herself of this matter at 7:24 p.m. due to the fact she is part owner of the Lions Bay General Store and Café as well as the property footprint where they are located.

Moved: Councillor Bain

Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council receives the Snow Removal on Private Property Update, for information.

**CARRIED**

Mayor Broughton rejoined the meeting at 7:26 p.m.

**7. Unfinished Business**

A. Community Centre Renewal - Resolution

A recommendation from the Committee of the Whole Meeting was brought forward with respect to the Community Centre Renewal project.

Moved: Councillor Ronsley

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT Council authorize the CAO to engage Gerry Longson and a structural engineer to develop the scope of work and tender package for the replacement of the existing roof membrane and existing cedar mansard roof for the Community Centre and Village Office;

AND TO obtain at least three competitive bids;

AND TO report back with a recommendation at the earliest opportunity.

**CARRIED**

B. Public Service Announcement

Mayor Broughton read out a Public Service Announcement with respect to the status of the Community Centre Renewal, a copy of which is retained with the Agenda package. The PSA will be circulated to residents via various channels and will be placed on the Village website.

**8. Reports**

Moved: Councillor Bain

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council receives the Reports of March 4, 2014, as submitted.

**CARRIED**

A. Interim CAO's Report

Interim CAO McRadu provided an overview of the highlights of his report.

Dumping of garbage continues at the fire hall site despite the fact the Smithrite container has been removed; photographs were circulated of the latest debris left at the site including used syringes. Staff continue to research potential alternatives as well as next steps to identify offenders.

Interim CAO McRadu discussed the recent conflict of interest issue involving Councillor McLaughlin and read the following statement:

*"Councillor McLaughlin has received communications from members of the public to the effect that he has (or has had) an apparent conflict of interest in relation to Council's deliberations respecting the Village contract with Millennia Architecture Corporation. The Village has sought legal advice on the matter from Don Lidstone, Q.C., a senior municipal solicitor. The concern raised is based on the fact that Councillor McLaughlin's spouse, as an independent contractor, provides bookkeeping services to Millennia for approximately two hours per week. She is not an employee, does not sign invoices, has no equity or other financial interest in Millennia other than her two hours per week bookkeeping contract, the contract with the Village has not altered or would not alter her financial or other relationship with Millennia, and the contract itself would not alter her financial circumstances. The lawyer concluded that in his opinion, based on recent case law and the Community Charter:*

- 1. the Councillor has no pecuniary interest in the contract, and accordingly would not be subject to a process of being disqualified from office, and*
- 2. there is a common law interest in the matter, which would have had the effect of discounting his vote in the event of a split vote, but none of the Council votes on the matter were split."*

Mayor Broughton requested the BC Hydro grant application attached to Interim CAO McRadu's report be circulated to the Community Garden group for information and potential application of the grant.

B. Mayor and Council

Mayor Broughton provided an overview on her report, advising the Small Communities Grant has been confirmed for the years 2014-2017 inclusive in the amount of \$298,000 annually for each year.

Mayor Broughton further discussed recent lobbying with collective partners with respect to the Howe Sound Community Forum planning process; MP John Weston, MLA Jordan Sturdy and Minister Steven Thompson support this objective.

Discussions with BC Rail regarding the right of way to the Marina are ongoing; Mayor Broughton and Interim CAO McRadu met with BC Rail today.

Councillor Ronsley advised the Invasive Species Committee continues to meet in an effort to address species within the Village and in the various areas which join us to neighbouring municipalities.

Councillor Bain advised the Hazard Risk Vulnerability Assessment process continues at a steady pace. A timeline has been established and working group is being struck in the hopes of having this process completed by the end of May.

Councillor Ando advised the Infrastructure Committee meeting currently schedule for Wednesday, March 12, 2014 will be rescheduled to a date in early April. Once determined, the new date will be posted on the website and in the community by staff.

Councillor McLaughlin advised his quarterly report for the Lions Bay Community News has been drafted and will be submitted for publication once it has been reviewed and edited by Interim CAO McRadu.

C. Committees:

i. Filming Committee:

- Update from March 3, 2014 meeting  
Councillor Ronsley provided an update on the Filming Committee's meeting of March 3, 2014. The existing filming policy was reviewed and potential updates were discussed. The committee will meet again on Monday, April 28<sup>th</sup> to continue review of the filming policy and practices in the Village.

ii. Finance Committee:

- Kelvin Grove Beach Washroom, Kelvin Grove Sewer Treatment Plant, Central Beach Drainage Field Remediation, Central Beach Washroom Rejuvenation  
Councillor McLaughlin provided an overview on these capital projects which have been placed in the 2014 provisional budget. Some of the projects include funds carried over from the 2013 budget. Councillor Ando suggested the Central Beach Drainage Field Remediation project should be highest priority given that the returns on this investment will be realized in a short period of time. The public art team will assist with the washroom rejuvenation to bring a unique perspective of Village flair to the project. Interim CAO McRadu noted the budgets for this projects are tight and completion of the projects will occur as quickly as possible within those budgets.

iii. Historical Society Kiosk

A community members has offered to provide updated photography and rework the displays at the kiosk which are currently looking worn

and tired. Councillor McLaughlin requested approval from Council for staff to provide volunteer access to the kiosk during the update process. Council was supportive of this initiative. Mayor Broughton requested Councillor McLaughlin to circulate a photo of the kiosk to staff and Council by email and to prepare a thank-you card for the resident to be sent once the work has been completed.

D. Emergency Services Reports

9. Resolutions

- A. Resolution to cancel the March 18, 2014 Regular Council Meeting  
Moved: Councillor Bain  
Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council does authorize cancellation of the March 18, 2014 Regular Council Meeting and requests staff to post notification on the Village website and in the public notice locations within the Village.

**CARRIED**

10. Bylaws

- A. Bylaw #465 Repeal of Prior Fees & Charges - First, Second and Third Reading  
Moved: Councillor Ando  
Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council approves first reading of Bylaw #465 Repeal of Prior Fees & Charges.

**CARRIED**

Moved: Councillor Bain  
Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council approves second reading of Bylaw #465 Repeal of Prior Fees & Charges.

**CARRIED**

Moved: Councillor Bain  
Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council approves third reading of Bylaw #465 Repeal of Prior Fees & Charges.

**CARRIED**

- B. Animal Control & Licencing Bylaw #461 - First Reading  
Moved: Councillor Bain  
Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council approves first reading of Bylaw

#461 Animal Control & Licencing.

**CARRIED**

**11. Correspondence**

- A. List of Correspondence to Friday, February 28, 2014  
Moved: Councillor Bain  
Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council receives the List of Correspondence to February 28, 2014, as submitted.

**CARRIED**

**12. New Business**

- A. Strachan Point Fire Response  
Mayor Broughton will be meeting with representatives of Electoral Area A on March 5, 2014 and will advise those representatives of the Village's recent decision to no longer respond to any fire calls outside of its municipal boundaries. Mayor Broughton will further advise that formal notification of this position will follow in the form of a letter.
- B. Conflict of Interest  
Council thanked Interim CAO McRadu for providing this informative document. Council is committed to ensuring all procedures under the Community Charter, not only with respect to conflict of interest, were properly followed. Staff will continue to work with Council to ensure there is ongoing education and communication in this respect. Interim CAO McRadu summarized that a good rule of thumb is "if it doesn't feel right, it probably isn't."
- C. Lieutenant Governor Letter: Canada's 150<sup>th</sup> Anniversary & "Sing Me A Song" Contest  
Council requested details of this contest be circulated to residents via ePost given the number of musically inclined residents in the Village. Councillor Ronsley requested staff to ensure Lions Bay and Gleneagles Elementary Schools are also in receipt of the information.
- D. Infrastructure Committee LB Community News Article

Councillor Ando sought Council's approval to submit the Infrastructure Committee's draft article (provided on-table) for publication in the Lions Bay Community News. There was some discussion with respect to the accuracy of some of the report's commentary as well as some of the technical information provided. Mayor Broughton requested removal of the phrase on page three with respect to deliverables and expressed concern that the report does not reflect the thousands of hours put into executing the infrastructure workplan to date.

Council expressed interest in having the Infrastructure Committee report back to Council prior to drafting and publishing any future articles to ensure accurate information is disseminated to the community.

Task:	Interim CAO McRadu will review and edit the Infrastructure Committee report and provide the edited version to Councillor Ando in time for the Lions Bay Community News publication deadline.
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Interim CAO McRadu discussed the Committee's request for an infrastructure survey to be created for residents to complete, stating the importance of the right questions being asked and pointing out the amount of staff time required to ensure a fulsome, robust survey is developed. Interim CAO McRadu suggested the survey be put off until April to ensure it can be properly executed to obtain as high participation result as possible.

**13. Public Questions & Comments**

Ms. Eileen Wilke:

Ms. Wilke sought confirmation from Councillor McLaughlin with respect to the previously discussed conflict of interest. Ms. Wilke's questions were deemed to be personal in nature and Councillor McLaughlin declined to answer citing the relevant aspects of this issue were appropriately addressed under the CAO's report.

Mr. Mark Hirst

Mr. Hirst expressed agreement that adherence to Conflict of Interest guidelines is in the best interest of the community as a whole. Mr. Hirst requested Council to thoroughly reconsider any proposed amendments to the Filming Policy and Bylaw. Mr. Hirst asked for clarification on the leash requirements for dogs at Kelvin Grove beach park; staff will research this further and ensure appropriate signage is in place where necessary.

Mr. Alan Henshaw

Mr. Henshaw expressed concern that the green waste pile on the Magnesia Creek intake road will be burned and suggested the green waste pile could be mulched and sold for profit. Mr. Henshaw requested an update on Burnco Mine; Mayor Broughton advised there was nothing new to report at this time. Mr. Henshaw thanked Council for supporting the updates to the Historical Society kiosk; Mr. Henshaw asked that attention also be paid to the local notice boards which are looking ratty.

**14. In Camera**

Moved: Councillor Ronsley

Seconded: Councillor Bain

A. Resolution:

That the Regular Meeting of March 4, 2014 does close this meeting to the public on the basis of matters to be considered under the following section 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:

- d) the security of the property of the municipality
- g) litigation or potential litigation affecting the municipality

**CARRIED**

**15. Reporting Out**



**16. Adjournment**

Moved: Councillor Ronsley

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council adjourn the Regular Council Meeting of March 4, 2014 at 9:10 p.m.

**CARRIED**

  
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Mayor  
\_\_\_\_\_  
Interim CAO