

TOWN OF LAKE COWICHAN

Minutes of a Regular meeting of Council held on
Tuesday, March 25th, 2014



PRESENT: Mayor Ross Forrest
Councillor Bob Day
Councillor Frank Hornbrook
Councillor Jayne Ingram
Councillor Tim McGonigle

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Roni-Lee Roach, Executive Secretary

PUBLIC: 1

1. CALL TO ORDER

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

2. AGENDA

No. R.036/14

Moved: Councillor Hornbrook
Seconded: Councillor Ingram
that the agenda be approved with the following additions:
Correspondence – Information or Consent Items

- Auditor General for Local Government re: Annual Service Plan for 2014/15 – 2016/17.

In-Camera

- s.90 (1) (k) – negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages.

CARRIED.

3. ADOPTION OF MINUTES

No. R.037/14

(a) Moved: Councillor Day
Seconded: Councillor Ingram
that the minutes of the Regular meeting of Council held on February 25th, 2014 be adopted.

CARRIED.

4. BUSINESS ARISING AND UNFINISHED BUSINESS

None.

5. DELEGATIONS AND REPRESENTATIONS

(b) Kathleen Sheppard, Executive Director, Social Planning Cowichan distributed information on its accomplishments for 2013 and the findings of the Cowichan Homelessness survey of February, 2014.

Ms. Sheppard gave a brief update on the matter of affordable housing and specifically on the Affordable Housing Trust Fund. On the homelessness survey she reported that the biggest factor affecting this issue is the cost of housing and addiction and mental health issues.

She then reviewed the 2013 Annual Report and the plans for activities in 2014.

The Chair afforded an opportunity for Council members to direct questions to Ms. Sheppard.

Councillor Day requested further information on the 7 reported cases of homelessness in Lake Cowichan and the need for collaboration with the Regional Library on the subject of literacy levels.

6. CORRESPONDENCE

- (b) The correspondence item from the City of New Westminster regarding elimination of home mail delivery service by the Canada Post Corporation was treated as information.

The correspondence item from the City of Burnaby regarding elimination of home mail delivery service by the Canada Post Corporation was treated as information.

The correspondence item from Auditor General for Local Government regarding Annual Service Plan for 2014/15 – 2016/17 was treated as information.

Councilor McGonigle stated that the parameters were outlined on the website for those wanting to view these.

7. REPORTS

No. R.038/14
Finance and
Administration

Moved: Councillor McGonigle
Seconded: Councillor Hornbrook
that the minutes of the Finance and Administration Committee meeting held on March 11th, 2014 be approved with the following recommendations:

1—Westray Amendments to Canada’s Criminal Code

WHEREAS it has been more than two decades since the Westray mine disaster in Nova Scotia and a decade since amendments were made to the Criminal Code of Canada to hold corporations, their directors and executives criminally accountable for the health and safety of workers; and

WHEREAS police and prosecutors are not utilizing the Westray amendments, and not investigating workplace fatalities through the lens of criminal accountability;

AND WHEREAS more than 1,000 workers a year are killed at work;

THEREFORE BE IT RESOLVED that this Council support a campaign to urge our provincial government, specifically the Attorney-General and Labour Minister, to ensure that:

- Crown attorneys are educated, trained and directed to apply the Westray amendments;
- Dedicated prosecutors are given the responsibility for health and safety fatalities;
- Police are educated, trained and directed to apply the Westray amendments; and
- There is greater coordination among regulators, police and Crowns so that health and safety regulators are trained to reach out to police when there is a possibility that Westray amendment charges are warranted.

2—Municipal Finance Authority of BC – Forum and AGM

that approval be given for Mayor Forrest and Councillor McGonigle to attend the Municipal Finance Authority of BC 2014 Financial Forum and Annual General Meeting to be held on March 27th, 2014 in Victoria, BC.

CARRIED.

No. R.039/14
Public Works

Moved: Councillor Hornbrook
Seconded: Councillor McGonigle
that the minutes of the Public Works Committee meeting held on March 4th, 2014 be approved with the following recommendations:

1—Climate Action Report

that Council approve the interim Climate Action Revenue Incentive Program (CARIP) Public Report for 2013.

2—Purchase of Garbage Truck

that Council approve the purchase of a 2015 Labrie Freightliner 70/30 split garbage truck from Rollins Machinery Ltd at a cost not to exceed 296,576.00 plus applicable taxes and additional options of an oil tank heater and aluminum tool box for a cost not to exceed \$3,480 plus applicable taxes.

CARRIED.

No. R.040/14
Parks, Recreation and Culture

Moved: Councillor Day
Seconded: Councillor Ingram
that the minutes of the Parks, Recreation and Culture Committee meeting held on March 4th, 2014 be approved with the following recommendation:

1—Recreational Programme Statistics

that the Town request further details on the recreational programme statistics, including but not limited to the following; programme enrollment numbers, available programmes, types of programmes and attendance and cancellation of programmes because of attendance numbers.

CARRIED.

No. R.041/14
CLEC, Lakeview and Fire Department

Moved: Councillor Day
Seconded: Councillor Ingram
that the minutes of the CLEC, Lakeview and Fire Department Committee meeting held on March 11th, 2014 be approved.

CARRIED.

No. R.042/14
Sustainable Planning and Development

Moved: Councillor Ingram
Seconded: Councillor Hornbrook
that the minutes of the Sustainable Planning and Development Committee meeting held on February 18th, 2014 be approved with the following recommendations:

1—Steering Committee Appointment

that Councillor McGonigle be appointed as the Town's representative to the Cowichan Valley Regional District Steering Committee to address homelessness and affordable housing issues.

2—Steering Committee Appointment

that Councillor Hornbrook be appointed as the Town's alternate representative to the Cowichan Valley Regional District Steering Committee to address homelessness and affordable housing issues.

3—Letter of Support

that a letter of support be sent to the Cowichan Valley Regional District, Economic Development Division on its funding application to the Island Coastal Economic Trust for a Regional Community Profile Study.

CARRIED.

Cowichan Lake
Recreation Commission

The minutes of the Cowichan Lake Recreation Commission meeting held on February 27th, 2014 were treated as information.

Councillor Ingram requested further details on the matter of the rave event.

Chamber of Commerce

There was no report for the Chamber of Commerce.

Kaatza Historical Society

There was no report for the Kaatza Historical Society.

Vancouver Island
Regional Library

There was no report for the Vancouver Island Regional Library. Councillor Day advised that the next meeting of the Board would be held on Saturday, March 29th, 2014.

Ohtaki Twinning
Committee

There was no report for the Ohtaki Twinning Committee.

Advisory Planning
Commission

Councillor Hornbrook reported that the Advisory Planning Commission would be meeting on Wednesday, March 26th, 2014 at 2:30 p.m.

Community Forest Co-op

Councillor McGonigle updated Council on the recent meeting of the Community Forest Co-op whereby there were discussions on the license that expires in 2015 and the intention for the co-op to apply for a forestry license.

Lake Cowichan Seniors
Association

Councillor Ingram reported on the Lake Cowichan Seniors Association's activities.

No. R.043/14
Lake Cowichan Fire
Department – Incident
Report

(b) Moved: Councillor Day
Seconded: Councillor Ingram
that the Fire Department Monthly Incident Report for February, 2014 and payment in the amount of \$7,081.25 be approved.
CARRIED.

Cowichan Valley Regional
District Board

Councillor McGonigle reported on his attendance at the Regional District meeting held on March 12th, 2014. He reported on the following:

- Presentation by Dr. Hasselback with respect to respiratory disease and infant deaths in the Cowichan area; and
- Warren Jones departure from the Regional District as Chief Administrative Officer and that Frank Raimondo has stepped in on an interim basis as the hiring process could take 4 to 6 months.

He further reported that the Regional Services meeting would be held on Wednesday, March 26th, 2014 to discuss the following:

- Proposed 19% increase to the transit budget that is meant to supplement the handi-dart services and the expansion of services to the Cowichan Lake area;
- Finalization of the 2014 budget; and

- Decrease of tax requisition of \$5.31 per household for Lake Cowichan.

Choose Cowichan

Councillor Day gave Council an update on the recent activities of the Choose Cowichan Lake Committee.

Councillor Day reported that Island Health would be hosting a community meeting in the near future and that he had been asked to sit on a panel and attend a live webinar on May 8th, 2014.

Mayor Forrest congratulated the Choose Cowichan Lake Committee on its organization of the recent health fair held on March 1st, 2014.

Mayor Forrest spoke of the recent passing of former Mayor Earle Darling who was 94 and expressed his deepest condolence on behalf of the Mayor and Council, and its residents to the Darling family.

No. R.044/14
Development Variance –
70 Stanley Road (Lot 1,
Plan 36545)

- (c) Moved: Councillor Ingram
Seconded: Councillor Hornbrook
that Council approve a Development Permit Variance at Lot 1 Plan 36545 (70 Stanley Road) to allow a 1.702 m rear lot line setback and a 2.946 m side lot line setback for the completion of a garage structure and that the owner be encouraged to replace any vegetation already removed and to increase vegetation along Stanley Road by the planting of a row of evergreen shrubbery.

CARRIED.

No. R.045/14
Remedial Action –
Cowichan Avenue and
South Shore Road
Nuisance Properties

Moved: Councillor Ingram
Seconded: Councillor Day
WHEREAS the buildings on the Properties are in a state of disrepair and have been left vacant and are a danger to public safety and have not been repaired or demolished, despite the Town's efforts to persuade the owner to take action;

AND WHEREAS that Council hereby considers that the buildings located on the Properties are in a hazardous condition, within the meaning of Section 73(2)(b) of the Community Charter in that it contravenes the building regulations for British Columbia and the Town of Lake Cowichan Building Bylaw No. 758- 2003 (the Building Bylaw);

AND WHEREAS Council hereby considers that the buildings on the Property are in and create an unsafe condition within the meaning of Section 73(2)(a) of the Community Charter, as a result of the building being insecure on numerous occasions over the past number of years the buildings continuing to deteriorate and/or the building contravening the Building Bylaw;

NOW THEREFORE, the Council of the Town of Lake Cowichan, in open meeting assembled, resolves as follows:

1. that Council for the Town of Lake Cowichan serve notice to affected persons by personal service to the registered owners of the buildings at 172 South Shore Road, Lake Cowichan, British Columbia, PID # 007-657-561 and the property at 96 Cowichan Avenue W., Lake Cowichan, British

Columbia, PID # 007-657- 544 (the Properties) and in addition notice of the remedial action requirement be served to each holder of a registered charge in relation to the property whose name is included on the assessment roll and any other person who is an occupier of the land;

2. that Council hereby declares that the buildings on the Properties are nuisances, within the meaning of Section 74(2) of the Community Charter, as Council has received community complaints about the unsightliness of the Properties;
3. that Council hereby requires pursuant to its remedial action powers under Part 3, Division 12 of the Community Charter that the Owner:
 - (a) demolish the buildings on the Properties and remove all remnants of the demolished buildings no later than forty five (45) days after notice of this remedial action requirement under s. 77 of the Charter has been sent by the Town to the Owner;
 - (b) erect a strongly constructed fence at least 1.5 meters tall around the area where the building was formerly located immediately after the building demolished and removed and maintain the fence until the requirement in s. 3(c) of this resolution has been complied with; and
 - (c) fill in and level any hole created by the removal of the building no later than thirty (30) days after notice of this remedial action requirement under s. 77 of the Community Charter has been sent by the Town to the Owner;
4. and that the Town advise the Owners that they may request that Council reconsider the Remedial Action Requirement by providing the Town written notice within 14 days of the date on which notice under s. 77 of the Community Charter was sent and that if any or all of the actions required by the Remedial Action Requirement is not completed by the date specified for compliance, the Town may take action in accordance with section 17 of the Community Charter and undertake any or all of the actions required by the Remedial Action requirement without further notice to and at the expense of the Owner.

CARRIED.

8. BYLAWS

No. R.046/14
Bylaw No. 941-2014
Election

- (a) Moved: Councillor McGonigle
Seconded: Councillor Hornbrook
that the "Town of Lake Cowichan Election Bylaw No. 941-2014"
be reconsidered and adopted.

CARRIED.

9. NEW BUSINESS

No. R.047/14
Council Appointments to
Community Groups or
Societies

- (a) Moved: Councillor McGonigle
Seconded: Councillor Ingram
that the Town of Lake Cowichan not appoint Council members
to community groups and not-for-profit societies that receive
funding from the Town.

CARRIED.

- (b) The official naming of the proposed town square will be disclosed after the completion of the project.

10. MAYOR'S REPORT

The Mayor presented his report for March, 2014 with the following highlights:

- Congratulations to Gerald Thom for being named as Citizen of the Year and Wilma Rowbottom for receiving the Nicole Stock award;
- Dramatic reduction in the Town's consumption of water with annual reductions of over 7% since 2011;
- Six ladders have been installed on the wharf at Saywell Park for safety;
- Tender for the Lake Cowichan Town Square was issued on March 21st, 2014 as a continuation of the Downtown Revitalization Programme; and
- The meeting hosted by the Town to meet with approximately 50 business persons to identify ideas for improving the downtown

11. NOTICES OF MOTION

None.

12. MEDIA / PUBLIC QUESTION PERIOD

Stephanie Pepper shared some ideas for the community and her personal goals to assist with the reduction of crime and boredom in our area.

13. IN CAMERA

No. R.048/14
In-Camera

Moved: Councillor Ingram
Seconded: Councillor Day
that Council close the meeting to the public to deal with issues relating to labour relations or other employee relations, acquisition, disposition or expropriation of land or improvements, law enforcement, litigation or potential litigation affecting the municipality, and negotiation of municipal services under Section 90(1) (c), (e), (f), (g), and (k) of the Community Charter (6:59 p.m.).

CARRIED.

14. ADJOURNMENT

No. R.049/14
Arise and Report

Moved: Councillor Ingram
Seconded: Councillor McGonigle
that we arise and report with approval of the policy on video surveillance.

CARRIED.

No. R.050/14
Adjournment

Moved: Councillor Ingram
Seconded: Councillor McGonigle
that we adjourn (9:03 p.m.).

CARRIED.

Certified correct _____
Confirmed on the _____ day of _____, 2014.

Mayor