

DISTRICT OF SOOKE

Minutes of the Regular Meeting of Council
held in the Council Chamber
at 2225 Otter Point Road, Sooke, BC
on December 12, 2011
6:00 p.m., Closed Portion, Meeting Room
7:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

Mayor Wendal Milne
Councillor Bev Berger
Councillor Herb Haldane
Councillor Kevin Pearson
Councillor Rick Kasper
Councillor Kerrie Reay
Councillor Maja Tait

STAFF PRESENT

Evan Parliament, Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer
Sue-Lin Tarnowski, Director of Finance
Gerard LeBlanc, Municipal Planner
Al Fontes, Manager of Operations
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Lisa Urlacher, Corporate Assistant (Recorder)
Staff Sgt. Steve Wright

CALL TO ORDER – Closed Portion

Mayor Milne called the meeting to order at 6:00 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED and seconded to close the meeting to the public under section 90 of the *Community Charter* to discuss:

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

(g) litigation or potential litigation affecting the municipality;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED UNANIMOUSLY

CALL TO ORDER – Open Portion

Mayor Milne called the open portion of the Regular Council meeting to order at 7:04 p.m. in the Council Chambers

APPROVAL OF THE AGENDA

MOVED and seconded to add the following items to the agenda as new business:

- D-4 Paul Regensberg - Lifesport/Sooke Triathlon
- RA-1 Waiver of Indexing of Council Remuneration

- Remove Item RA-1 from the agenda (Page 67)
- B-2 Bylaw No. 514, Council Remuneration Benefits and Expenses Amendment Bylaw (379-1)
- IC-2 Release of In Camera Resolutions of December 9, 2011 Special Council Meeting
- IC- 3 Release of In Camera Resolutions of December 9, 2011 Special Council Meeting
- IC-4 Release of In Camera Resolutions of December 10, 2011 Special Council Meeting

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Committee of the Whole meeting held on October 3, 2011 be adopted as circulated.
CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Regular Council meeting held on November 14, 2011 be adopted as circulated.
CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Inaugural meeting held on December 5, 2011 be adopted as circulated.
CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

MOVED and seconded that the following minutes be received for information:

September 13, 2011	Victoria Regional Transit Commission
October 5, 2011	CRD SEAPARC Commission
October 26, 2011	CRD Planning, Transportation and Protective Services
September 13, 2011	Victoria Regional Transit Commission

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 CRD 2010 Annual Report – District of Sooke Stormwater Quality Presentation - Barri Rudolph and Dale Green

Dale Green, provided information and history as to the administering of the Stormwater quality program:

- Stormwater discharge assessment
- Watercourse surface water monitoring
- Marine surface water monitoring

Barri Rudolph provided a visual presentation detailing the following:

- Fecal Coliform levels
- Public Health Concern Ratings
- Wastewater Collection and Treatment
- Fecal Coliform Source Investigations
- Environments Health Concern Ratings

- Special Projects

Council inquired as to genetic testing and dye testing. It was explained that VIHA administers the test for septic fields and the District of Sooke for sewered areas. Generally the genetic testing is the first stage.

MOVED and seconded to receive the CRD 2010 Annual Report – District of Sooke Stormwater Quality report
CARRIED UNANIMOUSLY

D-2 Art Market Lane - Margarita Dominguez

Ms. Dominguez provided a visual presentation proposing an artist market lane, art village. The following was proposed:

- District of Sooke to provide property
- Amendment to the Parks Bylaw to allow lane to be open 7 days a week
- Permitting process for vendors
- Marketing and promotion

Ms. Dominguez asked that Council consider providing opportunities for the youth and suggested a co-op program under the Sooke Program of the Arts.

MOVED and seconded to accept the presented information regarding an Art Market Lane.
CARRIED UNANIMOUSLY

D-3 South Island Recreation Association - Terrance Martin

Mr. Martin provided Council with the resolution dated October 25, 2010 and presented documentation of a public expenditure and common law dedication which may establish Harbourview Road as a highway under the provincial definition.

Mr. Martin asked that Council direct staff to receive the research material and instruct legal counsel to render an informed opinion based on the research by January 15, 2012 and if the evidence supports the position that Harbourview Road is a legal highway, that staff immediately take the necessary steps to assert possession and control of the road and defend the District asset against encroachment.

Council suggested that staff provide information to the Ministry of Transportation and asked that Mr. Martin provide a detailed report to staff as to his Harbourview Road research.

MOVED and seconded to accept the Harbourview documentation as presented.
CARRIED UNANIMOUSLY

D-4 Lifesport/Sooke Triathlon

Paul Resensburg provided an update as to the Subaru Sooke International Triathlon for 2012-2014 and the international TSN coverage.

Bob Saunders provided examples of economic and tourism benefits which resulted from the event this year. Mr. Saunders stated that the television exposure and articles in Cycling Magazine have put Sooke on the map.

After the presentation, a discussion ensued involving members of Council, Staff and Paul Regensburg which regard to the three year plan. The following resolution was made:

MOVED and seconded to provide LifeSport a letter of support in principle regarding their bids for the following:

- 2012 – National Television Package with TSN
- 2013 – Host site for the Canadian National Triathlon Championships
- 2014 – Host site for the ITU Long Distance World Championships

AND upon review of a business case for the events, support continued funding for the events in the 2012-2016 Financial Plan.

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Terrance Martin, resident, asked that a U-Tube link be provided to the triathlon commercials on the District of Sooke website. Council noted that sponsorship opportunities could be offered to businesses for additional vignettes.

Gail Hall, resident, inquired as to the New Business items. It was explained that those items will be discussed in more detail. Ms. Hall inquired as to the Boat Launch and Mayor Milne explained that a standing committee has been created to work with staff to come forward with a detailed report which will afford the opportunity for public participation. Ms. Hall referred to a letter referencing top up to the Grant and asked for clarification. It was explained that all the correspondence and invoices will be reviewed by the committee. Ms. Hall expressed concern as to the Development Variance intent and stated that only hardship should be considered. Ms. Hall expressed concern as to the process in which the Horseshoe Pitch was brought forward and cautioned that the disposition of property and agricultural land applications requires public process.

Ellen Lewers, resident, suggested that an egress report be completed by Fire Volunteers when leaving the department. Ms. Lewers suggested that the policing costs be considered as well for the Ironman events. Ms. Lewers opposed the Development Variance for the TD Bank signage and commented on the Design Guidelines for the Town Centre.

Ron Dumont, resident, expressed disappointment in the statement made as to the process for bringing forward the Horseshoe Pitch and stated that he was asked by members of the community to bring it forward for Council consideration. Mr. Dumont stated that he is not a member of the Sooke Horseshoe Pitching Club and that horseshoe

pitching is a community service and recreation for seniors and residents. Mr. Dumont asked for support for the project.

John Brohman, resident, inquired as to the Boat Launch expenditures and offered to provide quotes for the pier and fence to be used as comparison when reviewing the project. Mr. Bohman expressed concern that the works were not tendered. Mr. Brohman stated that he has been using the boat launch and commented that garbage receptacles are needed at the dock and that the angled parking is too sharp for a truck and trailer.

Dave Clark, resident, provided information as to the Sooke Community Association's four Horseshoe Pitches located at the Sooke River Campground.

PUBLIC INPUT MEETINGS AND RELATED REPORTS

PI-1 Development Variance Permit – 6670 Sooke Road (TD Bank)

Mr. LeBlanc gave an overview of the staff report for the Development Variance permit application for 6670 Sooke Road and provided a visual presentation of the four faces of the building signage.

Public Input:

Ron Dumont, resident, expressed concern as to an application coming forward to vary signage after the new Sign Bylaw was just adopted.

Ellen Lewers, expressed opposition as to the variance stating that the sign would dominate our rural village.

Charlie Seaman, Atlas Sign Company, clarified that the dark green strip will not be illuminated and is included as the facade area. The lighting will be LED illumination. A discussion ensued clarifying the area calculation.

Council expressed concern as to visual impact to the community and referred to the design guidelines and standards.

MOVED and seconded to not authorize the issuance of Development Variance Permit PLN00929 for 6670 Sooke Road, legally described as Lot A, Section 10, Sooke District, Plan 38343 to vary the following from Bylaw No. 480, *Sign Regulation Bylaw, 2011*:

1. Vary section 5.4.1 to allow the building's south façade to be 12.4m² (10.7m² permitted), the west façade to be 18.1m² (10.7m² permitted) and the east façade to be 20.4m² (10.7m² permitted);
2. Vary section 6.7.1(a) to increase the maximum area of each of the three directional signs on the property to 0.5m² (0.3m² permitted);
3. Vary section 6.7.1(b) to increase the maximum height of each the three directional signs to 1.37m (1.22m permitted).

CARRIED UNANIMOUSLY

BYLAWS

B-1 Bylaw No. 513, *Zoning Amendment Bylaw (500-1)*

MOVED and seconded that Bylaw No. 513, *Zoning Amendment Bylaw (500-1)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 513, *Zoning Amendment Bylaw (500-1)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to Schedule a Public Hearing for January 9, 2012 for Bylaw No. 513, *Zoning Amendment Bylaw (500-1)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-2 2012 Council Committees

Council directed that alternate Council members be added to the Terms of Reference.

MOVED and seconded to amend the Terms of Reference for the Finance Committee and change the name of the committee to "Finance and Administration Committee"; **AND** to direct staff to receive applications for volunteer committee members from the public at large for the Sooke Economic Development Commission, Finance and Administration Committee, Community Grant Committee, Land Use Committee, Protective Services Committee and Sooke Program of the Arts Committee.

CARRIED UNANIMOUSLY

RA-3 Colwood Mutual Aid Agreement

MOVED and seconded to not endorse the Mutual Aid Agreement with the City of Colwood and Colwood Fire Rescue Service.

CARRIED UNANIMOUSLY

RA-4 Silver Spray Fire Servicing Agreement

MOVED and seconded to approve the Fire Prevention and Suppression Service and Emergency Response Agreement between the District of Sooke and the Capital Regional District for fire protection in the Silver Spray Local Service Area for a three (3) years;

AND to authorize the Mayor and Chief Administrative Officer to execute the agreement.

CARRIED UNANIMOUSLY

RA-5 Sooke Community Association Contract

Council discussed the need to review the Sooke Community Association Audited 2011 financial statements and to review the Engagement Report. The Sooke Community Association representative noted that they should be returned by the auditor this week.

MOVED and seconded to postpone the decision regarding the Sooke Community Association Contract until an upcoming meeting.
CARRIED UNANIMOUSLY

RA-6 Road Maintenance Contract

Council discussed tendering the contract. Staff advised that the contract will continue at the current rate, month to month for services rendered.

MOVED and seconded to defer the Road Maintenance Contract to the Finance and Administration Committee and/or a Committee of the Whole meeting.
CARRIED UNANIMOUSLY

RA-7 Agreement with Sooke Horseshoe Pitching Club

Council discussed:

- The original intended use of Sooke River Park
- Funding from the Community Grant Review Committee
- Public Lands requiring public input
- ALC application process
- Parks Regulation bylaw as to trees
- Opportunity provided to other service and community groups for use of land
- Parks Master Plan
- Overload parking for Fred Milne Park
- Existing Horseshoe pitches at the Sooke River Campsite

Council suggested that the Sooke Community Association meet with the Sooke Horseshoe Pitching Club to discuss using and upgrading the location at the Flats to 20 pitches.

During discussion Rick Hobday, representing the Sooke Horseshoe Pitching Club submitted a new proposed concept drawing. Mr. Hobday explained that the intent is to attract championship tournaments.

Council questioned what costs would be incurred for the Sooke River site. Mr. Hobday explained that some backfilling is required to bring it to level ground and that the club house expense is borne by the club. The club would maintain the court as well. The District of Sooke expense has been for the tree removal, which was contracted.

MOVED and seconded to defer the agreement with the Horseshoe Club back to staff for further information.
CARRIED UNANIMOUSLY

RA-8 Public Boat Launch Additional Expenditure

Mr. Parliament explained that the summary was provided after receiving all invoices regarding the land and water based works as well as the works outside of the scope of the project.

Mayor Milne explained that a Standing Committee will review the accounting of the works in a public forum. It was noted that local suppliers will not be affected by the delay of the review process.

MOVED and seconded to defer the Public Boat Launch addition expenditure decision to staff and the committee for further information.

CARRIED UNANIMOUSLY

NEW BUSINESS

B-2 Bylaw No. 514, Council Remuneration Benefits and Expenses Amendment Bylaw (379-1)

MOVED and seconded that Bylaw No. 514, *Council Remuneration Benefits and Expenses Amendment Bylaw (379-1)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 514, *Council Remuneration Benefits and Expenses Amendment Bylaw (379-1)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 514, *Council Remuneration Benefits and Expenses Amendment Bylaw (379-1)* be read a third time.

CARRIED UNANIMOUSLY

IC-2 Release of In Camera Resolutions of December 9, 2011 Special Council Meeting

R-1 Departmental Introductions – Senior Staff

Staff gave an overview of individual departmental operations and objectives; questions and discussions with Council ensued as to municipal objectives and new procedures.

Department	Council Direction to Staff
RCMP	<ul style="list-style-type: none">• Review role of Protective Services Committee with Mayor• Look to ways to increase volunteer recognition and attract new volunteers within the District
Finance (PPP)	<ul style="list-style-type: none">• Provide year-to-date financial report<ul style="list-style-type: none">◦ Tracking of funds in reserve accounts• Financial statements for 2007 and 2008 for comparison

- Provide detailed information as to boat launch; tenders, invoices, etc.
 - Detailed information for sewer fund (revenue and disbursement) and method of determination for parcel tax amount
 - Provide information re: front office renovations
- Fire (PPP)
- First responder service to be discussed at budget review
 - Provide Council with copy of information going to Volunteer Firefighters
- Development Services (PPP)
- Staff to look into online permit applications (Tempest) and “checklist” process for building permits
- Corporate Services (PPP)
- Draft amendments to *Council Procedure Bylaw*:
 - Agendas ready Thursday at noon
 - Expedite Notices of Motion
 - COW or open meeting at end of Regular meeting
 - Land Use committee may consider new process to notify the neighbouring property owners when development application goes to the Committee
 - Re-draft public hearing meeting message

IC-3 Release of In Camera Resolutions of December 9, 2011 Special Council Meeting

Legal Services Contract

WHEREAS the Council and municipal solicitor have agreed that they wish to proceed with a legal services relationship on the same basis as before September 1, 2011 without the need for a fixed five-year contract;

AND WHEREAS Council and the District of Sooke respect the services provided by the municipal solicitor since 2000 and wish to continue that relationship;

NOW THEREFORE the Council resolves to agree with Lidstone and Company to:

- a) Proceed with a legal services relationship on the basis of the legal services relationship that existed prior to September 1, 2011; and
- b) Agree with Lidstone and Company not to proceed with the monthly retain five-year contract as of December 31, 2011.

CARRIED UNANIMOUSLY

IC-4 Release of In Camera Resolutions of December 10, 2011 Special Council Meeting

MOVED and seconded that attendance of all travel and conferences by Council, the CAO and all District staff must be pre-approved by Council in accordance with the *Remuneration and Expense Bylaw* and the *Employee Handbook Bylaw*.

CARRIED UNANIMOUSLY

MOVED and seconded that the Mayor establish a Standing Committee to review the *EPCOR Agreement* and review the current state of the system and report back to Council with the findings of the review;

AND FURTHER that the Mayor determine the Terms of Reference for the committee and appoint Councillors Bev Berger and Rick Kasper to the committee.
CARRIED UNANIMOUSLY

MOVED and seconded that the Mayor establish a Standing Committee to review the Partnering Agreement between the District of Sooke and Prestige Sooke Holdings Ltd. and report back to Council with the findings of the review;
AND FURTHER that the Mayor determine the Terms of Reference for the committee and appoint Councillors Herb Haldane and Maja Tait to the committee.
CARRIED UNANIMOUSLY

MOVED and seconded that the Mayor and Councillor Kevin Pearson meet with representatives of Mariner's Village and report back to Council as to the meeting.
CARRIED UNANIMOUSLY

MOVED and seconded that the Mayor direct staff to bring Bylaw No. 474, *Delegation Bylaw, 2010* to the Regular Council Meeting scheduled on Monday, January 9th, 2012 under New Business on the Agenda.
CARRIED UNANIMOUSLY

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Ministry of Public Safety and Solicitor General – JDF Park Watch Society

MOVED and seconded to receive and file the correspondence.
CARRIED UNANIMOUSLY

I-2 Gas Tax/Public Transit Management Services

MOVED and seconded to receive and file the correspondence.
CARRIED UNANIMOUSLY

REPORT OF IN CAMERA RESOLUTIONS

IC-1 Release of In Camera Resolution of November 14, 2011

Amendment to Bylaw No. 500, *Sooke Zoning Bylaw, 2011*

MOVED and seconded that Council, under section 929(2) of the *Local Government Act*, direct the Municipal Planner to prepare an amending bylaw to Bylaw No. 500, *Sooke Zoning Bylaw, 2011* that would have the effect, if adopted, of deleting section 805.1 of the Beaton Road Residential CD Zone (CD5) and substituting the following:

“805.1 Purpose: This zone is intended to provide for a mixed residential use development that will include single, multi and affordable residential housing units, greenways and parkland.”

AND THAT Council further directs the Municipal Planner to deliver a copy of this resolution to the owners of real property in the area affected by the proposed zoning amendment (as owner is defined in the *Local Government Act*).
CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 10:00 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer

