

Municipality of North Cowichan

Regular Council

MINUTES

May 5, 2021, 1:30 p.m.
Electronically

Members Present Mayor Al Siebring
 Councillor Rob Douglas (arrived at 2:34 p.m.)
 Councillor Christopher Justice
 Councillor Tek Manhas
 Councillor Kate Marsh
 Councillor Rosalie Sawrie
 Councillor Debra Toporowski

Staff Present Ted Swabey, Chief Administrative Officer (CAO)
 Sarah Nixon, Deputy Chief Administrative Officer (D/CAO)
 David Conway, Director, Engineering Projects
 Don Stewart, Director, Parks and Recreation
 Rob Conway, Director, Planning and Building
 Shawn Cator, Director, Operations
 George Farkas, Director, Human Resources and Corporate Planning
 Talitha Soldera, Director, Financial Services
 Jason Birch, Chief Information Officer
 Alyssa Meiner, Information Management Officer
 Martin Drakeley, Manager Fire and Bylaw Services
 Jason Blood, Manager, Recreation
 Chris Osbourne, Manager, Planning
 Tammy Isaachsen, Acting Manager, Communications and Public Engagement
 Shaun Chadburn, Environmental Programs Coordinator
 Chris Hutton, Community Planning Coordinator
 Mark Frame, Project Manager
 Michelle Martineau, Corporate Officer
 Tricia Mayea, Deputy Corporate Officer

1. CALL TO ORDER

Council observed a moment of silence to acknowledge May 5th as National Day of Awareness for Murdered and Missing Indigenous Women and Children.

There being a quorum present, Mayor Siebring called the meeting to order at 1:32 p.m.

2. APPROVAL OF CONSENT AGENDA

The following items were pulled from the Consent Agenda and added to New Business:

- Items 2.2.8 [Email requesting Council investigate the forest carbon offset initiative and keep the pause on logging in place until the forest review is completed],
- 2.2.9 [Resignation of Christopher Crowther from the Official Community Plan Advisory Group], and

- 2.2.10 [Email suggesting use group purchasing for solar panel purchases]

IT WAS MOVED AND SECONDED:

That the remaining items in the Consent Agenda be approved.

CARRIED

2.1 That the following minutes be received for information purposes only:

2.1.1 April 16, 2021 Sub-Group of OCP Advisory Group

2.1.2 April 20, 2021 Environmental Advisory Committee

2.2 That the following correspondence is received for information purposes only:

2.2.1 Letter from Town of View Royal to Premier Horgan requesting that hospital security staff be given authority and necessary training

2.2.2 Letter from District of Clearwater requesting support for the designation of invasive Asian clams as Prohibitive Aquatic Invasive Species

2.2.3 Letter from District of Clearwater advising Council of their endorsement of the 9-8-8 Crisis Line Initiative

2.2.4 Email request to pursue Federal funding for trash collection in Cowichan's waterways and elsewhere

2.2.5 Email requesting the beautification of North Cowichan's landscaping

2.2.6 Email requesting response to questions related to (potentially) polluted water being dumped in local gravel pits

2.2.7 Letter from Minister Heyman in response to Mayor Siebring's March 15, 2021 letter supporting PACE

2.2.11 Email requesting an increase to fine amounts on timber poaching and patrols of Six Mountains

ADOPTED ON CONSENT

3. APPROVAL OF AGENDA

Item 14.2 [Closed under section 90(1)(i) Legal Advice] was removed from the agenda and a late item [Discussion on authority under CC, LGA, procedure bylaw and policies] was added to New Business.

IT WAS MOVED AND SECONDED:

That Council adopt the agenda, as amended.

CARRIED

4. ADOPTION OF MINUTES

4.1 Regular Council meeting held April 21, 2021 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt the minutes of the Regular Council meeting held April 21, 2021.

CARRIED

5. MAYOR'S REPORT

Mayor Siebring provided a verbal update on meetings and activities he recently attended.

6. DELEGATIONS AND PRESENTATIONS

6.1 Island Health - Wellness and Recovery Centre

Dana Leik, Director, Mental Health and Substance Use Services, Island Health, Dr. Shannon Waters, Medical Health Officer, Island Health and Shayne Williams, Executive Director, Lookout Health and Housing Society provided a presentation regarding the Wellness and Recovery Centre at 5878 York Road and answered questions of Council.

Councillor Douglas arrived to the meeting at 2:34 p.m.

6.2 Canadian Union of Postal Workers

Kate Holowatiuk provided a presentation on behalf of Canadian Union of Postal Workers regarding the Delivering Community Power initiative and answered questions of Council.

7. PUBLIC INPUT

Council received no public input.

The meeting recessed by unanimous consent at 3:18 p.m. and reconvened at 3:30 p.m.

8. BYLAWS

8.1 Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809.

CARRIED

8.2 Controlled Substance Bylaw No. 3803, 2020 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Controlled Substance Bylaw No. 3803, 2020.

CARRIED

8.3 Municipal Ticket Information Systems and Fees and Charges Bylaw Amendments for adoption

IT WAS MOVED AND SECONDED:

That Council adopt:

1. Fees and Charges Amendment Bylaw No. 3829, 2021; and
2. Municipal Ticket Information System Amendment Bylaw No. 3830, 2021.

CARRIED

8.4 Bylaw Offence Notice Enforcement Bylaw No. 3677, 2021 for first three readings

IT WAS MOVED AND SECONDED:

That Council give first, second and third readings to Bylaw Offence Notice Enforcement Bylaw No. 3677, 2021. (OPPOSED: Douglas and Marsh)

CARRIED

8.5 Delegation of Authority Bylaw No. 3814, 2021 for first three readings

Council discussed the bylaw and decided that they would forward their comments to the CAO so that staff could make some revisions to the bylaw and return it to for Council consideration.

8.6 Revenue Anticipation Borrowing Bylaw for first three readings

IT WAS MOVED AND SECONDED:

That Council give first three readings to Revenue Anticipation Borrowing Bylaw No. 3828, 2021. CARRIED

8.7 Nuisance Abatement and Cost Recovery Amendment Bylaw No. 3804, 2021 for first three readings

IT WAS MOVED AND SECONDED:

That Council gives first, second and third readings to Nuisance Abatement and Cost Recovery Amendment Bylaw No. 3832, 2021. CARRIED

IT WAS MOVED AND SECONDED:

That the meeting be extended to 8:00 p.m. CARRIED

The meeting recessed by unanimous consent at 5:02 p.m. and reconvened at 5:21 p.m.

9. REPORTS

9.1 REPORTS FOR DECISION

9.1.1 North Cowichan Civic Building – Electrical Contract

IT WAS MOVED AND SECONDED:

That Council approve entering into a CCDC 17 Trade Contract between the District of North Cowichan and Houle Electrical Ltd. for the electrical portion of the North Cowichan Civic Building project in the amount of \$4,370,808. CARRIED

9.1.2 Fuller Lake Arena Roofing Capital Project – Tender Award

IT WAS MOVED AND SECONDED:

That Council award the Fuller Lake Arena Roofing contract to Flynn Canada Ltd. for \$1,295,335 plus GST;

And, That Council directs staff to amend the 2021 Financial Plan funding of the Fuller Lake Arena Roofing Project as follows;

- i. \$150,000 from General Revenue
- ii. \$720,000 from the Infrastructure Reserve Fund
- iii. \$507,637 from Appropriated Surplus.

CARRIED

9.2 REPORTS FOR INFORMATION

9.2.1 Revised Official Community Plan (OCP) Work Plan and Project Schedule

The revised OCP work plan and project schedule was discussed and questions were asked of staff.

The meeting recessed by unanimous consent at 6:52 p.m. and reconvened at 7:00 p.m.

10. NOTICES OF MOTIONS

10.1 Raising the Pride Flag for the month of June

Councillor Sawrie provided notice of the following motion which will be considered under New Business at the May 19, 2021 Regular Council meeting:

"That Council direct Staff to fly the Pride Flag on the Cowichan Aquatic Centre flag pole for the month of June, as part of an annual ongoing protocol."

11. UNFINISHED AND POSTPONED BUSINESS

None.

12. NEW BUSINESS

12.1 Policy Advice regarding Sustainable Economic Development

IT WAS MOVED AND SECONDED:

That the following motion be referred to a future Committee of the Whole meeting and that Mr. Barry O'Riordan be invited to the meeting:

WHEREAS a sustainable and resilient future for our community requires an approach to fostering business, industry and employment opportunities which BOTH contribute to the prosperity all community members reducing social and economic inequality AND lead to the achieving of environmental and climate protection and regeneration goals

AND WHEREAS within our community there is likely a wealth of collective knowledge and ideas for how local government can better create conditions which support and foster local businesses, industries and employment that support climate mitigation, the stewarding of our local environment, and prosperity for all citizens

AND WHEREAS local knowledge and ideas are particularly important at this time when we are developing a new Official Community Plan to guide policy for the next couple of decades AND as we are dealing with and planning an emergence from the Covid 19 pandemic

AND WHEREAS there are a number of possibilities for processing written submissions received from stakeholders which may be minimally onerous on Staff, including: a Staff produced "What we heard" summary; an analysis done by members of the Committee of the Whole and/or members of the EAC and OCP Advisory committees: or through the hiring of a Consultant

NOW THEREFORE BE IT RESOLVED that Council seek the advice and recommendations from key stakeholders representing existing business, agricultural, industrial, labour and other relevant 'think tanks' on aspects of economic development (examples of which include: Cowichan Works, the Cowichan Agricultural Society, the Chemainus BIA, the relevant Chambers of Commerce, our local labour unions – to be determined by Council) on the following questions:

- 1. What can local government do to develop and retain the necessary talent to foster local socially and environmentally sustainable jobs and businesses?*

2. *How can conditions be created to help existing businesses and industries prosper while increasingly contributing to the community's resiliency and sustainability goals?*
3. *What types of sustainable businesses and green industries might be particularly suited to North Cowichan (eg given our location, resources, supporting businesses, and likely social licence)?* (OPPOSED: Siebring, Manhas)

CARRIED

12.2 Communications Tower / Antenna Systems Approval Policy

The main motion was tabled, through unanimous consent, so that the meeting could continue past 8:00 p.m. Following the adoption of the motion to extend the meeting, Council, through unanimous consent, lifted the main motion from the table to continue their debate and vote on the matter.

IT WAS MOVED AND SECONDED:

That the meeting be extended to 10:00 p.m.

CARRIED

IT WAS MOVED AND SECONDED:

That staff be directed to develop a policy for Communication Towers and Antenna Systems Approval, and a Wireless Telecommunication Tower Permit;

And further that the policy establishes and the permit upholds the preferences of Council for enhanced public consultation and location & design guidelines in the Towers and Antenna System approval process, taking into account the Government of Canada's guidelines on antenna sitings via the Innovations, Science and Economic Development Ministry. (ISED)

CARRIED

12.3 Cowichan Estuary Restoration and Conservation Association's advice and recommendations regarding Official Community Plan Update Project

IT WAS MOVED AND SECONDED:

That the advice and recommendations from the Cowichan Estuary Restoration and Conservation Association be refer to Modus and the OCP advisory working group.

(Opposed: Manhas)

CARRIED

12.4 Consent Agenda Item 2.2.8 [Email requesting Council investigate the forest carbon offset initiative and keep the pause on logging in place until the forest review is completed]

This item was discussed.

12.5 Consent Agenda Item 2.2.9 [Resignation of Christopher Crowther from the Official Community Plan Advisory Group]

This item was discussed.

12.6 Consent Agenda Item 2.2.10 [Email suggesting use group purchasing for solar panel purchases]

IT WAS MOVED AND SECONDED:

That Consent Agenda Item 2.2.10 [Email suggesting use group purchasing for solar panel purchases] be referred to Environmental Advisory Committee for their input.

(Opposed: Toporowski, Siebring, Manhas)

CARRIED

12.7 Discussion on authority under CC, LGA, procedure bylaw and policies

Policy guidance on requests from an individual member of Council.

13. QUESTION PERIOD

No questions were submitted using the online platform.

14. CLOSED SESSION

IT WAS MOVED AND SECONDED:

That Council close the May 5, 2021 Regular Council meeting at 8:51 p.m. to the public on the basis of the following section(s) of the *Community Charter*:

- *90(1)(e) - the acquisition, disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- *90(1)(m) - a matter that, under another enactment, that being section 16 of the Freedom of Information and Protection of Privacy Act, is such that the public may be excluded from the meeting; and*
- *90(2)(b) - the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party*

CARRIED

14.1 Minutes from the April 21, 2021 regular closed Council for adoption

14.2 This item was removed from the agenda

14.3 Closed under section 90(1)(e) Land, 90(1)(m) FOIPPA s. 16 - relations with an aboriginal government, and 90(2)(b) negotiations

15. RISE AND REPORT

16. ADJOURNMENT

Council adjourned the meeting at 10:08 p.m.

Certified by Corporate Officer

Signed by Mayor