



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, July 21, 2020

5:00 P.M.

This meeting was held electronically as per Ministerial Order No. M192

Council Members Present:

Mayor Aaron Stone

Councillor Amanda Jacobson

Councillor Rob Johnson (arrived 5:07pm)

Councillor Tricia McKay

Councillor Duck Paterson

Councillor Marsh Stevens (vacated

5:18pm, returned 7:00pm)

Councillor Jeff Virtanen

Staff Present:

Erin Anderson

Chris Barfoot

Jake Belobaba

Geoff Goodall

Donna Smith

Sue Glenn

Julie Thompson

Mike Gregory

Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 5:00 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2020-210

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session in order to consider items related to the following:

- Personal information about an identifiable individual - Section 90(1)(a)
- Security of the property of the municipality - Section 90(1)(d)
- Advice that is subject to solicitor-client privilege - Section 90(1)(i)
- Negotiations - Section 90(2)(b)

Motion Carried

3. OPEN MEETING (7:00 P.M.)

Mayor Stone called this Regular Meeting of Council to order at 7:00 p.m., recognizing that it was taking place on the traditional unceded territory of the Stz'uminus People.

4. AGENDA APPROVAL

CS 2020-211

That Council approve the agenda for this Regular Meeting of Council for July 21, 2020.

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:07 p.m. with report on the following resolution:

- CE 2020-098

That Council:

1. Rescind Resolution CE 2020-090, which reads as follows:

That Council:

1 Subject to the COVID-19 Vulnerable Populations Cowichan Taskforce and the LRCA reaching an agreement with BC Housing to continue operating the Emergency Response Centre extend the June 30, 2020 end date for the Emergency Response Centre at 12, 20 & 26 Buller Street (Lots 14, 13 and 12 Block 7 District Lots 24 & 56 Oyster District Plan 703. PIDS: 008-547-467, 005-423-538 & 008-547-459) to September 30, 2020;

2. Approve the continuation of the operation of the Emergency Response Shelter at 12, 20 & 26 Buller Street (Lots 14, 13 and 12, Block 7, District Lots 24 & 56, Oyster District, Plan 703. PIDS: 008-547-467, 005-423-538 & 008-547-459) until September 30, 2020.

6. MINUTES

6.1 Minutes of the Special Meeting of Council held July 7, 2020

CS 2020-212

That Council approve the minutes of the Special Meeting of Council held July 7, 2020.

Motion Carried

7. DELEGATIONS

7.1 Cowichan Valley Regional District Child Care Needs Assessment

John Elzinga, General Manager of the Cowichan Valley Regional District Community Services Department, thanked Sue Glenn for her cooperation and participation in the Child Care Needs Assessment project. He introduced Robert Malatest, of R.A. Malatest & Associates, and thanked him for his hard work creating the report.

Mr. Malatest provided Council with an overview of the Child Care Needs Assessment as it pertained to the Town of Ladysmith. He reviewed current child care challenges, population projections and future child care needs, and provided Council with recommendations for future planning.

Mr. Malatest responded to Council's questions. Council thanked him for his comprehensive report and presentation.

8. DEVELOPMENT APPLICATIONS

8.1 Development Variance Permit - 11-245 Oyster Cove Road

CS 2020-213

That Council:

1. Issue Development Variance Permit 3090-20-05 to vary the front parcel line setback requirement from 6.0m to 0.71m for a garage attached to the dwelling at 11-245 Oyster Cove Road; and
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-20-05.

Motion Carried

9. COMMITTEE MINUTES

9.1 Committee of the Whole Recommendations to Council

CS 2020-214

That Council defer the 2020 Annual Tax Sale until 2021 and that staff be directed to prepare a bylaw accordingly.

Motion Carried

CS 2020-215

That Council refer the issue of the Park Bench Donations Guidelines Policy to the September 8, 2020 Committee of the Whole Meeting for further discussion.

Motion Carried

10. REPORTS

10.1 DL2016 Holdings Corporation Annual General Meeting

CS 2020-216

That Council, as the sole shareholder of the DL2016 Holdings Corporation entitled to vote at an annual general meeting, resolve that:

1. The financial statements of the Corporation for the period ended December 31, 2018 and December 31, 2019 are hereby approved;
2. All lawful acts, contracts, proceedings, appointments and payments of money by the directors of the Corporation since the last annual reference date of the Corporation, and which have previously been disclosed to the shareholders, are hereby adopted, ratified and confirmed;
3. The number of directors of the Corporation is hereby fixed at five;
4. The following persons, each of whom has consented to act as a director, are hereby elected as directors of the Corporation, to hold office until the next annual general meeting of the Corporation (or unanimous resolutions consented to in lieu of holding an annual general meeting) or until their successors are appointed:
 1. Jake Belobaba
 2. Bruce Laxdal
 3. Jan Christenson
 4. Alan Newell

5. Richard Wiefelspuet

5. Grant Thornton LLP, Certified Public Accountants are hereby appointed auditors for the Corporation until the next annual reference date of the Corporation or until a successor is appointed, at a remuneration to be fixed by the directors; and
6. July 31, 2020 is selected as the annual reference date for the Corporation for its current annual reference period.

These resolutions shall be deemed to be effective as at July 31, 2020.

CS 2020-217

That resolution CS 2020-216 be amended so that Item No. 6 and the concluding statement of the resolution read as follows:

6. July 21, 2020 is selected as the annual reference date for the Corporation for its current annual reference period.

These resolutions shall be deemed to be effective as at July 21, 2020.

Amendment Carried

Resolution CS 2020-216, as amended reads:

That Council, as the sole shareholder of the DL2016 Holdings Corporation entitled to vote at an annual general meeting, resolve that:

1. The financial statements of the Corporation for the period ended December 31, 2018 and December 31, 2019 are hereby approved;
2. All lawful acts, contracts, proceedings, appointments and payments of money by the directors of the Corporation since the last annual reference date of the Corporation, and which have previously been disclosed to the shareholders, are hereby adopted, ratified and confirmed;
3. The number of directors of the Corporation is hereby fixed at five;
4. The following persons, each of whom has consented to act as a director, are hereby elected as directors of the Corporation, to hold office until the next annual general meeting of the Corporation (or unanimous resolutions consented to in lieu of holding an annual general meeting) or until their successors are appointed:

1. Jake Belobaba
2. Bruce Laxdal

3. Jan Christenson
4. Alan Newell
5. Richard Wiefelspuet
5. Grant Thornton LLP, Certified Public Accountants are hereby appointed auditors for the Corporation until the next annual reference date of the Corporation or until a successor is appointed, at a remuneration to be fixed by the directors; and
6. July 21, 2020 is selected as the annual reference date for the Corporation for its current annual reference period.

These resolutions shall be deemed to be effective as at July 21, 2020.
Main Motion, As Amended, Carried

10.2 2020 Virtual UBCM Convention

CS 2020-218

That Council waive Town of Ladysmith Council Remuneration Policy 5-1920-A and authorize all members of Council to attend the 2020 Union of BC Municipalities Convention to be held electronically from September 21-25, 2020.

Motion Carried

10.3 Ladysmith and District Historical Society – Request for Loan Agreement with City of Port Alberni for Plymouth 107 Gasoline Shunting Engine

CS 2020-219

That Council advise the Ladysmith & District Historical Society that it appreciates their continued efforts for the return of the Plymouth 107 gasoline shunting engine to Ladysmith, and recommends that the Ladysmith & District Historical Society negotiate the loan agreement directly with the City of Port Alberni.

Motion Carried

10.4 Brown Drive Park Family Friendly Bike Trail

CS 2020-220

That Council direct staff to:

1. Begin Phase 1 of establishing a family friendly bike trail in the forested area behind Brown Drive Park as outlined in the staff report; and
2. Develop a maintenance partnership agreement with the Cowichan Trail Stewardship Society – Ladysmith Chapter for the family friendly bike trail located in the forested area behind Brown Drive Park.

Motion Carried

10.5 Public Art Task Group Terms of Reference

CS 2020-221

That Council:

1. Approve the Public Art Task Group Terms of Reference; and
2. Appoint Councillor McKay as the representative to the Public Art Task Group and Councillor Stevens as the alternate.

Motion Carried

CS 2020-222

That Council amend the Public Art Policy and Public Art Task Group Terms of Reference to include an additional youth member.

Motion Carried

10.6 Ladysmith Downtown Business Association and Chamber Of Commerce Grant in Aid Application Received July 16, 2020

CS 2020-223

That Council provide a \$3,000 Grant in Aid to the Ladysmith Downtown Business Association and the Ladysmith Chamber of Commerce to host a “Hot August Nights” economic stimulus event, provided that it does not constitute a mass gathering as per Island Health guidelines.

Motion Carried

CS 2020-224

That Council waives Grant in Aid Policy 5-1850-A by permitting the Ladysmith Downtown Business Association to receive a second Grant in Aid for 2020.

Motion Carried

11. BYLAWS

11.1 Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #8, 2020, No. 2042

CS 2020-225

That Council adopt "Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #8, 2020, No. 2042".

Motion Carried

12. CORRESPONDENCE

12.1 Cathy Gilroy: Tree, Bench and Amenity Dedication Policy

Council received the correspondence from Cathy Gilroy regarding the Tree, Bench and Amenity Dedication Policy.

12.2 Muriel Carlson: Tree, Bench and Amenity Dedication Policy

Council received the correspondence from Muriel Carlson regarding the Tree, Bench and Amenity Dedication Policy.

13. QUESTION PERIOD

A member of the public enquired how early childhood educators and associates could help the Town enact the recommendations made in the Cowichan Valley Regional District Child Care Needs Assessment report.

14. ADJOURNMENT

CS 2020-226

That this Regular Meeting of Council adjourn at 8:42 p.m.

Motion Carried

Mayor (A. Stone)

Corporate Officer (D. Smith)