



## FONVCA AGENDA THURSDAY September 16<sup>th</sup> 2004

**Place:** DNV Hall 355 W. Queens Rd V7N 2K6

**Time:** 7:00-9:00pm

**Chair:** Diana Belhouse –Delbrook Community Association – Tel: 604-987-1656

### 1. Order/content of Agenda

### 2. Adoption of Minutes of August 19<sup>th</sup>

### 3. Old Business

**3.1 Northlands** – Update from August 25<sup>th</sup> hearing.

**3.2 Recycling Tender** – Brian to present follow-up.

#### 3.3 Lynn Valley Library & Town Centre

- report on public **meeting** of **Tues Aug 31**
- <http://www.dnv.org/article.asp?a=2511&c=607>
- <http://www.dnv.org/article.asp?a=2514&c=607>
- legality of B.C. 550/2004 (borrow \$15m without approval)

#### 3.4 Annual Reporting Requirements:

- report on Public Input of 6pm Sep 13<sup>th</sup>
- comparison to Port Coquitlam
- property tax statistics to be presented

**3.5 Un-dedicating parks** –Request from FONVCA that this be done only by assent (referendum) – letter in agenda package.

### 4. Correspondence Issues

**4.1 Business arising from 46 regular emails** -

#### 4.2 Non-Posted letters

None this period.

### 5. New Business

**Council and other District issues.**

#### 5.1 Truth about our Water?

Graph on inconsistency to be distributed.

#### 5.2 Section 35 of Community Charter

- **selling off our highways**
- common law undermined (documents to be distributed)

#### 5.3 Key By-Election/Referendum Dates

Election day	Nov 6
Only Harris resigned by deadline of	Sep 7
Nomination Opens	Sep 21
Council Approval of Referenda by	Sep 23
Nomination Closes	Oct 1 (4pm)
Deadline to challenge nominees	Oct 5
Deadline on challenge decisions	Oct 8
Deadline for candidate withdrawal	Oct 8
Declaration of Election	Oct 11
Advance Voting	Oct 27,29

References:

<http://www.dnv.org/upload/pdocsdocuments/9sd101!.htm>

[http://www.civicinfo.bc.ca/LocalGovernmentAct/data/gsd0c150\\_925.html#150-23744](http://www.civicinfo.bc.ca/LocalGovernmentAct/data/gsd0c150_925.html#150-23744)

#### 5.4 Selecting By-Election Questions

**See attachment for draft question...**

### 6. Any Other Business

#### 6.1 - Legal issues to think about-

##### Section 120 of the Community Charter and the OATH OF OFFICE

The oath of office may now be prescribed by a local bylaw and as such can include a requirement for a councilor to respect council confidentiality. Now consider that...

- failure to take the oath means disqualification from office
- breaching the oath does not lead to disqualification
- municipality may sue for loss or damage to district
- breaches yielding personal gains means disqualification

### 7. Chairperson & Date of next meeting.

**October 21<sup>th</sup> /2004**

#### Attachments

\*List of Email to FONVCA of last 21 months - **BUT ONLY FOR SUBJECTS WITH NEW ENTRIES**

#### OUTSTANDING COUNCIL ITEMS

- |   |                         |
|---|-------------------------|
| -Cat Regulation Bylaw                       | -Review of Zoning Bylaw |
| -Securing of vehicle load bylaw             | -District-wide OCP      |
| -Taxicab regulations bylaw                  |                         |
| -Street-ends opening to Waterfront          |                         |
| -Snow removal for single family homes bylaw |                         |

### Draft Questions for Councillors & Mayor

- i) What role should community associations play with respect to local neighbourhood and district-wide issues?
- ii) Do you advocate any further significant growth in specific areas of the District? **What is "significant" in your view?**
- iii) What sort of changes would you like to see with the current public input process for council decisions? **Will you support at least the current level of public input?**
- iv) Under what circumstances should major capital projects go to referendum? **Will you commit that all projects over \$10 million will go to referendum?**
- v) Do you favour changes to the fee/subsidy structure of recreational and sports programs, **and if so, what changes?**
- vi) Are you committed to the repayment of principal and interest of monies borrowed from the Heritage Fund?
- vii) How would you minimize future tax increases?
- viii) Are you in favour of residential water metering? Please explain.
- ix) Do you support increased maintenance of our parks and public areas? If so, how?
- x) Do you agree there are too many in camera meetings and will you work to reduce this?
- xi) Given the various scandals and problems with large contracts and projects, does the DNV need an in-house lawyer?
- xii) Do you support the DNV getting into commercial ventures that are not recreational in nature (e.g. commercial side of Lynn Valley project), where they may compete with our own merchants? Why, and in what circumstances?
- xiii) Will you support making all "handouts" to organizations (tax relief, grants, etc) more transparent, possibly by making them all in the form of grants?

### Draft Question for Mayor only

- i) What experience do you have which qualifies you to handle the Mayor's duties in a crisis situation or natural disaster?
- ii) Detail the experience that renders you qualified; for example, what have you done which demonstrates an ability to bring cooperation among Council to get them to work together as a team? (To lead a diverse and sometimes quarrelsome group of councillors.)
- iii) What knowledge do you have of procedural rules necessary to effectively and efficiently run a meeting?
- iv) How much time will you be able (or plan) to dedicate to the Mayors job?
- v) Why do you feel you should be elected Mayor?
- vi) Why are you seeking the position of Mayor?
- vii) Describe your financial experience and ability which makes you capable of making responsible decisions involving the many challenges that a modern municipality faces. Please give examples of how you dealt with two or three challenges.
- viii) As a mayor is automatically a director of the GVRD, how will you balance your responsibility to the District and the North Shore with your responsibility to vote on critical regional issues like new transportation infrastructure or managing our water resources.
- ix) Will you support a proper performance management system for staff and work to eliminate poor performers?
- x) What is the appropriate remuneration for the mayor?
- xi) What is your position on environmental issues such as wood burning fireplaces and dumping raw sewage into Burrard Inlet?
- xii) What mayor issues are you concerned about in the DNV?
- xiii) What would be your priorities as Mayor?

## Correspondence Ordered by Subject

\* means since new emails  
16 Aug 2004 →  
12 Sep 2004

Only subjects with new  
entries are listed - ordered ~  
by volume since 18 Nov/2002

### 5 Year Financial Plans / Public Input / Reserve Funds / Budget / Fees

Ernie\_Crist\_25dec2002.pdf  
Corrie\_Kost\_31dec2002.pdf  
Elizabeth\_James\_8jan2003.pdf  
Ernie\_Crist\_6feb2003.pdf  
Ernie\_Crist\_14feb2003b.pdf  
Ernie\_Crist\_22mar2003.pdf  
Ernie\_Crist\_24mar2003.pdf  
Brian\_Platts\_7apr2003.pdf  
Elizabeth\_James\_8apr2003.pdf  
Corrie\_Kost\_22apr2003.pdf  
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Brian\_Platts\_17sep2003.pdf  
Don\_Bell\_17sep2003.pdf  
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John\_Harvey\_22nov2003.pdf  
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Ernie\_Crist\_9dec2003a.pdf  
Ernie\_Crist\_6jan2004.pdf  
Ernie\_Crist\_11jan2004.pdf  
Ernie\_Crist\_20jun2004.pdf  
\* Corrie\_Kost\_28aug2004.pdf

### On Council Motions / Procedures / Freedom of Speech / Ombudsman

Ernie\_Crist\_19nov2002.pdf  
Ernie\_Crist\_11dec2002.pdf  
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Ernie\_Crist\_4jul2004.pdf  
Ernie\_Crist\_7jul2004.pdf  
Ernie\_Crist\_7jul2004c.pdf

\* Ernie\_Crist\_24aug2004c.pdf  
\* James\_Ridge\_25aug2004.pdf  
\* Corrie\_Kost\_11sep2004.pdf  
\* Corrie\_Kost\_12sep2004.pdf

### Lynn Valley Plan / Bicycle Lanes / Roads / Referendum

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Ernie\_Crist\_4feb2003b.pdf  
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Ernie\_Crist\_12apr2003.pdf  
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Ernie\_Crist\_5aug2004b.pdf  
Elizabeth\_James\_6aug2004.pdf  
Ernie\_Crist\_13aug2004b.pdf  
\* Maureen\_Bragg\_17aug2004.pdf

### TRANSLINK / Transportation / RAV / Fuel Taxes / GVRD

Dan\_Ellis\_9jan2003.pdf  
Elizabeth\_James\_3feb2003.pdf  
Maureen\_Bragg\_4feb2003.pdf  
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Elizabeth\_James\_25jun2004b.pdf

\* Ernie\_Crist\_24aug2004b.pdf  
\* Elizabeth\_James\_25aug2004b.pdf

### Inappropriate Development Variance Permits

Brian\_Platts\_10mar2003.pdf  
Brian\_Platts\_7mar2003.pdf  
Brian\_Platts\_11may2003.pdf  
Ernie\_Crist\_12may2003.pdf  
Ernie\_Crist\_1jun2003.pdf  
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Brian\_Platts\_29feb2004.pdf  
Brian\_Platts\_2mar2004.pdf  
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### District Elections

Ernie\_Crist\_24nov2002.pdf  
Ernie\_Crist\_7jul2004b.pdf  
\* Ernie\_Crist\_7sep2004.pdf  
\* Ernie\_Crist\_9sep2004.pdf

### Community Charter

Corrie\_Kost\_18jan2003.pdf  
Ernie\_Crist\_18jan2003a.pdf  
Brian\_Platts\_15apr2003.pdf  
Ernie\_Crist\_22jan2004.pdf  
Elizabeth\_James\_30jan2004.pdf  
Ernie\_Crist\_10feb2004.pdf  
Agnes\_Hilsen\_10feb2004.pdf  
Ernie\_Crist\_13feb2004b.pdf  
Corrie\_Kost\_4mar2004.pdf  
\* Ernie\_Crist\_25aug2004.pdf

### District Taxes / BC Assessment Authority / Home Owners Grant

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### Censure of Councillors

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Brian\_Platts\_20jul2004.pdf  
Ernie\_Crist\_5aug2004.pdf  
\* Ernie\_Crist\_2sep2004b.pdf  
\* Elizabeth\_James\_2sep2004.pdf  
\* Ernie\_Crist\_8sep2004.pdf

### **New Lynn Valley Library / 1996 Referendum**

Ernie\_Crist\_5sep2003c.pdf  
Ernie\_Crist\_3nov2003c.pdf  
Ernie\_Crist\_15dec2003.pdf  
Ernie\_Crist\_1jan2004.pdf  
Ernie\_Crist\_5feb2004.pdf  
Ernie\_Crist\_10mar2004.pdf  
Elizabeth\_James\_27apr2004.pdf  
Ernie\_Crist\_27apr2004b.pdf  
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\* Ernie\_Crist\_25aug2004b.pdf  
\* Elizabeth\_James\_26aug2004.pdf  
\* Elizabeth\_James\_2sep2004b.pdf  
\* Maureen\_Bragg\_2sep2004.pdf  
\* Brian\_Platts\_2sep2004.pdf  
\* Ernie\_Crist\_2sep2004.pdf  
\* Maureen\_Bragg\_3sep2004.pdf  
\* Maureen\_Bragg\_3sep2004b.pdf  
\* Maureen\_Bragg\_3sep2004c.pdf  
\* David\_Potter\_3sep2004.pdf  
\* Ernie\_Crist\_3sep2004.pdf  
\* Ernie\_Crist\_3sep2004b.pdf  
\* David\_Potter\_3sep2004b.pdf  
\* Ernie\_Crist\_3sep2004c.pdf  
\* Dan\_Ellis\_3sep2004.pdf  
\* David\_Potter\_4sep2004.pdf  
\* Maureen\_Bragg\_4sep2004.pdf  
\* Maureen\_Bragg\_8sep2004.pdf

### **Community Policing Centres / Integrated Policing / Crime Statistics /Alerts**

Ernie\_Crist\_13apr2003.pdf  
Ernie\_Crist\_31dec2003.pdf  
Ernie\_Crist\_12aug2004.pdf  
\* Ernie\_Crist\_19aug2004.pdf  
\* Ernie\_Crist\_19aug2004b.pdf  
\* Ernie\_Crist\_19aug2004c.pdf  
\* Ernie\_Crist\_24aug2004.pdf

### **Industrial Pollution / Air Pollution / Risks**

Ernie\_Crist\_23jun2003.pdf  
Ernie\_Crist\_24jun2003b.pdf  
Elizabeth\_James\_15aug2003.pdf  
\* Ernie\_Crist\_18aug2004.pdf

### **Commendations / Citizens Award/ Emergency Services**

Ernie\_Crist\_13jan2003.pdf  
Ernie\_Crist\_21jan2003.pdf  
Ernie\_Crist\_2feb2003c.pdf  
Ernie\_Crist\_4feb2003.pdf  
Ernie\_Crist\_14oct2003d.pdf  
Ernie\_Crist\_27apr2004.pdf  
\* Ernie\_Crist\_22aug2004.pdf

### **Liquor Stores / License Legislation**

Ernie\_Crist\_12oct2002.pdf  
Ernie\_Crist\_17may2004c.pdf  
Ernie\_Crist\_27may2004.pdf  
Ernie\_Crist\_31may2004.pdf  
Ernie\_Crist\_13jun2004.pdf  
\* Ernie\_Crist\_31aug2004.pdf

### **Council & Staff Expenses & Policies & Staff General**

Ernie\_Crist\_17jun2004b.pdf  
Ernie\_Crist\_19jun2004b.pdf  
Ernie\_Crist\_17jul2004.pdf  
Ernie\_Crist\_19jul2004b.pdf  
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Ernie\_Crist\_23jul2004.pdf  
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\* Ernie\_Crist\_2sep2004d.pdf

### **Council Remuneration (Pay)**

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\* Ernie\_Crist\_21aug2004.pdf

# FONVCA

## Minutes of August 19<sup>th</sup> 2004

### Attendees:

Allan Orr (Chair)	Seymour C.A.
Maureen Bragg	Save Lynn Canyon Park
John Miller	Lower Capilano R.A.
Brian Platts	Edgemont C.A.
Diana Belhouse	Delbrook C.A.
Corrie Kost	Edgemont C.A.
Cathy Adams	Lions Gate N.A.
Dan Ellis	Lynn Valley C.A.
Vall Moller	Lions Gate N.A.
Fred Gooch	Blueridge C.A.

## 1. ORDER/CONTENT OF AGENDA

6.2 By-election Candidates Questions  
6.3 Electronic Council Meetings  
6.4 FONVCA meeting dates

## 2. ADOPTION OF JULY 15<sup>th</sup> MINUTES

Moved by John Miller Seconded by Val Moller; Approved Unanimously

## 3. OLD BUSINESS

### 3.1 Northlands Update:

Brian reported on the on-going Christie Hammond sentence issue. Hammond has been seen often in the Edgemont area. Concern that maybe she is violating the conditions of her 8 month house arrest. Brian phoned RCMP and they referred him to the NV Parole Office and was told that Hammond's privacy is paramount. Brian ended up on CKNW radio program and also wrote a letter to the Judge, with copies to Crown Counsel and the Parole Office. Meanwhile ex Northlands Manager, Laurie Craddock discovered a clerical error in the Sentence Order. On August 25th there will be a Hearing before the Judge Crown Counsel and the Parole Office is seeking to have the Sentence Order "tightened up". Brian noted that another fraud case resulted in a bookkeeper for a local travel agency being sentenced to 9 months of prison for stealing \$53,000.

### 3.2 Streamside Protection and Enhancement Areas (SPEAs)

Allan reported that DNV Environmental Protection Officer, Richard Boase gave a talk to a meeting of the Seymour CA. The Act will be difficult for municipalities because qualified consultants will be able to advise developers re: setbacks needed from streams for buildings. Act is weakened by this new provision. Input from Streamkeepers' groups was provided. Local governments must have a new Bylaw in place by January 19, 2006. DNV could go with current 30 metre setback. It was noted that so-called 'grandfathering' can present a problem with older non-complying structures being rebuilt without sufficient setbacks.

### 3.3 Recycling Tender.

Brian still does not have the new WM recycling contract. He was informed by the District that it must be obtained through FOI. Brian submitted the request and the municipality has 30 working days to provide the document. Should have it for next month's meeting. **ACTION**

## 3.4 Lynn Valley Library & Town Centre

**Public meeting to discuss the project's financial details is set for August 31st.** The report is over 300 pages of material that can be printed off the DNV web site or obtained at significant per page cost from the Hall. Concern was expressed about the date of this important meeting being in the summer. Corrie reported that he spoke at July 19th meeting requesting that Council move the date to September 19th instead, and then move forward with a referendum on the project to coincide with the Nov. by-election. No action taken by Council. Corrie has found the collection of reports on the project is lacking the specified information necessary to allow the public to have a clear understanding of the financing and associated risks of the town centre project. Another issue is the District's expropriation of property with the funds approved by the '96 referendum to build the library.

## 3.5 Graffiti Bylaw

In response to FONVCA input, Council instructed staff to draft a similar bylaw to NV City's that combats graffiti on private buildings.

## 3.6 Sale of Parkland

District is proposing sale of greenspace to an owner who has encroachments, to regularize their property. The PNEAC is opposed, and last month FONVCA sent a letter of opposition. Nonetheless council decided to go to Public Hearing on this. Don Bell and Lisa Muri were absent, with Alan Nixon in conflict, so only 4 voted on this important precedent setting issue.

## 3.7 Graffiti

Letter by FONVCA was sent to council. This issue is to be discussed by council on July 19th, with a motion put forward by Alan Nixon. City of North Van has a bylaw – one which is needed here as well.

## 3.8 Annual Reporting Requirements

DNV violated new Community Charter by not holding an annual meeting by the June 30th deadline. Corrie wrote Don Sutherland, Director of Advisory Services Branch, Local Government Department questioning what recourse is available to citizens when their municipality violates the Charter. The response was that there are no penalties but citizens can take the municipality to court. In response to FONVCA's letter on the matter, NVD Director of Corporate Services phoned Brian to explain that the District had the report completed last spring but due to certain unavoidable circumstances the required meeting date was not met. Dennis said that he contacted the Ministry in Victoria and they are not concerned so much this year that the annual meetings be held before June 30th; however a meeting still must be held (the public input format yet to be determined) and next year they must adhere to the June 30th deadline. Dennis provided, at no charge, copies of the annual report for FONVCA members. The report is intended to set benchmarks to be measured and compared annually. It was noted that the RCMP section in the report was very limited in statistical information.

## 4. CORRESPONDENCE ISSUES

### 4.1 Business arising from 32 regular emails –

Maureen reported that mountain biking on Fromme continues. The issue has resulted in more e-mail than any other topic. Trail erosion is a big problem.

#### 4.2 Non-posted e-mails – None

### 5. NEW BUSINESS

#### 5.1 Council Remuneration Committee

Should FONVCA have a representative on this committee? Question of whether the Mayor's position should be paid more for what is a full-time job. It was suggested that a mayor should have crisis management skills in order to handle emergencies. Certainly any Mayor must be able to answer e-mail and understand financial reports.

#### 5.2 Notable Planning Cases on DNV Website

The DNV web site now documents notable planning cases. In particular the controversial Elstree Place case, where it is proposed to sell off some of District's parkland due to encroachment is noted.

#### 5.3 Key By-Election / Referendum Dates

All these key dates were distributed on the agenda. Council will likely go to a referendum to try and retain 6 councillors. The results would be binding for the Nov 2005 elections.

### 6. ANY OTHER BUSINESS

#### 6.1 "Legal Issues to think about"

All listed on the agenda. Of particular interest are the links to the BC Ombudsman's, an office which promotes fair treatment. See <http://www.ombud.gov.bc.ca/> and the details of the Act

[http://www.ombud.gov.bc.ca/publications/Ombuds\\_Act/Index.html](http://www.ombud.gov.bc.ca/publications/Ombuds_Act/Index.html)

"The Ombudsman receives inquiries and complaints about the practices and services provided by public bodies, and may investigate to determine if the public body is being fair to the people it serves". A definitive case is found at <http://www3.telus.net/GovtEthicsLaw/BCDC.htm>.

#### 6.2 Possible Questions to Candidates in November 6<sup>th</sup> By-Election:

Suggested that questions be discussed and refined by e-mail before the next FONVCA meeting. **10 questions for council candidates plus 5 additional questions for mayoralty candidates.**

##### Draft questions

- i) What experience do you have which qualifies you to handle the Mayor's duties in a crisis situation or natural disaster?
- ii) Detail the experience that renders you qualified; for example, what have you done which demonstrates an ability to bring cooperation among Council to get them to work together as a team? (To lead a diverse and sometimes quarrelsome group of councillors.)
- iii) What knowledge do you have of procedural rules necessary to effectively and efficiently run a meeting?
- iv) How much time will you be able (or plan) to dedicate to the job?
- v) What was your position on regional issues such as the Cambie RAV Line, the Ten Year Transportation Plan, and water metering etc.?

#### 6.3 Electronic Council Meetings

Corrie reported on August 12th Council meeting, agenda item 12. Council is moving forward with a bylaw to allow electronic "special" meetings where one or more members of Council participates in the meeting while in another location. Public must be notified ahead of time. Could citizens also participate from home via speakerphone?

#### 6.4 FONVCA Meeting Dates

Brian will send an official letter to Sue Mitchell at the Hall notifying her to book a meeting room on the third Thursday for every month including July and August. **ACTION**

### 7. CHAIR AND DATE OF NEXT MEETING

**Next Meeting September 16th, 2004. Chairperson, Diana Belhouse (Delbrook C.A.)**

(Brian will fax agenda to her in advance.)

**Meeting adjourned at 9:45 p.m.**

**Subject: Undedicating Parks**

**Date:** Sun, 12 Sep 2004 21:30:53 -0700

**From:** Brian Platts <bplatts@shaw.ca>

**To:** Alan Nixon <alan\_nixon@dnv.org>, Ernie Crist <ernie\_crist@dnv.org>, Lisa Muri <lisa\_muri@dnv.org>, Maureen McKeon Holmes <Maureen\_McKeonHolmes@dnv.org>, Richard Walton <rwalton@dnv.org>, NVD Council <dnvcouncil@dnv.org>

**CC:** James Ridge <James\_Ridge@dnv.org>, FONVCA <fonvca@fonvca.org>

Members of Council:

At a meeting of the *Federation of NV Community Associations* earlier this year, a discussion took place regarding changes introduced by the current Community Charter that now allows for the un-dedication of parks previously dedicated by referendum, without necessitating a referendum. The "approval" may, at Council's discretion, be by assent (referendum) or a counter-petition notification. Considering that all dedicated parks received that designation by way of referendum, FONVCA respectfully request that Council adopt either a policy or bylaw that will require a referendum to un-dedicate a park which has been previously dedicated by a referendum.

Sincerely,

Brian Platts

*Federation of NV Community Associations*

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