



FONVCA AGENDA

THURSDAY September 17th 2009

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

Time: 7:00-9:00pm

Chair: Brian Platts – Edgemont C.A.

Tel: 604-985-5104

Regrets: Paul Tubb, Lyle Craver, Del Kristalovich, Cathy Adams

1. Order/content of Agenda

2. Adoption of Minutes of July 16th

<http://www.fonvca.org/agendas/sep2009/minutes-jul2009.pdf>

3. Old Business

3.1 OCP Roundtable – Updates

4. Correspondence Issues

4.1 Business arising from 1 regular emails:

4.2 Non-Posted letters – 0 this period

5. New Business

Council and other District issues.

5.1 Synopsis of Sustainability

<http://www.pollutiononline.com/nl/845483/733151>

5.2 School Board All-Candidates Meeting

- comments by Eric Andersen

5.3 Resilient Cities

See <http://www.gaininggroundsummit.com/theme.htm> for Theme of the Oct 20-22/2009 Vancouver Conference

5.4 ACT: Adaptation to Climate change Theme

<http://www.sfu.ca/act/> and SUN article of Sep 10/2009

"Brace for wild B.C. weather..."

http://www.metrovancouver.org/planning/development/agriculture/AgricultureDocs/Climate_Variable_Mapping_report_final.pdf

5.5 Spirit Trail Through Norgate

- concerns by K'nud Hille

5.6 Smoking on public patios

Council workshop on issue (date unknown)

"Intrusion into public affairs" or protecting the health of our citizens in accordance with Community Charter, s. 8(3)(i) and LGA, s.523. See page 87 of CC by Buholzer, NSN Page 3 of August 26/2009.

6. Any Other Business

6.1 Legal Issues

(I) Can a councilor be charged under section 30.4 of the Freedom of Information and Protection of Privacy Act which reads: *An employee, officer or director of a public body or an employee or associate of a service provider who has access, whether authorized or unauthorized, to personal information in the custody or control of a public body, must not disclose that information except as authorized under this Act.* Perhaps section 73(a) applies?

Protection of public body from legal suit

73 No action lies and no proceeding may be brought against the government, a public body, the head of a public body, an elected official of a public body or any person acting on behalf of or under the direction of the head of a public body for damages resulting from

(a) the disclosure, or failure to disclose, in good faith of all or part of a record under this Act or any consequences of that disclosure or failure to disclose

(II) Supreme Court of BC: Viridis vs. City of North Vancouver – Bewicke zoning suit

<http://www.canlii.org/en/bc/bcsc/doc/2009/2009bcsc1118/2009bcsc1118.html>

The key element [57] is that a Mayor's "initiation" of reconsideration must be within 30 days of defeat BUT this may mean council will not reconsider it for a much longer period! Note also in [60] "courts have held that the failure of a council to observe its own procedures is only an irregularity and not fatal to the bylaw passed, **unless the required procedure is a statutory procedural requirement.**"

The question is: When is a statutory violation just a procedural error – or visa-versa?

6.2 Any Other Issues (2 min each)

- Page F6 SUN 22Aug/2009 on tank systems to capture rainfall – at \$2/storage litre- environmentalism and common sense collide.
- BC on-line gambling web-site raises weekly stakes from \$120 to \$10,000. Who are the addicts?
- Families need cars... – A4 SUN July 23/09
- Municipal Law – outline and references
- Municipal Election Violations A4 SUN Sep 16

7. Chair & Date of next meeting.

Thursday October 15th 2009

Attachments

-List of Email to FONVCA - **ONLY NEW ENTRIES**

OUTSTANDING COUNCIL ITEMS-Cat Regulation Bylaw; District-wide OCP; Review of Zoning Bylaw; Securing of vehicle load bylaw; Snow removal for single family homes bylaw.

Correspondence/Subject Ordered by Date
13 July 2009 → 13 September 2009

LINK	SUBJECT
http://www.fonvca.org/letters/2009/13jul-to/Lyle_Craver_3sep2009.pdf	Mobile homes on West 16 th

For details/history see

<http://www.fonvca.org/letters/index-letters-total-jul2009.html>