

Minutes of the Council meeting held in the Civic and Technology Centre, 100 Jensen Avenue East, Parksville, BC, on Monday, November 21, 2011 at 6:00 p.m.

PRESENT: His Worship A/Mayor C. Burger

Councillors: A. Greir
M. Lefebvre
T. Patterson
S. Powell
C. Powell-Davidson

Staff: F. Manson, Chief Administrative Officer
D. Comis, Director of Administrative Services
L. Kitchen, Deputy Corporate Administrator
L. Butterworth, Director of Finance
R. Harary, Director of Engineering & Operations
G. Jackson, Director of Community Planning
D. Tardiff, Communications Officer

The Mayor expressed Council's sincere appreciation, on behalf of the residents of Parksville, for Councillor Teresa Patterson's service, particularly to the youth, to our community during her term on Council and presented her with a bouquet of flowers.

1. ADOPTION OF MINUTES

Lefebvre - Patterson
11-231 THAT the minutes of the Council meeting held November 7, 2011 be adopted. CARRIED.

2. APPROVAL OF AGENDA

Powell-Davidson - Powell
11-232 THAT the November 21, 2011 Council meeting agenda be approved. CARRIED.

3. PRESENTATIONS - Nil

4. DELEGATION

a) Margaret Spruit, representing the Parksville Community and Conference Centre, presented the Centre's 2012 Budget and 5 year projected budget.

5. CORRESPONDENCE - Nil

6. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE

a) **Parksville Community and Conference Centre - 2012 Budget**
Powell-Davidson - Patterson
11-233 THAT the 2012 budget and 5 year projected budget for the Parksville Community and Conference Centre be approved. CARRIED.

7. UNFINISHED BUSINESS – Nil

8. REPORTS

a) Committee of the Whole - November 7, 2011

11-234 THAT the report from the Committee of the Whole meeting held November 7, 2011 be received and the following recommendations considered:

(1) Director of Community Planning - Consideration of Council Resolution #11-214 Pertaining to "Deer"

Powell - Lefebvre

THAT staff be directed to prepare a bylaw which prohibits the feeding of deer within the City boundaries for Council's consideration. CARRIED.

(2) Parksville Curling Club - Request for Funding

Greir - Patterson

THAT the City of Parksville contribute \$500 in funding to the Parksville Curling Club for the 2012 Canadian Direct Insurance BC Mens Curling Championship they are hosting from February 7 to 12, 2012;
AND THAT funding be provided from Council Contingency. CARRIED.

b) Director of Community Planning - Formal City Position Regarding the Regional District of Nanaimo Regional Growth Strategy

Lefebvre - Powell

11-235 THAT the report from the Director of Community Planning dated October 20, 2010 entitled "Formal City Position regarding the Regional District of Nanaimo (RDN) Regional Growth Strategy" be received;
AND THAT the Council of the City of Parksville advise the Regional District of Nanaimo (RDN) that it accepts the Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, No. 2011 as presented. CARRIED.

c) Manager of Human Resources, Occupational Health & Safety - New Personnel Policy - Dealing with Threatening, Abusive, Violent or Potentially Violent Customers

Greir - Powell

11-236 THAT the report from the Manager of Human Resources, Occupational Health & Safety dated November 15, 2011 entitled "New Personnel Policy – Dealing with Threatening, Abusive, Violent or Potentially Violent Customers" be deferred to the December 19, 2011 meeting of Council. CARRIED.

d) Chief Administrative Officer - Grant Application - Community Recreation Program Proposed Rath Trevor Greenway

Lefebvre - Greir

11-237 THAT the report from the Chief Administrative Officer dated November 9, 2011 entitled "Grant Application – Community Recreation Program Proposed Rath Trevor Greenway" be received;
AND THAT staff be directed to submit an application under the Community Recreation Program for funding toward construction of the "Rath Trevor Greenway" as described in this report;

AND FURTHER THAT staff be authorized to pursue a partnership agreement with the Regional District of Nanaimo for the purposes of funding and construction of the proposed Rath Trevor Greenway. CARRIED.

e) **Chief Administrative Officer - Arrowsmith Water Service 2011 Final Budget and 2012 to 2016 Financial Plan**

11-238 Greir - Lefebvre
THAT the report from the Chief Administrative Officer dated November 17, 2011 entitled "Arrowsmith Water Service 2011 Final Budget and 2012 - 2016 Financial Plan" be received;
AND THAT Council approve the 2011 Arrowsmith Water Service (AWS) Final Budget as outlined on Table 1 attached to the 2011 Final Budget and 2012 – 2016 Financial Plan report dated October 20, 2011 from the AWS Management Committee to the AWS Management Board;
AND THAT Council approve the 2012 – 2016 AWS Financial Plan as outlined on Table 2 attached to the 2011 Final Budget and 2012 – 2016 Financial Plan report dated October 20, 2011 from the AWS Management Committee to the AWS Management Board;
AND THAT staff be directed to include the 2011 AWS Final Budget changes in the City's 2011 – 2015 revised Financial Plan for Councils consideration;
AND FURTHER THAT staff be directed to include the AWS 2012 – 2016 Financial Plan amounts in the City's 2012 – 2016 Financial Plan for Council's consideration. CARRIED.

f) **Chief Administrative Officer - Englishman River Water Service 2011 Final Budget and 2012 to 2016 Financial Plan**

11-239 Powell – Powell-Davidson
THAT the report from the Chief Administrative Officer dated November 17, 2011 entitled "Englishman River Water Service 2011 Final Budget and 2012 - 2016 Financial Plan" be received;
AND THAT Council approve the 2011 ERS Final Budget as outlined on Table 1 attached to the 2011 Final Budget and 2012 – 2016 Financial Plan report dated November 9, 2011 from the ERWS Management Committee to the ERWS Management Board;
AND THAT Council approve the 2012 – 2016 ERWS Financial Plan as outlined on Table 2 attached to the 2011 Final Budget and 2012 – 2016 Financial Plan report dated November 9, 2011 from the ERWS Management Committee to the ERWS Management Board;
AND THAT staff be directed to include the 2011 ERWS Final Budget changes in the City's 2011 – 2015 revised Financial Plan for Councils consideration;
AND FURTHER THAT staff be directed to include the ERWS 2012 – 2016 Financial Plan amounts in the City's 2012 – 2016 Financial Plan for Councils consideration. CARRIED.

g) **Chief Election Officer - 2011 Municipal Election Results**

11-240 Powell – Powell-Davidson
THAT the determination of Election Results and the Declaration of Official Election Results by the Chief Election Officer for the 2011 General Local Elections, be received. CARRIED.

9. BYLAWS - Nil

10. NOTICE OF MOTION

a) **Councillor Powell - Permissive Taxation Exemption**

11-241 Powell – Powell-Davidson
WHERE AS Section 15 (1) of the Health Authority Act provides an exemption from property taxation if the property is being used for the "purposes" of the Health Authority Act;
AND WHERE AS the "purposes" of the Health Authority Act has been broadly determined to include:

- The establishment and maintenance of minimum provincial healthcare standards through provincial government mandate,
- The co-ordination of regional healthcare service planning and delivery (including providing housing for low-income citizens, seniors, and mentally and physically handicapped persons) through regional health authorities, and
- Providing a municipal tax exemption for property owned by regional health authorities that is being used for, or to support, the delivery of regional healthcare services;

AND WHERE AS the Property Assessment Appeal Board and the Supreme Court of British Columbia have determined that privately operated congregate care facilities located on Health Authority Land and privately held doctor offices located in hospitals are exempt from property taxation as those properties were determined to be being used for the "purposes" of the Health Authority Act;
AND WHERE AS the Provincial Government has since amended the Health Authority Act to further require that before an exemption is granted the Health Authority property is also being used "by or on behalf of the Health Authority" for the purposes of the Health Authority Act;
AND WHERE AS this amendment does not take effect to limit existing exemptions until the 2016 taxation year;
THEREFORE BE IT RESOLVED THAT the Association of Vancouver Island and Coastal Communities lobby the Provincial Government to further amend the Health Authority Act to immediately exclude from property tax exemption any for profit congregate care facilities located on Health Authority properties.
CARRIED.

b) **Councillor Lefebvre – Private Members Bill**

Councillor Lefebvre advised he will be bringing forward a motion at a future meeting of Council regarding Council's support for a Private Members Bill, put forward by Member of Parliament Olivia Chow, for a National Public Transit Strategy to be developed with the support of the Federal Government.

11. **NEW BUSINESS** - Nil

12. **SPECIAL BUSINESS** - Nil

13. **ADJOURNMENT**

It was moved by Councillor Patterson and seconded by Councillor Powell-Davidson that the meeting adjourn. **CARRIED.**

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4893.

The meeting adjourned at 7:01 p.m.

Certified Correct.

A/Mayor

Corporate Officer