

Report on the March 8, 2011 Anmore Regular Council Meeting

The Anmore Regular Council Meeting of March 8, 2011, began when Mayor Anderson called the meeting to order at approximately 7:05. Councillors Sedergreen, Piamonte, Palmer-Isaak, and McEwen; and Howard Carley, Anmore Chief Administrative Officer, Karen-Ann Cobb, Manager of Corporate Services and Michael Rosen, Planning Consultant, along with approximately 40 residents were in attendance.

Mayor Anderson began the meeting speaking from a prepared statement about rules of decorum and the need to monitor and perhaps impose stricter rules for public involvement. After she read her statement she called for approval of the Agenda. At this point Councillor Sedergreen called a point of order. He indicated that there was still a motion on the floor from the February 22, 2011 Regular Council Meeting and said that another motion could not be considered.

At the previous Council Meeting on February 22, 2011, with the resolution to rescind Policy 43 still on the table, Councillor McEwen had made a motion to adjourn the meeting. Councillor Palmer-Isaak seconded the motion. The Mayor adjourned the meeting without finishing the two remaining Agenda items, or allowing Public Question Period. The following from the February 22, 2011 Regular Council Meeting Report in the Anmore Alternative News might help set the context for this point of order:

“Under Item 14(c) of the Agenda – In-camera Council Meeting Rules of Order - Councillor McEwen proposed the following resolution, seconded by Councillor Palmer-Isaak:

“That Council rescind policy No. 43 regarding in-camera Council Meeting Rules of Order due to the Adoption of ‘Anmore Procedure Amendment By-law 507-2011.’”

Councillor Sedergreen noted that Policy 43 had come to Public attention through matters that were laid out in Court last week. He said that he believed that it was introduced in the first place to protect the Mayor relative to a legal letter from Avion-Multiplex regarding the Daycare. He indicated he thinks it is abusive (of Mayor Anderson) to use in-camera proceedings simply to protect her own position. He said that should never have happened. Mayor Anderson disagreed and said that was simply his position.

Next Anmore resident, Andrew Robertson, began to speak from written notes which he passed to Mr. Howard Carley, Anmore CAO, for inclusion in the Minutes. He asked Mayor Anderson what her rationale was for rushing Policy 43 through Council in November 2010. He further questioned some of Mayor Anderson’s actions relative to the day-care bidding process which he stated were

a matter of public record and discussed in open Court. Mayor Anderson banged down the gavel and tried to cut off further comments by Mr. Robertson.”

In response to Councillor Sedergreen’s point of order in this March 8, 2011 meeting, Mayor Anderson asked him if he had Robert’s Rules in front of him. Councillor Sedergreen asked if the Chair was overruling his Point of Order¹ and referenced the Community Charter Chapter 26, Section 132 below. After advice from staff about the Community Charter having higher authority than Robert’s Rules, Mayor Anderson left the Chair and Councillor Palmer-Isaak took over as Chair. After much discussion about the intricacies of the law and how to proceed, including some heated words by Councillor McEwen when he told Councillor Piamonte to ‘keep your mouth shut’, the Chair called for a recess for Council to decide in-camera how to proceed. With a tied vote to sustain the Chair, Council reconvened with Mayor Anderson in the Chair.

The Minutes of February 22, 2011 were approved. Under Issues Arising from the Minutes, Councillor Sedergreen wanted the Minutes to reflect the adjournment of the meeting with the motion to rescind policy No. 43 still on the table, and without Public Question period and the follow-up in-camera meeting. Councillors Palmer-Isaak, McEwen, and the Mayor voted to approve the minutes without this addition. A delegation by Mr. Denny Arsene on “What we Need” was postponed until later in the meeting.

Under Tabled Items, 6 (a) discussion relative to the Translink Bus Stop at East Road and Sunnyside continues to be tabled pending input from the SVFD Chief and the Anmore Manager of Public Works.

Under tabled Item 6 (b) Mail Drop – Suggested Three-Way Stop at East Road and Sunnyside Road – Councillor Piamonte explained to Mayor Anderson that, given the problems with the stop signs at Strong Road, the purpose of the proposed mail drop was to allow public input into the process relative to establishing this three way stop sign. He reminded her that on June 9, 2009, Council had unanimously approved a resolution that:

“THAT THE VILLAGE OF ANMORE INSTALL A THREE-WAY STOP AT EAST ROAD AND SUNNYSIDE ROAD INTERSECTION AND ADD

¹ Authority of presiding member

132 (1) The mayor or the member presiding at a council meeting must preserve order and decide points of order that may arise, subject to an appeal under this section.

(2) On an appeal by a council member from a decision of the presiding member under subsection (1), the question as to whether the chair is to be sustained must be immediately put by the presiding member and decided without debate.

(3) As exceptions to section 123 [general voting rules],

(a) the mayor or other presiding member may not vote on a motion under subsection (2),

(b) the motion passes in the affirmative if the votes are equal, and

(c) the mayor or other presiding member must be governed by the result.

STREET LIGHTING OFF THE EXISTING BC HYDRO POLES AT THE INTERSECTION TO PROVIDE ADDITIONAL SAFETY DURING THE NIGHT AT THE EAST ROAD AND SUNNYSIDE ROAD INTERSECTION.”

Mayor Anderson persisted in asking if there had been any letters complaining about this corner and suggesting a 3 way stop. A resident raised concerns about the proposed stops signs. Co-chairs of the Public Works Committee, Councillors Piamonte and Sedergreen, both thanked the resident for his advice and said that is exactly the kind of feedback they are looking for with the mail drop. Rather than go ahead, Councillor Palmer-Isaak proposed a resolution to ask for a report from staff.

Under Council Committee Reports, the Minutes of the Advisory Planning Commission were received. Under the Mayor's Report, Mayor Anderson noted that she was unable to attend the Meeting of the Tri-city Mayors and Council members relative to quality service for Eagle Ridge Hospital. She also stated that Translink Mayor's Council would be holding 5 regional meetings. Council Palmer-Isaak reported on the upcoming 0 Waste Challenge Conference and said that a group of students from Anmore Elementary would be attending.

CAO Howard Carley reported that there had been a break-in at the Village Hall on the weekend of February 28th. He reported that the perpetrators had tried to enter a room where there were confidential documents. He indicated that the front door code alarm had not been set and it appeared that someone had a key and code. He said that the staff would have to reassess security procedures. Councillor Sedergreen asked if a police report had been made. Mr. Carley said that he would make one but he had just recently heard about the incident.

Under correspondence, there was a letter from Western Economic Diversification Canada which indicated that Anmore was not responsible for the WEDC debt from the Anmore Renewable Energy Foundation (AREF) and asking that the Village confirm in writing whether the Village was willing to release its claim over the solar panels on its property to WEDC. (There is a background pkg. of pertinent information on this linked below this report).

Councillor Sedergreen wondered how Anmore could do this if there were other claims for outstanding debts of the AREF. Mr. Dave Romaniuk of Elworthy Electric told Council that the AREF owed them for most of the \$47,000 (plus interest) for the installation of the solar panels beside the Village Hall. \$5,000 of that has been paid. He said they had undertaken the work in good faith and expected to be paid.

Councillor McEwen moved a resolution that Anmore release any claim to the solar panels and that WEDC be advised that Elworthy Electric also has a claim against the Anmore Renewable Energy Foundation. Councillor Palmer-Issak

seconded. Councillor Sedergreen called a point of order saying that as trustees of AREF Councillors Palmer-Isaak and McEwen should be recusing themselves to avoid conflict-of-interest. Councillor McEwen told him he was not in conflict and asked him to 'prove fact not fiction.' Councillor Palmer-Isaak stated once again that she does not believe she is in conflict. Mayor Anderson said that this was not a point of order and that it was entirely up to the two Councillors to determine whether or not they are in conflict of interest.

Both Councillor McEwen and Councillor Palmer-Isaak voted in favour of the motion and the motion passed. Councillor Sedergreen opposed and Councillor Piamonte abstained. Councillor Piamonte indicated that he felt a legal opinion was necessary to determine who actually owns the solar panels and associated AREF debts.²

Under Unfinished Business Planning Consultant Michael Rosen provided an update in his report on Metro Vancouver – Regional Growth Strategy Bylaw No. 1136, 2010 designating the Village of Anmore 'Rural'. He indicated that although the designation is 'Rural' that the actual definition of the land-use is consistent with the Official Community Plan and its Semi-Rural definition. There was some discussion about the IOCO lands and Mr. Rosen said that as a 'Special Study area' future Councils would have the flexibility to decide on future issues. Council voted:

- 1) THAT pursuant to Section 857 of the *Local Government Act*, the Village of Anmore accepts Greater Vancouver Regional District Growth Strategy By-law No. 1136, 2010, and
- 2) THAT the above noted resolution be forwarded to Metro Vancouver prior to 20 March 2011 in order to satisfy the 60 day deadline period.

Councillor Piamonte abstained asking to have it noted that he is concerned about the IOCO lands being identified as a Special Study area. Mr. Rosen's report is appended to the Agenda for the March 8th Regular Council Meeting.

Further in Unfinished Business, Policy No. 43 – In-camera Meeting Rules of Order was carried over from the February 22, 2011 meeting. Councillor Sedergreen feared that this initiative was designed to prevent transparency. Council approved a motion;

² Editor's Note: In late 2009, Anmore Council published a partial release of the In-camera Council Meeting held on September 10, 2009. It follows:

"At the In-Camera Council Meeting held on September 10th, 2009, the Council of the Village of Anmore adopted a resolution dissolving the 'Anmore Renewable Energy Foundation.'

At that Meeting, Mayor Hal Weinberg resigned his position as Chair of the Foundation and Councillors McEwen and Palmer-Isaak resigned as Trustees..."

THAT COUNCIL RESCIND POLICY NO. 43 REGARDING IN-CAMERA COUNCIL RULES OF ORDER DUE TO THE ADOPTION OF ANMORE PROCEDURE AMENDMENT BY-LAW NO. 507-2011.

Next on the Agenda, Mr. Denny Arsene spoke as a delegation of one to Council. He said that he was very concerned that Councillors Piamonte and Sedergreen did not buy Emergency Preparedness supplies for the Village Command Centre, so he had bought them himself and was donating them to the Village. He praised Councillors McEwen and Palmer- Isaak for getting him the list (which has been with the Village staff since December). Mayor Anderson and Councillor Palmer-Isaak thanked Mr. Arsene for his contribution.

Mr Dave Speakman, Ms Elaine Willis, and Mr. Bill Morrison, all members of the Emergency Preparedness Committee, tried to clarify things for a clearly confused Mr. Arsene. They explained that the supplies in question are for the Village staff in the command centre and not for "2000 visitors at Buntzen Lake" that Mr. Arsene was concerned about. Councillor Piamonte reminded Council that each family is expected to have their own supplies for 72 hours in case of emergency.³

Mr. Speakman talked about his service on the Committee over the past 8 years and he spoke from that vantage point. He was critical of the Village staff and Council for not supporting the Working Group. He and Mr. Morrison talked about who is on the Emergency Preparedness Working Group and the nature of some of their volunteer expertise. They also commended Councillors Piamonte and Sedergreen for their leadership. They said that when they come to the meetings "they leave politics outside the door and get down to business."

Mr. Speakman said that the Committee expected the Village and its staff to become engaged in their responsibilities and also to buy the supplies for themselves. He said that there are liabilities associated with volunteers actually buying the supplies and he didn't want to see future volunteer Committee members doing this. He indicated that staff was supposed to do this function and that part of the justification for hiring one staff member was to perform the regular maintenance of the Emergency Preparedness equipment and to ensure that supplies were current and in good condition in the Village Hall.

Ms Willis explained how members of the Emergency Preparedness Working group had gone down into the basement at the Village Hall in hazmat gear because of the state of the supplies and where they were stored. She indicated that supplies were expired, the communications equipment inoperable and not even out of the boxes. She wondered where the staff planned to now store the

³ Editor's Note: A list magnetized Bulletin on 72 hour supplies and contact names and numbers was available in the Council Chamber. Residents can also pick up their copies of these guidelines for creating your 72 Hour Family Emergency Plan in the Village Hall. The Committee has also posted useful information on the Village web-site.

supplies from Mr. Arsene since the Emergency Preparation Working Group has put in for a matching grant so the Village can get a mobile storage unit in April. The basement of the Village Hall is damp and has rodents.

During Public Question Period, Ms. Willis reported on the Mayors and Councillors Meeting with Eagle Ridge Hospital officials and representatives from the Simon Fraser Health Authority relative to their actions on the 27 recommendations in the 'Bear Report' on quality services. Mayor Anderson and Councillor Palmer-Isaak had reported that they would be attending this meeting on behalf of the Village.

Ms Willis, a strong patient advocate, representing the Tri-city Green Council, was the only person from Anmore at this meeting. Ms. Willis reported that the Village of Belcarra was represented by the Mayor and two Councillors. These Belcarra Council members have asked for another similar presentation to be made in Belcarra. Ms. Willis indicated to Mayor Anderson that a representative would be getting in touch with her to see if representatives from Anmore would like to attend this Belcarra meeting.

In the rest of Public Question Period, a number of residents asked questions about Agenda topics and discussions. Mayor Anderson sparred with Mr. Andrew Robertson when he asked the Council the amount of damages that Avion Multiplex is seeking against the Village. Further, he asked the Council to disclose Mayor Anderson's exact involvement in the issue. Lawyer Larry Barron asked how Mayor Anderson could say that the WEDC letter wasn't a legal document and why this letter was even being discussed in Open Council given the secrecy surrounding the Avion Multiplex letter.

SD-43 school trustee, Holly Butterfield, called for greater meeting control. When Mr. Charles Christie came to the podium, Councillor McEwen quickly made a motion to adjourn the meeting with a remaining speakers list and a large number of residents already departing the Council Chambers. The meeting adjourned and Council proceeded to an in-camera meeting. When asked the topics of the in-camera meeting, Anmore CAO, Howard Carley, indicated that the in-camera meeting was about legal matters and a nuisance dog.⁴

⁴ Given the nature of the in-camera topics outlined by CAO Howard Carley, I checked the Supreme Court of British Columbia website to see if any new legal actions had been posted. On February 25, 2011, Avion-Multiplex launched an action against the Village of Anmore seeking a declaration that Anmore breached the FRP, general damages, costs, interest pursuant to the *Court Order Interest Act*, R.S.B.C., 1996,c79, and such further and other relief as the Honourable Court may seem just.

