Village of Haines Junction Regular Council Meeting Minutes June 12, 2024

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Absent:

Mayor Tomlin Councillor Nassiopoulos Councillor Charlebois Councillor Strand (joined late)

CAO Fairbank, Recorder Ogden

Call to Order

The meeting was called to order at 7:04

Acknowledgement of Champagne and Aishihik First Nations Traditional Territory

Mayor Tomlin acknowledged that we are on the traditional territory of the Champagne and Aishihik First Nations

Adoption of Agenda

#156-24

It was moved and seconded

THAT the agenda be adopted as amended with the following additions:

• 7c Presentation from the Metrix Group on the Draft Audit Report

Motion #156-24 was CARRIED.

Declaration of Pecuniary Interest

Adoption of Minutes of Regular and Special Council Meetings

Council Meeting Minutes May 22, 2024

#157-24 It was moved and seconded

THAT the minutes of the regular Council meeting of May 22, 2024 be adopted as presented.

Motion #157-24 was CARRIED.

Proclamations

Delegations

St. Elias Chamber of Commerce - Stimulating Community Investment Project Update

Delegates: Michael Pealow, Kari Johnston

Presentation:

- Project initiated in response to concerns about abandoned and derelict properties around town that could benefit from investment.
- Council provided letter of support for funding proposal; the Chamber was successful in obtaining funding
- Intention of project is to learn more about abandoned and derelict properties and why they are
 the way they are because there may be systemic issues that are leading them being this way, or
 it may be that people are just sitting on them as an investment or haven't thought about them
 in awhile.
- Chamber has hired Mark Wickham from Across the River Consulting, to lead the Project
- Mark is currently reaching out to property owners.

Discussion:

- When expect the project to be complete?
 - Aiming for August completion this date is dependent on being able find contact information for property owners to successfully contacting them, noting some are out of Territory.

Replacement of Muffin

Delegate: Michael Pealow

Presentation:

- A quirky and beloved (for some) roadside attraction, the "Muffin" is not in great shape.
- The real attraction, why people visit Haines Junction, is the view.
- The Muffin also has a dark aspect to its history, as many are aware.
- Here to gauge interest in creating a community gathering space, as a replacement to the Muffin

 specifically a clear geodesic dome as a place to sit and gather to admire the view.
- A dome with two doors and gasket for wood stove is approximately \$20,000 Canadian plus \$500 shipping.
- This dome is a movable structure noting the Muffin is technically within the highway right of way.
- Interest from Council to look into this further?
- Offered to help explore options and support Council in gathering more information.

Discussion:

- Council has discussed the Muffin. Noting on the books right now about replacing this.
- This would be something that Council, if it decides to do so, would take on; residents would not need to do this on their own.
- Will take this presentation under advisement.

#158-24 It was moved and seconded

THAT that the Muffin, its potential replacement and location will be brought forward for further discussion.

Motion #158-24 was CARRIED.

Draft Audit Findings

Delegates: Stephen Webber, Metrix Group

Presentation:

- Stephen has been on this audit file for 6-7 years; due to scheduling conflicts, this year is the first year he hasn't travelled to be on site to conduct the audit.
- Extended thanks to Donna and her team for the work they put into facilitating the audit; their assistance and cooperation was top notch and greatly appreciated.
- The role of an auditor is to provide an opinion on the Village's annual financial statements per the Canadian Public Sector Accounting Standards.
- This audit pertained to the 2023 Fiscal Year.
- They audit found no issues. Everything is in compliance. The Village's finances are in very good standing. No significant control deficiencies, no unusual accounting policies or estimates and no significant difficulties were faced during the audit as they had full cooperation from staff.
- Two statements were reviewed during the presentation: the Statement of Financial Position on December 31, 2023 and the Statement of Operations and Accumulated Surplus
- Statement of Financial Position on December 31, 2023
 - o The Village is in a strong and enviable financial position.
 - o There was a small operating surplus this year.
 - From a cash standpoint the Village has \$8,602,639, roughly equivalent to 2.5 years of operating expenses, held in cash which is a very, very strong position.
 - Tangible assets increased by \$3.3M over previous year mostly attributable to Phase 3
 Infrastructure Project completed by YG. Tangible assets valued at \$37,787,206
- Statement of Operations and Accumulated Surplus
 - o Not a great deal of fluctuation from previous year.
 - Revenues are categorized by government transfers; taxation; interest, sales and user charges; licenses, fees rentals and fines; penalties on taxes
 - Budgeted total \$4,146,096
 - Actual total \$4,103,812
 - Expenses are categorized by environmental health, public works, administration, recreation, protection, convention centre, legislative, planning and development services, mezzanine.
 - Some work/staffing didn't go ahead as planned, resulting in less spending than anticipated
 - Budgeted total \$3,594,943
 - Actual total \$2,813,897

- Restatement for 2022 due to an accounting policy change now required to report on asset retirement obligations related to the landfill. This requires the Village to provide a total net present value of estimated total costs for closure and post-closure care.
- The auditor reviewed internal controls the financial processes in place at the Village. From invoices coming in the mail to getting a cheque out the door, and all the stages along the way, to make sure approvals and authorizations and proper reconciliations are in place, to make sure processes are still in compliance with accounting standards and Council policies, and whether management is following these requirements. No issues were found.

#159-24 It was moved and seconded

THAT the 2023 Audit statement is approved as presented.

Motion #159-24 was CARRIED.

Public Hearings and Public Input Sessions

Bylaw 411-21 2024 Zoning Bylaw

Materials provided: Draft Zoning Bylaw, Notes from Public Engagements (March 11, 2024, April 11, 2024 and May 23, 2024) and Committee of the Whole Meeting (May 14, 2024)

#160-24 It was moved and seconded

THAT discussion on the 411-21 2024 Zoning Bylaw be opened to the public.

Motion #160-24 was CARRIED.

CAO Report

- Since March, three public engagement sessions and a Committee of the Whole meeting with Council have been held
- Purpose of this evening is to hear thoughts from public on the latest draft of the Zoning Bylaw from the public and to collect information on any outstanding concerns or changes that have not been addressed to date.

Public comments:

• The main think I'd like to say is that it is great to see so many positive changes in this bylaw. Thoroughly in favour of 90% of it. Would like to raise a disagreement with one aspect of the bylaw, and this is with the minimum house size on country residential and agriculture limited. There is a lot of concern in the community about affordable housing. House size is very much tied to housing size. A difference of 400 square feet equals \$160,000. More expensive to develop limited ag and country residential because they need septic systems (about \$50,000 in development costs). Bylaw is effectively saying that one has to spend \$200,000 more to live on country residential. This contributes to ghettoization. The minimum size is also effectively increased because we are now measuring minimum size on the inside, instead of the outside. Today house walls are 18 inches thick. This also works against affordable housing.

- Limited Agriculture -- now called ag-residential. Asked to increase number of chickens 25 is not enough. Also need to raise number of livestock. Request setting numbers in a regulation that is easier to amend. 25 is not enough to run an agriculture business. Want to promote agricultural businesses. Want to see bylaw also encourage appropriate agricultural fencing.
- Question about R1, R2 and RC zones. Provision for short term rentals to only be on principle residence and be in receipt of a business license. Will there be another round of public hearings on this?
 - O CAO explained that this Language is meant to create a bit of a buffer while Village creates a short-term rental policy. Many communities have a STR policy that is separate from the Zoning Bylaw. This work is expected to take significant effort; this is a stopgap measure. There will be more public hearings on this issue.
- Council clarified that this is a first reading. Council will receive a report prior to second reading and can create more opportunities for public comment if deemed necessary.
- Regarding the Agriculture Residential, Agriculture Limited and Agriculture General zones, Haines
 Junction is the only jurisdiction in the Yukon that has Agriculture Limited (now referred to as
 Agriculture Residential). Concerned that this zone is now effectively a large country residential
 zone, as opposed to an agricultural zone. This impacts what can and cannot be done in these
 areas. Minimum and maximum lot sizes are much smaller for Agriculture Residential than they
 are for Agriculture General. Agriculture Residential also has a very different tax rate (almost
 double), while what can be done on these lots is restricted. Could do a whole lot more if zoned
 Agriculture General. Concerned that Agriculture Limited/Ag Residential is getting the short end
 of the stick. Intention should be to support agricultural activities in a smaller context, because
 smaller lots.
- Concerned about potential for subdivision of agricultural lots. None of the lots within Bearberry can be subdivided—totally support this, keep agriculture agricultural. Agriculture General has a minimum lot size of 14 acres. This means that some of the large fields such as Tait field could be subdivided -- have concerns over this. Council should take over control of subdivisions from YG. Much better if Village decides what can/can't be subdivided. Would like to see a moratorium on Agriculture Residential and Agriculture General subdivisions.
 - o CAO Question: If were to increase minimum lot size on Agriculture General zoning such that existing 5 properties could not be subdivided, would this alleviate concerns?
 - This is one way to do this, but not necessarily the right way. Suggest merging agriculture into one zone to simplify. This is the only jurisdiction with to agricultural zones. If we want to promote agricultural activity, need to ensure agricultural land remains agricultural. Incentives tax break for ag general applied to ag limited. Desire is to protect land that has been developed for agriculture.
 - o Council noted there are 5 Agriculture General properties in town. Council suggests we talk to owners to get a sense of what their plans are for their properties.
- In support of more latitude for developing properties. Having rental suites or additional residences is a good step supportive of this on all properties. Drawback is that the more that you build, the more your assessed value for taxes (as is the case for everywhere else).

#161-24 It was moved and seconded

THAT discussion on the 411-21 2024 Zoning Bylaw be closed.

Motion #161-24 was CARRIED.

Old Business

New Business

Accounts Payable to June 12, 2024

Materials provided: Municipal Accounts Payable to June 12, 2024

#162-24 It was moved and seconded

THAT the Municipal Accounts Payable to June 12, 2024 be approved as presented.

Motion #162-24 was CARRIED.

RTC Convention Centre Swallows

Materials provided: Report to Council

CAO Report:

- Staff made aware that swallows were struggling to find a nest on south and east walls of convention centre
- Recommendation, after consulting with CWS and letter from Julie Bauer, is to build an alternative nesting site as quickly as possible.
- Appended to the Report is a letter from Julie Bauer from 2018 which helped to inform the initial decision to put up the pipes to prevent nesting on the building
- The bird nests were removed in April from the south and east side of the building when the pipes were installed, which is the correct time of year to do this type of work prior to nesting season.
- As Julie is on the line, she was invited to clarify her position on this, recognizing this is stepping out of order for a bit.

Discussion:

Julie indicated she wanted to stand corrected – her 2018 letter indicated that the
alternative nesting platform must be constructed <u>prior</u> putting up the pipes and prior to
birds arriving in the spring. Julie indicated that she understood pipes were put up
because of guano, and suggested this problem can be solved by putting up a parking
barrier to move cars back so they are not parked beneath nests, or a board could be
hung underneath the nests to collect the guano and that would solve the problem right
there. Colony is much larger now than when the 2018 letter was written, there were

80 nests last year. Birds are trying desperately to nest and trying even on the front of the building where this hasn't happened before. They have been here for over 20 years. We are blessed to have a population of these insectivores; we can learn to live with the swallows.

- The CAO apologized for not emphasising that the error made to take down nests and put up pipe before an alternate nesting structure was built was on the part of staff and that a decision was made without Council's input, and that Julies 2018 letter clearly advised on the timing of putting up a nesting structure before the swallows arrive.
- Council clarified that Convention Centre is advertised as a place to hold a wedding and barbeques are held as additional reasons why the nests were removed.
- Council indicated that this decision should have come to Council first prior to removing the nests and installing pipes.
- There is still a chance of successful nesting if the pipes are removed.
- Julie advised that it may take time for swallows to move from nesting on the building to the nesting platforms, and to gradually re-install the pipe over a period of several years.

#163-24 It was moved and seconded

THAT Council directs Public Works to remove the pipes on the south side of the convention centre and investigate options for creating free standing nesting platform structures for swallow habitat this fall.

Motion #163-24 was CARRIED.

RTC Business License Review Materials provided: RTC.

CAO Report:

- The purpose of this exercise was to clarify what businesses are operating, ensuring
 operating businesses have a license, and support listing those licensed businesses on the
 website who want to be listed, and notify owners of STRs of changes proposed in the
 Draft Zoning Bylaw.
- There are 74 businesses licensed to date this year
- There are 86 businesses listed on the Village website
- There are 45 businesses on the Village website that are licensed
- 41 businesses on the Village website are unlicensed
- Recommendations include
 - Send letters to the 23 known and active businesses operating within the Municipality without a license with a warning
 - Send letters to the 22 business operating within the Municipality for which we are uncertain about whether they are active to request confirmation of their status

 Send letters to STR's regrading information on requirements that are proposed in the Draft Zoning Bylaw that are temporary measures until we have a STR Bylaw in place.

Discussion:

- Is it possible that a business who doesn't show as having a business license has an intermunicipal business license? Does AYC have these records?
 - Staff will connect with AYC for the list of businesses with an Intermunicipal Business License and will use this to update our list of licensed businesses.
- Does it make sense to look for opportunity to move the marketing of business listings to the Chamber of Commerce and fund the Chamber to house this information, instead of doing the marketing of the businesses ourselves, and limiting our role to bylaw-related licensing? We don't have a business manager, and this is time consuming work.
- AYC on their website that they redistribute funds once a year, on December 31st, that are
 collected through Intermunicipal business licensing on a formula basis to the
 participating municipalities with AYC keeping a percentage.
 - Staff will follow up on this.

#164-24 It was moved and seconded

THAT Administration proceed with the next steps as outlined in the Business License Review Report to Council. Staff will also contact AYC for a list of Intermunicipal Business Licenses and clarify the business licence policy regarding businesses operating outside municipal boundaries (e.g. Nygren) in the next version of the report.

Motion #164-24 was CARRIED.

RTC Build Conditions

Materials provided: Report to Council

CAO Report:

- Agreement for sale has terms and conditions that must be met to obtain title.
- Staff recommend updating VHJ's 1995 Build Requirements Policy
- Three options for how to address the unsightly issue of "Yukon siding" in the community were identified
- Staff recommend replacing the policy with a bylaw requiring final occupancy and making
 the land title transfer conditional on Development Officer approval of the build
 requirements and require this approval to be reflected in Yukon government's
 agreement of sale for lots sold in Haines Junction.

Discussion:

 What hardship would be created by changing requirement from clad to weather to final occupancy? How does this affect a builder?

- o If the owner is hiring contractors to build the home, the timeframe from clad to weather to final occupancy can be 30 to 60 days.
- o If the owner is building the home themselves, say on evenings and weekends, this stretches out the time for construction.
- How does financing work and how would this be affected? No desire to put people in a bad financial position or to create hardship.
 - Usually, the banks require construction to be complete to the lockup/ clad to weather stage to get a mortgage.
- Is it true that some folks may not complete their siding because it increases their property assessments?
 - O There is a strong motivator to not get final occupancy because this increases the value of the property and property taxes.
- Would like a clearer understanding of financial implications.
 - Staff can reach out to lenders to discuss.

#165-24 It was moved and seconded

THAT Administration research the financial implications of requiring final occupancy for title transfer, and whether there are other mechanisms to achieve these end goals without resulting in any financial hardships and bring this back to Council.

Motion #165-24 was CARRIED.

#166-24 It was moved and seconded

THAT the meeting be extended beyond 9:00pm.

Motion #166-24 was CARRIED.

RTC Quarry Permit

Materials provided: Report to Council

CAO Report:

- This report is essentially a request for direction to staff to apply for a permit at either
 Macintosh or Pine Lake that our public works can make use of, and potentially (although
 not necessarily) provide access to contractors at cost.
- Contractors have been having troubles accessing quarry permits over the past 10 years, although this appears to be changing due to advocacy with YG by the Village.

Discussion:

- The Village advocated, quite forcefully, on behalf of and for the benefit of the community, for contractors to have access to quarries.
- The Village doesn't want to be in competition with contractors who now have access. Would rather buy from someone we've encouraged to do this instead.
- Three quarry permits are now in place, after a decade of only 1 being in place. Others are applying.
- The Village has applied in the past and wasn't successful. There is nothing wrong with having our own permit; we could run into a situation where access isn't available elsewhere.
- If the Village does its own subdivision development, having a quarry would support this and support keeping costs down.
- It is not clear that Village needs a full commercial quarry lease (or is eligible to apply for one) would like more information what the Village can apply for.
- Would like to see the business case what our needs are, what the costs are to develop and how this compares to purchasing granular materials from private contractors.
 - The advantage of having a pit is that if we have a contract run through us or YG
 that requires access to aggregates and we can be a guarantor that local access to
 all bidders at cost will be provided.
- Also want to ensure the public has easy access to a public pit.
- Not opposed to us having a quarry to our own needs.
- It is not labour intensive to provide access to our pit at cost to those who don't have leases in place yet.

#167-24 It was moved and seconded

THAT Administration proceed with the next steps outlined in the report and apply to Yukon government for a quarry lease and create a Report to Council.

Motion #167-24 was CARRIED.

RTC Building Geospatial Capacity

Materials provided: Report to Council

CAO Report:

- There is \$20,000 set aside in the Capital Budget for GIS
- The City of Dawson is undertaking similar work to what administration is proposing to do
- Desire to replace paper files in office
- This dovetails nicely with responsibilities of the new Project/Asset Manager position
- Looking for permission to move this onto our to-do list.
- Administrative burden alongside the capital budget costs.

Discussion:

• What is the \$20k for? Has this changed? Is it likely that more resources will be required?

- Are we needing to increase the budget if we have staff on site who can do this work?
 - This was a small item on the capital plan that will require sustained administrative effort to see this through.
- Detailed costing to be determined. Don't have a solid sense at this point of what additional costs can be required.
- \$20k estimate was based on licensing costs.
- If this does what we want it to do it will make everyone's lives easier.
- Is this do-able while also achieving commitments in the HAF.
- Would like report to be honest about capacity that is required to create this system, and how this can realistically be done. Looking for an honest report / implementation costs and details.

#168-24 It was moved and seconded

THAT the Project and Asset Manager develop a Project Management Plan and detailed costing/Gantt chart, based on the work that the City of Dawson is undertaking, to support the Village in developing GIS capabilities.

Motion #168-24 was CARRIED.

RTC Council 2023-2024 Motions Tracker

Materials provided: Report to Council

CAO Report:

Administration is requesting a review of outstanding action items – which are Council's priority

Discussion:

- Is the expectation that we go through this today? This feels like a longer discussion that Council needs to have. This also ties into Council's transition planning. Is a CoW needed?
- Council will do this individually and send in before Monday.
- CAO can update as some actions are complete
- Council would like a sense of which are legislative responsibilities.

#169-24 It was moved and seconded

THAT Administration provide an updated report to Council; Council will then review individually and provide priorities by mid-week next week.

Motion #169-24 was CARRIED.

RTC Council Meeting Schedule

Materials provided: Report to Council

CAO Report:

Administration is proposing to move from meeting two times a month to one meeting
every three weeks, reducing total meetings from 10 to 7 between now and the election,
noting we have at least 3 CoW meetings that need to be scheduled over this time.

Discussion:

- This proposal goes against Council procedural bylaw.
- Don't like notion that Council meetings impede work as meetings are central to governance.
- In the same meeting there are at least two new proposals by staff; also told by staff they don't have time to meet with Council.
- We are four months from the election this is the context that makes this proposal
 make sense. There is enough work to fill staff time between now and the election. We
 are going through a prioritization process to give clear direction to staff this will allow
 us to report back to Council on the goals that have been established.
- Would this require an update to the Bylaw? Or a motion to go outside of it?
- It has been a long time since a new initiative came from Council that created more work for staff. Council hasn't said there is a vacationing problem. If there is a challenge with summer vacation then a date can be moved, meetings can be shorter. Government transparency and good governance is a priority. This proposal feels like it is going against transparency and process. Don't want to get laxer before going into next election and ste the stage for the next Council to not have oversight or feel that they need to comply with governance and structure, which is what this municipality needs.
- Seems to be more cons to changing the meeting schedule than pros.
- Would like to spend time to have very clear priorities for the next four months.
- Preference to stay with the schedule we already have and add CoW meetings to the beginning of Regular Council Meetings.
- If there is a particular date that doesn't work, then staff can propose an alternative date.

#170-24 It was moved and seconded

THAT Council receive the report and direct Administration to maintain the current meeting schedule per the Council Procedural bylaw until the end of term.

Motion #170-24 was CARRIED.

RTC Emergency Management Plan Consultant

moved in camera

RTC Yukon 125 Historical Mural

Materials provided

#171-24 It was moved and seconded

THAT this agenda item be deferred to the June 26, 2024 meeting.

Motion #171-24 was CARRIED.

Bylaws – Reports, Readings and Adoption

Bylaw 411-24 Zoning Bylaw, First Reading

Materials provided

• Council has requested a report on today's public hearing to inform the next reading.

#172-24 It was moved and seconded

THAT Bylaw 411-24 Zoning Bylaw being read for a first time on the 12th day of June, 2024.

Motion #172-24 was CARRIED.

Correspondence

Letter from Julie Bauer re: Compost Concerns

Discussion:

- It is not clear what is being asked of Council and how these issues can be addressed.
- A report from staff would be helpful.

#173-24 It was moved and seconded

THAT this correspondence be deferred to the June 26, 2024 meeting and a report be prepared by staff.

Motion #173-24 was CARRIED.

Letter from Julie Bauer re: Invasive Species

Discussion:

- Clearing can provide an opportunity for invasives to seed into Area 1.
- Need to pass these concerns along to Land Development Branch.

LDB is looking for non-invasive species mix to seed into the site.

#174-24 It was moved and seconded

THAT Administration respond to Julie to thank her for her letter, confirm the Villages interest work with her and YISC to address concerns about invasive species through volunteer weed pulls, public presentations and seeking advice on a non-invasive seed mixture to seed the area that was cleared for the Mountain Ridge subdivision.

Motion #174-24 was CARRIED.

Council Reports

Councillor Charlebois

- Extend condolences to those involved in recent accident at airport, and thanks to first responders for their efforts.
- Want to acknowledge that public engagements have been well attended and have been conducted very respectfully.
- Grad event at end of May, spoke on behalf of Mayor.
- CAFN/VHJ joint meeting and dinner grateful these are happening; frequency and success of these meetings is new and thanks to staff from both organizations for making these happen
- Looking for a update on the pool that we can put out to the public. Did discuss this with CAFN about what we can say. A verbal update even, or something we can post on our website or on Facebook if we have applied for funding – something that we can highlight, we have intentionally put funds aside in budget this year so if we need to spend our own money we can
- Camp for youth starts later this month with contributions from VHJ. Want to encourage registration and attendance by local youth.

Councillor Nassiopoulos

- Would also like to see pool/recreation update.
- Also extends condolences to those impacted by accident at airport.
- Attended Grad. School is officially out for the summer.

Councillor Strand

- Extended condolences and thanks to all who went out and helped at the accident.
- Enjoyed being part of joint council meeting with CAFN.

Mayor Tomlin

- Thanks to those who filled in while away and doing speeches at Graduation.
- Has some thoughts for the Zoning bylaw that will write down and past along.

- Received condolences from Premier Pillai and Minister Mostyn and appreciation for work of first responders and nurses and doctor involved here. Everyone did their part and response went as smoothly as it possibly could.
- Condolences to family of individual who passed in the accident.
- CAFN meetings are getting a lot accomplished, decisions are being made that are allowing us to move forward together on projects and collaborations.

Questions from the Public

• Amanda Janssens introduced as Haines Junction's new Community Advisor

Motion to Close Meeting to the Public

#175-24 It was moved and seconded

THAT the meeting be closed to the public at 10:03.

Motion #175-24 was CARRIED.

#176-24 It was moved and seconded

THAT the meeting be extended past 11pm.

Motion #176-24 was CARRIED.

Motion to Reopen Meeting to the Public

#177-24 It was moved and seconded

THAT the meeting be reopened to the public at 11:03pm

Motion # was CARRIED.

#177-24 It was moved and seconded

THAT Administration move forward with a Contract with Holistic to assist with developing and interim Emergency Management Plan to be followed by more detailed work on a joint plan with CAFN.

Motion #177-24 was CARRIED.

#178-24 It was moved and seconded

THAT Motion 205-20, regarding the appointment of the Acting CAO and Development Officer, be repealed

Motion #178-24 was CARRIED.

#179-24 It was moved and seconded

THAT administration explore policy options for all acting positions within the municipality, addressing procedural and compensation considerations

Motion #179-24 was CARRIED.

#180-24 It was moved and seconded

THAT CoW be set for Monday June 17th at 6:30pm

Motion #180-24 was CARRIED.

Adjournment

#181-24 It was moved and seconded

THAT the meeting be adjourned.

Motion #181-24 was CARRIED

Meeting adjourned at 11:06pm.

Mayor Bruce Tomlin

CAO David Fairbank