



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES HERITAGE ADVISORY COMMITTEE

Wednesday, November 17, 2010

7:00 p.m.

Council Chambers, Municipal Hall

PRESENT: Liz Dill – Chair
Vice Chair MacLock (arrived at 7:08 pm)
Councillor Randall Garrison
David Sudbury
Sherri Robinson

STAFF: Barb Snyder – Director of Development Services, Staff Liaison (arrived 7:05 pm)
Kim Maddin – Recording Secretary

GUEST: Councillor Don Linge (departed at 8:20 pm)

REGRETS: Councillor Lynda Hundleby

1. CALL TO ORDER

Chair Dill called the meeting to order at 7:00 p.m.

2. LATE ITEMS

The following late item was introduced:

1. Added to Agenda item **6. OLD BUSINESS** (4) St. Paul's Church Update.

The order of the following items was changed:

2. Moved items **8. WORK PLAN ITEMS** (3) Heritage Foundation Development (a) Developing a constitution, and **8. WORK PLAN ITEMS** (3) Heritage Foundation Development (b) Fundraising and legal implications, under item **8. WORK PLAN ITEMS** (1) to allow for Councillor Linge to comment.
3. Deferred discussion of item **6. OLD BUSINESS** (3) Heritage Trust Fund (a) Motion to establish fund and create briefing note for Council, to item **8. WORK PLAN ITEMS** (1) Heritage Foundation Development, as the items are related.

3. APPROVAL OF THE AGENDA

Moved by Sherri Robinson, seconded by Councillor Garrison that the agenda of the Heritage Advisory Committee meeting of November 17, 2010 be approved as amended.
The motion **CARRIED**.

4. MINUTES

Moved by David Sudbury, seconded by Councillor Garrison that the minutes of the Heritage Advisory Committee meeting of October 20, 2010 be approved with the following amendments:

1. On page 2, under **6. SPECIAL GUEST** (1) John Aldag, Parks Canada, the title and name "Major James Keyers" should be corrected to "Colonel James Peters".
2. On page 3, under **6. SPECIAL GUEST** (1) John Aldag, Parks Canada, "Ms. Kennedy" will be changed to reflect her army rank, Lt. Col. Kennedy.

3. On page 4, under **8. NEW BUSINESS** the words “in Esquimalt” will be removed from the following sentence: “It was noted that the church houses an important monument as well as the King’s colours, which were given to the Navy (it was noted that this is the only flag that has been presented in Esquimalt by a reigning sovereign).”
4. On page 4, under **8. NEW BUSINESS**, in the sentence “It was suggested the Navy could request the flag be returned if the church does not recognize and honour the protocol of the laying of the plaque and intentions of the gift”, the words “the laying of the plaque” should read: “laying up colours”.

The motion **CARRIED**.

5. REPORT FROM THE CHAIR

Chair Dill welcomed Councillor Don Linge, who was invited to provide input into the development of the Esquimalt Heritage Foundation. Chair Dill noted that with several members’ terms coming to an end, this meeting would be the last of the current committee before the new committee is formed. It was noted that the Councillor representatives could potentially change as well. Chair Dill thanked members for their commitment and work.

Chair Dill also reported that John Aldag from Parks Canada spoke with Fort Rodd Hill and they are very keen on doing something around Macaulay point; she will follow up and report back for the next meeting.

6. OLD BUSINESS

- (1) Heritage Property Merit Certificate Awards (Certificate of Recognition)
 - (a) 2011 Awards

It was reconfirmed that the Committee will use the same criteria that were established for this year’s awards. Consensus was to hold the Certificate of Recognition awards presentation at the Council meetings.

Chair Dill noted that she has received one inquiry from the article in the Esquimalt Current and hopes for more.

The Committee discussed the establishment of a workable deadline:

- Members discussed whether to hold the awards during Heritage Week, or at a later date. Concerns with this time frame were that Heritage Week already has a lot going on, and the presentation could get overlooked. It would also be rushing to meet a February timeline.
- Councillor Linge suggested using next year as a structuring and building year for Heritage Week in February 2012, to coordinate with the Centennial.
- Benefits for holding the awards at a later date:
 - There are opportunities for better pictures in the Spring and Summer
 - The longer timeline would provide the opportunity to discover houses that meet the ‘extra merit’ criteria

The Committee discussed ideas for promoting the awards:

- Could present awards with extra significance at the Hallmark Awards
- Could highlight the homes on a picture poster
- Could promote during the upcoming municipal dinner

The Committee decided that May would be the best month for the 2011 awards presentation, with a deadline for submissions the end of March 2011.

It was clarified that the Committee could not get sponsorship.

- (2) Draft Statement of Significance for 429 Lampson Street

Tabled to the next meeting.

- (3) Heritage Trust Fund
(a) Motion to establish Fund and create briefing note for Council

This item was deferred for discussion under item 8. WORK PLAN ITEMS (1) Heritage Foundation Development.

- (b) Update on potential contribution from the Municipal Archives

Councillor Garrison noted there has been no request for funds put forward to Council yet. It was noted that at this point it may be necessary to request the funds be carried over into the next budget year. It was also noted that funds are usually carried over for the same purpose.

Sherri Robinson clarified the agreement was she would not receive a salary for the Archivist's position, but had requested at the onset that a portion of the Archivist's salary be put towards establishing a Heritage Fund.

Moved by David Sudbury, seconded by Vice Chair MacLock that the unused portion of the Archivist's salary from January 1, 2010 - June 1, 2010 be used towards the establishment of a Heritage Foundation and be carried forward to the 2011 budget.
The motion **CARRIED**.

- (4) St. Paul's Church – Update (**Late Item**)

Barb Snyder, Staff Liaison, provided an update on the changes with St. Paul's Church:

- A member of the diocese attended a Council meeting and clarified that the building will retain the St. Paul's name, but the name of the congregation will be changing
- It was clarified that the Committee did not have authority to write the letter supporting the retention of the St. Paul's name. It was noted that the Committee can make the recommendation and help write the letter but it must be sent from Council.

7. NEW BUSINESS

There was no new business.

8. WORK PLAN ITEMS

- (1) Heritage Foundation Development
(a) Developing a constitution

A committee member created a draft constitution using the Victoria Heritage Foundation's constitution as a template, which was then forwarded to Councillor Linge for his input around appropriate wording and any legal or financial implications. The draft "Esquimalt Heritage Foundation" document, including Councillor Linge's notes, was distributed to committee members at the meeting.

Councillor Linge queried whether the Foundation would be aiming to protect only buildings, as stated under "Schedule A, Form 2, Society Act Constitution, 2 (a)" of the document, or if it would also pursue the protection of plaques, sites of significance, and trees?

- One member believed the sole function of the foundation should be to preserve buildings.

The member also felt the foundation should not fundraise

- Another member noted their passion extends beyond buildings but they are willing to concede to the knowledge of those who are more knowledgeable about foundations
- Councillor Garrison noted that the foundation would need the support of the community; if the mandate is expanded and broadened it may attract more support
- Vice Chair MacLock noted the foundation should have the ability to apply for funding, noting the need for a larger influx of federal heritage funds
- Chair Dill commented that as a foundation, there would be a right and responsibility to apply for funds
- It was clarified that the foundation would be a separate entity from the Heritage Advisory Committee and composed of different members
- It was noted that the Victoria Heritage Foundation is the city's vehicle for the distribution of funds
- It was acknowledged the Committee would need to decide whether or not to expand its mandate beyond buildings as the development of the foundation progresses

Councillor Linge made some suggestions under "Bylaws of Esquimalt Heritage Foundation, Part 2 – Membership":

- That members have the ability to make recommendations to the board
- That where it states "No dues shall be collected", it should be changed to allow for the collection of dues in case the need arises in the future
- That under "Part 5 - Directors and Officers", item 24 (b)", the item does not directly state that the directors have been given the powers to do the job. He recommended stating specifically below item 23 (c) that the directors will have the ability to submit grant applications, designate properties, et cetera
- Recommended adding "making application for funding to Council or other sources of funding" under item 23 (a)

A committee member with previous experience as a member of a foundation noted that item 29 could pose a problem; he recommended that a qualifier be added to allow the director reimbursement for authorized/approved expenses only.

David Sudbury will make changes under item 4 (a) and (c) as it covers house grant applications and that was specific to Victoria's Foundation.

Councillor Linge made some recommendations around the basic rights, responsibilities and obligations of the Director:

- Must act honestly
- Can not act in expectation in receiving gifts
- Can not be put into a position of a non-approved conflict of interest (must disclose)
- Must act in good faith
- Can not act in a 'collateral' purpose (pretending to act in benefit of the foundation when in actuality are helping another foundation or person)
- Must use care, diligence and skill in acting as a director at the level of a reasonable person
- Is not liable for any misdeeds of another director
- Is not liable if they did not participate in the act that caused damage (he noted this can be a gray area if the director was at the meeting but did not vote)
- Can rely on the expertise of others (exception being if you question the expertise of the person)

Councillor Linge made additional recommendations regarding the foundation:

- When arranging contracts, the contracted person/company must know they are

- contracting with the foundation, not with an individual person
- There is an ability to obtain director's insurance, though this can be fairly expensive and limited in its scope

Councillor Linge offered to provide further information and services if the foundation is created.

Councillor Linge and David Sudbury will contact the Victoria Foundation to gather more details; after this they will draft a motion requesting funds from Council.

Councillor Garrison suggested the foundation be set up with broad parameters, so that the next term of Council is able to support it (i.e. not have it too tied to the current Council's policies).

(b) Fundraising and legal implications

Discussed under 8. WORK PLAN ITEMS (1) Heritage Foundation Development (a) Developing a constitution.

(2) Heritage Register

(a) Plaques, Monuments and War Memorials

i. Heritage Tree Register – adding Memorial Park trees

This item requires follow-up with Andy Katschor - tabled to the next meeting.

(b) List of Properties, Places and Items (For Completing Statement of Significance For)

It was recommended that 1376 Esquimalt Rd. be added to the Priority List for consideration at next meeting.

(c) Progress of Statements of Significance (SOS) and Timelines

It was reported that several SOS drafts are ready for review: three shorter SOS's and one for the Work Point Guard house, which will be circulated to the Committee by email.

The SOS for 429 Lampson Street, the English Inn, is with a committee member who will forward it to Chair Dill for discussion at the next meeting.

(3) Updating Heritage Policy

Vice Chair MacLock spoke with Nick Russell and his opinion is that the project would require a significant time commitment; that taking on this project would require his putting aside other things he is working on. He warned against using a template for this document, as it simply does not work. Mr. Russell has completed several heritage policies and would be able to tailor one to the Committee's needs.

Chair Dill proposed that as there is money in the budget, the Committee could offer Mr. Russell an honorarium. Barb Snyder, Staff Liaison, noted there was money left over from last year that was allotted for the hiring of professionals to assist with creating Statements of Significance and for Heritage Week.

It was also noted that the fiscal year ends December 31, 2010 and the funds may or may not carry over. It was suggested that the Committee could use these funds to pay a retainer for a contract to secure services.

The Committee's consensus was that it was worthwhile to hire a contractor to update the document as it is outdated. It was noted that Terry Prentice has worked on heritage policies before for the Esquimalt community and would be a suitable alternative.

Moved by Vice Chair MacLock, seconded by Councillor Garrison that Chair Dill be authorized to retain someone for the purposes of developing a comprehensive heritage policy in the amount up to \$3000.00, the actual amount to be negotiated by the Chair.

The motion **CARRIED**.

Moved by David Sudbury, seconded by Vice Chair MacLock that the Committee ask Council for an additional \$3000.00 in the 2011 budget for professional services for heritage promotion in our Centennial year.

The motion **CARRIED**.

- (4) 2012 Centennial Celebration
 - (a) Collaborate on a project with the Naval Museum

Chair Dill reported that the meeting with the museum representative was postponed. Chair Dill is hoping to reschedule by the end of November/beginning of December.

Chair Dill reported she received a notice that the Centennial Committee has invited the other committees to attend their next meeting. As Chair Dill is not able to attend their November 23 meeting, she asked the Committee for an interested person to represent. David Sudbury will represent the HAC at this meeting.

The Arts, Culture, and Special Events Advisory Committee (ACSEAC) have invited to the Committee to share the organization of a 'pioneer tea'. It was noted that ACSEAC would be requesting a date for the Heritage Advisory Committee's Centennial activity. The 'tea' invitation was declined in favour of creating a display/presentation of the houses awarded Certificates of Recognition, to take place during Heritage Week 2012.

- (5) Maintaining Public Awareness
 - (a) *Esquimalt Current*

It was noted that the next edition will come out in January/February.

- (b) Other

There were no new updates.

- (6) Heritage Week, February 21-27, Parks and Protected Areas Theme
 - (a) Ideas for Participating
 - i. High Rock – Park designation and/or cairn

Chair Dill noted that the official theme of Heritage Week 2011 is: "A Century of Conservation: Parks and Cultural Landscapes".

Councillor Garrison noted he previously spoke with the Director of Parks and Recreation about designating High Rock as a park; he thought it would be a relatively simple process. It was clarified that it is only the cairn itself that is designated, and does not include the land underneath or the surrounding area. Councillor Garrison will follow up again with the Director.

9. REPORT FROM STAFF LIASION

Barb Snyder, Staff Liaison, reported that at the October 15th meeting of Council, the Mayor commented how much the Heritage Advisory Committee has accomplished this term.

10. COMMUNICATIONS

- (1) Email dated October 20, 2010 from Heritage BC re: Update: October 2010

- (2) Email dated October 22, 2010 from Heritage BC re: CHC Conference

It was reported there will be a Community Heritage Commission Conference in New Westminster on November 27, 2010.

Moved by David Sudbury, seconded by Councillor Garrison to authorize expenditures for Chair Dill to attend the Community Heritage Commission Conference.
The motion **CARRIED**.

- (3) Email dated October 25, 2010 from Heritage BC re: Message to Members - Provincial Cabinet Shuffle

It was noted that Heritage is now part of the Ministry of Tourism, Trade and Investment and no longer connected with Arts and Culture.

11. COMMITTEE MEMBER ANNOUNCEMENTS / REPORTS

There were none.

12. NEXT MEETING

The next meeting of the Heritage Advisory Committee will take place on January 19, 2010.

13. ADJOURNMENT

The meeting adjourned at 9:06 p.m.

Liz Dill, Chair

This 19th day of January, 2011