

FRIENDS OF BEACON HILL PARK

2020 Annual General Meeting Minutes

March 22, 2021 at 7:30 pm

By Zoom

1. Welcome

Roy Fletcher

Roy Fletcher, President, welcomed everyone to the AGM and indicated this is the first time we have had an AGM by Zoom. He thanked Rocky Point Bird Observatory and volunteer Ann Nightingale for hosting. Ann went over a few technical aspects.

Roy clarified that this is our 2020 AGM which was cancelled last year due to Covid. We were given a delay from BC Societies to have this meeting in 2021.

FBHP lawyers John Alexander and Lindsay LeBlanc gave a brief presentation. Lindsay reviewed the history of our recent court proceedings. John provided a present update in which the City of Victoria has made a petition to the Supreme Court of BC for a declaration regarding sheltering in Beacon Hill Park.

2. Establish Quorum

Joan Halvorsen

Joan Halvorsen confirmed that we have a quorum.

3. Agenda Acceptance

Roy Fletcher

Marg Gardiner moved, and Tom Epplert seconded that the Agenda be accepted. Carried with one against.

4. Minutes of 2019 AGM

Maureen Applewhaite

Maureen Applewhaite moved, and Ron Mahoney seconded that the minutes be accepted. Carried.

5. Treasurer's Report

Joan Halvorsen

Joan Halvorsen presented the financial statements for 2019, 2020 and year to date for 2021. She indicated that for this AGM we are only accepting the statement for 2019. There will be another AGM later in the year to accept the statement for 2020. Joan Halvorsen moved, and Ron Mahoney seconded that the 2019 financial statement be accepted. Carried with one abstention.

6. President's Report

Roy Fletcher

"To begin, I would like to give special recognition to our retiring directors: Helen Oldershaw, Glennis Sanders and Renata Varwig. Helen passed away on September 30th, 2020. She was a founding member of FBHP and served for 31 years. Her commitment and dedication to protecting the Park was outstanding. Renata joined in 2001 and served as a director for most of those 20 years. Glennis also joined in 2001 and she also served most of those 20 years. We are grateful to Renata and Glennis for their long years on the Board.

We are talking about two different years at this AGM.

2019 was a fairly quiet year for Beacon Hill Park. There was a proposal to have a large cement staircase at the corner of Douglas and Superior Streets and some very significant development along Douglas St. That proposal was very far-fetched and came to very little. The cycle path was installed in

BHP in the moist deciduous groves in spite of our attempts to have it located on the roadway. The CRD has posted a legal right-of-way for the sewer through the Park.

Then came March 2020.

Clearly there are people who want to live and camp out in an urban park with all services provided. But the majority of people do not want to live in a park. Either way, the end result is that the Park has to sustain very serious environmental damage. And the regular users of the Park are excluded from the Park or fearful of going into the Park. This is a non-sustainable situation.

It wasn't until the City initiated an injunction against camping in sensitive ecosystems that there was any chance of success in court against camping. Bringing court action against individual campers will never succeed. Those charged will just move elsewhere, making the court proceeding irrelevant. And a waste of money. With the injunction, the City was finally doing an action that was in contravention of the Trust. In July of 2020, meaningful court action could finally be initiated. However, the Justice ruled that the injunction was a statutory injunction in which a citizen group could not participate. FBHP could not participate in the injunction. However, the Justice did say that a Civil Claim under the Trustee Act would be an equitable injunction which a citizen group could pursue in court. This we initiated in November 2020.

In February of 2021, we agreed to put that court action on hold if the City would submit camping in BHP to the BC Supreme Court as an Application for Direction. The City did file the documents with the BC Supreme Court but since then nothing has happened.

This is where we are right now. And with the City showing no signs of actively pursuing the Application for Direction, we are now considering re-enabling our Notice of Civil Claim and beginning litigation."

Maureen Applewhaite moved, and Bonnie Segger seconded that the President's Report be accepted. There was discussion about the constitution and by-laws, and it was indicated that all are in compliance and that the by-laws contain details about the board positions and their roles. Carried with one abstention.

7. New Business

Roy Fletcher

Beacon Hill Park Trust: There was discussion about the legal proceedings, and it was indicated that we would continue to work with our lawyers regarding this.

Support for FBHP: There was discussion about community support, and it was indicated this is widespread as evidenced by memberships, correspondence and donations through GoFundMe.

8. Election of Board of Directors

Maureen Applewhaite

Maureen Applewhaite moved, and Bonnie Segger seconded that Roy Fletcher, Joan Halvorsen, Maureen Applewhaite and Tom Epplett be elected as Directors. Maureen asked if there were any nominations from the floor. Mary Doody Jones nominated Marg Gardiner. Marg declined. Marg Gardiner nominated Mary Doody Jones. Mary declined. Maureen then declared that the four are elected by acclamation.

9. Adjournment

Roy Fletcher

The meeting adjourned at 9:05 pm.