

Heather Miller
September 4, 2026

Dear Ms Idsinga,

Please place this letter before Council for the meeting of 8 September in relation to item 4.1.

The draft minutes of 27 July are before Council for adoption at the 8 September meeting, at item 4.1 of the consent agenda. I am writing now, while they are still in draft and ahead of the vote, so that Council has this before it certifies the minutes as correct.

The draft minutes do not record what happened at the meeting. Below I set them against the recording.

I am writing about the record itself, not about the applications the record concerns. The integrity of a local government's minutes and reports is not a matter of preference. The published record is the only means by which anyone outside the Municipality can establish what was before Council when it decided, and whether the decision was properly made. Where that record does not match what happened, the Municipality's account of its own proceedings cannot be relied upon, and neither can any document it produces from the same files.

The timestamps given are to the Municipality's own video recording of the meeting. I hold a downloaded copy of that recording.

Minutes are kept as a record of decisions and of matters that will come back, not of discussion. Two of the matters below are of the second kind. Both go to what returns to Council: whether an amended bylaw goes back to the Islands Trust, and whether a public hearing is still available. Both were raised at the meeting and both were dealt with at length. On the first, Council was given contradictory answers within a single sentence. Neither matter appears in the minutes.

1. The on-table item

The minutes, under Approval of Agenda, record:

"7.2 Correction to staff report: Attachment 2, Amended Islands Trust Policy Checklist"

The recording, at 03:50, records the Corporate Officer saying:

"In relation to item 7.2, there is a replaced attachment to the staff report, and that is the amended Island's Trust Policy Checklist."

Two things are wrong here.

A replaced attachment is not a correction.

And nothing was amended. The checklist attached to the staff report was the checklist for a different property, 1639 Mount Gardner Road. What was tabled was a different document, not an amended version of the one in the report. Staff said so themselves later in the meeting, at section 5 below.

2. Approval of the agenda

The minutes record:

"26-304 It was Moved and Seconded. That Council approve the agenda and On-Table Items for the July 27, 2026 Regular Council meeting. CARRIED UNANIMOUSLY"

The recording, at 04:12, records the Chair calling for a mover and a seconder, and beginning to put the question. She is interrupted about a councillor who cannot get into the meeting. The discussion moves to the registration process, and then to public comments.

The question is not put again. No vote is taken.

3. Item 7.1, Bylaw 723

The minutes record resolution 26-322 as a single motion in three parts, ending "CARRIED UNANIMOUSLY".

The recording, at 1:35:15, records the Chair moving on to item 7.2 without putting the second and third parts. The Corporate Officer intervenes: "Chair, I believe the second and third part of the motion on the agenda needs to be voted on." The Chair replies: "Sorry, I didn't put the page and read that... I didn't flip the page to add that it'd be referred."

The minutes record no part of that.

4. Item 7.1, the checklist

Resolution 26-322 refers "the attached Islands Trust Policy Statement checklist" to the Islands Trust.

The recording, at 1:36:12, records a councillor asking whether the beach access motion just passed would appear at 5.5.5 on that checklist. Staff reply:

"I'll include it and I'll tweak the, like specifically the 5.5.5 section."

So Council voted to refer the attached checklist having been told the checklist would be changed afterwards. The minutes record no part of that.

At 1:28:39, asked why 5.5.5 was marked not applicable, staff reply:

"so council motions on that, then I can check it off because it will not be part of the application."

5. Item 7.2, 620 Laura Road

The minutes record:

"The Manager of Planning and Development presented, via staff report and presentation, an application to rezone property at 620 Laura Rd. The rezoning would permit 'cidery' use. Discussion ensued related to preservation of the heritage orchard."

The recording, at 1:49:30, records the Chair asking: "Do you have a revised Island's Trust Checklist in our package?" Staff reply: "It's in the on-table package." The Chair says: "Okay, because that wasn't clear, I guess." Staff then say:

"the one in the published agenda was the duplicate of Mount Gardner Road."

At 1:48:47, the councillor who reworded and then moved the resolution asks to confirm that the referral is the one in the on-table package, and proposes that instead of "the attached Islands Trust Policy Statement" the motion should refer to the checklist in the on-table package. She asks the Corporate Officer to word it. At 2:08:30 she moves the resolution using that wording, read from the screen.

That is why resolution 26-324 refers to the checklist "included in the On-Table Items Package", while resolution 26-322 under item 7.1 refers to "the attached" checklist. The difference is deliberate, and Council made the difference.

The minutes record none of this.

6. Whether an amended bylaw returns to the Islands Trust

The recording, at 1:34:58, records a councillor asking: "Would that have to go back to trust?"

The answer given is "No."

It is followed immediately by: "At the end of the process. Yeah, after final reading, but before adoption, this goes back to that last trust. Yeah."

So Council was told both that an amended bylaw does not go back to the Islands Trust and that it does. Nothing was said to resolve the two answers.

The minutes record nothing of this.

7. The Acting Chief Administrative Officer's intervention

Immediately after resolution 26-324 was voted, the recording shows the Acting Chief Administrative Officer speaking to the Chair. At 2:09:38 the Chair calls the planner back: "Daniel, don't disappear."

The Acting Chief Administrative Officer then asks, at 2:09:40:

"Just a quick question for the planner. And do any of these resolutions preclude council from moving to public hearing at a later date as this application proceeds?"

Staff replied that where notice has been given in place of a public hearing, they would return for second and third reading and would bring an alternative allowing Council to give second reading and then refer the bylaw to a public hearing. A councillor asked to confirm: "So if we want to proceed to public hearing, we do it after second?" The answer was "Correct."

This followed a councillor stating during the item that she was not prepared to proceed to second or third reading until the questions raised in the correspondence were answered, and that whether to rescind the decision of 25 May and hold a public hearing was in her view still open.

The minutes record none of this.

8. The staff report for item 7.2

Up to the day of the meeting, the report was handled correctly.

It was written and dated 15 July 2026 and published in the agenda for the meeting of 27 July, seven days ahead, as the Municipality's deadlines require.

It was then revised on 24 July to include the recommendation the Advisory Planning Commission made on 23 July, and republished in the revised agenda three days ahead, again as the deadlines require. The revision is noted on the face of the report, in red, beneath the date: "Revised July 24, 2026 to include recommendation made by the Advisory Planning Commission at its July 23, 2026 meeting."

Both of those steps were taken before the meeting, and both are visible on the document. The report as revised on 24 July is the report Council read. It is 75 pages. Its Attachment 2 is the Islands Trust checklist for Bylaw No. 723, 1639 Mount Gardner Road.

What follows is what departs from that.

The report now published is 76 pages, with a checklist for 620 Laura Road in that place. Nothing else in the document was changed. Every other page of the two versions is identical.

The minutes record that Council was called to order at 1:01 pm and adjourned at 4:24 pm.

The 76-page version did not exist until 7:43 pm that evening. The file's own internal record gives that time. That is three hours and nineteen minutes after Council rose.

The point is not that the change went unnoted. The point is that the report should not have been changed at all.

Once Council has sat and considered a report, that report is fixed. A document tabled at the meeting is a separate document. The Revised Agenda should therefore hold two things: the report as it stood when Council read it, and the tabled checklist as an on-table addition.

The Revised Agenda holds neither. It holds one report, changed after the meeting, with the tabled document inside that report and nothing to show that any of this happened.

9. The Municipality's own procedure

The Municipality publishes its deadlines for submissions to Council at bowenislandmunicipality.ca, under Council Meetings. On On-Table Items it states:

"On-Table Items are submissions received after the above noted deadlines that relate to an item contained in the meeting agenda.

Written submissions to be included in the On-Table package will be received up until 11:00 AM on the meeting day and circulated to Mayor and Council in advance of the meeting. On-Table submissions may also be received during the Public Comment section of the meeting agenda.

On-Table Items are included in a further revised agenda after the meeting, and recorded in the meeting minutes."

Three things follow.

First, the checklist is not an On-Table Item as the Municipality defines one. On-Table Items are submissions received from outside, up to 11:00 AM on the meeting day or during Public Comment. A replaced attachment to a staff report is not a submission received. Nor is it a Late Item, which the same page defines as "an update or correspondence in relation to an item already included on the meeting agenda". The minutes record it under the heading "Introduction of Late Items".

Second, it is not in the further revised agenda. A Revised Agenda was produced. The minutes say the on-table items were "contained in the Revised Agenda". The tabled checklist is not in it. That checklist is the document Council resolved to refer to the Islands Trust, and it has not been published in any agenda.

What the Revised Agenda does contain is the staff report for 620 Laura Road, beginning at page 113. The checklist inside that report, at pages 124 to 129, is the 620 Laura Road checklist, and

it runs to six pages. In the version published for the meeting the checklist runs to five. So the Revised Agenda carries the altered report.

The Revised Agenda also numbers both bylaw items 7.1. 1639 Mount Gardner Road is item 7.1 at pages 82 to 110, and 620 Laura Road is item 7.1 at pages 113 to 211. The correspondence under 620 Laura Road is lettered 7.1.a to 7.1.f. The minutes refer to the same correspondence as 7.2.e and 7.2.f.

Third, it is not recorded in the minutes as a tabled document. The minutes record it as a correction to the staff report, which is section 1 above.

Why this matters beyond this file

Nothing above concerns the application at 620 Laura Road or my views on that application. This letter concerns whether the Municipality's records show what happened at its own meetings.

Good practice is what protects the record, which is why the Municipality's own procedure for on-table items and revised agendas exists and matters.

Treating any of this as unimportant costs the Municipality more than the point at issue. Credibility, reliability and transparency are not separable from the records that evidence them.

Two records are in question here, and they fail in different ways.

The minutes omit what happened. They do not record that Council was told the checklist attached to the report was for another property, or why the wording of the referral resolution was changed, or the questions put about the Islands Trust and the public hearing. What they do record, they record inaccurately.

The staff report has been changed. A staff report presented to Council at a public meeting is a document of record. What was before Council is fixed by the fact that Council sat and considered it. That is the whole point of a public meeting. The report cannot be altered afterwards unless Council directs the alteration and the change is recorded. Council directed no such thing. The Revised Agenda, which is the Municipality's own record of what was before Council, now carries the altered version in place of the one Council read.

Nothing in the published record shows either failure. The alteration is discoverable only by comparing the version published for the meeting with the version published since, and the omissions only by watching the recording against the minutes.

That is the problem, and it is not confined to this meeting. A document that can be changed after the fact, without notation, is not a record of anything. Minutes that leave out the reason a resolution was worded as it was are not a record of the decision. Nobody can rely on either: not the public, not the Islands Trust, not a future Council, and not the Municipality itself.

These minutes once adopted are certified correct by the Acting Mayor and the Corporate Officer. Adopting them as they stand puts Council's vote behind a record that does not match what happened.

Please append this letter to the minutes as adopted.

Yours sincerely,

Heather Miller