

**THE CORPORATION OF THE DISTRICT OF PEACHLAND**

**REGULAR COUNCIL MEETING MINUTES  
HELD TUESDAY, MAY 22<sup>ND</sup>, 2001 AT 7:00 P.M.  
IN THE COUNCIL CHAMBERS, PEACHLAND COMMUNITY CENTRE**

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**PRESENT:** Mayor Waldo, Councillors Dionne, Fraser, Gough, Nielsen, Papineau and Whitelegg

**STAFF:** Peter Jmaeff, Administrator  
Betty Briggs, Deputy Clerk/Administrative Assistant

Members of the Media  
Members of the Public

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**CALL TO ORDER** Mayor Waldo called the Regular Council Meeting to order at 7:00 p.m.

**ADOPTION OF THE MINUTES**

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MINUTES**

MOVED by Councillor Fraser, SECONDED by Councillor Papineau:

THAT the Minutes of the Regular Council Meeting held May 8<sup>th</sup>, 2001 be adopted as circulated,

**CARRIED.**

MOVED by Councillor Gough, SECONDED by Councillor Nielsen:

THAT the Minutes of the Special Open Council Meeting held May 10<sup>th</sup>, 2001 be adopted as circulated.

**CARRIED.**

**UNFINISHED BUSINESS**

**SPECIAL PROJECT  
EMPLOYEE**

The Administrator presented a report regarding the Special Project Employee, a position recently finalized with CUPE Local 608. This is not a management or contract position. The purpose is to investigate grants and develop the District's web page, and is not to exceed 800 hours in 2001. The wage is 85% of the Clerk/Typist wage. The position and educational funding were approved by Council at an In Camera Meeting.

Mr. Gordon Aumond stated that the report does not answer questions he posed at the last Council Meeting, at which the Mayor offered to research and respond. The employee may be a part time employee now, but wasn't when the training expenses were paid; the education policy was \$500 at the time, and was changed to \$700 in February, 2001. Do the grant applications include wages for this employee. There are irregularities; the policy was not followed.

Council members responded by advising that this is an excellent employee worth investing in, that the training will benefit the District, and that the hiring and education expenses were approved at In Camera Meetings. Council members apologized for not following the policy more tightly.

**DISPOSITION OF  
LAND – FULTON  
PLACE**

The Administrator presented a report regarding the proposed leasing of an undeveloped walkway at Fulton Place to Beach Avenue. The estimated cost to construct the walkway is \$35,000 due to asphalt, stairs, retaining wall, rest spaces, holding area and possibly a crosswalk light. The adjacent land owner has maintained this area and wishes to fence his yard to contain his dog. This property will not be sold as there is an easement for services.

Mayor Waldo read portions of a letter from Mr. Brian Honeybourne, the applicant, and from the following neighbouring residents: Nicholas and Barbara Wipond (twice,) Mr. and Mrs. Allard (twice,) Mr. and Mrs. Moshansky, Martin and Jessie Shaw, Fred and Erica Woch, and advised that a petition signed by 17 people was received which covers the points mentioned in the above letters. Mayor Waldo invited those who had requested to speak to come forward. The following points were made:

Mr. Nicholas Wipond: the Municipality has not fulfilled its commitment from the subdivision of 17 years ago to construct a walkway due to costs. Now considering leasing to one individual for exclusive use. What compensation for the deprivation of other owners. No maintenance was required until underground irrigation was installed and grass was grown. Wiponds have lived at Fulton Place longer than anyone and should have first chance to the property.

Mrs. Sara Allard: In 1984 asked the District to purchase the walkway and was told no, an easement is an easement and won't be sold. Fenced along their property line and now neighbour's dog urinates on plants. The residents of Fulton Place planted the centre of the cul-de-sac on a volunteer basis; why can't residents maintain the walkway in the same manner.

Mr. Fred Woch: estimated cost to construct is ridiculous. Costed out steps and provided information to the Administrator. After 17 years of being nice, these residents now want the walkway constructed.

Mrs. Barbara Wipond: if this is a dedicated easement, it cannot be blocked or closed. Requested this matter be put over so that residents can consult a solicitor. Any homeowner should have the right to bid on this lease. The proposed walkway was there before this applicant came. On behalf of Mr. John Dunion, how many Council members have inspected this property?

Mayor Waldo: this is a registered easement.

Councillor Gough: the subdivision developer did not construct the walkway. The applicant is trying to assist the municipality, not achieve personal gain. Suggested Council hold off to the next meeting.

Mrs. Brenda Moshansky: the Official Community Plan stresses extending pathways and linking neighbourhoods. There is no access to the beach from Todd Road to Buchanan. The Victoria Street stairs are much steeper than these would be.

**WALKWAY (CONT.)** Mrs. Jessie Shaw: distributed a map of the subdivision to each Council member and provided a history of the subdivision. Has lived on Buchanan for 45 years. Lot 4 required lots of fill in order to build a house, and that fill resulted in the walkway property becoming so steep. What is the liability for the Victoria Road stairs. Believes Council has a fiduciary responsibility to these residents to hold that land in trust until the walkway can be constructed.

Mr. Nicholas Wipond: in the subdivision plan, the walkway is there; that is from 17-18 years ago.

Mayor Waldo: an error was made in advertising this proposed lease before it came to Council.

Councillor Dionne: appreciates the details raised by those affected, and apologized for the District's advertising mistake. The Municipality needs to determine costs and liability exposure, and suggested referring to appropriate Committee.

Councillor Nielsen: appreciates attendance. An error was made and recognized. The perceived danger from dog excrement being washed into the lake is unfounded, as the Medical Health Officer has checked and advised that geese are more problematic. The walkway would be open to anyone, not just Fulton Place residents. It would open to a blind corner; liability needs investigation.

Councillor Fraser: the easement is for gas and other service lines. Has not seen an easement leased before. The developer did not construct the walkway as required.

Councillor Whitelegg: the walkway has no view without taking down trees. Public would use the walkway, resulting in more cars parking in Fulton Place.

Mayor Waldo: the applicant will fence along his own property line if required with no problem. Next concern is the cost of developing the walkway.

MOVED by Councillor Dionne, SECONDED by Councillor Nielsen:

THAT the proposed lease of undeveloped walkway at Fulton Place be referred to the Development Services Committee to gather any further information possible;

AND THAT the proposed lease be referred to the Operational Services Committee to determine costs to develop the walkway.

**CARRIED.**

Mayor Waldo, Councillors Fraser and Gough OPPOSED.

### **COUNCIL COMMITTEE REPORTS**

#### **FACILITIES INVENTORY**

Councillor Papineau presented a report regarding the preparation of a completed facilities inventory, which was distributed to all Council members. The Committee is eager to commence with development of a Master Recreation Plan using the assembled information.

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**FACILITIES  
INVENTORY (CONT.)**

MOVED by Councillor Fraser, SECONDED by Councillor Dionne:

THAT Council receive this report for information purposes;

AND THAT Council authorize the Recreation Committee to proceed with implementation of a Recreation Facilities Master Plan.

**CARRIED.**

**PARKING -  
SUTHERLAND CT.**

The Administrator presented a report from the Operational Services Committee regarding parking at Sutherland and Alexandra Courts on 5<sup>th</sup> Street. Residents of Sutherland Court attended the Committee meeting and joined the discussion. The parking situation in this area will be closely monitored until July or August.

MOVED by Councillor Papineau, SECONDED by Councillor Whitelegg:

THAT Council approve the designation of three handicapped parking spaces, as identified in the Development Permit, at Sutherland Court, with a one hour limit for each;

AND THAT Council designate 90 degree parking on the opposite side of 5<sup>th</sup> Street to increase the amount of parking in the area;

AND THAT the parking spaces remain available to the public.

**CARRIED.**

**STAFF REPORTS**

**EDC MISSION  
STATEMENT**

The Administrator presented a report requesting Council approve the Economic Development Strategy Committee Mission Statement and List of Specific Projects of Merit to be Pursued.

MOVED by Councillor Papineau, SECONDED by Councillor Nielsen:

THAT Council approve the Economic Development Strategy Committee Mission Statement and the List of Specific Projects of Merit to be Pursued.

**CARRIED.**

**LINE PAINTING**

The Administrator presented a report regarding the bids received for the annual line painting, and advised the contract will be awarded to the lowest bidder, Alpine Line Painting & Traffic Marking for \$3954.97 including GST.

MOVED by Councillor Dionne, SECONDED by Councillor Papineau:

THAT Council receive the report regarding the annual line painting contract for information purposes.

**CARRIED.**

Several suggestions for added line painting were put forward, including: cross hatched area on walkway from Trepanier Bench Road & Desert Pines Road.

**HEATING &  
COOLING SERVICE**

The Administrator presented a report regarding the bids received for the heating and cooling mechanical servicing contract, and advised the contract will be awarded to the lowest bidder, Brown Mechanical Services Ltd. for the price of \$2154.70 per year for three years.

MOVED by Councillor Dionne, SECONDED by Councillor Papineau:

THAT Council receive the report regarding the award of the heating and cooling mechanical servicing contract to Brown Mechanical Services for a three year period for information purposes.

**CARRIED.**

**MAYOR AND COUNCILLORS' REPORTS**

**COUNCILLOR  
FRASER**

Councillor Fraser reported on attending an Okanagan Regional Library Board Meeting on May 16<sup>th</sup>. The Executive Director will be meeting with Council in the near future.

**COUNCILLOR  
PAPINEAU**

Councillor Papineau provided an update on the Wellness Centre: the Daybreak and the Red Cross Loan Cupboard will be starting up this week, and the Food Bank will be moving in soon. The lift and ramp are completed.

Councillor Papineau reminded those present of the Volunteer Appreciation Breakfast to be held June 8<sup>th</sup> at 7:30 to 9:30 a.m. at the Community Centre. Volunteers have until this Friday to register their name with the Recreation Director in order to receive a certificate.

Tomorrow night at Fourth Street Place will be a 'Celebration of Neil Diamond.'

**COUNCILLOR  
NIELSEN**

Councillor Nielsen advised that he congratulated MLA Rick Thorpe on his re-election.

**COUNCILLOR  
WHITELEGG**

Councillor Whitelegg attended a full day Regional Parks tour.

Councillor Whitelegg advised that the war canoes races are scheduled for July 1<sup>st</sup> long weekend, and volunteers are needed. Contact Scotty Grieve, Jack Crerar or the Recreation Director.

**COUNCILLOR  
GOUGH**

Councillor Gough commended Al Wiebe and crew for the excellent World of Wheels held last Sunday.

**MAYOR WALDO**

Mayor Waldo also commended Al Wiebe for the World of Wheels event.

Mayor Waldo advised that he has asked Councillor Fraser to be Council's liaison for the totem pole project.

Mayor Waldo advised that May 31<sup>st</sup> at 10:00 am there will be a foreshore development meeting.

Mayor Waldo advised that the Yacht Club has temporarily put aside its expansion plans.

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**MAYOR WALDO**  
**(CONT.)**

Mayor Waldo advised that he has distributed to Council a memo regarding the formation of a Primary School Committee.

Mayor Waldo reported that the Friends of the Old Schoolhouse have completed the new foundation and roof.

**OTHER BUSINESS**

**IN CAMERA MTG.**

MOVED by Councillor Nielsen, SECONDED by Councillor Fraser:

THAT an In Camera Meeting be held on Tuesday, June 12<sup>th</sup>, 2001 at 10:00 a.m. in order to discuss land, labour or legal issues.

**CARRIED.**

**QUESTION AND ANSWER PERIOD**

**P. RYDER**

Mrs. Pat Ryder advised Council that an open house will be held at the Westbank Community Hall on Thursday from 4:00 to 9:00 p.m. for the proposed Crystal Mountain Development proposal. She advised that the golf course portion will affect Peachland's water shed and urged people to attend and view the maps.

**J. COLDHAM**

Mrs. Jean Coldham advised that Beach Avenue is a dedicated, two way road and has been from the beginning of the century.

Mrs. Coldham congratulated Council on its dealing with the Special Project Employee issue, as she feels the presenter had honourable intentions but possibly others were on a witch hunt.

**MAYOR WALDO**

Thanked Mr. Willy Billy and Mr. Bob Harriman behind the TV camera tonight.

**R. MCDERMOTT**

Mr. Ross McDermott asked if the OMMA costs were available yet, and the Administrator advised they would be ready tomorrow.

**ADJOURN**

MOVED by Councillor Gough, SECONDED by Councillor Dionne:

THAT the Regular Council Meeting adjourn at 9:08 p.m.

**CARRIED.**

**Certified Correct**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Municipal Clerk**

Dated at Peachland, B.C.

This \_\_\_\_ day of \_\_\_\_\_, 2001.

