

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, December 9, 2003 at 7:00 p.m.
In the Council Chambers, Peachland Community Centre**

PRESENT: Mayor Harriman, Councillors Fraser, Hallberg, Henderson, Hurd, Moritz & Reid

Administrator Peter Jmaeff
Municipal Clerk Betty Briggs
Treasurer Doug Pryde
Director of Operations Joe Mocilac
Director of Planning & Development Services Chris Prosser

Members of the Public
Members of the Media

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

AMENDMENTS TO THE AGENDA Added to the Agenda: 12-1:Senior Citizens Activity Centre Administration, Control and Maintenance Bylaw Number 1703, 2003.

APPROVAL OF THE AGENDA MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

THAT the Agenda be approved as amended.

CARRIED.

ADOPTION OF THE MINUTES

ADOPT MINUTES MOVED by Councillor Hallberg, SECONDED by Councillor Henderson:

THAT the Minutes of the Regular Council Meeting held November 25, 2003 be adopted as circulated.

CARRIED.

DELEGATIONS AND PRESENTATIONS

PRIMARY HEALTH CARE CENTRE REPORT

Ms. Dorothy Cobb presented her report, Peachland Primary Health Care Centre – Functional Program.’ She summarized her health care background, and the discussions and research she undertook in preparing the report. She noted the intent of a Primary Health Care Centre in Peachland is to enhance the resources already available, not replace them. She advised that the proposed list of services is only a proposal, and that the working group would determine community needs. A draft terms of reference for the working group is included in the report.

Mayor Harriman and Council members thanked Ms. Cobb for the excellent report.

MAYOR AND COUNCILLORS' REPORTS

MAYOR HARRIMAN Mayor Harriman reported 189 hours in November on Mayor's duties. He gave a bouquet to District staff for the lights, nativity scene, banners and Community Centre decorating; everything looks beautiful. Mayor Harriman attended the emergency exercise today and assured residents that an emergency plan is in place for Peachland. He extended a bouquet to the Mt. Boucherie Referendum Committee, and has invited them to make a presentation to Council in January. He has arranged for the Kelowna Regional Transit Christmas bus to visit Peachland on Saturday, December 20th from 1:00 to 3:00 pm at the Peachland Village Mall. He wished Council, staff and residents a Merry Christmas and Happy New Year.

COUNCILLOR HURD Councillor Hurd explained to a Peachland Elementary School PAC member the need to attract more families to Peachland, and will have a motion later in this meeting addressing this issue. He attended the emergency exercise today, and the Community Christmas Celebration, for which he congratulated Councillor Hallberg. He wished everyone a Merry Christmas and Happy New Year.

COUNCILLOR MORITZ Councillor Moritz wished everyone a wonderful Christmas and safe travels through the holidays.

COUNCILLOR FRASER Councillor Fraser attended the following: PDRS meeting, Corporate Services Committee meeting, Community Charter workshop, emergency exercise. She wished everyone a Merry Christmas and Happy New Year.

COUNCILLOR REID Councillor Reid reported on his attendance at the Provincial Meeting of Local Governments on Crime Prevention and Community Safety, held in New Westminster on November 20 to 21. Speakers stressed the need for a community needs assessment prior to development of an action plan.

Councillor Reid reported on attending a 2010 Community Chairs meeting in Vancouver on December 1st, with Premier Campbell hosting the session. Funding is available through 2010 Legacy Now for Olympic Live Sites, and a proposal should be submitted as soon as possible.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Councillor Reid, Chair of the 2010 Community Committee for Peachland, work with staff to develop a proposal to submit to 2010 Legacy Now for a multi-use winter sports facility or other legacy project for funding assistance as an Olympic Live Site under the 2010 Legacy Now process.

CARRIED.

Councillor Reid wished everyone a Happy Holiday and Happy New Year.

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**COUNCILLOR
HALLBERG**

Councillor Hallberg extended thanks to Recreation Director Pelma Haffenden and staff, the Director of Operations and Public Works staff, and all groups involved in the successful Community Christmas Celebration. Councillor Hallberg attended the following: Corporate Services Committee, Community Charter workshop, emergency simulation exercise. She wished everyone a Happy and Peaceful Christmas and New Year.

**COUNCILLOR
HENDERSON**

Councillor Henderson attended: meeting of the Communications Society regarding transferring its website to the District's, Special Open Council Meeting, Community Christmas Celebration, Community Charter workshop, emergency exercise, sewer tender opening, In Camera meeting. He wished everyone a Merry Christmas and Happy New Year.

COMMITTEE REPORTS

**CORPORATE
SERVICES**

Councillor Reid noted that the minutes of the Corporate Services Committee meeting held December 2nd are attached. He advised that the Committee will meet next week to deal with final recommendations from the Volunteer Support Review Committee.

PARKS

Councillor Hurd noted the good work accomplished by the Parks Committee, and advised that a request has come from a Parks Committee member that a Parks Advisory Committee be appointed so that parks issues could be brought to Council from the community.

MOVED by Councillor Hurd, SECONDED by Councillor Moritz:

THAT a Parks Advisory Committee be formed;

AND THAT advertisements be placed in the paper for 3 local volunteers to sit on the Parks Advisory Committee.

It was noted that 2004 Committee appointments will be made at the January 13, 2004 Regular Council Meeting, and that terms of reference for a Parks Advisory Committee would be required.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the formation of a Parks Advisory Committee be tabled to the January 13, 2004 Regular Council Meeting.

CARRIED.
Councillor Moritz OPPOSED.

UNFINISHED BUSINESS

**KERMODEI BEAR
OLYMPIC MASCOT**

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT the request from the City of Terrace for endorsement of the Kermodei Bear as the 2010 Olympic mascot be received.

CARRIED.

**YATES WATER
CONNECTION**

MOVED by Councillor Henderson, SECONDED by Councillor Reid:

THAT a motion be brought to the next Regular Council meeting to bring back to the table the Yates water connection item, unless the District hears from Mr. Yates in writing beforehand, at which time a Special Open Council Meeting could be held.

CARRIED.

Councillor Moritz requested that the property legal description be used, not the property owner's name.

STAFF REPORTS

**CAPITAL CONTRI-
BUTIONS POLICY**

The Treasurer presented a report recommending adoption of the Capital Contributions Recognition Policy #FIN-010, which has resulted from the Corporate Services Committee's consideration of the recommendations of the Volunteer Support Review Committee.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Council adopts the Capital Contributions Recognition Policy #FIN-010.

CARRIED.

**LEASING MUNICIPAL
FACILITIES POLICY**

The Treasurer presented a report recommending adoption of the Leasing of Municipal Facilities Policy #FIN-155, which has resulted from the Corporate Services Committee's consideration of the recommendations of the Volunteer Support Review Committee. The policy would be used as a basis for agreements for long-term leasing of municipal facilities, and would be subject to variances as approved by Council.

Councillor Fraser spoke strongly against the policy, which she feels does not support the volunteers in the community and does not take in to consideration the contributions from the volunteers.

Councillor Hallberg noted that the framework for the policy was developed by previous Council, including Councillor Fraser. This policy gives a group full control of a building, and leaves open for negotiation the paying of utilities.

Councillor Reid advised that Council will take into consideration the finances of a group taking over a municipal facility; this is standard form starting place for negotiations for exclusive use of a facility. A future Council could amend this policy at will; this Council cannot bind a future Council.

Councillor Moritz advised that the municipality does support volunteers through provision of land, buildings, property tax exemptions, and noted that exclusive use gives revenue generating possibilities to the lessee group.

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LEASING MUNICIPAL FACILITIES POLICY (CONT.) Councillor Henderson noted that the policy provides for 'all or some' of utilities to be paid, which leaves it open for negotiation with Council.

Councillor Hurd pointed out that a long-term lease is different from a short-term facility rental.

The Administrator clarified that leases over 5 years in length require a counter-petition opportunity.

Mayor Harriman spoke against the policy, noting that the buildings are there and costs continue whether the buildings are occupied or not, and it will be a detriment to the quality of life in Peachland.

MOVED by Councillor Reid, SECONDED by Councillor Henderson:

THAT Council adopts Leasing of Municipal Facilities Policy #FIN-155.

CARRIED.

Mayor Harriman and Councillor Fraser OPPOSED.

ROTARY PAVILION The Director of Planning & Development Services presented a report advising of a public open house held regarding the Rotary Pavilion project. The outcome was the recommendation that Council approve the location of the pavilion at the north end of Heritage Park.

Council members discussed the different locations relating to seating area, moving/replacing the playground equipment, the distance to public washrooms from the existing location of playground equipment, and sound carrying.

MOVED by Councillor Hurd, SECONDED by Councillor Henderson:

THAT Council approves the Rotary Pavilion be located on the north end of Heritage Park shown as option #1 on the air photo;

AND THAT the Peachland Rotary Club submit a development permit application for final design approval;

AND THAT the Development Permit fee be waived.

CARRIED.

BUILDING INSPECTION The Director of Planning & Development Services presented a report requesting Council direction regarding the provision of Building Inspection services. Two options were presented, (1) formalize a new agreement and continue with Regional District building inspection, or (2) the District create a Building Inspector/Bylaw Enforcement Officer position.

Discussion took place on the above options, as well as on augmenting bylaw enforcement with the Canadian Corps of Commissionaires.

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**BUILDING
INSPECTION (CONT.)**

MOVED by Councillor Reid, SECONDED by Councillor Hurd:

THAT Building Inspection Services be referred back to Administration for a report on a possible Building Inspector/Bylaw Enforcement Officer combined position to be brought back to a future Council meeting.

CARRIED.

**BYLAW ENFORCE-
MENT OFFICER**

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the current Bylaw Enforcement Officer contract be extended on a month-to-month basis at existing rates.

CARRIED.

**PHASE 2 SEWER
CONTRACT #3**

The Director of Operations presented a report outlining the tenders opened today for Phase 2 Sewer – Contract #3, Areas 1-d and 2-p. The tenders ranged from \$2,327,931.75 to \$1,680,375.88, with Bennett Contracting Ltd. the low bidder.

NOTICE OF MOTION

COUNCILLOR HURD

With the potential of Peachland Elementary School closing, and the need to attract families to Peachland, Councillor Hurd put forward the following motion:

MOVED by Councillor Hurd, SECONDED by Councillor Hallberg:

THAT staff be directed to investigate the possibility of development of entry-level housing on District-owned vacant land on Chidley Road.

CARRIED.

The Director of Planning & Development Services advised that a report would be prepared for Council's January 13, 2004 meeting.

**COUNCILLOR
MORITZ**

Councillor Moritz presented the following Notices of Motion for the next Regular Meeting:

"WHEREAS the Okanagan Mountain Fire has highlighted the potential risks associated with wildfires in our local areas;

AND WHEREAS Peachland Council is aware of the possible impacts to the lives and property of the citizens of Peachland;

BE IT RESOLVED THAT Council adopts a statement of intent clearly demonstrating the goal of addressing all reasonable and feasible means by which the Municipality might enhance the safety of the citizens of Peachland, especially with respect to those residing in areas considered 'interface areas.'"

CARRIED.

**COUNCILLOR
MORITZ (CONT.)**

And:

“THAT based on the recommendations of the Fire Chief, Deputy Fire Chief, Fire Services Committee and the Mayor, that staff be directed to investigate and report on the viability and possible implementation timelines of the following recommended gated, emergency accesses/ egresses which are considered by Fire Services staff to be of relatively high priority and relatively low implementation costs:

1. Trepanier Heights to Coldham Road
2. Ponderosa Drive to Somerset
3. Peachland Place to Ellison
4. Law Street
5. Maple Springs Bible Camp (alternate emergency exit.)”

OTHER BUSINESS

IN CAMERA MTG.

MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT an In Camera Meeting be held January 13, 2004 at 1:00 p.m. pursuant to Sec. 242.2© of the *Local Government Act*.

CARRIED.

BYLAWS

Bylaws for Final Reconsideration and Adoption:

#1699 RIDING CLUB

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Peachland Riding Club Lease Bylaw No. 1658 Amendment Bylaw Number 1699, 2003 be finally reconsidered and adopted.

CARRIED.

**FINANCIAL: #1705,
1706, 1707, 1708,
1709, 1710**

MOVED by Councillor Hallberg, SECONDED by Councillor Reid:

THAT the following Bylaws be finally reconsidered and adopted:

- i) 2003 Financial Plan Amendment Bylaw Number 1705, 2003
- ii) Non-Development Cost Charge-Roads Reserve Fund Expenditure Bylaw Number 1706, 2003
- iii) Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw Number 1707, 2003
- iv) Non-Development Cost Charge-Water System Number One Improvements Reserve Fund Expenditure Bylaw Number 1708, 2003
- v) Non-Development Cost Charge-Water System Number Two Improvements Reserve Fund Expenditure Bylaw Number 1709, 2003
- vi) Sale of Land or Improvements Reserve Fund Expenditure Bylaw Number 1710, 2003.

CARRIED.

Bylaws for First, Second and Third Readings:

**#1711 COUNCIL
REMUNERATION**

The Administrator presented a report advising that Bylaw 1711 results from a January, 2003 Council resolution regarding Council remuneration.

MOVED by Councillor Hurd, SECONDED by Councillor Hallberg:

THAT Council Remuneration Bylaw Number 1711, 2003 be read a First, Second and Third Time.

CARRIED.

**#1703 SENIORS
ACTIVITY CENTRE
LEASE**

The Administrator advised that this bylaw has been forwarded by the Corporate Services Committee, and that a representative of the PDRS has requested this matter be held until after the PDRS annual general meeting is held at the end of February, 2004.

MOVED by Councillor Fraser, SECONDED by Mayor Harriman:

THAT Seniors Activity Centre Administration, Control and Maintenance Bylaw Number 1703, 2003 be held until the PDRS Executive is ready to proceed with the lease bylaw.

DEFEATED.

Councillors Hallberg, Henderson, Hurd, Moritz & Reid OPPOSED.

Councillor Reid noted that the bylaw came forward as recommended by a committee appointed by the Mayor, consisting of Councillors Fraser and Hallberg, and the Administrator, to work with PDRS representatives towards a new agreement.

Councillor Fraser stated that she has no problem with the bylaw and included costs, but that the problem is that other Councillors want a lease attached to the bylaw.

MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT Senior Citizens' Activity Centre Administration, Control and Maintenance Bylaw Number 1703, 2003 be read a First, Second and Third Time.

Councillor Hallberg noted that the Administrator obtained a legal opinion advising that a lease is the preferred agreement.

The Treasurer presented the report regarding this bylaw which was included in the Agenda package. The report requested Council's direction as to the preferred agreement format for the operation of the Seniors' Activity Centre by the PDRS.

Councillors Reid and Hallberg spoke in favour of using a lease agreement. Councillor Fraser spoke strongly against a lease agreement for the Seniors Activity Centre, which was built for the seniors and which they have improved with their own funds. She objected to the fact that

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**SENIORS ACTIVITY
CENTRE LEASE
(CONT.)**

the Mayor struck a committee to work with the seniors, the committee brought forward a bylaw, and now it is being changed without telling the seniors.

It was noted that the PDRS representatives at the Corporate Services Committee meeting did not mind what type of agreement was used.

MOVED by Councillor Henderson, SECONDED by Councillor Fraser:

THAT First, Second and Third Readings of Seniors' Activity Centre Administration, Control and Maintenance Bylaw Number 1703, 2003 be tabled.

DEFEATED.

Councillors Hallberg, Hurd, Moritz and Reid OPPOSED.

VOTE ON MOTION

The question was called on the motion:

THAT Seniors' Activity Centre Administration, Control and Maintenance Bylaw Number 1703, 2003 be read a First, Second and Third Time.

DEFEATED.

Councillors Hallberg, Hurd, Moritz and Reid OPPOSED.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT staff bring to the next Regular Meeting a lease agreement for the use of the Seniors' Activity Centre by the Peachland District Retirement Society, containing the conditions specified in the draft Bylaw #1703.

CARRIED.

Mayor Harriman, Councillors Fraser and Henderson OPPOSED.

MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT Administration talk to Peachland District Retirement Society regarding the extension to the end of February for an agreement for operation of the Seniors' Activity Centre.

CARRIED.

QUESTION PERIOD

E. LEPAY

Mrs. Elizabeth Lepay advised that she attended the December 2nd Corporate Services Committee meeting at which 4 representatives of the PDRS attended. One PDRS representative noted that if PDRS obtained one new member, it would settle the lease payment for 10 years.

R. J. COLDHAM

Mrs. Jean Coldham advised that she likes the idea of a Primary Health Care Centre for Peachland, as proposed in Dorothy Cobb's report, as her husband has just come out of hospital, and nursing care comes from Westbank. It would be nice to have care closer to home.

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S. GEIGER Mrs. Shirley Geiger noted mistakes in spelling of names in the Minutes of the November 25, 2003 Regular Meeting. She will provide the correct spellings to the Clerk. She noted the Primary Health Care Centre is a good idea, but informed Council that the local doctor has now moved to new premises with expanded services.

ADJOURN MOVED by Councillor Hallberg, SECONDED by Councillor Reid:

THAT the Regular Council Meeting adjourn at 9:36 p.m.

CARRIED.

(Original signed by Mayor and Clerk)

Certified Correct.

Mayor

Municipal Clerk

Dated at Peachland, B.C.
This 14th day of January, 2004.