

**THE CORPORATION OF THE DISTRICT OF PEACHLAND**

**Regular Council Meeting Minutes  
Held Tuesday, January 28, 2003 at 7:00 p.m.  
In the Council Chambers, Peachland Community Centre**

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**PRESENT:** Mayor Harriman, Councillors Fraser, Hallberg, Hurd, Moritz and Reid

Administrator Peter Jmaeff  
Deputy Clerk/Administrative Assistant Betty Briggs  
Treasurer Doug Pryde  
Planning Technician Heidi Simkins  
Contract Planner Dan Huang

Members of the Public  
Members of the Media

**ABSENT:** Councillor Henderson

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**CALL TO ORDER:** Mayor Harriman called the Regular Council Meeting to order at 7:00 p.m. and provided an update on the water main break on Bulyea Avenue early this morning. An 8" water line broke, creating two large sinkholes in the road, and two large mudslides. A boil water notice is in effect, and while it is hoped to have a temporary water supply to residents by this evening, the roadway itself will take some time to repair. The Mayor extended thanks to Director of Operations Joe Mocolac, the Peachland Fire and Rescue Service, the Public Works crew and contractors for their excellent efforts, which have kept damage to a minimum.

**AMENDMENTS TO THE AGENDA** Removed from tonight's agenda: 4-C: Arts Centre Concept Plan, and 8-B: Arts Centre Concept Plan.

**ADOPTION OF THE MINUTES**

**ADOPT MINUTES** MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT the Minutes of the Regular Meeting held January 14, 2003 be adopted as circulated.

**CARRIED.**

**DELEGATIONS AND PRESENTATIONS**

**DON MCKENZIE  
RE: SEWER  
CHARGES**

Mr. McKenzie, 6385 Vernon Avenue, spoke on behalf of a group of citizens who are opposed to an acreage charge for properties over 1/3 acre for the Phase 2 sewer project. At the end of his detailed presentation, Mr. McKenzie reiterated the group's belief that Option 2 is the only fair option, "One residence, one connection, one charge."

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council receives Mr. McKenzie's presentation.

**CARRIED.**

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**CHAMBER OF  
COMMERCE**

Mrs. Shirley Geiger, President, Peachland Chamber of Commerce, presented an overview of the Chamber's activities and functions, with the aid of a visual presentation. An increase to the Chamber's budget would allow the retention of the Manager and the hiring of a part-time employee. Mrs. Geiger requested from Council a letter of recognition that the Chamber of Commerce is the only provider of tourist information services in Peachland.

Mayor Harriman thanked Mrs. Geiger for the excellent presentation, and advised that Corporate Services Committee would review the requests. Councillor Hallberg congratulated the Chamber on its 4<sup>th</sup> anniversary.

MOVED by Councillor Hallberg, SECONDED by Councillor Hurd:

THAT Council receives the presentation by the Chamber of Commerce.  
**CARRIED.**

**WORLD OF WHEELS**

Mr. Allan Wiebe requested Council's permission to hold the 6<sup>th</sup> annual World of Wheels Classic & Antique Car, Truck and Boat Show in downtown Peachland on May 18, 2003.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Council approves the World of Wheels event on May 18, 2003 in principle;

AND THAT the event be referred to the Recreation Director to complete the special event application requirements.

**CARRIED.**

**MAYOR AND COUNCILLOR'S REPORTS**

**COUNCILLOR HURD**

Councillor Hurd attended the Development Services Committee meeting on January 21, and commended Councillor Reid on chairing the meeting.

Councillor Hurd attended a Fire Department Executive meeting and commended the members on the number of volunteer hours they put in.

Councillor Hurd will be advertising in the Peachland Signal for residents interested in serving on the Parks Committee and the Youth Committee.

Councillor Hurd noted that the Peachland Signal article regarding 8 story buildings in the downtown core was accompanied by a photograph of a 17 story building.

**COUNCILLOR  
MORITZ**

Councillor Moritz commended staff for their quick response to this morning's emergency.

Councillor Moritz also noted that community support for committees will be requested.

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**COUNCILLOR  
HALLBERG**

Councillor Hallberg commended staff for response to this morning's emergency.

Councillor Hallberg toured the water systems on January 9<sup>th</sup> with the Public Works Superintendent.

Councillor Hallberg attended a meeting with RCMP and Community Policing volunteers on January 16.

Councillor Hallberg is working with the Recreation Director on Awards Night to be held in April.

Councillor Hallberg was elected Co-Chair, with Gord Thorne, at a Communities in Bloom committee meeting held January 20.

**COUNCILLOR REID**

Councillor Reid attended the Sewer Project Open House on January 15.

Councillor Reid attended the meeting with RCMP Superintendent Don Harrison and Staff Sergeant Shawn Wylie.

Councillor Reid attended a CORD Economic Development Commission strategic planning session, and a meeting.

Councillor Reid attended a Ski Resort Development Forum, organized by the Regional District.

**MAYOR  
HARRIMAN**

Mayor Harriman noted that a monthly report will be presented at the next Council meeting.

**COUNCIL COMMITTEE REPORTS**

**VALLEY MUSIC  
FESTIVAL**

Councillor Hallberg presented a report from the Operational Services Committee recommending approval to the organizers to hold the first Valley Music Festival in Peachland.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council grants permission to the organizers to hold the Valley Music Festival on August 8 & 9, 2003;

AND THAT the Valley Music Festival organizers comply with the requirements of the Municipality and law enforcement agencies for hosting such an event;

AND THAT the Valley Music Festival organizers co-ordinate the organization of this event with the Community Celebrations Committee who will in turn refer details to the Operational Services Committee and/or Council.

**CARRIED.**

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**DEVELOPMENT SERVICES COM.**

Councillor Reid gave an overview of items discussed at the Development Services Committee meeting held January 21, including: terms of reference, philosophies of planning, Rotary Club pavillion project, Highway 97, Shoreland Plan amendment, zoning text amendments, school site acquisition charges, and building statistics for 2002.

**VARIANCE POLICY**

The Contract Planner presented a report from the Development Services Committee which explained the parallel processes of the Board of Variance and the Development Variance Permit.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Council adopts the following Variance Policy:

Notwithstanding the existing Board of Variance Bylaw No. 1282, an application to vary District of Peachland Development bylaws will proceed to the Board of Variance if:

- the variance requested will cause undue hardship to the applicant and is considered a minor variance
- the variance requested will not exceed 10% of the current bylaw requirements
- the variance is for an existing non-conforming situation;

Council will consider a Development Variance Permit if:

- the variance requested is not considered to minor in nature
- the variance requested exceeds 10% of the current bylaw requirements
- the variance requested is for new construction where the applicant does not or cannot comply with existing District development bylaws;

AND THAT the cost for an application to the Board of Variance be amended to \$450.00 to make it equal to the cost of an application proceeding to Council through a Development Variance Permit application.

**CARRIED.**

**SCHOOL SITE ACQUISITION CHARGES**

The Contract Planner presented a report regarding concerns with the Provincial Government's proposed School Site Acquisition Charges. The detailed report was reviewed.

MOVED by Councillor Reid, SECONDED by Councillor Hurd:

THAT the District of Peachland, through the Board of the Central Okanagan Regional District, work with local government elected officials in the Central Okanagan to express its concerns to School District No. 23 regarding the proposed School Site Acquisition Charges.

**CARRIED.**

**SCHOOL SITE  
(CONT.)**

Mayor Harriman noted that School Trustee Moyra Baxter and School District Number 23 Superintendent have requested a meeting with Council and with the Regional District Board.

**UNIT 10 BUOY  
APPLICATIONS**

The Contract Planner presented a report regarding upcoming changes the Official Community Plan. Pending those changes, a Council resolution halting the acceptance of applications for buoys in Unit 10 of the Shoreland Plan is required.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Council resolves to temporarily halt buoy applications and licenses in Unit 10 of the Shoreland Plan, to June 30, 2003, until an amendment to the Official Community Plan, currently in progress, is considered.

**CARRIED.**

**UNFINISHED BUSINESS**

**PETROLEUM  
PRODUCT  
SUPPLIERS**

MOVED by Mayor Harriman, SECONDED by Councillor Moritz:

THAT this Council recognizes that the economical development of the north, central and south Okanagan depends greatly on the construction of a new crossing from the Westside to Kelowna. It is recommended that a letter be sent to each of the petroleum product suppliers that supply the Okanagan with their product and that they make a donation towards the new bridge construction;

AND THAT the funding be provided from the profits that they have made in the last few years from the price of gasoline in the area that greatly exceeded the prices in the lower mainland and on Vancouver Island;

AND THAT this resolution should be forwarded to all of the local governments in the Okanagan for their support;

AND FURTHERMORE THAT all the local governments should forward letters to the petroleum product suppliers supporting the District of Peachland's resolution.

MOVED by Councillor Hallberg, SECONDED by Councillor Reid:

THAT the above resolution be tabled to the February 11, 2003 Regular Meeting due to the absence of the proponent, Councillor Henderson.

**CARRIED.**

**STAFF REPORTS**

**VANCOUVER 2010  
BID CORPORATION**

The Administrator presented a report regarding information from the Vancouver 2010 Olympic Bid Corporation.

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**2010 BID (CONT.)**

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT Council receives the Vancouver 2010 Bid Corporation report for informational purposes.

**CARRIED.**

MOVED by Mayor Harriman, SECONDED by Councillor Hurd:

THAT Council supports the Vancouver 2010 Olympic Bid.

**CARRIED.**

**FIRE DEPTS.  
COMPARISONS**

The Administrator presented a report showing comparisons of Fire Departments operating budgets, and noted Peachland Fire & Rescue Service's cost effective low operating budget is attributable to Fire Chief Wilson's expertise and dedication, as well as that of the PFRS members.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council receives the Fire Department's operating budgets comparison report for informational purposes.

**CARRIED.**

Council members commended the Fire Chief and members. The Mayor noted that PFRS submits excellent monthly reports to Council.

**CANCEL SEPT. 23  
COUNCIL MEETING**

The Administrator presented a report advising that most Council members plan to attend the UBCM Convention in Vancouver through the week of September 22, 2003.

MOVED by Councillor Fraser, SECONDED by Councillor Hurd:

THAT Council amends the Schedule of Regular Council Meetings for 2003 by canceling the September 23, 2003 meeting.

**CARRIED.**

It was noted that if there was pressing business before or after the week of the Convention, a Special Open Council Meeting could be called.

**POLICY #PRO-155  
MAIL PROCESSING**

The Administrator presented a report requesting an amendment to Policy #PRO-155: Mail – Receipt, Distribution and Processing Of.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Council amends Policy #PRO-155: Mail – Receipt, Distribution and Processing Of, to replace, in clause #1, the words "the receptionist" with the words "a member of staff designated by the Administrator."

**CARRIED.**

**RURAL FRINGE  
AREA PLANNING**

The Planning Technician presented a report requesting Council's consideration to reaffirm an agreement with the Central Okanagan Regional District to participate in sharing cost of some aspects of management of development as per the previous standing agreement for fringe area planning.

MOVED by Councillor Hallberg, SECONDED by Councillor Reid:

THAT Council agrees to participate in the fringe area planning function of the Central Okanagan Regional District at a cost of \$5548 for 2003.

MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

**AMEND MOTION**

THAT the main motion be amended to include: and the cost to be applied by the Central Okanagan Regional District be clarified on an annual basis.

**CARRIED.**

MOVED by Councillor Hallberg, SECONDED by Councillor Reid:

THAT Council agrees to participate in the fringe area planning function of the Central Okanagan Regional District at a cost of \$5548 for 2003;

AND THAT the cost to be applied by the Central Okanagan Regional District be clarified on an annual basis.

**CARRIED.**

**VOLUNTEERS  
POLICY**

The Administrator presented a report requesting Council's direction on the development of a policy in support of volunteers.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Council directs staff to proceed with the development of a policy to support volunteers, which would include:

- exclude property taxes
- exclude heat and light charges
- exclude water/sewer charges
- provide liability insurance for volunteer groups and organizations.

**CARRIED.**

**PHASE 2 SEWER  
COSTS**

The Administrator presented a detailed report outlining two possible sewer cost replacement models for the Phase 2 Sewer Project. Option 1, which includes an acreage tax for properties over 1/3 acre in size, would have a cost to under 1/3 acre properties of \$518.89. Option 2, without an acreage charge, would have a cost of \$650.84 to each property owner.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT members of the public be permitted to speak to this issue.

**CARRIED.**

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**PHASE 2 SEWER  
COSTS (CONT.)**

**Mr. Frank Warburton** spoke against Option 2, and asked Council to not to make a decision tonight, but to research a compromise.

**Mr. Gary Facey** asked Council to reach a medium between Options 1 and 2.

**Mrs. Pat Ryder** felt the acreage charge placed an unfairness on undevelopable properties.

**Mrs. Shirley Geiger** asked if the new charges impact those in existing sewer areas who already pay. It was clarified that the \$50 charge will affect every property owner in the District.

**Mr. Al Switzer** owns 5.38 acres and with the acreage tax will face a 66% tax increase of \$1886. He asked who has the 3 letters he has written to Council, each following a newspaper article regarding the acreage tax. He stated that the people who contribute the least to the pollution problem are now paying the most for a solution and it is not fair.

Councillor Reid clarified the following: every property currently pays \$75, and every property will pay an additional \$50; only properties in Phase 1-d and Phase 2 specified areas will pay the new rates. Option 2 has no acreage tax, with the same charge of \$650.84 to everyone.

Councillor Moritz noted that more information is being asked for, and more public input is required.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT the Phase 2 Sewer Costs Repayment Options be tabled to a Committee of the Whole Meeting to be held at 5:00 p.m. February 11, 2003, to receive public input on the issue;

AND THAT a five minute time limit be placed on each speaker.

**CARRIED.**

This item will be placed on the February 11 Regular Council Meeting Agenda for a Council decision.

**OTHER BUSINESS**

**IN CAMERA MTG.**

MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:

THAT an In Camera Meeting be held at 1:00 p.m. February 11, 2003, pursuant to Section 242(2) of the *Local Government Act*.

**CARRIED.**

**BYLAWS**

**Bylaw for Final Reading:**

**#1668 REVENUE  
ANTICIPATION  
BORROWING**

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Revenue Anticipation Borrowing Bylaw Number 1668, 2003 be finally reconsidered and adopted.

**CARRIED.**

**Bylaw for First, Second and Third Readings:**

**#1665 COUNCIL  
INDEMNITIES**

MOVED by Councillor Reid, SECONDED by Councillor Hurd:

THAT Council Indemnity Bylaw Number 1665, 2003 be read a First, Second and Third time.

**CARRIED.**

**Bylaw for First Reading:**

**#1670 ZONING  
AMENDMENT**

The Planning Technician presented a detailed report regarding the application to rezone Lot 2, Plan KAP67750, DL 220, 5460 Clements Crescent, from the A-1 (Rural/Agricultural) zone to the R-4 (Multiple Family Medium Residential) zone. It is proposed that 14 residential units in 3 clusters will be developed on this 0.69 acre parcel.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1670, 2003 be read a First Time;

AND THAT this application be reviewed by the Design Review Panel and the Development Services Committee prior to a Public Hearing to be held March 11, 2003;

AND THAT final adoption of the zone amending bylaw be held until such time as the developer has entered into an agreement for the provision of off-site services;

AND THAT final adoption of the zone amending bylaw occurs in conjunction with the approval of a Development Permit for new construction on the land.

**CARRIED.**

**QUESTION AND ANSWER PERIOD**

**N. GRUBER**

Mr. Norm Gruber expressed thanks to staff for reducing the \$250 sewer inspection fee for the Phase 2 sewer project. He asked why only the people in Phase 2 are paying. The Administrator advised that each sewer area is a specified area and only property owners in the specified area pay.

**QUESTION & ANSWER PERIOD (CONT.)**

**G. THORNE** Mr. Gord Thorne, President of the Little Schoolhouse Society, commended Council for supporting volunteers in the community with the proposed volunteer policy.

**L. SARSONS** Mrs. Linda Sarsons, President, Peachland Voters Association, asked how Council members are chosen to sit on the different committees. The Mayor advised that through discussions with and information provided by Council members, he made the appointments. He noted that committee appointments will change each December.

**ADJOURN** MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT the Regular Council Meeting adjourn at 9:47 p.m.

**CARRIED.**

(Original signed by Mayor and Clerk)

**Certified Correct.**

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

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

Dated at Peachland, B.C.  
This 12<sup>th</sup> day of February, 2003.