

**THE CORPORATION OF THE DISTRICT OF PEACHLAND**

**Regular Council Meeting Minutes  
Held Tuesday, July 22, 2003 at 7:00 p.m.  
In the Council Chambers, Peachland Community Centre**

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

Administrator Peter Jmaeff  
Deputy Clerk/Administrative Assistant Betty Briggs  
Treasurer Doug Pryde  
Director of Operations Joe Mocilac  
Contract Planner Dan Huang

Members of the Public  
Members of the Media

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**CALL TO ORDER:** Mayor Harriman called the Regular Meeting to order at 7:00 p.m., and noted the art work by Jean Coldham now gracing Council Chamber walls.

**AMENDMENTS TO AGENDA** Added to the Agenda:  
9-M: Greata Ranch Vineyard Winery Consumption Area  
12-E: Short Term Borrowing Bylaw No. 1690 for adoption  
11-A: In Camera Meeting August 6, 2003 at 6:00 p.m.  
11-B: Special Open Council Meeting August 6, 2003 at 7:00 p.m.  
11-C: In Camera Meeting August 26, 2003 at 1:00 p.m.  
5-C: Valley Music Festival  
7-D: Parks Committee Report

**APPROVAL OF AGENDA** MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT the Agenda be approved as amended.

**CARRIED.**

**ADOPTION OF THE MINUTES**

**ADOPT MINUTES** MOVED by Councillor Henderson, SECONDED by Councillor Hurd:

THAT the Minutes of the Regular Council Meeting held June 24, 2003 be adopted as circulated.

**CARRIED.**

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the Minutes of the Public Hearing held June 24, 2003 for Official Community Plan Bylaw No. 1600 Amendment Bylaw Number 1667, 2003 be adopted as circulated.

**CARRIED.**

**DELEGATIONS AND PRESENTATIONS**

**B & B ASSOC.**

Darlene Hartford gave a brief history of the Peachland On the Lake Bed and Breakfast Association, and advised that the group gave a presentation to the Bylaw Review Committee regarding community signage. The B & B Association now has recommendations for changes to the current zoning bylaw, including the following:

"B & B, Boarding and Lodging:"

- not more than six guests per night (currently at four)
- should be allowed three rooms (currently at two)
- allow coffee maker and mini fridge in each room
- agree that parking should be off-street
- no patrons stay more than 30 days – this is not applicable
- agree that a valid business license be required

"Home Occupation:"

- dimensions of permitted signs be increased from 1.5 sq.ft. to a maximum of 6 sq.ft., and be placed within property boundaries
- 'non-illuminated' signs – please clarify.

The Association requests that these items be considered by the Bylaw Review Committee.

Councillor Reid noted that the Bylaw Review Committee will re-commence meetings later in August.

**SANDERSON AVE.**

Christine Sanderson presented a petition signed by residents of Sanderson Avenue and people who use Sanderson Park, opposing the development of horseshoe pitches in the Park. She proposed that people find somewhere else to park and walk in to the Park, maybe a trail up the hill from Turner. She asked for respect for her husband in his old age; he has resided at this property for 61 years and deserves peace and quiet. There are no toilet facilities, fire hazard is high as there is no water.

Mr. Bob Maxwell asked Council to proceed in a civilized, respectful manner and arrive at a fair and just decision. He understands and sympathizes with Christine and Gordon Sanderson regarding the enjoyment of their tranquil property, but also understands that the town must continue to develop.

Councillor Hallberg thanked both presenters, and noted that prior to Council granting permission for the horseshoe pitches to be developed, it was understood that Mr. Sanderson had no concerns with the project.

**VALLEY MUSIC  
FESTIVAL**

Mr. Grant Eisworth and Mr. Marty Edwards gave a short update on the August 8<sup>th</sup> and 9<sup>th</sup> family event. They thanked the Chamber of Commerce, the Mayor and Council members and staff for the support given to date. They also thanked the Peachland Signal, and noted that more sponsors are welcome.

**MAYOR AND COUNCILLOR'S REPORTS**

**MAYOR HARRIMAN** Mayor Harriman reported spending 213 hours in June on Mayor duties. He noted the 'brain-dead' motorcyclists speeding and taking chances on Highway 97 and on Beach Avenue, and urged them to sign their donor cards.

Mayor Harriman thanked Councillor Hallberg, Communities in Bloom Committee volunteers and staff for their hard work for this year's competition.

The Mayor has appointed an ad hoc committee to study the future use of the Primary School building. The Committee consists of Councillor Moritz, Mr. Gordon Harris and Mr. Jack Crerar.

Mayor Harriman will also be appointing an agricultural committee, with more details to follow.

**CONVENTION  
ATTENDANCE**

Mayor Harriman asked for a resolution to restrict attendance to UBCM and OMMA Conventions.

MOVED by Councillor Hurd, SECONDED by Councillor Hallberg:

THAT attendance at the UBCM and OMMA Conventions be restricted as follows:

- a) the number of Councillors attending each convention be limited to 2;
- b) attendance is excluded in the third year of a Council member's term if that Council member will not be running in the next election.

The Mayor noted that with the above resolution, every Council member will have the opportunity to attend each convention once during their term of office.

Further discussion ensued on this resolution.

**AMEND MOTION**

MOVED by Councillor Hurd, SECONDED by Councillor Henderson:

THAT the motion be amended to allow 3 new Councillors to attend conventions in their first year of office.

**CARRIED.**  
Councillor Fraser OPPOSED.

**MAIN MOTION AS  
AMENDED**

THAT attendance at the UBCM and OMMA Conventions be restricted as follows:

- a) the number of Councillors attending each convention be limited to 2, except in the first year of office, when 3 new Councillors may attend;
- b) attendance is excluded in the third year of a Council member's term if that Council member will not be running in the next election.

**CARRIED.**

It was noted that Council members could attend additional conventions at their own expense.

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**COUNCILLOR  
HENDERSON**

Councillor Henderson attended Development Services Committee meeting on July 14<sup>th</sup>, and a meeting with the Mayor on July 4<sup>th</sup>.

Councillor Henderson noted that a citizen's house was bombarded with water balloons filled with rocks in the middle of the night, and investigation revealed the attackers accessed the property through a neighbouring property. He asked that a letter be sent to the owner to close off the access.

**COUNCILLOR  
HALLBERG**

Councillor Hallberg attended the Corporate Services Committee meeting, and the minutes are attached in this Agenda.

Councillor Hallberg reported on the Communities in Bloom judges' arrival in Peachland on Sunday afternoon, with judging taking place all day Monday. She thanked the Committee members, Hainle Estate Winery, Marina Henderson, Little Schoolhouse Society, Betty Briggs, Brad Lazar, Ken Chilton, Mayor Harriman, Terry Tanner, Suzy Clark, Hank and Judy Guckuk, and all of the entrants in the Best Bloom'n Sign contest. She also thanked anyone she may have missed.

**COUNCILLOR  
FRASER**

Councillor Fraser attended an Okanagan Regional Library Board meeting on July 16<sup>th</sup>, at which compensation for exempt staff was reviewed. The resulting recommendation will go to the Board at its September meeting.

**COUNCILLOR HURD**

Councillor Hurd is working on a Parks booklet, for which there is a need.

**COUNCIL COMMITTEE REPORTS**

**CORPORATE  
SERVICES**

Councillor Hallberg noted that the minutes are attached.

**DEVELOPMENT  
SERVICES**

Councillor Hurd, as the new Chair of the Committee, noted the items discussed, including the 20 year traffic plan in the Lipsett area, the Development Variance Permit application on Walker Road, community signage, and skateboard park sites.

**PARKS**

Councillor Hurd reported on the trails brochure, which has been developed by the sub-committee and the Volkssport Club. The next step will be marking the trails, and he provided a sample of the markers to be used.

**UNFINISHED BUSINESS**

**CORD PROHIBITED  
ANIMAL BYLAW**

The Contract Planner presented a report, noting this item was deferred at the June 24<sup>th</sup> meeting so that costs could be obtained.

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**CORD PROHIBITED ANIMAL BYLAW (CONT.)**      MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT the District of Peachland become a participant in the Central Okanagan Regional District's Prohibited Animal Bylaw service at an annual cost of approximately \$200 to \$300.

**CARRIED.**

**BUSINESS LICENSE BYLAW & SEASONAL CONCESSION POLICY**      The Contract Planner presented a report regarding the Business License Bylaw and Seasonal Concession Policy, which have been provided to Council since the June 24<sup>th</sup> meeting.

The Deputy Clerk will provide a definition of 'Concession.'

MOVED by Councillor Moritz, SECONDED by Councillor Henderson:

THAT the Business License Bylaw be amended to require students to obtain a Business License at no charge.

**CARRIED.**

**STAFF REPORTS**

**CORD DOG CONTROL EXTENDED SERVICE BYLAW**      The Contract Planner presented a report advising of the requirement for Peachland to provide consent for CORD's Dog Control Extended Service Establishment Bylaw No. 1017, as Peachland is a participant of the service.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT pursuant to Section 801.4 of the *Local Government Act*, the Council of the District of Peachland, on behalf of the electors of the District of Peachland, consents to the adoption of the Regional District of Central Okanagan Dog Control Extended Service Establishment Amendment Bylaw Number 1017, 2003, that expands the service area to include Kelowna.

**CARRIED.**

**TRAILS COM.**      The Contract Planner presented a report requesting that a letter be sent to the Province requesting permission to install distance trail markers on Crown Land.

MOVED by Councillor Hurd, SECONDED by Councillor Moritz:

THAT Council authorizes the Trails Committee to install distance markers on trails within the District of Peachland on municipal property;

AND THAT Council requests permission from the Province for the Trails Committee to install distance markers on trails situated on Crown Land in the vicinity of the District of Peachland.

**CARRIED.**

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**TRAILS COM.**  
**(CONT.)**

Councillor Reid requested that a number system also be implemented to assist those with colour vision impairment.

**BUOY LICENSE**  
**CHRIS BACH**

The Contract Planner presented a report outlining the history of Mr. Chris Bach's buoy license in front of 3858 Beach Avenue. Through complications, Mr. Bach now has a valid buoy license but no buoy.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Council authorizes Mr. Chris Bach to install a buoy, as per his current license, in the foreshore of Unit 10, approximately in front of 3860 Beach Avenue.

**CARRIED.**

**MIABC VOTING**  
**DELEGATE**

The Administrator presented a report regarding the requirement to appoint a voting delegate and alternates for the AGM of the Municipal Insurance Association of BC, to be held in conjunction with the UBCM Convention.

MOVED by Councillor Reid, SECONDED by Councillor Hurd:

THAT Councillor Michael Henderson be appointed the District of Peachland's voting delegate for the MIABC annual general meeting;

AND THAT Councillors Sharon Hallberg and Shayn Moritz be appointed as alternates.

**CARRIED.**

**PORTABLE OFFICE**  
**STRUCTURE – TNI**

The Administrator presented a report regarding the requirement by TNI for more office space.

MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:

THAT Council ratifies the approval for TNI to install a temporary portable office structure at Lots 18 & 19, Block 2, Plan 44, DL 490, civic address 4422 – 1<sup>st</sup> Street, for a one year term, subject to the conditions outlined in the approval letter;

AND THAT a one year extension may be granted, if required, subject to the added condition that 60 days' notice to remove the structure in the event of commencement of downtown redevelopment.

**CARRIED.**

**KELOWNA LADDER**  
**TRUCK AGREEMENT**

The Fire Chief presented a report requesting the Mayor and Clerk sign the Peachland-Kelowna Ladder Truck Agreement. The Fire Chief noted that this is good insurance for Peachland.

MOVED by Councillor Hallberg, SECONDED by Councillor Reid:

THAT Council authorizes the Mayor and Clerk to sign the Peachland-Kelowna Ladder Truck Agreement.

**CARRIED.**

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**SEWER DESIGN  
PHASES B, D, E**

The Director of Operations presented a report for information, advising that the contract for engineering sewer design has been awarded to Earth Tech Canada Inc. in the amount of \$292,400.

**DEV. VARIANCE  
3658 WALKER RD.**

The Contract Planner presented a report regarding a Development Variance Permit application #DP03/10,003 for 3658 Walker Road, to variance the Subdivision and Development Servicing Bylaw No. 1230, Section 6.

MOVED by Councillor Hurd, SECONDED by Councillor Henderson:

THAT Council approve the variance to the Subdivision & Development Servicing Bylaw No. 1230, Section 6 – Servicing Requirements for Development Not Requiring Subdivision, for Lot A, Plan 5947, DL 449, located at 3658 Walker Road, to allow for the drilling and installation of a well to provide water for an existing residential parcel;

AND THAT a building permit for the construction of a single family residence be withheld until such time as the applicant can prove out potable water to a quantity and quality acceptable to the appropriate approving agencies.

**CARRIED.**

**ISLAND VIEW  
VILLAS PRELIM.  
SITE WORK**

The Contract Planner presented a report requesting permission for Island View Villas to commence preliminary site works on Lot 50, Plan 44215 and Lot 2, Plan 45090, DL 449. The work would not be allowed to commence until the applicant has posted securities in the amount of \$30,000.

Councillor Reid noted that this issue has not come before Council or a Committee to this point, and it is a controversial development due to the steep slopes. He is nervous to approve this moving of fill, and the full Development Permit should come before Council, at a Special Council Meeting if necessary. Councillor Hallberg would like to see the geotechnical report.

MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT the request for permission to commence preliminary site works by Island View Villas be tabled to the August 6, 2003 Special Open Council Meeting.

**CARRIED.**

**HWY. 97 TURN  
LANES TO SOUTH  
BOAT LAUNCH**

The Director of Operations presented a report outlining proposed turning lanes from Highway 97 to the south boat launch area. Drawings of the proposal were displayed on the overhead projector. This project would resolve safety issues at this site. The Ministry of Transportation will contribute \$75,000 of the \$150,000 cost.

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**HWY. 97 TURN  
LANES SOUTH  
BOAT LAUNCH  
(CONT.)**

MOVED by Councillor Moritz, SECONDED by Councillor Henderson:

THAT staff proceed with the Highway 97 turn lanes in to the south boat launch area in 2003;

AND THAT the District's portion of the project be funded through the Non-DCC Road Reserve Fund.

**CARRIED.**

**CHAMBER OF  
COMMERCE/  
TOURIST INFO**

The Director of Operations presented a report outlining three options for the relocation of the Chamber of Commerce/Tourist Information Centre. The first option is a modular building at the south boat launch area, the second option is moving an existing house from Buchanan Road to the south boat launch area, and the third option is leasing space at the Peachland Mall.

Most Council members expressed opposition to leasing space at the mall. Chamber of Commerce President Shirley Geiger stated that they would lose visitors if the Tourist Information Centre was located in the mall; highway location is the preference.

Mayor Harriman noted that there is some urgency to install the Chamber's billboard sign.

MOVED by Councillor Henderson, SECONDED by Councillor Reid:

THAT the Chamber of Commerce/Tourist Information Centre relocation be tabled to the August 6, 2003 Special Open Council Meeting.

**CARRIED.**

**GREATA RANCH  
LIQUOR LICENSING**

The Administrator presented a report requesting Council's endorsement of Greata Ranch Vineyard's Winery Consumption Area and Lounge Endorsement and Picnic Endorsement.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Council recommends the issuance of the license and endorsements as Council is of the view that Greata Ranch Vineyards will provide a positive impact on the community and surrounding area and will result in an additional growth in destination tourism;

AND THAT the Council's comments on the prescribed consideration are as follows:

- a) the District of Peachland assumes that the location of the new entrance to the vineyard and winery has been constructed as per Ministry of Transportation requirements for safer access;
- b) there are no commercial establishments immediately contiguous to the establishment, the closest one being a fruit stand approximately two kilometers to the south. The winery is located within 1.5

**GREATA RANCH  
VINEYARD (CONT.)**

kilometers of Okanagan Lake Provincial Park, also to the south. Peachland is the closest community beginning at Antlers Beach, 4 kilometers to the north, with the main shopping area of Peachland approximately 9 kilometers to the north;

- c) the application is for a person capacity of 100 for inside the Wine Shop, 100 on the Wine Shop Terrace, and up to 100 for the picnic area. The application for the Winery Consumption Area and Lounge Endorsement indicates hours of 9:00 am to midnight, and on the application for the Winery Picnic Endorsement indicates hours of 10:00 am to 9:00 pm. We are satisfied with the patron capacity and hours of liquor service of the establishment, which are standard for this type of establishment;
- d) the market focus or clientele would be residents of Summerland and Peachland and destination wine tourists including organized wine tours;
- e) the District of Peachland does not anticipate an increase in highway traffic on Highway 97, noise is not a factor since we are not the governing body for this area. Although parking has been provided, we are unable to comment on the parking requirements or the zoning of this property;
- f) the establishment is in a rural area between the towns of Peachland and Summerland, which have a combined population density of approximately 15, 500;
- g) the surrounding area consists of a combination of farm and service businesses, with employment being dependent upon the tourism industry to a significant extent. The establishment of the winery and provision of the applied-for services will provide an additional benefit to the growing and important tourist industry;
- h) if the application is approved, it will provide a positive impact to the community and will result in an additional growth in destination tourism. The establishment will provide a unique vineyard and winery experience for residents and tourists alike, and will provide an attractive social venue for residents in the area;

AND THAT the Council's comments are that there are no residents within 800 meters of the winery. The establishment of the winery and the provision of food and wine services are beneficial to the area. The planting of the Greata Ranch Vineyards on land that had been vacant and neglected for over 30 years has made a very positive contribution to the area. Because this application is not within the District of Peachland's boundaries, we have not had the opportunity to canvass the residents in the area.

**CARRIED.**  
Councillor Moritz OPPOSED.

**NOTICE OF MOTION**

**CEMETERY FEES**      MOVED by Councillor Hallberg, SECONDED by Councillor Henderson:

THAT staff bring a report to the August 26, 2003 Regular Council Meeting regarding fees and charges at the Peachland Cemetery.

**CARRIED.**

**OTHER BUSINESS**

**IN CAMERA MTG.**      MOVED by Councillor Hallberg, SECONDED by Councillor Henderson:

THAT an In Camera Meeting be held at 1:00 p.m. Tuesday, August 26, 2003, pursuant to Section 242.2 of the *Local Government Act*.

**CARRIED.**

MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT an In Camera Meeting be held at 6:00 p.m. Wednesday, August 6, 2003, pursuant to Section 242.2 of the *Local Government Act*.

**CARRIED.**

**SPECIAL COUNCIL MEETING**      MOVED by Councillor Henderson, SECONDED by Councillor Reid:

THAT a Special Open Council Meeting be held Wednesday, August 6, 2003 at 7:00 p.m.

**CARRIED.**

**BYLAWS**

**POINT OF ORDER**      Councillor Reid, as a point of order, noted that an e-mail and hard copy submission received after the Public Hearing held for Bylaw Number 1667 was destroyed without being read, as Council cannot receive submissions following the closure of a Public Hearing.

**Bylaw For Second and Third Readings:**

**OCP AMENDMENT #1667 – AMEND**      MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Official Community Plan Bylaw No. 1600 Amendment Bylaw Number 1667, 2003, be amended as follows:

Page 37, heading "Development Issues:"\_ article #2, the words highlighted in bold print parenthesized are DELETED:

2. Existing private mooring buoys are permitted in this area, subject to licensing and inspection. **(The existing licensees will be grandfathered, but the buoys in Unit 10 will not be transferred or sold. When a license becomes vacant it will not be renewed, the buoy will be removed.)**

**CARRIED.**

Councillors Henderson and Moritz OPPOSED.

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**OCP #1667 (CONT.)** MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Official Community Plan Bylaw No. 1600 Amendment Bylaw Number 1667, 2003, be amended as follows:

Heading "Permitted Uses:" article #10.2 the word 'June' is changed to 'July 23, 2003....'

**CARRIED.**

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Official Community Plan Bylaw No. 1600 Amendment Bylaw Number 1667, 2003, as amended, be read a Second and Third Time.

**CARRIED.**

Councillor Henderson OPPOSED.

**Bylaws for Final Reconsideration and Adoption:**

**SIGN BYLAW**  
**#1689**

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Sign Bylaw No. 1088 Amendment Bylaw Number 1689, 2003 be finally reconsidered and adopted.

**CARRIED.**

**WATER USE**  
**RESTRICTIONS**  
**#1688**

MOVED by Councillor Hallberg, SECONDED by Councillor Reid:

THAT Water Use Restrictions Bylaw Number 1688, 2003 be finally reconsidered and adopted.

**CARRIED.**

**STAGE 1 WATER**  
**RESTRICTIONS**

The Director of Operations presented a report requesting Council to authorize the implementation of Stage One Watering Restrictions, as contained in Water Use Restrictions Bylaw Number 1688, 2003.

MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT Council authorizes the implementation of Stage One Water Use Restrictions effective immediately.

**CARRIED.**

MOVED by Councillor Fraser, SECONDED by Councillor Reid:

THAT the Municipal Clerk be directed to compile a policy stating that for the first watering offence, the Bylaw Enforcement Officer will give a warning to the resident along with a copy of Bylaw Number 1688.

**CARRIED.**

**SHORT TERM**  
**BORROWING**  
**#1690**

MOVED by Councillor Fraser, SECONDED by Councillor Hurd:

THAT Short Term Capital Borrowing (Peachland Primary Property) Bylaw Number 1690, 2003 be finally reconsidered and adopted.

**CARRIED.**

**QUESTION PERIOD**

**D. WILSON** Mr. Don Wilson, Renfrew Road, advised that 'Greata' is pronounced 'Greta.' Mr. Wilson noted that the Chamber of Commerce sued to have a booth on the tarmac where Council is considering placing it now, and it was a very successful location.

**M. IRVING** Mrs. Marion Irving questioned the placement of horseshoe pitches for seniors at the Sanderson Avenue park location due to inaccessibility, no water, fire hazard, one lane road. She asked why this area was chosen.

Councillors advised Mrs. Irving that the Horseshoe Club chose this location and she could talk to Roger Cyr. She was also advised that the Club will apparently be open to all ages.

**C. SANDERSON** Christine Sanderson again spoke against the horseshoe pitches being developed at the end of Sanderson Avenue.

**N. GLUSHENKO** Mrs. Nan Glushenko, 3862 Beach Avenue, thanked Council for bringing to a successful close the amendments to the Official Community Plan regarding Unit 10 of the foreshore.

**J. COLDHAM** Mrs. Jean Coldham congratulated the Mayor on trying to reduce the number of Councillors who attend conventions, as it is very expensive for the taxpayers. Mrs. Coldham also commented on a very irritating report circulating regarding grants to community groups.

**G. TODD** Graham Todd thanked Council for creating Trepanier Bay Park, which is a bonus for Peachland. He stated there are still problems with traffic in the area, with cars drag racing, and car windows being smashed. He asked to have the traffic slowed down. Councillor Reid and Mayor Harriman advised Mr. Todd to contact the RCMP and the Community Policing Office, whose members can pay more attention to this area.

**S. GEIGER** Mrs. Shirley Geiger, 14<sup>th</sup> and Beach Avenue, noted that speeding is a problem along this portion of Beach, as well.

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

THAT the Regular Council Meeting adjourn at 9:58 p.m.

**CARRIED.**

(Original signed by Mayor & Clerk)

**Certified Correct.**

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

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

Dated at Peachland, B.C.  
This 26<sup>th</sup> day of August, 2003.