

**THE CORPORATION OF THE DISTRICT OF PEACHLAND**

**Regular Council Meeting Minutes  
Held Tuesday, September 9, 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 Betty Briggs  
Treasurer Doug Pryde  
Director of Operations Joe Mocilac  
Planning Technician Heidi Simkins (part of meeting)  
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 Council members wearing T-shirts supporting the firefighters in the Okanagan Mountain Park forest fire. A standing ovation was given to all personnel involved in fighting the fire.

**AMENDMENTS TO THE AGENDA** Removed from the Agenda:  
6-A: Central Okanagan Foundation (postponed to later date)  
6-B: EDC – Business Retention Plan (postponed to later date)  
12-A: Resolution to hold an In Camera Meeting Oct. 14, 2003  
Added to the Agenda:  
9-C: CORD Prohibited Animal Bylaw  
13-B-(i): Maple Springs Bible Camp tax exemption request  
13-D: Coquihalla Connector/Trepanier Bench Bylaw #1696  
10-D: Recreation Director OUC Course

**APPROVAL OF THE AGENDA** MOVED by Councillor Hallberg, SECONDED by Councillor Hurd:

THAT the Agenda be approved as amended.

**CARRIED.**

**ADOPTION OF THE MINUTES**

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

THAT the Minutes of the Regular Meeting held August 26, 2003 be adopted as circulated.

**CARRIED.**

**PUBLIC HEARING**

**ZONING AMEND. #1692 (ISLAND VIEW)** Mayor Harriman opened the Public Hearing for Zoning Bylaw No. 1375 Amendment Bylaw Number 1692, 2003 at 7:06 p.m.

The Public Hearing closed at 9:25 p.m.

**DELEGATIONS AND PRESENTATIONS**

**C. SANDERSON**

Mrs. Christine Sanderson addressed Council regarding the development of horseshoe pitches at the end of Sanderson Avenue. She and her husband mistakenly understood that Council had retracted permission for the development of horseshoe pitches at the end of Sanderson Avenue, and expressed their dismay and opposition to the development going ahead. She noted lack of proper roads, lack of street lights, lack of water and toilets, and the fire hazards at the Sanderson Park location.

Mayor Harriman thanked Mrs. Sanderson for her presentation.

**MAYOR AND COUNCILLOR'S REPORTS**

**MAYOR HARRIMAN**

Mayor Harriman attended the COPS for KIDS event and raised \$100 to have his head shaved. The Mayor took a 10 day break in August to visit family in Ontario. He spent 105 hours during August on Mayor duties.

Mayor Harriman noted a saying, "Worry is the interest you pay on things that may not happen," and related it to the current recommendations of the Volunteer Support Review Committee recommendations, which have caused concern with the public. He advised that the Corporate Services Committee will submit recommendations on the report to an open Council Meeting, and asked the public to be patient.

**COUNCILLOR  
HENDERSON**

Councillor Henderson thanked Fire Chief Topham for taking time to review information provided at a PFRS meeting with Council. He also thanked Malcolm Knapman and the Communications Society for working with Telus to install an emergency cell tower at the Society's location.

**COUNCILLOR  
HALLBERG**

Councillor Hallberg attended the PFRS meeting regarding interface fires, the COPS for KIDS event on September 5<sup>th</sup>, and volunteered at the Parrot Sanctuary garage sale.

**COUNCILLOR REID**

Councillor Reid provided a written report regarding the provision of water Service to properties outside the District of Peachland, with a recent instance of an In Camera Council resolution from October 8, 2002, authorizing provision of water service to a property in the Regional District on MacKinnon Road. Section 242.2 of the Local Government Act sets out items that may be discussed at In Camera meetings, and provision of service outside municipal boundaries is not one of those items. Recommendations in the report included: (1) that this matter be made public at the earliest opportunity. Councillor Reid's report implements that recommendation. (2) that the Administrator report to Council on the circumstances and history of the approval and implementation. The Administrator's report is on this agenda. (3) that the Mayor obtain legal advice regarding the validity of the In Camera resolution. The Mayor is obtaining legal advice. (4) that the Administrator report on what actions the District could take to correct the low water pressure conditions for properties near the connections, and the costs. This report will be made to Council as soon as possible. (5) that Council

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**COUNCILLOR REID (CONT.)** develop and open and transparent process regarding consideration of providing services outside District boundaries, and that this process be included in the Council Procedure Bylaw. This recommendation will be forwarded on this Agenda under 'Notices of Motion.'

**COUNCILLOR FRASER** Councillor Fraser attended the PFRS meeting regarding interface fires and fire hydrants, etc.

**EXTEND MEETING** MOVED by Councillor Moritz, SECONDED by Councillor Fraser:  
THAT the Regular Council Meeting be extended beyond 10:00 p.m.  
**CARRIED.**

**COUNCIL COMMITTEE REPORTS**

There were no Committee Reports.

**UNFINISHED BUSINESS**

**STANDING COM. STRUCTURE AMEND.** MOVED by Councillor Fraser, SECONDED by Councillor Moritz:  
THAT Standing Committee Structure Policy #PRO-275 be amended by replacing Item 'C' under Committee Structure as follows:  
"Each Council member shall serve on two Committees in at least one year during their term of office."  
**CARRIED.**

**FIRE CHIEF – OATHS** The Clerk Administrator administered the Oath of Office and Oath of Allegiance to Fire Chief Grant Topham. Mr. Topham thanked Council for appointing him to this position, and promised to do his best for the Municipality. Fire Chief Topham reported that PFRS assistance at the Okanagan Mountain Park and Vaseaux Lake fires totaled 569.5 apparatus hours, and 1594 firefighters hours.

**CORD PROHIBITED ANIMAL BYLAW** The Administrator presented a report advising that the wording in the previous Council resolution authorizing participation in CORD's Prohibited Animal Bylaw was not exactly what the Ministry required.  
MOVED by Councillor Reid, SECONDED by Councillor Hallberg:  
THAT pursuant to Section 801.4 of the *Local Government Act*, Peachland Council, on behalf of the electors of the District of Peachland, consents to the adoption of the Regional District of Central Okanagan Prohibited Animal Control Service Establishment Bylaw Number 1027.  
**CARRIED.**

**STAFF REPORTS**

**REC. POLICY AMEND** The Administrator presented a report requesting amendment to Community Recreation Policy #FIN-035 to require all functions in municipal facilities which serve alcohol to provide a designated driver program.

MOVED by Councillor Fraser, SECONDED by Councillor Hurd:

THAT Council amends Community Recreation Policy #FIN-035 as follows: (changes in bold)

1. Page 10: Facility Rental Regulations, #3: If alcohol is to be consumed in the facilities, a Provincial BC Liquor License must be obtained. This license must be posted in the facility at the time of the event. **The organizers of the events at facilities, at which alcohol is served, have in place a 'Designated Driver Program'**

2. Page 16: Facility Rental Contract – Rules & Regulations, #3: If alcohol is to be consumed in the facilities, a Provincial BC Liquor License must be obtained. This license must be posted in the facility at the time of the event. **The organizers of the events at facilities, at which alcohol is served, have in place a 'Designated Driver Program.'**

3. Page 24: Terms and Regulations, The Applicant (Event Manager) will: #2: will not permit liquor or beer on any premises unless a liquor permit is in effect. A copy of said permit shall be presented and attached to this agreement prior to use of said facility. **The organizers of the events at facilities, at which alcohol is served, have in place a 'Designated Driver Program.'**

**CARRIED.**

Councillor Reid suggested staff obtain informational brochures on designated driver programs from ICBC.

**GASTHAUS BEER  
GARDEN PERMIT  
FEE WAIVER  
REQUEST**

The Administrator presented a report regarding the request from the Gasthaus on the Lake's request for waiver of the \$50/day Beer Garden Permit Fee in the Business License Bylaw for use of 3 parking spaces for their Oktoberfest event.

Council members noted that free use of District facilities is not allowed if alcohol is to be served, that the Oktoberfest is a business decision, and that taxpayers should not cover this fee.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council waives the \$50/day Beer Garden fee in the Business License Bylaw for the Gasthaus on the Lake Octoerbest event to be held on public property September 12, 13, 14, 19, 20 and 21, 2003.

**DEFEATED.**

Councillor Fraser IN FAVOUR.

Mayor Harriman, Councillors Hallberg, Henderson, Hurd, Moritz and Reid OPPOSED.

**BYLAW ENFORCE-  
MENT OFFICER**

The Administrator presented a report requesting authorization to proceed to advertise for bids for the Bylaw Enforcement Officer contract. A job description and request for bids was included.

Amendments to the job description and request for bids were:

- **acquire** knowledge of District bylaws
- Level 1 Bylaw Enforcement & Investigative Skills Certificate **or equivalent would be an asset**

Both the above points will be moved to a separate paragraph.

MOVED by Councillor Reid, SECONDED by Councillor Henderson:

THAT Council authorizes staff to proceed to advertise for bids for the Bylaw Enforcement Officer contract, including the amendments listed.

**CARRIED.**

**IN CAMERA ITEMS**

The Administrator presented a report listing In Camera decisions:

- May 27, 2003 Management Job Descriptions approved
- June 24, 2003 Mayor & Administrator authorized to complete negotiations and sign a long term lease for the foreshore for Pentowna Marina Ltd.
- August 6, 2003 Administrator authorized to hire Mr. Chris Prosser as the District's Director of Planning & Development Services

**BUILDING  
INSPECTION**

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the report regarding Building Inspection be tabled to the next Regular Meeting of Council.

**CARRIED.**

**NOTICES OF MOTION**

**COUNCILLOR REID  
WATER**

Councillor Reid put forward the following Notice of Motion for the next Regular Meeting:

WHEREAS there is considerable concern in Peachland and in the Okanagan Basin about the availability of future water supplies and the conservation of existing supplies;

BE IT RESOLVED:

1. THAT the District of Peachland undertake a study of water quantity, availability and cost of delivery to Peachland residents, including a review of existing studies and coordination with the Regional District's Trepanier Landscape Unit Water Management Plan study currently underway;
2. THAT staff report to Council on the feasibility and cost of requiring ultra low flush toilets in all new construction and renovations in the District of Peachland;

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**COUNCILLOR REID (CONT.)** 3. THAT staff report to Council on the feasibility and the cost of installation and servicing of water meters for:  
a) all new construction, and  
b) retrofitting of existing structures.

**COUNCILLOR REID** Councillor Reid put forward the following Notice of Motion for the next  
**PROCEDURE BYLAW** Regular Meeting:  
**AMENDMENT**

THAT Council develop an open and transparent process under which any proposed permanent provision of District of Peachland services to properties outside the District could be publicly discussed at an early stage with anyone who considers themselves affected; and

THAT Council consider enshrining the process in the Council Procedure Bylaw.

**STAFF REPORTS (CONT.)**

**REC. DIRECTOR**  
**ouc course**

The Administrator presented a report requesting an amendment to the Staff Education and Training Policy #PER-190 to remove the last words in the last sentence of article #4: **“...upon submitting proof of successful completion of the training programme or course.”** This would then permit the District to pay for the cost of the course at time of registration.

MOVED by Councillor Hurd, NO SECONDER:

THAT Council amends Staff Education and Training Policy #PER-190 to remove the last words in the last sentence of article #4: **“...upon submitting proof of successful completion of the training programme or course.”**

**DEFEATED.**

(No vote taken due to lack of Secunder.)

**OTHER BUSINESS**

**ADD TO AGENDA**  
**IN CAMERA MTG.**

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Council adds to the Agenda 12-A: Resolution to hold an In Camera Meeting on October 14, 2003 at 1:00 p.m. for personnel issue.

**CARRIED.**

**IN CAMERA MTG.**

MOVED by Councillor Fraser, SECONDED by Councillor Reid:

THAT an In Camera Meeting be held at 1:00 p.m. October 14, 2003 pursuant to Section 242.2(1)(a), personnel.

**CARRIED.**

**BYLAWS**

**Bylaw for Second and Third Readings:**

**ZONING AMEND.  
#1692 ISLAND VIEW  
VILLAS**

Regarding Zoning Amendment Bylaw No. 1692, Island View Villas, the Administrator advised that Council could give Second and Third Readings to Bylaw 1692, subject to receipt of further information requested.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Second and Third Readings of Zoning Bylaw No. 1375 Amendment Bylaw Number 1692, 2003 be tabled to a Special Open Council Meeting to be held September 18, 2003 at 7:00 p.m.

**CARRIED.**

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

**#1694 TAX  
EXEMPTION**

The Treasurer presented the 2004 Tax Exemption Bylaw for three readings, and noted requests for tax exemption from the Wellness Centre, the Riding Club, and Maple Springs Bible Camp, and the tax implications should these be included in the Bylaw.

MOVED by Councillor Reid, SECONDED by Councillor Hurd:

THAT the three requests for tax exemption be referred to Corporate Services Committee for discussion with the applicants;

AND THAT a report be submitted to the October 14, 2003 Regular Council Meeting.

**CARRIED.**

**#1695 WATER  
SERVICE ESTAB-  
LISHMENT**

The Administrator presented a report outlining the history and reasons for the approval to provide water outside District boundaries to the Gary Yates property on MacKinnon Road, and the requirement for a Bylaw which needs the approval of the Board of the Regional District.

MOVED by Councillor Fraser, SECONDED by Mayor Harriman:

THAT Council gives First, Second and Third Readings to Water Service Establishment Bylaw Number 1695, 2003.

MOVED by Councillor Henderson, SECONDED by Councillor Moritz:

THAT First, Second and Third Readings of Water Service Establishment Bylaw Number 1695, 2003 be tabled.

**CARRIED.**

**Bylaws for First, Second and Third Readings: (Cont.)**

**#1696 COQUIAHALLA CONNECTOR HWY. 97C/TREPANIER BENCH RD. ON/OFF RAMP** The Administrator presented a report regarding the requirement for a Bylaw to operate a service of the municipality in an area outside the District boundaries regarding the on/off ramp at the Connector and Trepanier Bench Road.

MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:

THAT Council gives First, Second and Third Readings to Coquihalla Connector Hwy. 97C/Trepanier Bench Road On-Off Ramp Service Establishment Bylaw Number 1696, 2003;

AND THAT pursuant to Section 518.1(b) of the *Local Government Act*, the Board of the Regional District of Central Okanagan be requested to consent to the service establishment;

AND THAT the Regional District be requested to sign a letter of understanding for its contribution of \$100,000 to the project.

**CARRIED.**

**QUESTION PERIOD**

**P. RYDER**

Mrs. Pat Ryder noted that in the report regarding water service to the Yates property, 150 litres/minutes was written. She asked for confirmation if that was continuous or intermittent water supply. The Administrator clarified that it was intermittent.

**G. YATES**

Mr. Gary Yates asked if there would be another public hearing on Water Service Establishment Bylaw Number 1695, now that it has been tabled by Council. The Administrator advised that there is no requirement for a public hearing, and that the Bylaw was listed on this Agenda for First, Second and Third Readings. Councillor Reid suggested that Mr. Yates put his information in writing to Mayor and Council, and that the Bylaw was tabled indefinitely, which requires a Council resolution to bring it back to the table.

**ADJOURNMENT**

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT the Regular Council Meeting adjourn at 11:04 p.m.

**CARRIED.**

(Original signed by Mayor & Clerk)

**Certified Correct.**

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**Mayor**

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**Municipal Clerk**

Dated at Peachland, B.C.  
This 19<sup>th</sup> day of September, 2003.