

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, January 13, 2004 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
Fire Chief Grant Topham

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. and requested a minute of silence in honour of Peachland residents lost in 2003. The Mayor noted new art on the Council Chambers walls by local artist and Councillor Michael Henderson.

AMENDMENTS TO THE AGENDA Removed from the Agenda:
12-A: Council Procedure Bylaw Number 1704, 2004
9-D: Community Recreation Policy Amendments
8-E: Senior Citizens' Activity Centre Lease Agreement
Added to the Agenda:
8-G: Brent Road Fire Protection Service Establishment Bylaw
11-B: Resolution to hold an In Camera Meeting January 21, 2004.

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

THAT the Agenda be approved as amended.

CARRIED.

ADOPTION OF THE MINUTES

ADOPT MINUTES MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT the Minutes of the Regular Council Meeting held December 9, 2003, be adopted as circulated.

CARRIED.

DELEGATIONS & PRESENTATIONS

OUC Mr. Tony Runge, Board of Governors, Okanagan University College, addressed Council regarding OUC's response to the Ministry of Advanced Education's paper on 'Mandates, Roles and Responsibilities in the Public Post-Secondary Education System in British Columbia.' A copy of OUC's response, which outlines OUC's reasoning for requesting full University status, was provided to Council members, and highlighted by Mr. Runge, Dr. Katy Bindon and Mr. Alan Coyle. Mr. Coyle requested Council's support for OUC's initiative. Mayor Harriman thanked the OUC representatives for their presentation.

WELLNESS CENTRE Ms. Diane Geddes, Coordinator, announced the placement of three OUC practicum students at the Wellness Centre for four months. Ms. Amanda Donaldson advised Council that she is a 3rd year Bachelor of Social Work student, and that her interests are youth and support for foster parents. Mr. Nick Dagnon is also a social work practicum student and is interested in community engagement. He hopes to build a community assets inventory to assist in creating solutions for unique needs identified in this community. Ms. Geddes advised that the third student, Shona Gagnon is sick tonight. She will be assisting with development of a computerized Red Cross Loan Cupboard inventory management program, will be involved in youth leadership and programming, and is considering developing a community fruit harvest program.

Mayor Harriman welcomed the students to Peachland, and provided Peachland pins to the students and to the OUC representatives.

MAYOR AND COUNCILLORS' REPORTS

MAYOR HARRIMAN Mayor Harriman reported 139 hours in December on Mayor's duties. He noted the new, first-class medical center on 1st Street. In 2003, a total of 2094 hours were spent on Mayor's duties, including 852 hours in the office and at meetings.

Mayor Harriman thanked the members of the Volunteer Support Review Committee for completing their difficult task.

VSR COMMITTEE MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the Volunteer Support Review Committee be dissolved.

CARRIED.

2004 COMMITTEE APPOINTMENTS MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT the 2004 Committee appointments be approved, with Councillor Hallberg added as Alternate to the Okanagan Regional Library Board, as follows:

Corporate Services Committee:

Councillor Henderson (Chair Jan. 13 to April 30)

Councillor Moritz (Chair May 1 to Aug. 31)

Councillor Fraser (Chair Sept. 1 to Dec. 31)

Development Services Committee:

Councillor Reid (Chair Jan. 13 to April 30)

Councillor Hurd (Chair May 1 to Aug. 31)

Councillor Moritz (Chair Sept. 1 to Dec. 31)

Operational Services Committee:

Councillor Hallberg (Chair Jan. 13 to April 30)

Councillor Fraser (Chair May 1 to Aug. 31)

Councillor Henderson (Chair Sept. 1 to Dec. 31)

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**2004 COMMITTEE
APPOINTMENTS
(CONT.)**

Agriculture Committee: Councillor Hurd

Annual District Events Committee: Councillor Fraser, Chair; Councillor Hallberg

Arts & Culture Committee: Councillor Henderson, Chair; Councillor Hallberg

Brenda Mines Liaison Committee: Councillor Reid

Bylaw Review Committee: Councillor Reid, Chair; Councillors Moritz and Fraser

Chamber of Commerce Committee: Councillor Hallberg, Chair; Councillor Fraser

CORD Representative: Mayor Harriman; Alternate Councillor Hallberg

CORD Economic Development Committee: Councillor Reid

District Economic Development Committee: Councillor Henderson, Chair; Councillor Hurd

District Public Facilities Committee: Councillor Hallberg

Financial Services Committee: Councillor Moritz, Chair; Councillor Henderson

Fire Department Committee: Councillor Hurd

Hwy. 97 Improvement/Four-Laning Committee: Councillor Henderson

Okanagan Regional Library: Councillor Fraser; Alternate Councillor Hallberg

2010 Olympic Committee: Councillor Reid

Parks Committee: Councillor Hurd

Policing Committee: Councillor Fraser, Chair; Councillor Hallberg

Transit Committee (District & CORD): Councillor Hurd

Recreation Committee: Councillor Hallberg, Chair; Councillor Moritz

School District #23: Councillor Henderson

Seniors Committee: Councillor Fraser

Treaty Advisory Committee: Councillor Fraser

Youth Committee: Councillor Moritz, Chair

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**2004 COMMITTEE
APPOINTMENTS
(CONT.)**

Volunteers Liaison Committee: Councillor Fraser, Chair; Councillor Moritz

Water Committee (District & CORD): Councillor Reid, Chair; Councillor Henderson

Ex Officio – All Committees: Mayor Harriman.

CARRIED.

**COUNCILLOR
FRASER**

Councillor Fraser attended a Seniors Board of Directors meeting, and Mrs. Jean Todd's funeral service. Councillor Fraser is saddened to learn of the passing of Mr. Don Olson.

**COUNCILLOR
HENDERSON**

Councillor Henderson noted recent rumours regarding Fourth Street Place, attributed to him, and asked people to check the source prior to spreading such rumours.

Councillor Henderson reported spending 610 hours working for the municipality in 2003.

Councillor Henderson noted the need to increase commercial and residential tax bases in Peachland.

MOVED by Councillor Henderson, SECONDED by Councillor Hallberg:

THAT Council instructs staff to prepare a District-owned land disposal and acquisition strategy, using the directives of the new *Community Charter*;

AND THAT present day values be attached to the proposed properties;

AND THAT this information be brought forward to the February 24, 2004 In Camera meeting for discussion with Council.

CARRIED.

COUNCILLOR HURD

Councillor Hurd wished everyone a Happy New Year, and thanked all those who assisted in constructing the skating rink at the Peachland Village Mall. Councillor Hurd and Councillor Henderson discussed a possible boundary expansion with Gorman Brothers and he read a letter of response from Gormans politely declining the suggestion.

MOVED by Councillor Hurd:

THAT Council instructs staff to create a marketing strategy for the downtown core.

FAILED due to lack of a Seconder.

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COUNCILLOR HURD (CONT.) MOVED by Councillor Hurd, SECONDED by Councillor Henderson:

THAT Council directs the Operational Services Committee to conduct an operational audit on all municipal facilities, with recommendations to Council on improving efficiencies.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT the motion regarding an operational audit on municipal facilities be tabled to the next Regular Council Meeting.

CARRIED.

MOVED by Councillor Hurd, SECONDED by Councillor Moritz:

THAT Council directs the Parks Committee to prepare an updated copy of the Parks Master Plan.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT the motion regarding an updated Parks Master Plan be tabled.

CARRIED.

Councillor Moritz OPPOSED.

Council members questioned when the current Parks Master Plan was developed, and who prepared it. Councillor Hurd stated it was developed in 1995 by the Parks Committee.

COUNCILLOR HALLBERG

Councillor Hallberg wished everyone a Happy New Year, and reported attending the Grade 1's singing performance at the Little Schoolhouse on December 17th, and the Regional Transit Christmas Bus on December 20th. The Christmas Bus was beautiful, but needed more advertising to draw more visitors.

COUNCILLOR MORITZ

Councillor Moritz also attended the Christmas Bus and the Grade 1's performance. He is looking forward to his new Committee appointments, and he thanked Councillor Hurd for his work on the skating rink. He wished everyone a Happy New Year.

COMMITTEE REPORTS

CORPORATE SERVICES

Councillor Reid noted that minutes from two Corporate Services Committee meetings are included in the Agenda package. He thanked his Committee colleagues, Councillors Hallberg and Moritz, for their hard work.

UNFINISHED BUSINESS

PARKS ADVISORY COMMITTEE

Councillor Hurd provided information submitted by Mr. Rod Irwin on the formation and function of a proposed Parks Advisory Committee.

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**PARKS ADVISORY
COMMITTEE (CONT.)**

MOVED by Councillor Reid, SECONDED by Councillor Hurd:

THAT the item of a proposed Parks Advisory Committee be referred to a joint meeting of the Parks and the Recreation Committees to develop terms of reference for the proposed Parks Advisory Committee.

CARRIED.

**WATER SERVICE
4713 MACKINNON
ROAD**

Councillor Henderson asked if anything has been submitted by the property owner since the December 9, 2003 Council Meeting, and the Administrator advised that nothing has been received. The Director of Planning & Development recommended the Water Service Establishment Bylaw be given three readings, and responded to a question that water is being supplied to the property.

MOVED by Councillor Fraser:

THAT Water Service Establishment Bylaw Number 1695, 2003 be read a First, Second and Third Time.

Councillor Reid stated that if water is being supplied, it is contrary to Council's direction, and asked if the 2 agreements required have been signed. The Director of Planning & Development advised that they have not been signed. The Administrator stated he was not aware the water was turned on.

MOVED by Councillor Reid, SECONDED by Councillor Henderson:

THAT First, Second and Third Readings of Water Service Establishment Bylaw Number 1695, 2003 be tabled to the next meeting so that a full report on the status of the water service can be provided.

CARRIED.

**WILDFIRE INTER-
FACE AREAS**

MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

WHEREAS the Okanagan Mountain Park 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 the statement of intent as follows:

It is the goal of Council to address all reasonable and feasible means by which the Municipality can enhance the safety of citizens of Peachland with respect to those residing in areas considered wildfire interface areas;

AND THAT special consideration will be given to emergency accesses/egresses, water flow volumes/pressures, water reservoirs, and hydrant proximities.

CARRIED.

GATED ACCESSES/ EGRESSSES MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

THAT based on recommendations of the retired Fire Chief, the current Fire Chief, Fire Services Committee, and in consultation with the Mayor, 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 the 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.)

CARRIED.

ENTRY-LEVEL HOUSING CHIDLEY ROAD

The Director of Planning & Development presented a detailed report outlining action steps regarding development of the District-owned Chidley Road property.

MOVED by Councillor Hurd, SECONDED by Councillor Moritz:

THAT Council directs staff to forward the costs for budget consideration for the action steps outlined as follows:

1. Collect information to determine the need for affordable or entry-level housing;
2. Conduct a legal site survey to determine the actual buildable area;
3. Conduct an environmental inventory of the property to identify and protect any wildlife corridors or sensitive areas;
4. Conduct an environmental assessment of the property to ensure that no hazards exist from the former land fill site and to identify any potential impacts that development may have on Trepanier Creek;
5. Investigate securing an alternate access to the subject property;
6. Investigate the potential of creating a housing authority to ensure that the proposed housing development continues to address the housing needs of the community for the long term;
7. Creation of a conceptual development plan;
8. Preparation of Official Community Plan and Zoning Bylaws amendments;
9. Preparation of a Request for Expression of Interest.

CARRIED.

BRENT ROAD FIRE PROTECTION BYLAW

The Fire Chief presented a report outlining amendments to the Brent Road Fire Protection Service Establishment Bylaw, and requested that Council rescind Third Reading and give Third Reading as amended. He noted that the Administrator has negotiated with the Regional District that they will set up a reserve account of \$5,000 held in trust in case of a liability insurance claim; the \$5,000 would be a one-time deductible payback to the District. The Administrator confirmed that a letter of understanding would be obtained from the Regional District prior to the Bylaw being adopted by Council. There will be no extra insurance costs

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BRENT ROAD FIRE PROTECTION (CONT.) to the District, as the premium is based on Peachland's population and claims experience.

The Fire Chief noted that Peachland Fire & Rescue Service will not provide fire protection service to Brent Road until the Bylaw is adopted, or until advice is received from Mayor and Council.

MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT Council rescinds Third Reading of Brent Road Fire Protection Service Establishment Bylaw Number 1702, 2003.

CARRIED.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Council gives Third Reading as amended to Brent Road Fire Protection Service Establishment Bylaw Number 1702, 2003.

CARRIED.

MOVED by Councillor Moritz:

THAT Council directs Peachland Fire & Rescue Service to provide service to Brent Road if an emergency occurs.

WITHDRAWN.

The Administrator advised that there are no water tanks constructed as yet, and that the Regional District has notified Brent Road residents that there will be no fire protection service until an agreement is finalized.

MOVED by Councillor Moritz:

THAT Council directs Peachland Fire & Rescue Service to provide a 'best efforts' approach to the Brent Road area.

FAILED due to lack of a Seconder.

STAFF REPORTS

**2004 REGULAR
COUNCIL & DEPUTY**

The Administrator presented a report containing the 2004 Regular Council Meeting Schedule and Deputy Mayor Schedule. The Deputy Mayor Schedule has been changed to reverse alphabetical order for 2004.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT the 2004 Regular Meeting Schedule and Deputy Mayor Schedule, as amended, be adopted.

CARRIED.

Councillor Fraser noted that the new Council Procedure Bylaw should outline that the Deputy Mayor duties will rotate on a monthly basis, in either alphabetical or reverse alphabetical order, so that Councillors can serve as Deputy Mayor in different months.

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**APPROVING
OFFICER**

The Administrator presented a report requesting that Council appoint the Director of Planning & Development as Approving Officer for the District.

MOVED by Councillor Henderson, SECONDED by Councillor Hallberg:

THAT the Director of Planning & Development, Mr. Chris Prosser, be appointed Approving Officer for the District;

AND THAT the Administrator relinquishes the title of Approving Officer.

CARRIED.

CIVIL LIABILITY

The Treasurer presented a report regarding the UBCM & MIABC lobbying efforts to have the Provincial Government introduce changes to civil liability in the spring sitting of the legislature.

MOVED by Councillor Reid, SECONDED by Councillor Henderson:

THAT the Mayor be authorized to write to the Premier of British Columbia, the Attorney General of British Columbia, and MLA Rick Thorpe, and copied to Councillor Janis Elkerton, Chair, MIABC, to convey the following:

THAT the Council of the District of Peachland supports the UBCM-MIABC Joint Task Force recommendations contained in the task force's submission to the BC Attorney General's civil liability review;

AND THAT the Council of the District of Peachland urges the Provincial Government to introduce legislation in the Spring 2004 legislative session to give effect to those recommendations.

CARRIED.

**LIABILITY INSUR-
ANCE DATA**

The Treasurer presented a report requesting direction to staff to collect liability insurance data for facility rentals.

MOVED by Councillor Moritz, SECONDED by Councillor Henderson:

THAT Council directs staff to collect data on liability insurance for facility rentals for a one year period, to include:

- how much did liability insurance cost for the event
- what type of event was held
- how many people attended
- was Sports BC contacted for insurance
- did a user not rent a municipal facility because of the liability insurance required.

CARRIED.

**FIRE CHIEF
BENEFITS
EXTENSION**

The Treasurer presented a report requesting Council authorize the extension to December 31, 2005 for medical and dental benefits for retired Fire Chief Don Wilson.

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FIRE CHIEF (CONT.) MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council approve Don Wilson's request to extend coverage of his employee benefits for the two year period ending December 31, 2005;

AND THAT the total cost of premiums over the two year period does not exceed \$3,000.

CARRIED.

PEACHLAND YACHT CLUB LEASE The Director of Planning & Development presented a report requesting authorization to commence an Alternative Approval Process for a 25 year Foreshore Sub-lease for the Peachland Yacht Club.

Council members requested information on the lease rates to be applied, the expiry of the current lease and the reason for early negotiations.

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT the authorization to commence an Alternative Approval Process for a 25 year Foreshore Sub-lease for the Peachland Yacht Club be tabled until a report is received.

CARRIED.

F.C.M. The Director of Planning & Development Services presented a report recommending that Council apply for membership in the Federation of Canadian Municipalities, and outlined the advantages.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Council applies for membership in the Federation of Canadian Municipalities.

CARRIED.

Councillor Reid suggested a report be submitted to Council in two years time outlining any benefits obtained from this membership.

ALR REFERRAL The Director of Planning & Development presented a report regarding a referral received from CORD for an ALR application for Home Site Severance – Fipke. He noted that because Peachland has opted back in to fringe area planning, these referrals will be received. The application is in keeping with CORD's resolution that supports home site severances, and complies with the ALC Home Site Severance Requirements.

Council members expressed concern regarding water, and implications which may be unknown.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the ALR application for Home Site Severance – Fipke, be received for informational purposes.

CARRIED.

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**ALR REFERRAL
(CONT.)**

The Director of Planning & Development noted that a response will be sent to CORD stating Council has 'no position' on the application.

BUILDING INSP.

The Director of Planning & Development presented a detailed report outlining the pros and cons in pursuing an in-house, combined Building Inspector/Bylaw Enforcement Officer position.

Council members expressed concerns regarding space for a Building Inspector and clerical staff, costs, possibility of bylaw enforcement suffering during summer months, and/or costs for replacement bylaw enforcement.

MOVED by Councillor Reid, SECONDED by Councillor Henderson:

THAT Council directs staff to create a detailed job description for a Building Inspector/Bylaw Enforcement Officer;

AND THAT the District advertise for the position immediately.

CARRIED.

Councillor Fraser OPPOSED.

**SERVICE DELIVERY
MODEL**

The Director of Planning & Development presented a detailed report outlining action steps towards development of a new service delivery model for the Planning & Development Services Department.

MOVED by Councillor Henderson, SECONDED by Councillor Reid:

THAT Council accepts in principle the action plan submitted towards developing a new service delivery model for the Planning & Development Services Department;

AND THAT the item be referred to Development Services Committee for discussion.

CARRIED.

**GARBAGE
CONTRACT EXTEN.**

The Director of Operations presented a report outlining the advantages to extending the current garbage collection contract with Okanagan Environmental Waste Services.

MOVED by Councillor Henderson, SECONDED by Councillor Fraser:

THAT Council authorizes staff to enter into negotiations to extend the current garbage and recycling collection contract with Okanagan Environmental Waste Services to June 30, 2008.

CARRIED.

OTHER BUSINESS

IN CAMERA MTG.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT an In Camera Meeting be held January 27, 2004 at 1:00 p.m. pursuant to Sec. 90(1)(c) of the *Community Charter*.

CARRIED.

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IN CAMERA MTG. MOVED by Councillor Fraser, SECONDED by Councillor Henderson:

THAT an In Camera Meeting be held January 21, 2004 at 9:30 a.m. pursuant to Sec. 90(1)(e) of the *Community Charter*.

CARRIED.

DEVELOPMENT SERVICES COM. Councillor Reid called a meeting of the Development Services Committee at 3:00 p.m. January 20, 2004.

BYLAWS

Bylaws for Final Reconsideration & Adoption:

#1711 COUNCIL REMUNERATION MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council Remuneration Bylaw Number 1711, 2003 be finally reconsidered and adopted.

CARRIED.

#1701 CEMETERY MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Peachland Cemetery Bylaw Number 1701, 2003 be finally reconsidered and adopted.

CARRIED.

#1693 REZONING 6460 RENFREW RD. MOVED by Councillor Hallberg, SECONDED by Councillor Henderson:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1693, 2003 be finally reconsidered and adopted.

CARRIED.

QUESTION PERIOD

P. RYDER Mrs. Pat Ryder asked if any Council members planned to attend a meeting at 7:00 p.m. Thursday at the Kelowna Community Theatre regarding the bridge issue. Mrs. Ryder advised that the Upper Trepanier Ditch Users Association has some pipelines, etc., not all wells as mentioned in the ALR application discussion.

R. J. COLDHAM Mrs. Jean Coldham asked for an explanation of the Local Government Act, the Community Charter and the Municipal Act, and if a copy of each could be placed in the Library. The Mayor will place a copy of the Community Charter in the Library. Councillor Reid advised that the Municipal Act was repealed when the Local Government Act was brought into force, and that the Community Charter, in effect now, replaces only about 25% of the Local Government Act.

Mrs. Coldham asked if Development Services could place a timeframe for construction to commence and complete in the bylaws, as there are unsightly vacant properties in town which are supposed to have been developed. This matter will be reviewed at Development Services Committee discussions.

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G. THORNE Mr. Gord Thorne, President, Little Schoolhouse Society, extended a bouquet to Councillor Henderson for serving for 3 years on the Board of the Little Schoolhouse Society. He has recently resigned due to possible conflicts of interest, as outlined in the Community Charter.

ADJOURN MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the Regular Council Meeting adjourn at 9:45 p.m.

CARRIED.

(Original Signed by Mayor & Clerk)

Certified Correct.

Mayor

Municipal Clerk

Dated at Peachland, B.C.
This 4th day of February, 2004.