

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, April 26, 2005 at 7:00 p.m.
In the Council Chambers, Peachland Community Centre**

PRESENT: Mayor Harriman, Councillors Fraser, Henderson, Moritz and Reid

CAO Chris Prosser
Corporate Officer Betty Briggs
Treasurer Doug Pryde
Director of Operations Joe Mocilac
Planner Mark Koch
Fire Chief Grant Topham

Members of the Public
Members of the Media

ABSENT: Councillors Hallberg and Hurd

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: 8-B: support for EDC to pursue a passport office in Peachland.

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

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 April 12, 2005 be adopted as circulated.

CARRIED.

MOVED by Councillor Henderson, SECONDED by Councillor Fraser:

THAT the Minutes of the Public Hearing held April 19, 2005 for Zoning Bylaw No. 1375 Amendment Bylaw Number 1751, 2005, be adopted as circulated.

CARRIED.

PRESENTATIONS AND DELEGATIONS

BDO DUNWOODY Mr. Ken Focicelli, BDO Dunwoody, presented the 2004 audited financial statements for the District of Peachland, and BDO Dunwoody's 'management letter' regarding the audit.

BDO DUNWOODY
(CONT.)

MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT BDO Dunwoody's presentation and 2004 audited financial statements be received.

CARRIED.

BC AMBULANCE
SERVICE

Mr. Norm Matheson, Superintendent, Okanagan Valley, and Mr. Jim Masters, Peachland Unit Chief, BC Ambulance Service, addressed Council by advising that as of May 1st, the Peachland Ambulance Station will be manned 24 hours a day, 7 days a week. This will improve response time by up to 10 minutes in some cases. The paramedics will be paid \$10/hour while on stand-by at the Station; once a call is received, they then receive regular pay. This has resulted through successful negotiations with BC Ambulance Service and the bargaining unit. While Peachland Fire and Rescue Service may not be needed on some calls because of this change, PFRS will still be required. Westbank and Summerland Ambulance Stations also provide back-up.

Mayor Harriman thanked the BC Ambulance Service representatives for bringing this good news to Peachland.

MAYOR AND COUNCILLORS' REPORTS

COUNCILLOR
MORITZ

Councillor Moritz sent kudos to the organizers, participants and winners at the Municipal Awards Night held last Friday.

Councillor Moritz thanked all concerned citizens who have contacted him regarding the Primary School since receiving his mail-out last week. He has responded to many questions:

- Who paid for the mail-out? He did.
- Did you only pick the bad stuff from the reports? Yes; with 6 pages of bad stuff, he only gave a snippet.
- Why did it get mailed to everybody? Because Council is supposed to represent the residents.
- Did he make up the \$1.1 million figure? No, the 2010 Committee did.

Councillor Reid called a point of order, in that the figures provided in the report did not come from the Peachland Spirit of BC Community Committee, but from administration.

Councillor Moritz responded that the report given by Councillor Henderson was his source of information.

Councillor Henderson called a point of order, in that the figures were provided by administration, not himself as the presenter of the report.

Councillor Moritz noted that at the April 12th Council Meeting, the CAO stated that the estimates required a 15% increase, which would equal \$1.1 million. He then continued with his responses to questions from the public:

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**COUNCILLOR
MORITZ (CONT.)**

- Hasn't a community-driven committee already looked at this? Yes and no: in October, 2003, Council directed staff to hire specialists to evaluate the building; in September, 2004, staff were again directed; reports were provided to the Committee Chair March 14, 2005, and distributed to Committee members March 15; a meeting was held March 16, where members had not yet read reports. At that meeting, a motion was made to keep the building, although the Chair urged that it include an understanding of costs and proposed uses. One member read the reports and withdrew support for the motion prior to the last Council meeting. This leaves the Committee with 2 for and 2 against keeping the building.

Mayor Harriman corrected Councillor Moritz in that he received a piece of paper just prior to the last Council meeting, and did not have time to read it.

MOVED by Councillor Moritz:

THAT the Peachland Primary School Committee be dissolved;

AND THAT the Primary School be further dealt with only with full Council.

FAILED due to lack of Secunder.

Councillor Moritz continued with his responses to questions:

- It's easy to complain; do you have a solution? Yes, a multi-use building on the site used as a satellite campus for 8 to 9 months a year, and by public/arts/visitor information for the other months. A new Municipal Hall could go as a second storey on the Recreation Centre, which was designed for a second storey.

Mayor Harriman requested clarification that the mail-out stated that contents of the report were negative. Councillor Moritz responded that there are 6 pages of negative things, and his mail-out presented some of them.

**COUNCILLOR
FRASER**

Councillor Fraser attended a Joint Water Committee Meeting at Mission Hill Winery, the annual Awards Night celebration last Friday and congratulated Diane Fulton, Citizen of the Year, attended the Public Hearing last Tuesday, and will attend OMMA in Salmon Arm the rest of this week.

**COUNCILLOR
HENDERSON**

Councillor Henderson congratulated all Municipal Award recipients.

MAYOR HARRIMAN

Mayor Harriman reported that upon return to work last Wednesday, he began receiving numerous e-mails regarding the Primary School, and learned of Councillor Moritz's mail-out. He wants residents to know that the sky is not falling. The CAO has been instructed to respond, point-by-point, to Councillor Moritz's mail-out. This information will be mailed to all Peachland addresses, will be in the Peachland View, and will be on the

**MAYOR HARRIMAN
(CONT.)**

the District's website. Through training, Council has learned that it must maintain a cohesive atmosphere to work together, and although Council members are encouraged to express support or opposition during Council deliberations, members must then accept the majority decision of Council. Mayor Harriman has lost confidence in Councillor Moritz as far as conducting Council business, and has removed Councillor Moritz from the Peachland Primary School Committee, the Corporate Services Committee, the Recreation Committee, and as Council's appointee to School District 23. Replacements will be announced at a later date.

COMMITTEE REPORTS

**DEVELOPMENT
SERVICES**

Councillor Reid noted the minutes of the April 5th meeting are attached, and two of the items are later on this agenda. A third item discussed at the Committee meeting was sidewalk tables, vendors and entertainment; this will be coming to Council at a later date for discussion.

**REMUNERATION
REVIEW**

The CAO provided a background of the formation of the Council Remuneration Review Committee, and summarized the attached report and recommendation for a cost price index increase from the Committee. He explained that staff provided information to the Committee, but did not participate in the meetings.

Councillor Moritz questioned the report stating 'continue' to use the CPI. Councillor Reid noted that the past Council required this Council to vote on a recommended increase, which this Council put into force effective January 1, 2004, not 2003; with no increase since, it may have caused this municipality's remuneration to fall further behind.

Mr. Jeff Slater, Committee member, advised Council that the Committee may not have taken into account that there have been no increases in the past 2 years, and that the Committee looked at similar situations in the Okanagan Valley, and examined different formulae and criteria and came up with the CPI recommendation. The Committee also felt that Council may want to look at and compare benefit packages as part of the remuneration.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Council remuneration be referred back to the Council Remuneration Review Committee for further study.

CARRIED.

EDC

Mayor Harriman noted the letter of invitation to the EDC/Chamber of Commerce symposium/visioning session tentatively scheduled for 6:00 p.m. May 26th.

UNFINISHED BUSINESS

**PRIMARY SCHOOL
LEGACIES NOW
GRANT**

Councillor Reid stated that his notice of motion has been withdrawn until full Council is present. He noted that at Council orientation programs, it is taught that Council looks at policy issues and administration implements. In the case of the Primary School, information was gathered and reports were prepared by staff. The Legacies Now grant application will now wait until the CAO has had time to prepare an extensive, detailed report responding to Councillor Moritz's allegations.

**EDC PASSPORT
OFFICE SUPPORT**

The CAO advised that Councillor Hallberg and EDC members attended a meeting this morning with MP Stockwell Day regarding the proposal to locate a passport office in Peachland.

MOVED by Councillor Moritz, SECONDED by Councillor Henderson:

THAT Council supports the Economic Development Committee in pursuing a passport office in Peachland.

WITHDRAWN.

Councillor Hallberg will be requested to bring this item forward.

STAFF REPORTS

**GOOSE MGMT.
PLAN**

The Director of Operations presented a report regarding a proposed Valley-wide long term goose management plan.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Council participate in a Long-term Goose Management Plan and authorize the spending of \$1,000 towards the development of the plan.

CARRIED.

**WILDFIRE
PROTECTION PLAN**

The Fire Chief presented a report regarding proposals received for the development of a Wildfire Protection Plan, for which the District received a \$15,000 grant from UBCM.

MOVED by Councillor Fraser, SECONDED by Councillor Reid:

THAT the proposals submitted for the Community Wildfire Protection Plan be received;

AND THAT as per Purchasing Policy #FIN-130, the contract be awarded to Swanson Forestry Services Ltd. in the amount of \$15,477.55 including taxes for the Community Wildfire Protection Plan.

CARRIED.

Councillor Moritz expressed concern with the huge range in bids. The Fire Chief advised that 3 of the companies were taken on an interface tour.

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**WILDFIRE
PROTECTION**

Fire Chief Topham advised that BC Forest Service will make a presentation tomorrow night at 7:00 pm at the Community Centre regarding wildfire protection. All residents are welcome.

CORRESPONDENCE

**NEW WEST CANADA
DAY FUNDING**

Mayor Harriman noted a letter from the Mayor of the City of New Westminster regarding Heritage Canada's funding for Canada Day celebrations, of which over 70% goes to Quebec.

MOVED by Councillor Fraser, SECONDED by Councillor Reid:

THAT Council authorizes a letter be sent to Heritage Canada requesting a review of Federal funding for national Canada Day events, with the objective of ensuring equity and fairness for all provinces, east and west.

CARRIED.

The letter will be copied to MP Stockwell Day.

BYLAWS

Bylaws for Final Reconsideration and Adoption:

**#1752 FINANCIAL
PLAN**

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT 2005 Financial Plan Bylaw Number 1752, 2005 be finally reconsidered and adopted.

CARRIED.

**#1753-1761 PARCEL
TAX**

MOVED by Councillor Reid, SECONDED by Councillor Henderson:

THAT the following parcel tax bylaws be finally reconsidered and adopted:

- i) Solid Waste Collection & Disposal Parcel Tax Bylaw Number 1753, 2005;
- ii) Downtown Revitalization Parcel Tax Bylaw Number 1754, 2005;
- iii) Water System No. 3 Parcel Tax Bylaw Number 1755, 2005;
- iv) Water System No. 2 Parcel Tax Bylaw Number 1756, 2005;
- v) Sewage Transmission Parcel Tax Bylaw Number 1757, 2005;
- vi) RDCO Westside Regional Sewer System Parcel Tax Bylaw Number 1758, 2005;
- vii) Beach Avenue Sewage Collection Specified Area Parcel Tax Bylaw Number 1759, 2005;
- viii) Beach Avenue Sewage Collection Specified Area Acreage Parcel Tax Bylaw Number 1760, 2005;
- ix) Phase 1-D and Phase 2 Sewer Collection Specified Areas Parcel Tax Bylaw Number 1761, 2005.

CARRIED.

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#1762 TAX RATES MOVED by Councillor Moritz, SECONDED by Councillor Reid:

THAT 2005 Tax Rates Bylaw Number 1762, 2005 be finally reconsidered and adopted.

CARRIED.

Bylaw for Repeal:

**#1488 LANDFILL
CLOSURE RESERVE** MOVED by Councillor Fraser, SECONDED by Councillor Reid:

THAT Landfill Closure Reserve Fund Establishment Bylaw Number 1488, 1998, be repealed.

CARRIED.

Bylaw for Third Reading and Final Reconsideration & Adoption:

**#1751 ZONING
AMENDMENT** MOVED by Councillor Fraser, SECONDED by Councillor Henderson:

**DRYDEN/COUSINS
RD. (RR-1 TO RR-1S)** THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1751, 2005, Lots 5-7, DL 1174, ODYD, Plan 20887, 3860 & 3870 Dryden Road and 5120 Cousins Road, RR-1 to RR-1S zone, be finally reconsidered and adopted.

CARRIED.

Bylaws for First and Second Readings:

**#1763 ZONING
AMENDMENT
5205 LAW STREET
(A-1 TO RR-1)
(IRWIN)**

The CAO introduced Mr. Mark Koch, who commenced employment with the District April 12, 2005 as the new Planner. Mr. Koch then presented a report regarding the rezoning application for 5205 Law Street to rezone the property from A-1 to RR-1 zone to permit subdivision into two lots. Council had considered and denied a similar application for this property in 2003, as the subdivision would not meet policies in the OCP and requirements in the Subdivision Development Servicing Bylaw, municipal services are not available, and the topography of the property is problematic. For the same reasons, the staff recommendation is to not approve this application.

Mr. Rod Irwin, applicant, asked Council to consider this application on compassionate grounds as a citizen will be affected. Most properties in the area are already split by the roadway. He cannot wait 20 years to develop the property.

Councillor Reid noted that this application had been reviewed by the Development Services Committee, which had no recommendation. There are unfortunate circumstances involved with this application.

MOVED by Councillor Reid, SECONDED by Councillor Henderson:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1763, 2005 be read First and Second Times and be forwarded to Public Hearing.

CARRIED.

Bylaws for First and Second Readings (Cont.):

#1763 (CONT.)

Councillor Moritz noted that in 2003, concerns included accesses and drainage; a recommendation at that time was for a hydrological study – has that been done. The Planner advised that there is no record in the file. Mr. Irwin responded that there has been no response from Ministry of Environment, Ministry of Health has no problems with septic field, Golder advises that a study would cost thousands of dollars and that it is common sense that there are no water problems in the area. Another company advised there are 2 different aquifers to supply wells.

**#1764 ZONING
4305 12TH STREET
(R-1 to RC-1)
PHILLIPS**

The Planner presented a report regarding an application to rezone 4305 12TH Street, Lot A, Plan KAP69936, DL 220, ODYD, from the R-1 to the RC-1 zone. The staff recommendation is to support this application.

Councillor Reid noted that this application was reviewed by the Development Services Committee.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1764, 2005 be read First and Second Times and be forwarded to Public Hearing.

CARRIED.

Councillor Moritz OPPOSED.

QUESTION PERIOD

F. O'KEEFFE

Mr. Frank O'Keeffe, 5815 MacGregor Road, asked if there is a bylaw to protect trees, and if so, is it being enforced. He referred to trees being demolished on Renfrew Road, creating a scar as bad as on Mount Boucherie. The CAO advised that one owner purchased 3 lots on the ridge, obtained a tree cutting permit to remove bug killed trees identified by an arborist, and subsequently the owner's contractor removed every tree without the owner's knowledge. No building permit will be issued until a new geotechnical survey is conducted and a planting plan is provided.

**COUNCILLOR
MORITZ**

Councillor Moritz had a question regarding his mail-out but was advised that Question Period is meant for the public and that Councillor Moritz can meet with the Mayor to discuss his issue further.

ADJOURNMENT

MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT the Regular Council Meeting adjourn at 8:30 p.m.

CARRIED.

(Original signed by Mayor & Corporate Officer)

Certified Correct.

Mayor

Corporate Officer

Dated at Peachland, B.C.
This 11th day of May, 2005.