

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, December 12, 2006 at 7:00 p.m.
In the Council Chambers, Peachland Community Centre**

PRESENT: Mayor Reid, Councillors Condon, Fraser, Hallberg, Moritz, Nielsen & Thorne

CAO Elsie Lemke
Corporate Officer Betty Briggs
Director of Finance Doug Pryde
Director of Operations Dave Gold
Director of Planning & Development Services David Smith

Members of the Public
Members of the Media

CALL TO ORDER: Mayor Reid called the Regular Council Meeting to order at 7:00 p.m.

AMENDMENTS TO THE AGENDA Added to Agenda: 6-B & 6-C: Staff Briefing; 7-K-(i): Infrastructure Grant – Water; and 7-M: Holiday Carry-forward, Fire Chief

APPROVAL OF THE AGENDA MOVED by Councillor Condon, SECONDED by Councillor Moritz:

THAT the Agenda be approved as amended.

CARRIED.

PRESENTATIONS & DELEGATIONS

CRYSTAL MT.

Ms. Jacqueline Foley, hydrogeological engineer, Golder & Associates, addressed Council regarding the proposed Crystal Mountain development. Also present were Remy Alard, Golder & Assoc., and Mike Morin, General Manager, Crystal Resort. Ms. Foley's presentation focused on water quantity and quality, which are concerns expressed by Peachland Council, as Crystal Mountain is located in the Jack Creek watershed, which flows into the Trepanier Creek watershed. Golder completed an initial water study in 2001, and drilled a test well adjacent to Powers Creek in 2005/2006. Golder has determined that this well is not hydraulically connected to Powers Creek. Trepanier Creek water quantity will not be affected; Crystal currently uses an existing well and water license from Sitmar Creek, will use the new Powers Creek well, and most likely another well will be drilled. Regarding water quality, effluent will be treated to tertiary standards and will be reused for golf course irrigation and ski area snow making. A storm water management plan will address run-off, and best management practices will be used.

Ms. Foley, Mr. Alard and Mr. Morin answered questions from Council. Ms. Foley will ensure that Council receives an updated master development agreement containing the engineering reports, all of which are on the website crystalresort.com.

Mayor Reid thanked Ms. Foley for the presentation.

ADOPTION OF THE MINUTES

ADOPT MINUTES

MOVED by Councillor Thorne, SECONDED by Councillor Condon:

THAT the Minutes of the Public Hearing held November 28, 2006 for Zoning Bylaw No. 1375 Amendment Bylaw Number 1805, 2006 be adopted as circulated.

CARRIED.

MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT the Minutes of the Regular Council Meeting held November 28, 2006 be adopted as circulated.

CARRIED.

UNFINISHED BUSINESS

DVP#06/10,009

Director of Planning & Development Services David Smith presented information on the development variance permit for fence height at 5918 Ehlers Road, which was tabled at the November 28, 2006 Council meeting. Mr. Smith advised that the variance applies to 31.14 meters of frontage on Ehlers Road only, for a fence height up to 8 feet. The purposes of the fence are to deter deer from entering, attractiveness and property security.

Council members discussed the application and Mr. Smith answered questions. He noted that no responses have been received from neighbours.

MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

THAT Council approves Development Variance Permit #DVP06/10,009, Lot B, Plan KAP76056, DL 490, 5918 Ehlers Road, Burrell, to vary the height regulations of fencing from 1.2 meters (4 ft.) to 2.4 meters (8 ft.) in the front yard setback on Ehlers Road, not to exceed 32 meters in length, to allow for the installation of a wrought iron and stone fence and gate at the entrance to the property.

CARRIED.

**BYLAW #1770 &
DVP #05/10,004
4026 BEACH AVE.
DUPUIS**

CAO Elsie Lemke presented a staff briefing which summarized legal advice received by the District regarding reconsideration of Council decisions on Zoning Amendment Bylaw Number 1770, 2005 and Development Variance Permit #DVP05/10,004. Council is required to hold another Public Hearing for the Zoning Amendment Bylaw, due to new information contained in a letter from the applicant's solicitor dated November 23, 2006.

MOVED by Councillor Hallberg, SECONDED by Councillor Thorne:

THAT the reconsideration of votes on Zoning Bylaw No. 1375 Amendment Bylaw Number 1770, 2005, and Development Variance Permit application #DVP05/10,004, be tabled to January 23, 2007;

Regular Council Meeting Minutes
December 12, 2006
Page 3

**BYLAW #1770 &
DVP #05/10,004
(CONT.)**

AND THAT a Public Hearing for Zoning Bylaw No. 1375 Amendment Bylaw Number 1770, 2005 be held on January 23, 2007.

CARRIED.

**BYLAW #1819
TRAFFIC AMEND.**

MOVED by Councillor Condon, SECONDED by Councillor Fraser:

THAT Traffic Regulation Bylaw No. 1534 Amendment Bylaw Number 1819, 2006 be read First, Second and Third Times.

CARRIED.

Councillor Moritz OPPOSED.

COMMITTEE & STAFF REPORTS

Committee Reports:

BUSINESS DEV.

Chair Councillor Hallberg reported on the Committee's receipt of comments from the Fire Chief opposing the Market Society's request to use part of 6th Street for an expanded market, and the Market's subsequent request to use a portion of Heritage Park. Comments from District departments were included in the Agenda package.

Council members discussed this item at length, including support as well as concerns regarding parking, vehicles on grass, limiting other use of the Park, Canada Day celebrations, alternate sites.

MOVED by Councillor Hallberg, SECONDED by Councillor Condon:

THAT Council approves the request from PF & C Market Society to rent a portion Heritage Park every Sunday from May 27 to September 9, 2007, excluding July 1, from 7:00 a.m. to 3:00 p.m., in accordance with the rates set in Bylaw Number 1732, and subject to the Society providing the required deposit and liability insurance;

AND THAT this approval is subject to an agreement setting out the conditions of occupancy coming back to Council for authorization.

CARRIED.

Mayor Reid & Councillor Nielsen OPPOSED.

EDC MANDATE

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council endorse the Peachland Economic Development Committee mandate provided.

MOVED by Councillor Nielsen, SECONDED by Councillor Hallberg:

THAT the Peachland Economic Development Committee mandate be referred to staff for review and clarification of the listed objectives, and be returned back to Council.

CARRIED.

Staff Reports:

- CORP. SERVICES & RECREATION** MOVED by Councillor Condon, SECONDED by Councillor Hallberg:
THAT the November Report for Corporate Services and Recreation Departments be received.
CARRIED.
- WESTSIDE SEWAGE TREATMENT** CAO Elsie Lemke presented a report recommending that Council request that the Westside Sewage Treatment Plant remain a regional function in the deliberations of Westside governance.
MOVED by Councillor Condon, SECONDED by Councillor Hallberg:
THAT Council send a request to Central Okanagan Regional District that the Westside Sewage Treatment Plan remain a regional service in the deliberations of Westside governance;
AND THAT Council provide approval in principle to enter into the Sanitary Sewer System Operation Agreement with the Regional District of Central Okanagan, subject to final review and amendment by the District's solicitor.
CARRIED.
- BYLAW #1820 FINANCIAL PLAN AMENDMENTS** Director of Finance Doug Pryde presented a report outlining changes to the 2006 Financial Plan.
MOVED by Councillor Nielsen, SECONDED by Councillor Hallberg:
THAT 2006 Financial Plan Bylaw No. 1790 Amendment Bylaw Number 1820, 2006 be read First, Second and Third Times.
CARRIED.
- PLANNING REPORT** MOVED by Councillor Hallberg, SECONDED by Councillor Nielsen:
THAT the November Report from Planning & Development Services be received.
CARRIED.
- BYLAW #1818 DEVELOPMENT PROCEDURES** MOVED by Councillor Hallberg, SECONDED by Councillor Condon:
THAT Development Approval Procedures and Fees Bylaw No. 1749 Amendment Bylaw Number 1818, 2006 be finally reconsidered and adopted.
CARRIED.
- BYLAW #1805 ZONING AMEND.** MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:
THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1805, 2006 be read a Third Time.
CARRIED.

Regular Council Meeting Minutes
December 12, 2006
Page 5

BYLAW #1801
ZONING AMEND.

MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1801, 2006 be read a Third Time.

CARRIED.

OPERATIONS &
PUBLIC WORKS

MOVED by Councillor Condon, SECONDED by Councillor Thorne:

THAT the November Report for Operations & Public Works be received.

CARRIED.

GOOSE MGMT.

Director of Operations Dave Gold presented a report requesting \$5,000 in 2007 towards a regional Goose Management Coordinator. In response to questions from Council, it was noted that a regional kill permit would have an increased number of geese to be harvested, with the development of a regional plan. The Coordinator would use noise makers, egg adding, and other controls.

MOVED by Councillor Nielsen, SECONDED by Councillor Moritz:

THAT Council not support the request for \$5,000 in the 2007 budget towards a regional goose management coordinator.

CARRIED.

Mayor Reid OPPOSED.

WATER METERS
STAFFING

Director of Operations Dave Gold presented a report requesting approval to use \$20,000 of the Water Meter Program Capital Budget for staff costs associated with water service valve locating, documentation and data base updating for 2006 & 2007.

MOVED by Councillor Condon, SECONDED by Councillor Fraser:

THAT Council approves using \$20,000 of the Water Meter Program Capital Budget for non-capital purposes, including staff costs associated with water service valve locating, documentation and data base updating for 2006 & 2007.

CARRIED.

WATER MASTER
PLAN

Mayor Reid reported on the Committee of the Whole meeting held this afternoon, at which the draft Water Master Plan was presented.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT the November 14, 2006 resolution regarding Rural Infrastructure Grant be rescinded.

CARRIED.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Council approves the application for Peachland Lake Source Improvements and Water System Integration to the Municipal Rural Infrastructure Fund, for a total estimated project cost of \$4,476,735;

Regular Council Meeting Minutes
December 12, 2006
Page 6

WATER (CONT.) AND THAT the District of Peachland's one-third contribution will be funded from Capital Reserve Funds.

CARRIED.

PFRS MOVED by Councillor Hallberg, SECONDED by Councillor Condon:

THAT the November Report from the Fire Chief be received.

CARRIED.

VACATION CARRY-OVER FIRE CHIEF CAO Elsie Lemke presented a report requesting authorization for the Fire Chief to carry forward to 2007 five additional vacation days from 2006.

MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

THAT Council approves an additional 5 days of 2006 unused vacation days to be carried forward to 2007 for Grant Topham.

CARRIED.

MAYOR & COUNCILLORS' REPORTS

COUNCILLOR NIELSEN Councillor Nielsen wished everyone a Merry Christmas

COUNCILLOR FRASER Councillor Fraser wished everyone a Merry Christmas.

COUNCILLOR THORNE Councillor Thorne attended the PDRS Directors meeting, the Seniors' Housing Needs Summary, and the Pincushion Development open house. He wished everyone a Merry Christmas.

COUNCILLOR MORITZ Councillor Moritz thanked staff and volunteers for a great Light-up, and wished everyone a Merry Christmas.

COUNCILLOR HALLBERG Councillor Hallberg also thanked everyone for a wonderful Light-up, as well as the Song Fest. She attended the Business Development Committee meeting, and wished everyone a Merry Christmas.

COUNCILLOR CONDON Councillor Condon wished everyone a Merry Christmas.

MAYOR REID Mayor Reid noted the receipt this afternoon at Committee of the Whole of the Water Master Plan, a huge project coming up. He personally thanked Council members and staff for the work done in 2006. He wished everyone a Merry Christmas and Happy New Year, and advised that Deputy Mayor Condon will chair the first Council meeting in January.

CORRESPONDENCE

For Information:

**MARTIN MARS
BOMBERS**

MOVED by Councillor Thorne, SECONDED by Councillor Moritz:

THAT the Premier be asked that the Province invest in the Martin Mars Water Bombers before this valuable resource is lost.

DEFEATED.

Mayor Reid, Councillors Fraser, Hallberg & Nielsen OPPOSED.

MOVED by Councillor Condon, SECONDED by Councillor Hallberg:

THAT the Correspondence for information be received.

CARRIED.

OTHER BUSINESS

IN CAMERA MTG.

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT an In Camera Meeting be held at 1:00 p.m. January 9, 2007 pursuant to Sec. 90(1)(e) [land] of the *Community Charter*.

CARRIED.

QUESTION PERIOD

None.

ADJOURNMENT

MOVED by Councillor Nielsen:

THAT the Regular Council Meeting adjourn at 9:01 p.m.

CARRIED.

Certified Correct.

(Original signed by Mayor and Corporate Officer)

Mayor

Corporate Officer

Dated at Peachland, B.C.
This 10th day of January, 2007.