

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, June 27, 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
Treasurer Doug Pryde
Director of Operations Dave Gold
Planning Technician Heidi Simkins
Contract Planner Ken Cossey

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 the Agenda:7-C-(i): resolution to UBCM re: IHA turbidity notification requirements; 7-F: TNI temporary office building permit extension; 12-B: announcement from the Mayor.

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

THAT the Agenda be approved as amended.

CARRIED.

PRESENTATIONS & DELEGATIONS

PEACHLAND PEACHES

Mr. Bob Tonsaker, co-coach, Peachland Peaches midget girls fastball team, reported that the Peaches have qualified to attend the Provincial championship tournament in Vernon in July. He thanked Recreation Department staff, local businesses and the Peachland View for assistance to the team, and requested Council's consideration of financial assistance for the team for the Provincials.

MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

THAT the Peachland Peaches fastball team be provided with \$1,000 for travel expenses, as well as Peachland pins.

Councillor Nielsen called a point of order in that Council has a policy regarding granting financial assistance.

MOVED by Councillor Nielsen, SECONDED by Councillor Condon:

THAT Council suspends the rules in order that financial assistance to the Peachland Peaches may be considered at this time.

CARRIED.

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**PEACHLAND
PEACHES (CONT.)**

The motion was then considered:

THAT the Peachland Peaches fastball team be provided with \$1,000 for travel expenses, as well as Peachland pins.

CARRIED.

ADOPTION OF THE MINUTES

ADOPT MINUTES

MOVED by Councillor Hallberg, SECONDED by Councillor Thorne:

THAT the Minutes of the Regular Meeting held June 13, 2006 be adopted as circulated.

CARRIED.

UNFINISHED BUSINESS

**COUNCILLOR
NIELSEN**

Councillor Nielsen proposed three separate amendments to Council's Procedure Bylaw, with an explanation for each.

Council members debated each motion prior to the vote.

MOVED by Councillor Nielsen, SECONDED by Councillor Hallberg:

THAT the Council Procedure Bylaw be amended to dispense with the need for a motion to be seconded at Council meetings, including In Camera meetings.

DEFEATED.

Mayor Reid, Councillors Fraser, Moritz & Thorne OPPOSED.

MOVED by Councillor Nielsen, SECONDED by Councillor Condon:

THAT the Council Procedure Bylaw be amended to dispense with the recording of the name of a member that moves a motion during Council proceedings, including Committees.

DEFEATED.

Councillors Condon, Fraser, Hallberg, Moritz & Thorne OPPOSED.

MOVED by Councillor Nielsen, SECONDED by Councillor Condon:

THAT the Council Procedure Bylaw be amended to dispense with the recording of the names of members of Council when a vote is conducted, unless requested by a member of Council.

DEFEATED.

Councillors Condon, Fraser, Hallberg, Moritz & Thorne OPPOSED.

**COUNCILLOR
MORITZ**

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT Council approve the mandate for the Peachland Economic Development Committee, as follows:

Mission Statement: To identify, encourage and promote new opportunities for the enhancement of Peachland.

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**COUNCILLOR
MORITZ (CONT.)**

Objectives:

- To develop initiatives that foster community development;
- To facilitate projects and activities of volunteer not-for-profit community organizations and to provide information on community projects and events;
- To seek input from individuals and groups interested in community development issues and to encourage networking among them;
- To participate in community planning initiatives in conjunction with municipal and regional authorities;
- To attend meetings and other events to network with other community development groups;
- To be cognizant of issues relating to economic development and its potential impact on the environment;
- To support cultural tourism by facilitating the efforts and activities of organizations that will attract visitors;
- To collaborate with the Chamber of Commerce in providing information and assistance to those wishing to invest in Peachland.

MOVED by Councillor Condon, SECONDED by Councillor Hallberg:

THAT the Peachland Economic Development Committee mandate be referred to the Business Development Committee for review.

CARRIED.

**TURNER PARK
RESTORATION**

Director of Operations Dave Gold presented a report detailing the costs to remove improvements and restore the Turner Park land to original condition, as instructed by School District No. 23, in the amount of approximately \$40,000.

MOVED by Councillor Hallberg, SECONDED by Councillor Thorne:

THAT the report regarding Turner Park restoration costs be received.

CARRIED.

COMMITTEE & STAFF REPORTS

Staff Reports:

Finance & Administration:

**2006 ANNUAL
REPORT**

CAO Elsie Lemke presented the 2006 Annual Report, with thanks to Linda Nicholas and other staff for their work on its development.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT the 2006 Annual Report be adopted.

CARRIED.

**2006 FINANCIAL
INFO STATEMENT**

Treasurer Doug Pryde presented the 2005 Statement of Financial Information.

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**2005 FINANCIAL
INFORMATION
(CONT.)**

MOVED by Councillor Moritz, SECONDED by Councillor Thorne:

THAT the 2005 Statement of Financial Information be approved.

CARRIED.

**BYLAW #1811
PARKS & REC
AMENDMENT**

MOVED by Councillor Nielsen, SECONDED by Councillor Hallberg:

THAT Parks & Recreation Fees & Charges Bylaw No. 1732 Amendment Bylaw Number 1811, 2006, be finally reconsidered and adopted.

CARRIED.

UBCM – IHA

CAO Elsie Lemke presented a report request a resolution be sent to UBCM requesting that the Minister of Health review the actions of Interior Health Authority regarding implementation of the turbidity notification program. Background information was provided by the Water Supply Association of British Columbia.

Council members discussed the program, the problems encountered in following the program, and the recommended resolution.

MOVED by Councillor Thorne, SECONDED by Councillor Fraser:

THAT Council forward the following resolution to the UBCM, with a copy requesting support sent to all municipalities and regional districts within the Interior Health Authority boundaries;

WHEREAS the Interior Health Authority has implemented a Turbidity Notification Program that is ill-conceived, is being poorly implemented and actually threatens the health of the public that it is intended to serve;

AND WHEREAS the program compels the lay public to make uninformed decisions about the relative risks of the water supply, is fostering message fatigue, and is undermining confidence in the public water supply;

THEREFORE BE IT RESOLVED THAT the Minister of Health review the actions of the Interior Health Authority and take the appropriate steps to remedy this situation.

CARRIED.

Councillor Nielsen OPPOSED.

MOVED by Councillor Moritz, SECONDED by Councillor Condon:

THAT a motion be developed to be sent directly to Interior Health Authority addressing particular concerns of Peachland regarding the Turbidity Notification Program.

CARRIED.

**WOODSMITH -
WALNUT ESTATES
DEVELOPMENT
PERMIT**

Planning & Development:

Contract Planner Ken Cossey presented a report requesting authorization to issue a Development Permit for the Woodsmith Development Corporation – Walnut Estates Development Permit for 4596 Princeton Avenue. He noted that visitor parking is incorrectly listed in the report at 20 spaces; in fact, according to the Zoning Bylaw, 5 off-street visitor parking spaces are required.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Council authorizes staff to work on the Walnut Estates Development Permit;

AND THAT Council authorizes staff to issue the development permit, subject to receipt of an irrevocable letter of credit in the amount of \$332,600;

AND THAT the number of off-street visitor parking spaces be amended to read 5;

AND THAT Council authorizes staff to register the Development Permit on property title.

Safe and efficient access from the development to Somerset Avenue was questioned, which is required in District bylaws.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT the proponent be permitted to respond to the question.

CARRIED.

Mr. Rob Webster, D.E. Pilling & Associates, agent for the proponent, replied that access to the development has not changed since the original application.

The vote was then taken on the main motion:

THAT Council authorizes staff to work on the Walnut Estates Development Permit;

AND THAT Council authorizes staff to issue the Development Permit, subject to receipt of an irrevocable letter of credit in the amount of \$332,600;

AND THAT the number of off-street visitor parking spaces be amended to read 5;

AND THAT Council authorizes staff to register the Development Permit on the property title.

CARRIED.

Mayor Reid, Councillors Condon & Fraser OPPOSED.

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TODD ROAD/HWY. 97 Planning Technician Heidi Simkins presented a report requesting Council's direction to the request from Ministry of Transportation for confirmation on whether or not the District wants the Ministry to proceed with their previously requested action of closing Todd Road at Highway 97. Ms. Simkins provided a history on this topic, since 2002.

Mayor Reid provided political input from a meeting with the MLA. The District approved the Braemar rezoning without Ministry of Transportation approval, not knowing that from the Ministry's perspective, a condition of development would be the closure of Todd Road.

Council members discussed this item.

MOVED by Councillor Nielsen, SECONDED by Councillor Condon:

THAT the Ministry of Transportation be advised that the District agrees with the closure of Todd Road at Highway 97.

Further discussion took place regarding the potential impacts the closure of Todd Road would have on Beach Avenue, Buchanan Road, 13th Street.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council consider an amendment to the main motion.

CARRIED.

Mayor Reid & Councillor Nielsen OPPOSED.

AMENDMENT

MOVED by Councillor Moritz, SECONDED by Councillor Thorne:

THAT the main motion be amended to include, "subject to an alternative configuration at Todd Road and Highway 97 not being found to the satisfaction of the Ministry of Transportation and the District of Peachland, prior to any action being taken to close Todd Road.

CARRIED.

MAIN MOTION AS AMENDED

THAT the Ministry of Transportation be advised that the District agrees with the closure of Todd Road at Highway 97, subject to an alternative configuration at Todd Road and Highway 97 not being found to the satisfaction of the Ministry of Transportation and the District of Peachland, prior to any action being taken to close Todd Road.

CARRIED.

TNI PORTABLE TEMPORARY OFFICE

Planning Technician Heidi Simkins presented a report requesting a one year extension for the portable temporary office used by TNI The Network Inc. located at 4422 1st Street.

**PORTABLE
OFFICE (CONT.)**

MOVED by Councillor Condon, SECONDED by Councillor Hallberg:

THAT Council approves a further one year extension (to July 22, 2007) for the temporary portable office structure occupied by TNI The Network Inc., 637329 B.C. Ltd., located at Lots 18 & 19, Block 2, Plan 44, DL 490, civic address 4422 1st Street, subject to the following conditions:

1. TNI staff continue to use the municipal parking lot behind the Edgewater Hotel;
2. Removal of the building will be required at the end of the one year extension at the owner's expense, or will be removed by the District at the owner's expense;
3. The one year extension is subject to 60 days' written notice to remove, in the event of commencement of downtown redevelopment.

CARRIED.

Councillor Hallberg noted that the Environment & Land Use Committee supported the recommendation at its meeting this morning.

MAYOR & COUNCILLORS' REPORTS

**COUNCILLOR
HALLBERG**

Councillor Hallberg attended the dedication ceremony yesterday for Veteran's Walk and the new maple tree.

**COUNCILLOR
FRASER**

Councillor Fraser attended the water meters presentations at the Regional District office.

**COUNCILLOR
THORNE**

Councillor Thorne attended: Peachland Community Response Network meeting regarding seniors' abuse issues; CORD presentation on water meters; dinner and evening at the Wellness Centre to honour its volunteers; Greata Ranch Estates development announcement; Community Strategy Workshop in Kelowna. Councillor Thorne congratulated the Peachland Legion on its 80th birthday.

CORRESPONDENCE

FOR INFO

MOVED by Councillor Hallberg, SECONDED by Councillor Condon:

THAT the following letters be received for information:

- letter from Premier Campbell with Honourable Mention award for the Peachland Spirit of BC Community Committee;
- letter from UBCM advising that Wellness Centre's crystal meth grant is \$6,250, not \$10,000.

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. July 11, 2006, pursuant to Sec. 90(1)(e)[land] of the *Community Charter*.

CARRIED.

MAYOR REID

Mayor Reid announced that the District has hired a new Director of Planning & Development Services, Mr. David Smith, currently Director of Planning in Sioux Lookout, Ontario. Mr. Smith will commence employment with the District on September 4, 2006.

QUESTION PERIOD

F. O'KEEFFE

Mr. Frank O'Keeffe, MacGregor Road, asked for confirmation that Highways has to sign off on any developments within 800 meters of a highway. Mayor Reid confirmed. He also asked if Council will continue doing development on a piecemeal basis.

G. TODD

Mr. Graham Todd, Beach Avenue, asked, in regards to the Todd Road closure, if it is common practice to address such issues after the fact, ie. after the development permit is issued, and wouldn't a public hearing be required. He also asked if a resident could be included in discussions with the Ministry of Transportation. Mayor Reid advised that a public hearing is not required; the road would not be closed in order to dispose of the property. He suggested Mr. Todd discuss with the CAO the possibility of being included in meetings with MOT.

D. HARTFORD

Mrs. Darlene Hartford, Beach Avenue, noted that several years ago, north Beach Avenue residents received a letter from the District regarding possible installation of street lights; she asked if letters will be sent to residents of Beach Avenue, Robinson Place, Fulton Place, regarding the possible closure of Todd Road. Mayor Reid advised that Council's resolution will be transmitted to the Ministry.

ADJOURNMENT

MOVED by Councillor Nielsen:

THAT the Regular Council Meeting adjourn at 8:55 p.m.

CARRIED.

(Original signed by Mayor & Corporate Officer)

Certified Correct.

Mayor

Corporate Officer