

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, September 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 Operations Dave Gold
Director of Planning & Development Dave Smith
Planning Technician Heidi Simkins
Contract Planner Ken Cossey

Members of the Public
Members of the Media

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

AMENDMENTS TO THE AGENDA Removed from the Agenda: 5-C: Graham Todd re: Todd Road. Mayor Reid announced that written confirmation has been received from the Ministry of Transportation that right-in and right-out turns will be allowed at Todd Road. Design for the project, which will include a triangular island to prevent left turns, will begin immediately.

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

THAT the Agenda be approved as amended.

CARRIED.

OATH OF OFFICE Corporate Officer Betty Briggs conducted the Oath of Office for Mr. David Smith, appointed as Director of Planning & Development Services for the District effective September 7, 2006. The Mayor & CAO welcomed Mr. Smith to the community.

PRESENTATIONS & DELEGATIONS

PFRS AWARD Fire Chief Grant Topham and Assistant Chief James Springer presented an award to Jordan Wilson. In May, 2006, the Wilson home on Robinson Place had a structure fire, and Jordan knew what to do by immediately notifying his father and calling 9-1-1.

SOLID WASTE MGMT. Ms. Carol Suhan, Waste Reduction Coordinator for the Regional District, presented the draft Solid Waste Management Plan. She reviewed recommendations for each of three phases: the next 5 years, 6 to 15 years, and beyond. An executive summary of the Plan was provided.

Mayor Reid thanked Ms. Suhan for her presentation, and noted that her additional request for Council to support the adoption of a 'Zero Waste Policy' will be on the next Council agenda.

ADOPT ION OF THE MINUTES

ADOPT MINUTES

MOVED by Councillor Hallberg, SECONDED by Councillor Condon:

THAT the Minutes of the Regular Council Meeting held August 8, 2006, and the Special Open Council Meeting held August 29, 2006, be adopted as circulated.

CARRIED.

UNFINISHED BUSINESS

**IHA TURBIDITY
NOTIFICATION**

Director of Operations Dave Gold presented a report with a draft resolution to be sent to Interior Health Authority regarding its Turbidity Notification Program.

In discussion of the draft resolution, Council members felt the wording was somewhat inflammatory.

MOVED by Councillor Condon, SECONDED by Councillor Hallberg:

THAT Council ask the Minister of Health review the actions of Interior Health Authority with respect to its Turbidity Notification Program since the Program has caused confusion with water suppliers and the community at large.

CARRIED.

**COUNCILLOR
HALLBERG**

Councillor Hallberg noted that her requests to be referred to the Public Safety & Security Committee are included in the Agenda package.

MOVED by Councillor Hallberg, SECONDED by Councillor Condon:

THAT two items from the Traffic Bylaw be referred to Public Safety & Security Committee:

- speed control on Beach Avenue, Lake Avenue, San Clemente & 12th Street
- parking restrictions along Beach Avenue.

CARRIED.

Mayor Reid noted a letter received from Rhoda Weisgarber requesting angle parking on the west side of Beach Avenue only, from Todd Road to downtown, with no parking on the beach side.

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT the letter from Rhoda Weisgarber be referred to Public Safety & Security Committee for review.

CARRIED.

STAFF REPORTS

MUNICIPAL SAFETY ASSOCIATION CAO Elsie Lemke presented a report recommending that Council support the proposal from UBCM for a full time funded coordinator for the BC Municipal Safety Association. The report outlined the possible benefits to the District of Peachland.

MOVED by Councillor Thorne, SECONDED by Councillor Nielsen:

THAT Council supports the proposal from the UBCM for a full time, funded coordinator for the BC Municipal Safety Association.

CARRIED.

MOVED by Councillor Thorne, SECONDED by Councillor Fraser:

THAT if the proposal for a full time, funded coordinator for the BC Municipal Safety Association succeeds, the District of Peachland will join the Association.

CARRIED.

COMMUNITY HEALTH FUNDING CAO Elsie Lemke presented a report outlining a proposed funding request to the UBCM for the Community Health Promotion Fund. The Mayor's Task Force on Seniors Housing has supported the proposal.

MOVED by Councillor Hallberg, SECONDED by Councillor Thorne:

THAT Council endorse the preliminary proposal entitled "Building A Seniors' Friendly Community: An Aging-in-Place Pilot Project" to the UBCM for the Community Health Promotion Fund as presented.

CARRIED.

2006 CORPORATE REVIEW CAO Elsie Lemke provided a summary of the 2006 Corporate Review.

MOVED by Councillor Condon, SECONDED by Councillor Hallberg:

THAT Council receive the 2006 Corporate Review.

CARRIED.

TAX EXEMPTION BYLAW #1817 CAO Elsie Lemke presented a report regarding the 2007 Tax Exemption Bylaw, listed for three readings.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT 2007 Tax Exemption Bylaw Number 1817, 2006 be read First, Second and Third Times;

AND THAT the Royal Canadian Legion Branch 69 request for tax exemption not be approved.

Discussion took place on the resolution, with Councillors expressing a variety of opinions on the permissive exemptions listed in the Bylaw.

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BYLAW #1817
(CONT.)

MOVED by Councillor Condon, SECONDED by Councillor Fraser:

THAT 2007 Tax Exemption Bylaw Number 1817, 2006 be referred to the Committee of the Whole Meeting, budget discussions, to be held September 19, 2006.

CARRIED.

JUNE 30/06
QUARTERLY REPORT

CAO Elsie Lemke presented the June 30, 2006 Quarterly Report.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT the June 30, 2006 Quarterly Report be received for information.

CARRIED.

ZONING AMEND.
BYLAW #1803
TREPANIER MANOR
5126 MACKINNON RD.

Contract Planner Ken Cossey presented a report regarding Zoning Amendment Bylaw Number 1803, which outlined proposed changes to the Bylaw. The significant changes include separating the large property into Sections A (residential) and B (hotel) in the Bylaw. This will allow the residential cottages to become bareland stratas. As well, the density requirements will change as follows:

- cottages increase from 1,000 sq. ft. to 2,500 sq. ft.
- hotel increases from 40,000 sq. ft. to 51,300 sq. ft.

Mr. Cossey noted that legal advice obtained by the District advised the changes require a second Public Hearing be held.

MOVED by Councillor Moritz, SECONDED by Councillor Condon:

THAT Council rescinds Second and Third Readings of Zoning Bylaw No. 1375 Amendment Bylaw Number 1803, 2006;

AND THAT Council gives Second Reading as amended to Zoning Bylaw No. 1375 Amendment Bylaw Number 1803, 2006;

AND THAT Council authorizes staff to set up a Public Hearing date.

CARRIED.

COVENANT
RELEASE 4356
BEACH AVE.
NATHAN CONST.

Planning Technician Heidi Simkins presented a report recommending the release of an easement covenant registered on title Lot 6, Plan 5230, DL 220, 4356 Beach Avenue, Nathan Construction, as it is no longer needed as the project is complete.

MOVED by Councillor Hallberg, SECONDED by Councillor Condon:

THAT Council authorizes the Mayor and Approving Officer to execute the release of the Easement/Covenant registered on title Lot 6, Plan 5230, DL 220, 4356 Beach Avenue, Nathan Construction.

CARRIED.

Concern was expressed with the asphalt finishing at the sidewalk, rather than concrete. The Director of Operations was requested to report on this at the next Regular Council Meeting.

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COVENANT – 6633
HWY. 97 S.
REFLECTIONS ON
THE LAKE

Contract Planner Ken Cossey presented a report regarding a proposed covenant to be registered on title Lot B, Plan 25185, DL 221, 6633 Hwy. 97 S., Reflections on the Lake. The covenant attaches the entire geo-technical report of February 14, 2005, for registration on title.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Council requests further clarification on the proposed covenant, articles 10, 11 & 12 on pages 11 & 12, prior to authorizing the Corporate Officer to sign the required documentation.

CARRIED.

DVP#06/10,007
6447 RENFREW RD.
BARRY

Planning Technician Heidi Simkins presented a follow-up report which included a site topography plan indicating the edge of existing pavement of Renfrew Road in relation to the property line and setback, a copy of the August 3, 2006 Geo Teknik Consulting Ltd. Report, and the staff report presented to Council at the August 8, 2006 meeting. She advised that no correspondence regarding the variance application has been received from neighbouring property owners.

MOVED by Councillor Nielsen, SECONDED by Councillor Fraser:

THAT Council authorizes staff to prepare the required Development Variance Permit;

AND THAT Council approves Development Variance Permit #DVP06/10,007, to vary the front yard setback of the R-1 Single Family Residential zone, from 6.0 meters (20 ft.) to 3.0 meters (10 ft.) to allow for the construction of a single family dwelling at 6447 Renfrew Road, Lot 3, Plan 16991, DL 221.

CARRIED.

2006 PAVING
PROJECTS

Director of Operations Dave Gold presented a report regarding tender results for the 2006 Paving Projects.

MOVED by Councillor Hallberg, SECONDED by Councillor Thorne:

THAT Council authorizes staff to execute the Award of the 2006 Paving Projects to Cantex Okanagan Construction Ltd. for the sum of \$305,918.69;

AND THAT the additional required funding of \$45,166 be funded from the Water System One Improvement Reserve Fund (\$14,950;) the Roads DCC Reserve Fund (\$15,108;) and the non-DCC Roads Reserve Fund (\$15,108;)

AND THAT the 2006 Financial Plan be amended accordingly.

CARRIED.

WATER CONSERVATION & METERING

Director of Operations Dave Gold presented a report regarding the Water Conservation Education and Metering project, with a request to award a contract to Neptune Technology Group (Canada) Ltd. to initiate the Program. CAO Elsie Lemke noted that the program is essential for future funding applications to the Province.

Council members discussed the report and its recommendations at length. It was noted that the installation of water meters will be at no cost to individual homeowners. There will be one year of data collection once meters are installed before metered rates are developed.

MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

THAT Council authorizes the award of a contract to Neptune Technology Group (Canada) Ltd., to a maximum of \$954,683.00, to initiate a Water Conservation Education Program and proceed with the supply and installation of water meters to residential, industrial, commercial and institutional properties only;

AND THAT Neptune Technology Group (Canada) Ltd. be requested to assist District staff with developing a metered water rate billing structure;

AND THAT the supply and installation of water meters for agricultural irrigation properties be considered during 2007 budget deliberations.

CARRIED.

MOVED by Councillor Condon, SECONDED by Councillor Moritz:

THAT Neptune Technology Group be requested to present the water conservation education program to Council at a Regular Meeting.

CARRIED.

WATER METER DATA

Director of Operations Dave Gold presented a report which summarized the Water Metering Pilot Project data collection.

MOVED by Councillor Condon, SECONDED by Councillor Hallberg:

THAT the Water Metering Pilot Project Data Summary be received for information.

CARRIED.

MAYOR & COUNCILLORS' REPORTS

MAYOR REID

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT a Special Open Council Meeting be held at 1:00 p.m. Tuesday, October 31, 2006.

CARRIED.

Mayor Reid reported that CORD has staff at Hardy Falls Park on weekends to conduct tours to see and learn about the returning Kokanee salmon. He urged all residents to take advantage of the tours.

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**COUNCILLOR
THORNE**

Councillor Thorne attended a PFRS Officers' meeting. PFRS is currently recruiting volunteers and junior members; applications are available at the Fire Hall. Councillor Thorne attended a PDRS Directors meeting. He reported the first Christmas Celebrations committee meeting is Sept. 18th at 1:30 pm at the Community Centre; everyone is welcome to attend.

**COUNCILLOR
HALLBERG**

Councillor Hallberg attended the Rattlesnake Island Swim on August 12. She has been working with UBC-O professors to distribute the seniors housing surveys. On behalf of Mayor Reid, Councillor Hallberg presented the Fall Fair awards last weekend.

**COUNCILLOR
MORITZ**

Councillor Moritz attended the Rattlesnake Island Swim. Last night, he attended an EDC meeting.

CORRESPONDENCE

Requiring Action:

**SHORT TERM
RENTALS**

CAO Elsie Lemke provided a Council Briefing regarding the letter from Lakeshore Gardens complaining about short term vacation rentals in the complex. The briefing explained that the Planning & Development Services Department will bring forward recommendations regarding short term vacation rentals to the Environment and Land Use Committee later this fall.

MOVED by Councillor Hallberg, SECONDED by Councillor Condon:

THAT the letter from Lakeshore Gardens complaining about short term vacation rentals be received.

CARRIED.

For Information:

- ORL re: support for UBCM resolution
- OBWB re: 2006 grants
- City of Armstrong re: support for UBCM resolution re: turbidity notification
- UBCM re: gas tax agreement projects funding
- Bruce Letendre re: Hwy. 97 at Antlers' Beach
- School District No. 23 re: extension to notice to vacate Turner Park
- Lung Assoc. of BC re: resolution at UBCM convention
- Information & Privacy Commissioner re: surveillance bylaw report

OTHER BUSINESS

IN CAMERA MTG.

MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT an In Camera Meeting be held at 1:00 p.m. September 26, 2006, pursuant to Sec. 90(1)(a) [personnel] and (e) [land] of the *Community Charter*.

CARRIED.

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QUESTION PERIOD

None.

ADJOURNMENT

MOVED by Councillor Condon:

THAT the Regular Council Meeting adjourn at 9:08 p.m.

CARRIED.

(Original signed by Mayor & Clerk)

Certified Correct.

Mayor

Corporate Officer

Dated at Peachland, B.C.
This 27th day of September, 2006.