

**THE CORPORATION OF THE DISTRICT OF PEACHLAND**

**Regular Council Meeting Minutes  
Held Tuesday, May 8<sup>th</sup>, 2007 at 7:00 p.m.  
In the Council Chambers, Peachland Community Centre**

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**PRESENT:** Mayor Reid, Councillors Condon, Fraser, Hallberg, Nielsen, Moritz and 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

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

**APPROVAL OF THE AGENDA** MOVED by Councillor Thorne, SECONDED by Councillor Fraser:

THAT the Agenda be approved as circulated.

**CARRIED.**

**PRESENTATIONS & DELEGATIONS**

**THORNE ROAD  
RESIDENTS – WATER  
PARCEL TAX**

Mayor Reid advised that Council has no power to grant water parcel tax exemptions as requested by Thorne Road residents; they have been advised that following the Parcel Tax Review Panel decision to deny the exemptions, they can appeal to the B.C. Supreme Court.

Mr. Jim Cahoon spoke on behalf of Thorne Road residents objecting to the Water Capital Improvements Parcel Tax because this area will not receive water service in the near term future. He provided a written copy of questions to which the residents request a response.

Mr. Jim Carpenter expressed further concerns regarding the lack of municipal water service and the parcel tax.

Mayor Reid thanked the presenters.

Councillor Moritz requested a response from staff regarding the applicability of Section 201(3) of the *Community Charter* in this instance.

**ADOPTION OF THE MINUTES**

**ADOPT MINUTES** MOVED by Councillor Condon, SECONDED by Councillor Thorne:

THAT the Minutes of the Regular Meeting held April 24, 2007 be adopted as circulated.

**CARRIED.**

**UNFINISHED BUSINESS**

**POLICY #PUB-185** CAO Elsie Lemke presented a report with information on the cost plus 15% amount for streetscape components.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Partnership Program – Streetscape Components Policy #PUB-185 be adopted.

**CARRIED.**  
Councillor Condon OPPOSED.

**COMMITTEE & STAFF REPORTS**

**Committee Reports:**

**ELUC** Chair Councillor Condon noted that most items reviewed at the Committee meeting are on this Agenda, except for an amendment to the cash in lieu of parking policy, which will be on the next Council agenda.

**Staff Reports:**

**APRIL REPORTS** Director of Operations Dave Gold, in response to a question from Council, advised that the District is not part of the regional goose management program, and that staff use a laser gun to scare the geese, time permitting. He also advised that no post barriers will be installed on Princeton Avenue in the near future.

The Fire Chief will be requested to provide information regarding the private fire hydrants testing policy.

**BYLAW #1841 OFFICERS** CAO Elsie Lemke presented a report outlining housekeeping changes to the Officers' Bylaw.

MOVED by Councillor Nielsen, SECONDED by Councillor Fraser:

THAT Officers Bylaw Number 1841, 2007 be read First, Second and Third Times.

**CARRIED.**

**BYLAW #1831 2007 TAX RATES** MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT 2007 Tax Rates Bylaw Number 1831, 2007 be finally reconsidered and adopted.

**CARRIED.**

**PARCEL TAX BYLAWS** MOVED by Councillor Nielsen, SECONDED by Councillor Condon:

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

- i) Water Capital Improvements Parcel Tax Bylaw No. 1828, 2007

**Regular Council Meeting Minutes**  
**May 8, 2007**  
**Page 3**

**PARCEL TAX  
BYLAWS (CONT.)**

- ii) Solid Waste Collection & Disposal Parcel Tax Bylaw No. 1832, 2007
- iii) Downtown Revitalization Parcel Tax Bylaw No. 1833, 2007
- iv) Water System No. 3 Parcel Tax Bylaw No. 1834, 2007
- v) Water System No. 2 Parcel Tax Bylaw No. 1835, 2007
- vi) Sewage Transmission Parcel Tax Bylaw No. 1836, 2007
- vii) RDCO Westside Regional Sewer System Parcel Tax Bylaw No. 1837, 2007
- viii) Beach Avenue Sewage Collection Specified Area Parcel Tax Bylaw No. 1838, 2007
- ix) Beach Avenue Sewage Collection Specified Area Acreage Parcel Tax Bylaw No. 1839, 2007
- x) Phase 1-D and Phase 2 Sewer Collection Specified Area Parcel Tax Bylaw No. 1940, 2007.

**CARRIED.**

**BYLAW #1842  
BEETLE KILL**

Director of Finance Doug Pryde presented a report regarding a bylaw to establish a reserve fund for beetle killed trees mitigation. This will be for tree removal on publicly owned lands, and the \$25,000 for 2007 to the fund is identified in the 2007 Financial Plan Bylaw.

MOVED by Councillor Thorne, SECONDED by Councillor Hallberg:

THAT Beetle Kill Reserve Fund Bylaw Number 1842, 2007 be read First, Second and Third Times.

**CARRIED.**

**RDCO REFERRALS**

Director of Planning & Development David Smith noted that the next 3 reports are referrals from the Regional District, and have been reviewed by Environment & Land Use Committee.

**GRAVEL  
EXTRACTION  
MAXWELL ROAD**

Mayor Reid advised that the Regional District has not supported the gravel extraction application for Maxwell Road due to its proximity to Jack Creek, which flows into Trepanier Creek. The Ministry of Mines will hold a public meeting on this application.

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT Council forward a letter to the Regional District of Central Okanagan indicating the District of Peachland does not support the application for gravel and sand extraction, screening and crushing plant on Lot 4, DL 484, Plan 35960 (#GREX-07-04) in the Regional District adjacent to Trepanier Creek and Maxwell Road for the following reasons:

- concerns for Peachland's watershed and fish habitat; Jack Creek flows into Trepanier Creek which is part of the watershed;
- traffic concerns;
- noise and nuisance from facility and effect on nearby residents;
- there are already several other gravel pits in the area;

AND THAT the draft letter be approved, with copies to Ministry of Mines, Minister of State for Mining, MLAs and Department of Fisheries and Oceans.

**CARRIED.**

**Regular Council Meeting Minutes**  
**May 8, 2007**  
**Page 4**

**RDCO REFERRALS  
(CONT.)**

Mayor Reid advised that the District's comments regarding the second application for a screening plant and gravel loading and storage on Lot 1, DL 483, Plan KAP81596, adjacent to Trepanier Road north of Hwy. 97C have already been received by the Regional District.

**TELECOM. TOWER**

Director of Planning & Development Services David Smith presented a report regarding an application for a telecommunications tower located on Crown property near Mount Clements and Jack Creek.

Mayor Reid reported that RDCO considered this application and requested more information as it is unclear what changes may be required on a road to facilitate tower maintenance and repair.

MOVED by Councillor Condon, SECONDED by Councillor Fraser:

THAT Council forward concerns respecting protection of the watershed in a letter to the Regional District of Central Okanagan respecting a telecommunications tower located on Crown property near Mount Clements and Jack Creek.

**CARRIED.**

**GOAT'S PEAK  
NEIGHBOURHOOD  
PLAN**

Director of Planning David Smith presented a report regarding the Goat's Peak Neighbourhood Plan, reviewed by ELUC last week.

MOVED by Councillor Moritz, SECONDED by Councillor Condon:

THAT Council forward the following concerns respecting the Goat's Peak Neighbourhood Plan in a letter to the Regional District of Central Okanagan:

1. Support development of Areas A & B in Figure 9 of the Plan; this would appear to be a logical extension of the Westbank urban area, on the north side of Goat's Peak Mountain;
2. Do not support Areas C, D, E and F and their development, but suggest they be developed as a Provincial or Regional Park or left as a natural conservation area; these lands are problematic to develop due to steep slopes, poor access from Highway 97 at Seclusion Bay Road, difficulty for servicing, and they represent unsustainable development which should be avoided;
3. Seclusion Bay Resort may continue, but should not be expanded;
4. The south side of Goat's Peak should serve as part of a greenbelt between Westbank and Peachland.

**CARRIED.**

**BYLAW #1830**

MOVED by Councillor Condon, SECONDED by Councillor Hallberg:

THAT final reconsideration and adoption of Water Use Restrictions Amendment Bylaw Number 1830, 2007 be tabled to the next Regular Council Meeting.

**CARRIED.**

**CUSTODIAL  
CONTRACT**

Director of Operations Dave Gold presented a report requesting a two year extension to the custodial services contract with Great Master Cleaning.

MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:

THAT Council authorizes staff to extend the contract with Great Master Cleaning Contractors Inc. for a two year period from July 1, 2007 to June 30, 2009, for custodial services of municipal buildings, in accordance with the provisions of the contract documents, for the annual sum of \$57,780.00 including GST, plus the annual BC Consumer Price Index adjustment.

**CARRIED.**

**MAYOR & COUNCILLORS' REPORTS**

**COUNCILLOR  
HALLBERG**

Councillor Hallberg attended a regional Economic Development Commission meeting two weeks ago at Mission Hill Winery.

**MAYOR REID**

Mayor Reid and CAO Elsie Lemke attended the OMMA convention last week in Merritt, which was a good and well-attended convention. OMMA has now changed its name to SILGA (Southern Interior Local Government Association.) The District's turbidity notification resolution was passed unanimously.

**CORRESPONDENCE**

**For Information:**

Letter from MLA Rick Thorpe with certificate for 'Act Now Grey Cup Tour' in Peachland.

**OTHER BUSINESS**

**IN CAMERA MTG.**

MOVED by Councillor Thorne, SECONDED by Councillor Moritz:

THAT an In Camera Meeting be held at 1:00 p.m. May 22, 2007 pursuant to Sec. 90(1)(e)[land] of the *Community Charter*.

**CARRIED.**

**QUESTION PERIOD**

**W. VALENTE**

Mr. Walter Valente, 5806 Vicary Road, asked if the District would post a sign at the Yacht Club advising of free, long term boat parking at the Day dock, as two boats were there for months last fall, and now two boats are parked.

**F. WARBURTON**

Mr. Frank Warburton, 5902 Ehlers Road, asked what length of time the Ministry of Mines would take to make a decision on the gravel extraction applications. Mayor Reid noted that the Ministry will hold a public meeting first.

**Regular Council Meeting Minutes**  
**May 8, 2007**  
**Page 6**

**J. CAHOON**

Mr. Jim Cahoon, Thorne Road, asked for the document that Mr. Pryde read from at the Parcel Tax Review Panel re: exemptions. He stated that although the appeal process may have been legal, it was not appropriate for Peachland.

**R. J. COLDHAM**

Mrs. Jean Coldham asked if Council has considered a boundary expansion to include upper Trepanier in order to protect water and know where things are. She stated there will be more gravel extraction applications.

Mayor Reid advised that the District has asked the Ministry of Community Services, through the Regional District, to fund a study to expand the District's boundaries. The Minister responded this week that she will wait until the Westside June 16<sup>th</sup> vote, as a number of changes may be precipitated depending on the outcome of the vote.

**ADJOURNMENT**

MOVED by Councillor Fraser:

THAT the Regular Council Meeting be adjourned at 8:01 p.m.

**CARRIED.**

(Original signed by Mayor & Corporate Officer)

**Certified Correct.**

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**Mayor**

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**Corporate Officer**

Dated at Peachland, B.C.  
This 23<sup>rd</sup> day of May, 2007.