

Minutes of the REGULAR BOARD MEETING of the Regional District of Central Okanagan held at Regional District Offices, 1450 KLO Road, Kelowna, B.C. on Monday, March 23, 2009

Directors:

J. Baker (District of Lake Country)
J. Edgson (Central Okanagan West Electoral Area)
K. Fielding (District of Peachland)
D. Findlater (District of West Kelowna)
B. Given (City of Kelowna)
K. Hayes (Central Okanagan East Electoral Area)
R. Hobson (City of Kelowna)
G. James (City of Kelowna)
D. Ophus (District of West Kelowna)
A. Reid (City of Kelowna)
M. Rule (City of Kelowna)
S. Shepherd (City of Kelowna)
L. Derrickson (Westbank First Nation)

Staff:

H. Reay, Chief Administrative Officer
M. Kopp, Manager of Parks Services
R. Fralick, Planner 1
D. Plamondon, Manager of Development and Environmental Services
M. Drouin (recording secretary)

Chair Hobson brought the meeting to order at 7:00 p.m.

The Annual Report for 2008 was presented to the Board. Bruce Smith was thanked for creating such a useful document for the regional district.

1. MINUTES

- 1.1 Regular Board Meeting – February 23, 2009
- 1.2 Special Board Meeting – March 5, 2009

#53/09

BAKER/OPHUS

THAT the Regular Board Meeting minutes of February 23, 2009 and the Special Board Meeting minutes of March 5, 2009 be adopted as circulated.

CARRIED

2. DELEGATION

- 2.1 Landowners Water Committee (Valley of the Sun, Shalal Road and Upper Fintry) re: Towns for Tomorrow grant

Director Edgson introduced members of the Landowners Water Committee to the Board: four of the six members were in attendance including Tammy Krammer,

Arnold Badke, Ben Hansen, and Carrie Breitkreuz. The members were thanked for the tremendous amount of work they have done. The Committee was instrumental in petitioning residents for a water system in the area of Valley of the Sun, Shalal Road and Upper Fintry.

A \$400,000 grant from Towns of Tomorrow provincial grant will go toward this water system.

Delphine Maja was thanked for her work on this project.

2.2 Robert Fine – Economic Development Commission: Draft 2009 Strategic Plan

Robert Fine addressed the Board providing an update on the EDC's 2009 Strategic Plan. Scot Speiser, Vice Chair was introduced. Core activities were reviewed: including 2,200 contacts for the weekly newsletter, data and website updates 2.5 million hits in 2008, valley-wide initiatives with Okanagan Partnerships continue, site visits up 36% this year, inquiries continue to increase, continue to attend trade events nationally and internationally, film studio development continues, 150 businesses participated in the Business in the Park program, 500 businesses direct one-on-one contact, 100 individuals involved in the foreign skill workers program.

2009 plan initiatives were briefly reviewed including: bringing on an export specialist officer to help find new markets to sell goods and services, continue work on sustainable energy (blue to green collar jobs), and agri-tourism program to be launched. As requested by the Board staff reviewed the Arts and Cultural Tourism officer position. Funding has been maintained until the end of March 09. \$30,000 is required to continue the program. The program would link with the province with a strategy they are putting together, connector to the arts up and down the valley, annual event 'business of arts forum', developing 'circle tours' linking agriculture with heritage, it would also be the go-to point for the creative industry as a whole.

Questions to EDC:

- Why did planning chose not to fund the agricultural position? It was a two year funding commitment that was completed.
- EDC advisory board believe the agricultural position is a greater priority at this time than the arts and culture position.
- Added to this year's budget are two part-time positions: technology program and export specialist (\$30,000 each). Nothing has been done to hire these part-time positions.

Discussion:

- In the past it has been Board policy to support the EDC's advisory committee recommendations. They set their priorities but they are only recommendations to the Regional Board.
- The two new positions have been included in the 2009 budget but not the \$30,000 for the Arts and Culture position. \$30,000 would need to be added to keep all three positions.

- The Board discussed the merits of the three positions. It was noted that the Board had earlier agreed to fund the Arts and Culture position and concern was expressed that it was deleted from the EDC project without consultation of the Board.

Staff were asked to review the EDC budget to determine if anything could be cut in order to fund the Arts and Culture position and present the impact of adding \$30,000 to the EDC budget. These findings are to be presented at the March 27th Board meeting.

#54/09

RULE/GIVEN

THAT the presentation on the Economic Development Commission's 2009 Strategic Plan be received.

CARRIED

3. CORRESPONDENCE

3.1 City of Kelowna – Earth Hour 2009 (*All Directors - Unweighted Vote*)

The City of Kelowna in its letter of February 24th challenged the Regional District to take part in Earth Hour 2009 by ensuring the lights are turned off on March 28th from 8:30 p.m. to 9:30 p.m. and by encouraging residents in the Regional District to do the same.

#55/09

EDGSON/GIVEN

THAT the Regional Board support the Earth Hour Crusade and request that all residents in the Regional District of Central Okanagan consider turning off their lights on Saturday, March 28, 2009 from 8:30 p.m. to 9:30 p.m.

CARRIED

3.2 Okanagan Basin Water Board – Membership on the Okanagan Water Stewardship Council (*All Directors - Unweighted Vote*)

The Okanagan Basin Water Board requests the Regional District of Central Okanagan participate as a member on the Okanagan Water Stewardship Council for the upcoming 18 month term. It was recommended that a staff member participate, likely Chris Radford.

#56/09

SHEPHERD/BAKER

THAT the Regional Board appoint a staff member to the OBWB Okanagan Water Stewardship Council for the upcoming 18-month term and that staff report back to the Board on a continuing basis.

CARRIED

3.3 UBCM re: Approval of Farmed Animal Mass Carcass Disposal
Emergency Plan Funding (*for information only*)

The Union of BC Municipalities letter of February 27th confirmed approval for Farmed Animal Mass Carcass Disposal Emergency Plan funding in the amount of \$37,410.00. UBCM administers the program on behalf of Investment Agriculture Foundation with funding provided by the Ministry of Agriculture and Lands.

#57/09

SHEPHERD/OPHUS

THAT the February 27th letter from the Union of BC Municipalities confirming approval for the Farmed Animal Mass Carcass Disposal Emergency Plan funding be received.

CARRIED

3.4 Ministry of Community Development – Provincial Funding Support

The Ministry of Community Development in its letter of March 20th outlined the details of provincial government grants received by the Regional District since 2002 totalling \$3,332,156.

#58/09

EDGSON/BAKER

THAT the March 20, 2009 letter from the Ministry of Community Development regarding grants the provincial government has made since 2002 to the Regional District be received.

CARRIED

Director Given left the meeting at 7:55 p.m.

4. UNFINISHED BUSINESS

4.1 Insurance and Employee Reserve Fund (District of West Kelowna) (*All Directors - Weighted Vote*)

The Regional Board at its January 26, 2009 meeting in its resolution #07/09 and #08/09 deferred approval of the transfer of the Insurance and Employee Reserve Fund to the District of West Kelowna until a staff to staff meeting is held to determine exactly what information the District of West Kelowna requests.

#59/09

SHEPHERD/EDGSON

THAT the Regional Board approve the transfer of \$523,482 of the Regional District's Insurance and Employee Reserve Fund to the District of West Kelowna.

CARRIED

5. FINANCE

No Board action required/requested.

6. DEVELOPMENT AND ENVIRONMENTAL SERVICES

Inspection:

6.1 Building Statistics – February 2009 (*All Directors - Unweighted Vote*)

#60/09

EDGSON/FIELDING

THAT the building statistics for the month of February 2008 where three permits were issued for a total value of \$290,500 be received.

CARRIED

Director Given returned at 7:59 p.m.

Planning:

6.2 a) Report regarding initiation of an Official Community Plan for the Trepanier/Brent Road/Lakeshore Road/June Springs Estates areas of the Central Okanagan West & East Electoral Areas. (File: 6480-01) (*Electoral Area Directors Only*)

Staff report dated March 12, 2009 outlined the background for completing an Official Community Plan for the electoral areas of Trepanier, Brent Road, Lakeshore Road, and June Springs Estates. In follow-up to discussions at the March 5th Governance and Services Committee meeting, staff noted that due to current staff levels it is felt that additional staff resources would not be available until such time as the North Westside OCP review and update has been completed.

#61/09

EDGSON/HAYES

THAT commencement of a Request for Proposal process to develop an Official Community Plan (OCP) for the Trepanier Road, Brent Road, Lakeshore Road, June Springs Estates areas be deferred until late 2009, subject to budgetary and staffing considerations;

AND FURTHER THAT Planning staff report back to the Governance and Services Committee once a more precise timeline for completing the North Westside OCP has been determined.

CARRIED

- 6.2 b) Report regarding public notification process associated with Provincial Agricultural Land Commission applications. (File: 6635-00) (*All Directors*)

Staff report dated March 12, 2009 outlined the background for a public notification process associated with provincial Agricultural Land Commission applications. The Governance and Services Committee reviewed the issue at its March 5, 2009 meeting and forwards the following recommendation for consideration.

#62/09

BAKER/FIELDING

THAT a letter be forwarded to the provincial Agricultural Land Commission requesting that consideration be given to expand the current public notification requirement for exclusion applications, to also apply to applications for subdivision, non-farm use, and to include land within the Agriculture Land Reserve.

CARRIED

- 6.2 c) Report regarding FrontCounter BC referral application for License of Occupation over existing roads & trails for guided quad or ATV tours located in the vicinity of Blue Grouse Mountain. (CL-09-02) Central Okanagan West (*All Directors*)

Staff report dated March 12, 009 outlined the referral application for a license of occupation. Staff reviewed the application noting the application is for approximately 125 km of trails and existing roads, and a 30-year license of occupation. The operating area for trails and staging was reviewed. The subject lands are not located within the boundaries of an OCP. Agency comment concerns were identified in the staff report. There are currently numerous concerns with existing use of the trails with regard to watershed, noise and environmental concerns.

This area is within the Bear Creek Motorized Recreation zone. Staff believe this application is premature and should not be considered until the provincial plan is completed and in place and that this group should be engaged in the provincial pilot process.

The applicant was notified of the meeting but is not in attendance.

#63/09

BAKER/EDGSON

THAT FrontCounter BC referral application CL-09-02 in the vicinity of Blue Grouse Mountain for a License of Occupation over existing roads & trails for guided quad or ATV tours not be supported;

AND THAT should this proposal be considered by FrontCounter BC that all of the following be addressed prior to final approval;

- Compliance with recommendations of the Ministry of Environment's Ecosystem Biologist dated February 16, 2009;

- Compliance with comments and recommendations of the Ministry of Forests and Range noted in their responses of February 24, 2009 & March 6, 2009;
- Compliance with recommendations of the Ministry of Agriculture and Lands noted in their response of March 4, 2009;
- Compliance with Environmental Advisory Commission recommendations;
- Receipt of approval from John Glaspie, Recreation Officer with the Ministry of Tourism, Culture and the Arts;
- That the applicant work with the District of West Kelowna & Lakeview Irrigation District to address all of their issues and concerns.

AND FURTHER THAT the Development & Environmental Services Department report dated March 12, 2009 be forwarded to FrontCounter BC for their information and consideration.

CARRIED

Concern was expressed once again regarding the fact that the Province has not instituted registration/licensing for off-road vehicles. Currently there is no way to identify ownership of off-road motorized vehicles.

#6409

BAKER/GIVEN

THAT a letter be sent urging the Province to implement licensing and regulation of all motorized off-road vehicles;

AND FURTHER THAT it be suggested to the Province that all fees for registration and licensing be provided to help offset conservation, dedication, maintenance and enforcement of trails within BC.

CARRIED

Development and Environmental Services

6.3 Development Variance Permit Application for Michael & Cheryl Michaud (owners) and Ken Kunka (agent) located at 4902 Star Place. (VP-09-02) Central Okanagan West Electoral Area (*Electoral Areas, District of West Kelowna Fringe Area, and District of Peachland Fringe Area*)

Staff report dated March 12, 2009 outlined the variance application to allow an increase in the maximum height of an accessory building from 5.0 m to 10.03 m in order to permit construction of a detached garage. Staff reviewed the application.

The applicant's agent, Ken Kunka was in attendance and addressed the Board. He noted there is desire to have the structure match the same design as the family home. A model was presented showing the design of the building.

Chair Hobson asked if there was anyone in the gallery who deemed their property to be affected by the variance. There was no-one.

#65/09

EDGSON/FIELDING

THAT the Regional Board approve Development Variance Permit application VP-09-02 for Michael & Cheryl Michaud (owners) located at 4902 Star Place to vary Part 6 of Zoning Bylaw No. 871, Section 6.3, Regulations Table for RU3 Zone, Subsection 6.3.14.2 by allowing an increase in the maximum height of an accessory building from 5.0 m (16.4 ft.) to 10.03 m (32.9 ft.).

CARRIED

Engineering / Waste Reduction

- 6.4 a) Report regarding the Upper Fintry / Shalal Road / Valley of the Sun proposed water distribution system.

Staff reviewed the background of the proposed water system including public meetings held, petitioning process, 56% of the parcels supported the process by the deadline for the petition (staff continue to receive support letters). The cost to design and construct the water system is approximately \$6mil. Each property owner will be given the opportunity to pay in full or amortize the cost over 30 years. User and maintenance fees were highlighted. It was noted the costs may be reduced if further funding is received.

- i) Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Establishment Bylaw No. 1254, 2009, **1st, 2nd and 3rd readings** (All Directors - Unweighted Vote)

#66/09

EDGSON/REID

THAT Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Establishment Bylaw No. 1254, 2009 be given first, second and third readings this 23rd day of March 2009.

CARRIED

- ii) Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Loan Authorization Bylaw No. 1255, 2009 **1st, 2nd and 3rd readings** (All Directors - Weighted Vote)

#67/09

EDGSON/BAKER

THAT Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Loan Authorization Bylaw No. 1255, 2009 be given first, second and third readings this 23rd day of March 2009.

CARRIED

- iii) Application for funding to the Building Canada Fund-Communities Component (All Directors - Unweighted Vote)

#68/09

EDGSON/GIVEN

THAT Regional District engineering staff proceed with submitting an application for funding to the Building Canada Fund – Communities Component to help offset the cost to design and construct the proposed Upper Fintry, Shalal Road, and Valley of the Sun water system.

CARRIED

- iv) Approval of retaining a consulting engineer to design, tender, project manage and provide as-constructed record drawings (*All Directors - Unweighted Vote*)

#69/09

EDGSON/GIVEN

THAT the Regional Board approves engineering staff to retain a Consulting Engineer to design, tender, project manage, and provide as-constructed record drawings for the Upper Fintry, Shalal Road, and Valley of the Sun Water Distribution System;

AND FURTHER THAT the costs for the designing, tendering, project management, and as-constructed record drawings, estimated to be approximately \$400,000.00.

CARRIED

- v) Approval of retaining a consulting engineer to proceed with well site exploration and development (*All Directors - Unweighted Vote*)

#70/09

EDGSON/OPHUS

THAT the engineering staff be directed to retain a consulting engineer to proceed with well site exploration and development, estimated to be approximately \$850,000.00, where \$400,000 will be recovered through the Towns for Tomorrow funding.

CARRIED

6.4 b) Report regarding Killiney Beach Water System

Staff report dated March 12, 2009 outlined the need for upgrades to the Killiney Beach Water System to ensure adequate storage, efficiency and capacity to meet demands. Previous analysis have identified upgrades to the system and as a result of the system review, a phasing strategy will be implemented based on priority and cost of projects.

#71/09

BAKER/FIELDING

THAT the Regional Board endorse an application to Building Canada Fund – Communities Component for required upgrades to the Killiney Beach Water System.

CARRIED

6.4 c) Report regarding Westside Wastewater Treatment Plant

Staff report dated March 3, 2009 outlined the background for the upgrade of the Westside Regional Wastewater Treatment Facility. Stage 2 upgrades were completed in 2007. As the District of West Kelowna has received funding to add 1400+ new connections over the next five years, these flows along with other development in the District of Peachland, Westbank First Nation may put the plant at capacity before the projected stage 3 design and may not provide the required buffer for scheduled maintenance. Additional modules will ensure the Regional District can properly plan and schedule maintenance during lower flow seasons with confidence.

#72/09

EDGSON/FINDLATER

THAT the Regional Board authorizes staff to proceed with the RFP process for design work required for stage 3 upgrades to the Westside Regional Wastewater Treatment facility;

AND FURTHER THAT the Regional Board endorses an application to Building Canada Fund – Communities Component for upgrades to the Westside Regional Wastewater Treatment Facility.

CARRIED

7. PARKS SERVICES

7.1 Kelowna and Area Mountain Bike Strategy (*All Directors - Unweighted Vote*)

Staff report dated March 23, 2009 outlined the background work completed by the Regional District and the City of Kelowna. Cascade Environmental Resource Group completed phase 2 of the Strategy in February 2009 and reported the results to the Governance and Services Committee at its February 11th meeting. The committee requested short and long term financial implications of the Strategy to be reported. Staff noted that by receiving the report it does not create a financial obligation but it is important for the Regional District to remain involved as part of the Coordinating Committee. Further discussion will be required during the region's strategic planning process regarding the commitment the region is prepared to become involved with in the regional parks, Crown land particularly with regard to users, maintenance, costs, funding grants, etc.

#73/09

SHEPHERD/EDGSON

THAT the Regional Board receive the Kelowna and Area Mountain Bike Strategy – Final Report dated February 2, 2009;

AND FURTHER THAT the Regional Board support the identification of appropriate RDCO Parks Services staff resources to work as a partner on the proposed Kelowna and Area Mountain Bike Trail Coordinating Committee.

CARRIED

7.2 Ministry of Environment, Water Stewardship Division, Memorandum of Understanding (MOU) for Hazard Tree Management, Mission Creek Greenway

Parks staff report dated March 16, 2009 outlined the need for continued hazard tree mitigation along Mission Creek Greenway. Staff will continue to work with the Ministry of Environment providing labour, supervision and equipment.

#74/09

BAKER/EDGSON

THAT the Regional Board enter into a Memorandum of Understanding with the Ministry of Environment, Water Stewardship Division for the management of hazard trees within the Mission Creek Greenway.

CARRIED

8. NEW BUSINESS

No Board action required/requested.

9. OTHER BUSINESS

9.1 Director Items

a) Joe Rich – Golder Water Report

Director Hayes requested that the Joe Rich Golder letter (with regard to the Heartland application) be brought forward to the next Governance and Services Committee meeting. Staff noted the special use permit application will be forthcoming.

b) Emergency Preparedness Week

Director Shepherd noted the week of May 4 is Emergency Preparedness Week and that it may be an appropriate time to hold a workshop on preparing for emergencies that week. It is being suggested that this be held at the City of Kelowna main fire hall.

#74/09

SHEPHERD/RULE

THAT staff assist in developing an Emergency Preparedness workshop to be held at the City of Kelowna main firehall the week of May 4 for *Emergency Preparedness Week*.

CARRIED

c) Spring/Fall Yard Waste Pick Up

Staff will bring a report forward a report to the April 9th Governance and Services Committee meeting on options for pickup of spring/fall yard waste. Staff noted that no budget allocation has been set aside to increase services. Municipal partners would have to determine if they would support further costs. Staff noted that specific information has been placed on the Regional District's website to answer questions on the garbage collection system.

d) Clean Air Forum

Director Edgson noted that at the recently attended BC Clean Air Forum there was discussion regarding changes to outdoor burning regulations.

#75/09

EDGSON/SHEPHERD

THAT staff clarify with the Province any changes to regulations for outdoor burning in follow-up to discussions at the Clean Air Forum.

CARRIED

10. ADJOURN IN CAMERA

#76/09

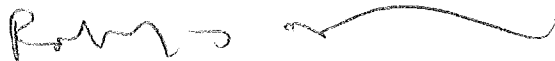
EDGSON/FINDLATER

THAT pursuant to Section 90 of the *Community Charter* the Regional Board adjourn and convene to an 'In-Camera' session to discuss a personnel issue.

CARRIED

There being no further business the meeting was adjourned at 9:20 p.m.

CERTIFIED TO BE TRUE AND CORRECT



R. Hobson (Chair)


H. Reay (Chief Administrative Officer)