

**Minutes of the *REGULAR MEETING* of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices on Monday, January 27, 2003**

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R. Cannan (City of Kelowna)  
C. Day (City of Kelowna)  
A. Dinwoodie (Westside Elect. Area)  
W. Gray (City of Kelowna)  
P. Hanson (Ellison/Joe Rich Elect. Area)  
B. Harriman (District of Peachland)  
R. Hobson (City of Kelowna)  
R. Hein (District of Lake Country)  
D. Knowles (Westside Elect. Area)  
L. Novakowski (Westside Elect. Area)  
S. Shepherd (City of Kelowna)

W. d'Easum, Chief Administrative Officer  
K. Arcuri, Director of Planning Services  
H. Hettinga, Director of Engineering Services  
J. Johnson, Manager of Current Planning  
G. Leier, Director of Human Resources  
K. Roth, Director of Inspection Services  
B. Vos, Director of Parks & Recreation Services  
M. Drouin, Administrative Assistant (recording secretary)

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

**1. MINUTES**

- 1.1 Amend Regular Minutes - December 9, 2002
- 1.2 Public Hearing - January 13, 2003
- 1.3 Regular Minutes - January 13, 2003

**#31/03**

**DINWOODIE/KNOWLES**

THAT resolution #466/02 be amended to include the following:

“AND FURTHER THAT the Regional Board approve the appointments of Director Len Novakowski (Electoral Area Westside), David Knowles (Electoral Area Westside), Duane Ophus and Terry Tanner (Gellatly Nut Farm Society), Larry Foster (member-at-large), Jodie Foster Sexsmith (RDCO Parks & Recreation Department staff member) and Murray Kopp, Manager - Park Planning & Development (Committee Facilitator) to the Gellatly Nut Farm Regional Park Concept and Site Development Plan Project Steering Committee.”

AND THAT the Public Hearing minutes of January 13, 2003 be received;

AND FURTHER THAT the Regular Minutes of January 13, 2002 be adopted as circulated.

**CARRIED**

## **2. DELEGATION**

### **2.1 Kelowna & District Arts Council (KADAC)**

Harley Auty, 1<sup>st</sup> Vice President of the Kelowna & District Arts Council reviewed KADAC's mandate, structure, grant history, past achievements, what KADAC is doing in the community today and what the future holds. KADAC's funding sources and programs such as achievement certificates and scholarships to School District No. 23 students, bursaries, artscape program, membership and bi-monthly newsletter were highlighted. Mr. Auty noted that KADAC's board is volunteer driven and that one part-time staff person is employed.

The Board requested clarification on the relationship between the Kelowna Visual and Performing Arts Centre and KADAC. Mr. Auty explained that KADAC is a separate organization providing different services to the community. There are no plans to merge the two organizations.

A regional grant-in-aid of \$30,000 has been requested of the Regional District for 2003. The Board requested a current financial statement, a 2003 budget and clarification of KADAC's regional role be provided to the Board before final budget consideration and approval in March.

### **2.2 Community Action Towards Children's Health (CATCH) - Dr. Eugene Krupa**

Dr. Eugene Krupa gave the Regional Board an update on the program's progress. CATCH is a network of Central Okanagan organizations and individuals working together for the healthy development of children from the time of birth until they enter school. They continue to foster leadership by promoting relationships with dozens of partners to support existing programs and services. CATCH has worked to provide education, advocacy, policy development, established a plan for evaluation and research to ensure new programs have the capacity for self sustaining action to support children, families and our community into the future. A summary of CATCH's financial grants was highlighted.

Mr. Krupa thanked the Board for the annual support of \$5,000 plus staff resources.

## **3. CORRESPONDENCE**

### **3.1 Ministry of Public Safety and Solicitor General – Elected Official Emergency Preparedness Workshop (*All Directors - Unweighted Vote*)**

The January 10, 2003 letter from Mervin W.C. Harrower, Director, Ministry of Public Safety and Solicitor General, regarding the Elected Official Emergency Preparedness Workshop was reviewed. Directors were asked to communicate with the Administrative Assistant if they wish to register for the workshop. It was noted a Transportation Committee meeting is scheduled for the same day and may need to be moved if enough directors wish to attend the workshop.

### **3.2 Letter - School District No. 23 Central Okanagan (*All Directors - Unweighted Vote*)**

**#32/03**

DINWOODIE/CANNAN

THAT the January 15, 2003 letter from Moyra Baxter, Chairperson, Board of School Trustees, School District No. 23 Central Okanagan requesting a meeting with the Regional Board be received;

AND FURTHER THAT staff communicate with the School District that the preferred date for a meeting is March 19<sup>th</sup> at 7:00 p.m.

CARRIED

*Action:* Regional Board to consider agenda items for the meeting with School District No. 23 and communicate these to staff.

**4. UNFINISHED BUSINESS**

4.1 Report re: Purchase of Fire Trucks - Joe Rich Fire Protection Area (*All Directors - Unweighted Vote*)

Mr. d'Easum summarized his report dated January 20, 2003 on the purchase of three fire trucks - 1 pumper and 2 tankers for the Joe Rich Fire Protection area and reviewed the proposed recommendations to the Board.

The Board discussed the recommendations and the process followed in making the decision to purchase the trucks and noted it relied on the Area Director, the Engineering Committee and the Fire Chief's recommendations in making their decision. The Board agreed to the following:

- there is a need to improve its oversight capabilities for the various fire protection services it operates.
- that a review of the Regional District's purchasing/tendering policy is warranted at this time and that staff review the policy and bring forward for discussion at a Governance & Services Committee meeting.
- that the Engineering Committee review the proposed three contract options: contract 'X' number of hours per week with Westside Fire Department, or the City of Kelowna or an individual who has the necessary qualifications and bring recommendations to the Regional Board.

Chair Hobson noted he will be responding to the letter from the Joe Rich Ratepayers and Tenant Society.

**#33/03**

DAY/HANSEN

THAT the Regional District improve/increase its oversight capabilities for the various fire protection services it operates;

AND THAT in the future any late items at the Board table would only consist of those items that have previously been dealt with by the Board. Items appearing before the

Board for the first time should be a part of the regular agenda package or if they are a late item only be placed before the Board for information and a decision to be made at a future meeting. Only in an emergency or some extreme circumstance should new information be presented as a late item requiring Board action.

AND THAT Senior Staff be more diligent in screening future requests to the Board;

AND FURTHER THAT a full review of the tendering policy be completed by staff with a report going to the Governance and Services Committee for review.

CARRIED

4.2 Report re: Fire Trucks - Joe Rich Fire Protection Area (*All Directors - Unweighted Vote*)

Mr. d'Easum noted that discussions with the supplier, American LaFrance of BC, for the Joe Rich Fire Protection fire trucks have resulted in an offer to try to find another purchaser for one of the tankers if the Board wishes to consider this. American LaFrance has said there is no guarantee the vehicle can be sold.

The Board discussed the liability and safety of volunteers, the public and firefighters regarding the decision to purchase a new vehicle or maintain an older vehicle and whether they have the expertise based on the information provided to make the decision that tender #52 (1976 GMC Tanker) is safe and suitable to be used once repaired. It was agreed that before any option is exercised, the technical committee be consulted and report back to the Board.

Director Hanson publicly thanked Chief Morris noting that although the Chief is not changing his recommendation, he does support the principle of the Board having the opportunity to reconsider their decision and choose a different option.

**#34/03**

HANSON/DINWOODIE

THAT the Regional Board *DEFER* any decision on tender #52 (1976 GMC Tanker) until an independent review of the tanker is completed by the technical committee which is comprised of the fire chiefs from the City of Kelowna, District of Lake Country, District of Peachland and the Westside Fire Protection District with a report coming forward to the Board at its next meeting;

AND FURTHER THAT American LaFrance of B.C. be notified the Regional Board has deferred the decision on the third vehicle until the technical committee reports back to the Board and that American LaFrance of B.C. may continue their efforts to find another purchaser for the tanker.

CARRIED

**5. FINANCE DEPARTMENT**

5.1 Regional District of Central Okanagan Security Issuing Bylaw No. 1007, 2003, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>d</sup> readings** (*All Directors - Weighted Vote*)

Mr. d'Easum noted the total financing has been reduced to \$1,959,644 as one additional prepaid sewer charge has been received.

**#35/03**

DINWOODIE/NOVAKOWSKI

THAT Regional District of Central Okanagan Security Issuing Bylaw No. 1007, 2003, be given first, second and third readings this 27<sup>th</sup> day of January 2003.

CARRIED

**6. PLANNING DEPARTMENT**

**6.1 Correspondence (Unweighted Vote)**

- a) Report regarding Land and Water B.C. Inc. referral application for a water license for additional capacity on Lambly Lake. (CL-02-08) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

**#36/03**

NOVAKOWSKI/DINWOODIE

THAT the Land and Water B.C. Inc. application for Westbank Irrigation District for a Water Licence for storage purposes be supported subject to the following:

- Completion of an Environmental Assessment for review and approval by the Ministry of Water, Land and Air Protection. The assessment should address the issues identified in the December 20, 2002 comments from the Environmental Advisory Committee;
- Resolution of the issues identified by Riverside Forest Products Ltd. in their letter of December 17, 2002;

AND FURTHER THAT the Planning Services Department Report dated January 20<sup>th</sup>, 2003 be forwarded to Land and Water B.C. Inc. for their information.

CARRIED

**6.2 Development Permits (Unweighted Vote)**

- a) Application for a Development Permit for 645135 BC Ltd. (owners) and D.E. Pilling & Associates (agent) located adjacent to Thacker Drive. (DP-02-09) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

**#37/03**

DINWOODIE/KNOWLES

THAT the Regional Board approve Development Permit DP-02-09 for 645135 BC Ltd. (owner) located adjacent to Thacker Drive, subject to the conditions specified in 'Schedule A', which is attached to and forms part of the Development Permit.

CARRIED

- b) Application for a Development Permit for Emil Anderson Construction Ltd. (owners) and Greg Asling (agent) located adjacent to Jonagold Place and Ridge Blvd. (DP-02-12) Westside Electoral Area (*Electoral Areas Only*)

**#38/03**

NOVAKOWSKI/KNOWLES

THAT Development Permit application DP-02-12, for Emil Anderson Construction Ltd. (owner) located adjacent to Jonagold Place and Ridge Blvd., be approved based on the site plan and elevation drawings prepared by Earth Tech, dated November 2002 and December 2002, respectively, and landscape plan prepared by Zerra Landscaping, subject to the following conditions:

- Installation of a 3.0 metre wide planted buffer along the western and southern edge of the proposed development area, in addition to the proposed hydro-seeding, to the satisfaction of Regional District staff;
- Deposition with the Regional District of a letter of credit or bank draft in the amount of \$116,250.00, in order to ensure the completion of the landscaping, mulching and installation of an automatic irrigation system within 1 year of the issuance of the Development Permit. This amount is refundable upon completion of the landscaping to the satisfaction of Regional District staff.

CARRIED

**6.3 Development Variance Permits (Unweighted Vote)**

- a) Application for a Development Variance Permit for John Leginus (owner) located adjacent to Pleasantview Road. (VP-02-16) Westside Electoral Area (*Electoral Areas Only*)

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

**#39/03**

KNOWLES/DINWOODIE

THAT the Regional Board approve Development Variance Permit application VP-02-16 for J. & R. Leginus (owners) located adjacent to Pleasantview Road, to increase the maximum height requirement for an accessory building, as per Section 7.1.12.2 of the R1 Regulations of Zoning Bylaw #871, from 5 metres (16.4 ft) to 6.78 metres (22.25 ft) in order to permit construction of a detached garage.

CARRIED

- b) Application for a Development Variance Permit for Carey and Magda Kapp (owners) located adjacent to Petterson Road. (VP-02-17) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*) **WITHDRAWN FROM THE AGENDA**

**6.4 Agricultural Land Reserve Appeal (All Directors – Unweighted Vote)**

- a) Application for exclusion from the ALR for Winifred Hoyer (owner) and Belvedere Place Development (agent) located adjacent to Shannon Lake Road. (A-02-09) Westside Electoral Area (*Electoral Areas Only*)

Mr. Johnson noted that new information has become available and the Board may wish to defer their decision until the Agricultural Advisory Committee (AAC) has had an opportunity to review the additional information. It was noted the AAC has, with reluctance, recommended to the Board to allow the application to proceed to the Agricultural Land Commission for review.

**#40/03**

NOVAKOWSKI/KNOWLES

THAT the Agricultural Land Commission exclusion application A-02-09 for Winifred Hoyer (owner) located adjacent to Shannon Lake Road be *DEFERRED* until the Agricultural Advisory Committee has an opportunity to review additional information on the application and report back to the Regional Board.

CARRIED

**6.5 Bylaws: (Reconsideration and Adoption) (Unweighted Vote)**

- a) Zoning Amendment Bylaw No. 871-47 for 645135 BC Ltd. (owners) and D.E. Pilling & Associates Ltd. (agent) to amend the zoning from RU3 Rural 3 to R1 Single Detached Housing located adjacent to Thacker Dr. (Z02/11) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

**#41/03**

DINWOODIE/KNOWLES

THAT Zoning Amendment Bylaw No. 871-47 be reconsidered and adopted this 27<sup>th</sup> day of January 2003.

CARRIED

- b) Joe Rich Rural Land Use Amendment Bylaw No. 730-9 for Helen and Delbert Radomske (owners and agent) and Monti Phillipot (owner) to amend the designation from Rural Acreage 4 Hectares to Service Commercial (C-102) located adjacent to Philpott Road. (RLUB-02-01) Ellison/Joe Rich Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

**#42/03**

HANSON/SHEPHERD

THAT Joe Rich Rural Land Use Amendment Bylaw No. 730-9 (RLUB-02-1) be reconsidered and adopted this 27<sup>th</sup> day of January 2003.

CARRIED

**7. INSPECTION SERVICES DEPARTMENT**

7.1 Special Event Permit - Mission Hill Family Estate for July 31-August 31, 2003 (*All Directors - Unweighted Vote*)

**#43/03**

DINWOODIE/CANNAN

THAT a Special Event Permit to enable Mission Hill Family Estate and Vancouver's renowned Shakespeare Theatre Company, stage a production in the winery's outdoor amphitheatre from July 31-August 31, 2003 be approved.

CARRIED

**8. PARKS AND FACILITIES DEPARTMENT**

No Board action required/requested.

**9. NEW BUSINESS**

9.1 Exotic Animal Select Committee - appointment of Scott Alexander (*All Directors - Unweighted Vote*)

**#44/03**

CANNAN/GRAY

THAT the Regional Board appoint Scott Alexander as a member of the Exotic Animal Select Committee.

CARRIED

9.2 Grant-in-aid (\$3,700) Westside Citizens Patrol (Westside Electoral Area) (*All Directors - Unweighted Vote*)

**#45/03**

DINWOODIE/NOVAKOWSKI

THAT a Westside Electoral Area grant-in-aid in the amount of \$3,700 be allocated to the Westside Citizens Patrol for 2003 operating expenses.

CARRIED

- 9.3 Grant-in-aid (\$30,000) Bravo Westside Society (Westside Electoral Area) (*All Directors - Unweighted Vote*)

**#46/03**

HEIN/DINWOODIE

THAT a Westside Electoral Area grant-in-aid in the amount of \$30,000 be allocated to the Bravo Westside Society for operating expenses.

CARRIED

- 9.4 Proposal for National Park in the South Okanagan (*All Directors - Unweighted Vote*)

**#47/03**

SHEPHERD/HEIN

THAT a letter be sent from the Regional Board to The Honourable Senator D. Ross Fitzpatrick to support him in his effort to have the Interior Dry Plateau region in the South Okanagan Similkameen declared a National Park;

AND THAT a copy of the letter be sent to The Honourable Sheila Copps, Minister of Canadian Heritage and Members of Parliament and Members of the Legislative Assembly representing the Okanagan Valley;

AND FURTHER THAT a copy of the letter be sent to all Local Governments in the Okanagan and Similkameen Valleys along with a covering letter encouraging them to also send a letter of support.

CARRIED

- 9.5 2003 Living Greener Calendar (*for information only*)

**#48/03**

HEIN/SHEPHERD

THAT the copy of the 2003 Living Greener Calendar developed by the City of Kelowna Environmental Division be received;

AND FURTHER THAT a letter be sent to the City of Kelowna thanking staff for publishing a fine product and bringing environmental issues to the Board's attention.

CARRIED

**10. OTHER BUSINESS**

10.1 Director Items

a) Alternate Director

Director Knowles noted that his alternate director, Bryden Winsby, is a member of the Advisory Planning Commission (APC) and as such must resign his duties in order to be named as his alternate director. Director Knowles wishes to have a legal opinion on the interpretation of the Local Government Act.

It was noted that an alternate director must be a person who has the qualifications necessary to be nominated as a director for the electoral area and that it is understood that the person cannot be a member of a planning commission. The Board discussed the interpretation of the Act.

**#49/03**

KNOWLES/DINWOODIE

THAT a legal opinion be sought on the interpretation of whether an alternate director can also sit on the electoral area's Advisory Planning Commission.

DEFEATED

*ACTION:* UBCM to be contacted and asked if the question whether an alternate director can sit on an electoral area planning commission has been raised and adjudicated.

b) Items Withdrawn From the Agenda

The Chair was asked to identify items withdrawn from the agenda at beginning of the meeting in order to give notice to the public gallery.

c) Okanagan Basin Water Board

**#50/03**

SHEPHERD/KNOWLES

THAT a letter be sent to the Chair of the Okanagan Basin Water Board to request that they consider undertaking a septic tank education program in the Okanagan Valley.

CARRIED

d) Regional District Website

Director Dinwoodie noted that he has had members of the public request that Regional District committee agendas be posted on the website.

*ACTION:* Staff to post Regional District's committee agenda's on the Regional District's website.

e) Meeting with the Ministry of Transportation

Chair Hobson noted that he is trying to arrange a meeting with the Minister of Transportation, Judith Reid, to discuss the Coquihalla and therefore will require to travel to Victoria for the meeting.

**#51/03**

DINWOODIE/HEIN

THAT travel expenses be approved for Chair Hobson to meet with the Minister of Transportation.

CARRIED

**12. ADJOURNMENT TO IN-CAMERA MEETING**

**#52/03**

HEIN/DAY

THAT pursuant to Section 242.2 of the Local Government Act, the Board adjourn and convene to an 'In-Camera' session to discuss a personnel issue.

CARRIED

There being no further business, the meeting was adjourned by the Chair at 10:10 p.m.

**CERTIFIED TO BE TRUE AND CORRECT**

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**Robert Hobson (Chair)**

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**W.B. d'Easum (Chief Administrative Officer)**