

Minutes of the *REGULAR MEETING* of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices on Monday, February 9, 2004

Directors
R. Cannan (City of Kelowna)
C. Day (City of Kelowna)
P. Wannop, alternate for 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)
J. Harte, alternate for L. Novakowski (Westside Elect. Area)
S. Shepherd (City of Kelowna)

Staff
W. d'Easum, Chief Administrative Officer
J. Johnson, Manager of Current Planning
H. Hettinga, Director of Engineering Services
M. Kopp, Assistant Director Parks & Recreation Services
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)

R. Hobson, Chair brought the meeting to order at 7:09 p.m.

Chair Hobson presented Professional Heritage Interpreter certificates to Regional District staff Allison Campbell-Urness and recognized Jodie Foster-Sexsmith in her absence.

The certificate is given by the Hospitality Industry Education Advisory Committee (HIEAC), an umbrella organization responsible for coordinating education and training for BC's tourism industry. In order to be certified as a professional Heritage Interpreter staff were required to have 900 hours of work experience, write an exam based on provided study materials, completed a performance review, on-the-job evaluation and was interviewed by the HIEAC National examiner. Jodie and Allison are the first in BC to join the professional ranks of Heritage Interpreter and now can become an evaluator for other Interpreter candidates.

Chair Hobson presented a photo of the BC Wildfires Summer 2003 from Premier Campbell to the Regional Board. The picture is presented on behalf of the people of British Columbia, thanking the Regional District for the contribution, sacrifice and dedication by helping out fellow British Columbians and protecting our public safety.

1. MINUTES

1.1 Regular Board Meeting – January 26, 2004

#50/04

WANNOP/KNOWLES

THAT the regular board meeting minutes of January 26, 2004 be adopted as amended:
- Signature for “Certified to be true and correct” be amended to read – Len Novakowski.

CARRIED

2. DELEGATION

2.1 Economic Development Commission – Laureen Redman, Chair and Robert Fine, Executive Director

Economic Development Commission Chair, Laureen Redman and Robert Fine, Executive Director, outlined to the Board on EDC’s 2004 Strategic Plan. The EDC plans to step up the business enhancement effort by establishing a program to assist local companies expand their export opportunities. The plan also outlines the strategy and tactics for enhancing programs designed to attract new businesses to the Central Okanagan.

The Board questioned how EDC is addressing issues related to: 2010 Olympics, the increase in women 30-50 years of age moving to the Okanagan many of which are spouses of professionals who have been lured here, full status university for the Okanagan (EDC principles to be circulated to the Board), how the rise of Canadian dollar has affected Western Star partnerships, and the status of a call centre for the Central Okanagan.

Director Hanson arrived at 7:37pm

3. CORRESPONDENCE

3.1 Okanagan Basin Water Board, John Slater, Chair re: Sale of Lease Lots on Reservoir Lakes

A letter from John Slater on behalf of the OBWB highlighted concerns raised about BC Land and Water’s proposed sale of leased lots on Okanagan reservoir lakes. Many have registered their opposition to this action but so far the Province has ignored these objections. Concern relates to the quality of water in the drinking reservoirs as lots become more developed and populated and the inability to adjust reservoir levels to meet future water consumption needs.

The OBWB has requested that regional districts examine a zoning approach aimed at protection of water quality in the reservoir lakes. The Board suggested that the three regional districts work together and forward a combined resolution to the OMMA convention for consideration.

#51/04 HEIN/SHEPHERD

THAT the January 19, 2004 letter from Okanagan Basin Water Board (OBWB) Chair John Slater regarding sale of lease lots on reservoir lakes be received;

AND FURTHER THAT the OBWB recommendation be forwarded to Regional District planning staff to review with the Okanagan Similkameen and North Okanagan Regional District's planning staff to develop a draft bylaw which can be presented to the regional district boards for consideration.

CARRIED

3.2 Casa Loma Lakeshore Resort, Larry Krause, President re: Access Pathway to Kalamoir Park

The Board expressed concern about agreeing to a process to resolve access to Kalamoir Park when other issues remain unresolved ie: Land and Water BC application. It was suggested that the Parks Advisory Committee discuss the issue at their February 26th meeting and recommend a strategy to the Regional Board. Planning staff to participate in the discussions.

#52/04 KNOWLES/HANSON

THAT the January 22, 2004 letter from Casa Loma Lakeshore Resort President, Larry Krause, regarding access pathway to Kalamoir Park be received;

AND FURTHER THAT the Casa Loma Lakeshore Resort letter be referred to the Parks Advisory Committee for discussion and recommendation to the Regional Board.

CARRIED

3.3 City of Kelowna Fire Department, G. Zimmermann, Fire Chief re: Ladder Trucks

The City of Kelowna gave notice that effective January 1, 2005 the ladder truck will no longer be included in the Regional District of Central Okanagan Mutual Aid Agreement. It was noted that the District of Peachland has entered into an agreement with the City of Kelowna to pay a share of the yearly operating costs of one of the city ladder trucks. If the Westside and District of Lake Country wish to have access to the ladder truck they will be required to enter into cost sharing agreements.

The Board questioned what the current mutual aid agreement states and whether there are separate agreements.

#53/04 HEIN/WANNOP

THAT the January 26, 2004 letter from City of Kelowna Fire Department, Chief Zimmermann regarding ladder trucks be received;

AND FURTHER THAT the issue be referred to the Administrator to review the wording of mutual aid agreement and report back to the Regional Board.

CARRIED

- 3.4 Municipal Insurance Association of BC, Councillor Janis Elkerton, MIA
Chair re: Civil Liability Review

#54/04 HARRIMAN/SHEPHERD

THAT the January 14, 2004 letter from Municipal Insurance Association of British Columbia Chair, Janis Elkerton regarding civil liability review be received;

AND THAT the Regional District of Central Okanagan supports the UBCM-MIA Joint Task Force recommendations contained in the task force's submission to the BC Attorney General's civil liability review;

AND THAT the Regional District of Central Okanagan urges the Provincial government to introduce legislation in the Spring 2004 legislative session to give effect to those recommendations;

AND FURTHER THAT the Regional District Chair be authorized to write the Premier of British Columbia, the Attorney General of British Columbia and the Okanagan MLAs to convey the above.

CARRIED

4. UNFINISHED BUSINESS

No Board action required/requested

5. FINANCE DEPARTMENT

No Board action required/requested

6. PLANNING DEPARTMENT

6.1 Correspondence (Unweighted Vote)

- a) Report regarding Land & Water B.C. Inc. referral application to allow a change to an existing Commercial Lease for Postill Lake Resorts located adjacent to Postill Lake. (CL-03-09) Ellison / Joe Rich Electoral Area (*All Directors*)

The Board questioned how Postill Lake Resort disposes of waste water and sewage and expressed concern regarding water quality, pit toilets location to the lake and whether the existing septic system can handle additional hookups. It was noted that the Interior Health Authority has no objection to the application but does not consider environmental issues in their recommendation.

#55/04 SHEPHERD/HEIN

THAT the Regional Board hear from owner of Postill Lake Lodge, Corrine Goldfinch.

CARRIED

Corrine Goldfinch reviewed the location of the pit toilets and their usage. It was noted the main lodge is on a septic system and that these facilities are preferred by campers. There are 15 cabins, 4 of which are on septic, and 2 will be added to the system in the spring. She noted it was not financially feasible at this time to add more toilets to the septic system as it would require upgrading. As the Resort is on leased land the applicant is unable to secure loans or a mortgage on the property thereby requiring long-term financial planning to upgrade systems.

#56/04 CANNAN/SHEPHERD

THAT application CL-03-09 for Postill Lake Resort to permit 8 additional campsites be deferred in order for staff to gather further information regarding the issue of pit toilets location and what options may be available.

CARRIED

6.2 Bylaws: (First Reading) (Unweighted Vote)

- a) Zoning Amendment Bylaw No. 871-76 for Bert and Wenda Babb (owners) and D.E. Pilling & Associates (agent) to amend the zoning from RU5 Small Lot Country Residential to R1 Single Detached Housing located adjacent to Smith Creek Road. (Z03/24) Westside Electoral Area (*Electoral Areas Only*)

#57/04 WANNOP/KNOWLES

THAT Zoning Amendment Bylaw No. 871-76 for Bert and Wenda Babb (owners) located adjacent to Smith Creek Road, application Z03/24) be given first reading this 9th day of February 2004;

AND THAT the scheduling of a Public Hearing be withheld pending receipt of comments from the Ministry of Transportation;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Preliminary Layout Approval for subdivision from the Ministry of Transportation.

CARRIED

6.3 Bylaws: (Second and Third Readings) (Unweighted Vote)

- a) Official Community Plan Amendment Bylaw No. 785-9 for the Regional District of Central Okanagan to amend the Westside Official Community Plan by changing the name. (*All Directors*)

#58/04 CANNAN/KNOWLES

THAT Westside Official Community Plan Amendment Bylaw No. 785-9 be given second and third readings this 9th day of February 2004.

CARRIED

- b) Zoning Amendment Bylaw No. 871-73 for Morningside Estates Ltd. (owner) and Dan Smallwood (agent) to amend the zoning from R1 Single Detached Housing to R2 Duplex Housing located adjacent to Morningside Drive and Glenrosa Road. (Z03/21) Westside Electoral Area (*Electoral Areas and Peachland Fringe Area*)

#59/04 HARRIMAN/HARTE

THAT Zoning Amendment Bylaw No. 871-73 application Z03/21 for Morningside Estates Ltd. (owner) adjacent to Morningside Drive and Glenrosa Road be given second and third readings this 9th day of February 2004.

DEFERRED

As Director Novakowski was unable to be present at the board meeting, Director Harte requested that the readings be deferred until his return.

#60/04 HARTE/WANNOP

THAT consideration of second and third readings for Zoning Amendment Bylaw No. 871-73 application Z03/21 for Morningside Estates Ltd. (owner) adjacent to Morningside Drive and Glenrosa Road be deferred for two weeks.

CARRIED

6.4 Bylaws: (Reconsideration and Adoption) (Unweighted Vote)

- a) Zoning Amendment Bylaw No. 871-58 for Connemara Farms Ltd. (owners) and Tony Stewart (agent) to amend Zoning Bylaw 871, 2000 Section 7.1.1 by adding a site-specific use after Accessory Building & Structures, located adjacent to Gregory Road. (Z03/06) Westside Electoral Area (*All Directors*)

#61/04 KNOWLES/HANSON

THAT Zoning Amendment Bylaw No. 871058 application Z03/06 be reconsidered and adopted this 9th day of February 2004.

CARRIED

Director Wannop excused himself due to a conflict of interest.

- b) Zoning Amendment Bylaw No. 871-71 for Duck Lake Enterprises Ltd. (owner) and D.E. Pilling & Associates Ltd. (agent) to amend Zoning Bylaw 871, 2000 Section 8.1.1 by ADDING a site-specific use after Accessory Building & Structures, located adjacent to Shannon Lake Road. (Z03/19) Westside Electoral Area (*All Directors*)

#62/04 KNOWLES/HARTE

THAT Zoning Amendment Bylaw No. 871-71, application Z03/19 be reconsidered and adopted this 9th day of February 2004.

CARRIED

Director Wannop returned to the meeting.

- c) Zoning Amendment Bylaw No. 871-72 for the Regional District of Central Okanagan to amend the text of Appendix A, CD1 Comprehensive Development Zone (Sunset Ranch) in Zoning Bylaw No. 871, 2000. (Z03/20) Ellison / Joe Rich Electoral Area (*All Directors*)

#63/04 HANSON/KNOWLES

THAT Zoning Amendment Bylaw No. 871-72, application Z03/20, be reconsidered and adopted this 9th day of February 2004.

CARRIED

7. INSPECTION SERVICES DEPARTMENT

- 7.1 Building Statistics for the month of January 2004 (*All Directors - Unweighted Vote*)

#64/04 SHEPHERD/DAY

THAT the building statistics highlighting 48 permits with a total construction value of \$3,873,583.00 be received.

CARRIED

- 7.2 Building Violation – Lot A, Plan 35181, 8491 Peregrine Road (Ellison/Joe Rich Electoral Area) Notice to be placed on Title – Owner: Pantan and Upton (*All Directors - Unweighted Vote*)

#65/04 HANSON/HARRIMAN

THAT the Regional District Board direct that a notice be filed on the title of Lot A, Plan 35181, O.D.Y.D., pursuant to Section 700(3) of the Local Government Act, and pursuant to that section of the Local Government Act, further information regarding the notice be limited to the fact that:

- A barn and a walkway roof at front of a mobile were constructed with no building permits on the above noted property.

CARRIED

- 7.3 Building Violation – Lot 28, Plan 31551, 1625 Huckleberry Road (Ellison/Joe Rich Electoral Area) Notice to be placed on Title – Owner: Arrance (*All Directors - Unweighted Vote*)

#66/04 HANSON/WANNOP

THAT the Regional District Board direct that a notice be filed on the title of Lot 28, Plan 31551, O.D.Y.D., pursuant to Section 700(3) of the Local Government Act, and pursuant to that section of the Local Government Act, further information regarding the notice be limited to the fact that:

- The subject front deck was constructed with no building permit on the above noted property.

CARRIED

- 7.4 Building Violation – Lot C, Plan 16399, 7178 Brent Road (Westside Electoral Area) Notice to be placed on Title – Owner: Exuma Estates (B.C.) Limited

#67/04 WANNOP/HARTE

THAT the Regional District Board direct that a notice be filed on the title of Lot C, Plan 16399, O.D.Y.D. pursuant to Section 700(3) of the Local Government Act, and pursuant to that section of the Local Government Act, further information regarding the notice be limited to the fact that:

- The construction of a retaining wall has not been issued a building permit, which is a violation of Regional District of Central Okanagan Building Bylaw No. 835.

CARRIED

The Board agreed to move 9.1 to this section of the meeting.

9.1 Regional District of Central Okanagan Corporate Vehicle Engine-Idling Policy, **Adoption** (All Directors - Unweighted Vote)

Corey Davis, Environmental Technician, for the Regional Air Quality Committee highlighted the reasons for recommending a corporate vehicle engine-idling policy to Regional District staff. In addition, the policy will be forwarded to member municipalities for consideration as well the public will be encouraged to adopt the policy. Staff are working with School District No.23 to implement an anti-idling campaign around schools. The Board agreed this is a good 'first-step' in encouraging the public to be aware of vehicle emissions and the affect on air quality.

#68/04 SHEPHERD/HANSON

THAT the Regional Board adopt the Regional District of Central Okanagan Vehicle Engine-Idling Policy this 9th day of February 2004.

CARRIED

8. PARKS AND FACILITIES DEPARTMENT

8.1 Request for Proposals – Westbank Town Centre Recreation Facilities and Parks Master Plan (All Directors - Unweighted Vote)

The Board questioned the need to proceed with the Master Plan for recreation and parks at this time as decisions have not been made regarding perimeter roads in the Westbank Town Centre. The importance of fully engaging Westbank First Nation in the review was noted. Staff confirmed that the Master Plan encompasses all of the Westside and not just Westbank.

The question was raised who pays for arbitration if it is required (Item 13.0, pg.31). It was agreed to add the wording in this section to refer to the BC Commercial Arbitration Act which states the rules of arbitration.

#69/04 KNOWLES/HARTE

THAT the Regional Board approve the issuance of a Request for Proposals for the Westbank Town Centre Recreation Facilities and Parks Master Plan;

AND THAT any future selected consulting teams look at all options to ensure there is no conflict between the proposed revision to the Westbank Town Centre Strategic Plan and the proposed Westbank Town Centre Recreation Facilities and Parks Master Plan;

AND FURTHER THAT the two consulting teams will collaborate and both projects give full consideration to information assembled through each process.

CARRIED (Wannop opposed)

8.2 Mission Creek Greenway Phase 2 – Bridge Tenders and Public Open House (*All Directors - Unweighted Vote*)

#70/04 HEIN/CANNAN

THAT the Regional Board approve the commencement of the Mission Creek Greenway Phase 2 bridge tendering in order to meet the scheduled bridge construction completion in 2004;

AND THAT the bridge tenders be brought forth directly to the Regional Board meeting on April 5, 2004 for approval of the bridge contract;

AND FURTHER THAT the bridge tendering commence using the committed funds for 2004 by the Regional District and the City of Kelowna and funds raised by the Friends of Mission Creek Society,

AND FURTHER THAT the Regional Board approve a public open house for the Mission Creek Greenway Phase 2 project to be held on March 4, 2004.

CARRIED

8.3 Regional Parks 2004 Communication Plan (*All Directors - Unweighted Vote*)

#71/04 CANNAN/KNOWLES

THAT the Regional Board approve the 2004 Regional Parks communication plan.

CARRIED

9. NEW BUSINESS

9.2 Regional District of Central Okanagan Water Systems Regulation and Management Amendment Bylaw No. 1054, 2004, **1st, 2nd and 3^d readings, and Adoption** (*All Directors - Unweighted Vote*)

#72/04 HARRIMAN/KNOWLES

THAT Regional District of Central Okanagan Water Systems Regulation and Management Amendment Bylaw No. 1054, 2004 be given first, second and third readings, reconsider and adopt this 9th day of February 2004.

CARRIED

- 9.3 Regional District of Central Okanagan Ticket Information and Utilization Amendment Bylaw No. 1055, 2004 **1st, 2nd and 3rd readings, and Adoption** (All Directors - Unweighted Vote)

Staff noted an error in Schedule 15 – prohibited water use 13.(b) fine should read \$100.00 not \$50.00.

#73/04 HEIN/GRAY

THAT Regional District of Central Okanagan Ticket Information and Utilization Amendment Bylaw No. 1055, 2004 be given first, second and third readings, reconsider and adopt this 9th day of February 2004.

CARRIED

- 9.4 Records Management – approval of Classification and Retention Schedule (All Directors - Unweighted Vote)

#74/04 KNOWLES/HARRIMAN

THAT the Regional Board approve the Records Management Classification and Retention Schedule dated February 3, 2004 for Human Resources, Waste Reduction and GIS departments of the Regional District of Central Okanagan.

CARRIED

- 9.5 Proclamation - Heritage Week – February 16-22, 2004 (All Directors - Unweighted Vote)

#75/04 SHEPHERD/KNOWLES

Whereas the Province of British Columbia annually recognizes the importance of protecting and conserving our rich and diverse heritage; and

Whereas Aboriginal peoples constructed earthworks and other defenses to protect their villages; and

Whereas a network of fortifications was first developed in the early 19th century by fur traders in the territory that was to become British Columbia and later settlers formed volunteer and militia units; and

Whereas the Esquimalt Naval Base was established by the Royal Navy in 1855, and has remained Canada's west coast naval base since the formation of the Royal Canadian Navy in 1910; and

Whereas British Columbia men and women of diverse origins and backgrounds have made great personal sacrifices and continue to serve in actions defending Canada, such as peace-keeping efforts all over the world; and

Whereas the Royal Canadian Legion, with its 166 Branches, serves veterans, ex-service persons and communities throughout the Province; and

Whereas cenotaphs and memorials throughout the province bid us to remember those who served; and armouries, drill halls, fortifications, industrial sites, military bases, hospitals and many other places reflect and preserve our military heritage; and

Whereas Our Lieutenant Governor, by and with the advice and consent of the Executive Council, has been pleased to enact Order in Council 903 on October 11, 2002;

Now Know Ye That We do by these presents acknowledge the history of the defence of Canada and the heritage of military places of this provinces, and proclaim and declare that the week of February 16 to 22, 2004, shall be known as '**Heritage Week**'.

CARRIED (Cannan opposed)

10. OTHER BUSINESS

10.1 Verbal Reports Committee Chairs

a) Parks and Recreation
No report

b) Transportation
The Board was reminded of the Ministry of Transportation workshop Feb. 25. The Board was told if they wish to invite other members of their Council to notify the Administrative Assistant by February 20th. Westbank First Nation will attend the workshop. The question was raised whether the Okanagan Indian Band should be invited to the workshop--Chair Hobson will ask the Ministry as it is their workshop. Discussion at the workshop will revolve around regional transportation needs for the Central Okanagan.

c) Planning and Environment
No report

d) Engineering
No report

e) Air Quality
Director Shepherd noted that amendments to Smoke Control Bylaw will be brought to the Governance Committee for discussion. The Agricultural Wood Chipping project is underway. The Wood Stove Exchange program is being held Feb.20-April 4.

f) Governance and Services

The next meeting of the Governance and Services Committee is scheduled for February 26th.

g) Westside Issues Committee

No report.

10.2 Director Items

a) Name Change – Ellison/Joe Rich Electoral Area

Director Hanson requested that the Ellison/Joe Rich Electoral Area name be changed to better reflect the area represented which includes the area of June Springs and a section on South Lakeshore Road. The question was raised as to what type of consultation is required of the community and whether the name would be perceived as a Federal riding. The Administrator confirmed that there is no provision for consultation. Director Hanson noted that in meetings with residents of Joe Rich there was no objection.

The request for a name change to the electoral area will be forwarded to the Province for approval through an Order in Council.

#76/04

HANSON/KNOWLES

THAT Ellison/Joe Rich Electoral Area be changed to Central Okanagan East Electoral Area.

CARRIED

11. ADJOURN

#77/04

KNOWLES/DAY

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

CARRIED

There being no further business the meeting was adjourned In Camera at 9:45 p.m.

The Board reconvened at 10:25 pm

Staff Training and Development Policy

Recommended from In Camera that the Staff Training and Development Policy be adopted.

The purpose of the policy is to encourage and facilitate the upgrading and retraining of Regional District employees to improve their knowledge and skills through staff training and development programs in order to provide benefits to both the employee and the organization.

#78/04

HEIN/SHEPHERD

THAT the Regional Board approve the Staff Training and Development Policy.

CARRIED

There being no further business the meeting was adjourned at 10:27 p.m.

CERTIFIED TO BE TRUE AND CORRECT

Robert Hobson (Chair)

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