

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 21, 2005

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 (Central Okanagan East Elect. Area)
B. Harriman (District of Peachland)
R. Hein (District of Lake Country)
R. Hobson (City of Kelowna)
D. Knowles (Westside Elect. Area)
L. Novakowski (Westside Elect. Area)
S. Shepherd (City of Kelowna)

Staff: W. d'Easum, Chief Administrative Officer
K. Arcuri, Director of Planning Services
H. Hettinga, Director of Engineering Services
M. Kopp, Assistant Director of Parks and Recreation Services
D. Plamondon, Deputy Director of Planning Services
B. Vos, Director of Parks and Recreation Services
M. Drouin, Administrative Assistant (recording secretary)

Chair Hobson brought the meeting to order at 7:10 p.m. following a Public Hearing

1. MINUTES

1.1 Regular Board Meeting – March 7, 2005

#126/05 NOVAKOWSKI/KNOWLES

THAT the regular board meeting minutes of March 7, 2005 be adopted as circulated.

CARRIED

2. DELEGATION

No delegation

3. CORRESPONDENCE

3.1 Ted Armstrong, Chair – Cariboo Regional District re: Invasive Plant Council of British Columbia

The Cariboo Regional District issued a request to support the Fraser Basin Council's Invasive Plant Strategy for British Columbia. It was noted that in 2004, the Regional Board supported a regional grant in aid to the Fraser Basin Council for the development of the plant strategy.

#127/05 NOVAKOWSKI/GRAY

THAT the February 24, 2005 letter from Ted Armstrong, Chair – Cariboo Regional District regarding Invasive Plant Council of British Columbia be received;

AND FURTHER THAT the Regional District of Central Okanagan endorses the Fraser Basin Council's Memorandum of Support for the Invasive Plant Strategy for British Columbia.

CARRIED

4. UNFINISHED BUSINESS

- 4.1 Regional District of Central Okanagan Board of Directors Remuneration Bylaw No. 1102, 2005 **1st, 2nd and 3rd readings, and Adoption** (*All Directors - Unweighted Vote*)

It was noted that the bylaw does not come into effect until January 1, 2006 and that a clause to this effect has been added to the bylaw.

The question was raised whether the supplement increase to the electoral area director's remuneration is a regional expense or an electoral area expense. Staff confirmed that it is an electoral area expense. A general discussion ensued regarding remuneration when attending committee meetings and the need to budget the additional funds next year. It was noted that the City of Kelowna Council has requested an independent committee review its remuneration policies.

#128/05 HARRIMAN/KNOWLES

THAT Regional District of Central Okanagan Board of Directors Remuneration Bylaw No. 1102, 2005 be given first, second and third readings, reconsidered and adopted this 21st day of March 2005.

CARRIED

- 4.2 Board Remuneration and Expense Policy - Approval (*All Directors - Unweighted Vote*)

It was noted that the bylaw does not come into effect until January 1, 2006 and that a clause to this effect has been added to the policy.

It was agreed to change #12) "Directors must submit in writing an estimate of the costs likely to be incurred" to read "Prior to obtaining the approval of the Regional Board to attend a seminar or conference, directors shall provide, if requested by the Board, an estimate of costs in writing at the time of request."

#129/05 HEIN/DAY

THAT the Board Expense Policy 7.11 be repealed;

AND FURTHER THAT the Board Remuneration and Expense Policy 7.12 be approved this 21st day of March 2005.

CARRIED

- 4.3 Regional District of Central Okanagan Green Bay Water Service Area Establishment Bylaw No. 1090, 2005, **Adoption** (*All Directors - Unweighted Vote*)

Regional District of Central Okanagan Green Bay Water Service Area Parcel Tax Commutation Bylaw No. 1104, 2005, **1st, 2nd and 3rd readings and Adoption** (*All Directors - Unweighted Vote*)

#130/05 NOVAKOWSKI/KNOWLES

THAT Regional District of Central Okanagan Green Bay Water Service Area Establishment Bylaw No. 1090, 2005 be reconsidered and adopted this 21st day of March 2005.

AND FURTHER THAT Regional District of Central Okanagan Green Bay Water Service Area Parcel Tax Commutation Bylaw No. 1104, 2005 be given first, second and third readings, reconsidered and adopted this 21st day of March 2005.

CARRIED

- 4.4 Regional District of Central Okanagan Green Bay Water Service Area Loan Authorization Bylaw No. 1091, 2005, **Adoption** (*All Directors - Weighted Vote*)

- 4.5 Regional District of Central Okanagan Green Bay Water Service Area Temporary Borrowing Bylaw No. 1103, 2005, **1st, 2nd and 3rd readings and Adoption** (*All Directors - Weighted Vote*)

#131/05 KNOWLES/WANNOP

THAT Regional District of Central Okanagan Green Bay Water Service Area Loan Authorization Bylaw No. 1091, 2005 be reconsidered and adopted 21st day of March 2005.

AND THAT Regional District of Central Okanagan Green Bay Water Service Area Temporary Borrowing Bylaw No. 1103, 2005 be given first, second and third readings, reconsidered and adopted this 21st day of March 2005.

CARRIED

- 4.6 Regional District of Central Okanagan Green Bay Water Service Area Parcel Tax Commutation Bylaw No. 1104, 2005, **1st, 2nd and 3rd readings and Adoption** (All Directors - Unweighted Vote)

Resolution is part of 4.3 #130/05

5. FINANCE DEPARTMENT

No Board action required/requested.

6. PLANNING DEPARTMENT

6.1 Development Variance Permits (Unweighted Vote)

- a) Development Variance Permit Application for Gary and Kelly Jones (owners) located adjacent to Ross and Brentwood Roads. (VP-05-02) Westside Electoral Area (*Electoral Areas and Kelowna Fringe area*)

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

#132/05 WANNOP/KNOWLES

THAT the Regional Board approve Development Variance Permit application VP-05-02 for Gary and Kelly Jones (owner) located adjacent to Ross and Brentwood Roads to exempt the proposed 1-lot subdivision from the required installation of a storm drain system, curb and gutter, sidewalks, street lighting, and underground wiring adjacent to Ross Road and Brentwood Road, as per Schedule C.3 of Subdivision and Development Servicing Bylaw No. 704.

CARRIED

- b) Development Variance Permit Application for Ken and Arlene Eng (owners) located adjacent to Gates Road. (VP-05-03) Westside Electoral Area (*Electoral Areas and Peachland Fringe Area*)

Staff reviewed the DVP application. Chair Hobson asked if there was anyone in the gallery who deemed their property to be affected by the variance. There was no-one. The question was raised regarding the engineering of the retaining wall and how the Allen blocks would be used. Staff confirmed that the retaining wall must be engineered and thereby certified as safe.

#133/05 NOVAKOWSKI/WANNOP

THAT the Regional Board approve Development Variance Permit application VP-05-03 for Ken and Arlene Eng (owners) located adjacent to Gates Road to vary Section 3.10.5 of Zoning Bylaw No. 871 by increasing the maximum height for a retaining wall located greater than 1.0 metre from a parcel line, from 2.5 metres (8.2 ft) to 9.14 metres (30.0 ft), as described in the submitted report from Interior Testing Services Ltd.

CARRIED

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

- a) Zoning Amendment Bylaw No. 871-102 for Sunset Ranch Golf Developments Ltd. (owner/applicant) to amend the zoning from CD-1 (E) Golf Course to CD-1 (B) Multiple Unit Residential (Medium) located adjacent to Camelback Drive and in the vicinity of Anderson Road. (Z05/03) Central Okanagan East Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

#134/05 HANSON/DAY

THAT Zoning Amendment Bylaw No. 871-102 for Sunset Ranch Golf Developments Ltd. be given second and third readings this 21st day of March 2005;

AND FURTHER THAT consideration of fourth and final readings not be withheld pending registration of a Section 219 covenant to protect the gully adjacent to proposed strata lots 14 and 15.

CARRIED

7. INSPECTION SERVICES DEPARTMENT

No Board action required/requested.

8. PARKS AND FACILITIES DEPARTMENT

- 8.1 Gellatly Nut Farm Regional Park – Award of contract (*All Directors - Weighted Vote*)

The question was raised whether the fact that only one consulting team responded to the submission is of concern to staff. It was noted that the terms of reference in the RFP have been followed and that staff are supportive of the award of contract to Bel-MK Engineering Ltd.

#135/05 SHEPHERD/KNOWLES

THAT the Regional Board approve the completion of an agreement for contracting the services of Bel-MK Engineering Ltd., to complete the work as described in the Request for Proposal issued February 25, 2005 for the preparation of a Landscape Design including full Professional Services for Gellatly Nut Farm Regional Park;

AND FURTHER THAT a “Consulting Services Agreement” be completed between the Regional District of Central Okanagan and Bel-MK Engineering Ltd. for a total contract price of \$37,450.00 (inclusive of expense, disbursements and GST).

CARRIED

8.2 Regulatory Bylaws for the Operation of Regional District of Central Okanagan Parks and Recreation Facilities

Staff requested that the bylaws receive first and second reading only in order to allow public input before adoption. Revised bylaws for a) and b) were circulated.

- a) Regional District of Central Okanagan Regional Parks Regulation Bylaw No. 1105, 2005, **1st and 2nd readings** (All Directors - Unweighted Vote)
- b) Regional District of Central Okanagan Community Parks Regulation Bylaw No. 1106, 2005, **1st and 2nd readings** (All Directors - Unweighted Vote)
- c) Regional District of Central Okanagan Recreation Facilities Regulation Bylaw No. 1107, 2005, **1st and 2nd readings** (All Directors - Unweighted Vote)

Staff reviewed the Park Special Access Permit within the Regional Park Bylaw. The fees charged to property owners who are allowed access to the back of their property through a permit cover the cost of staff required to be in attendance. Staff have worked with affected property owners regarding access. As part of the Phase 2 Greenway licence of occupation the City of Kelowna, Regional District and Fortis are allowed vehicle access. Written public comment is invited until April 5th to the Regional Parks Department on the proposed new fees and the adjusted fees for facility rental.

#136/05 NOVAKOWSKI/KNOWLES

THAT Regional District of Central Okanagan Regional Parks Regulation Bylaw No. 1105, 2005 be given first and second readings this 21st day of March 2005;

AND FURTHER THAT Regional District of Central Okanagan Community Parks Regulation Bylaw No. 1106, 2005 be given first and second readings this 21st day of March 2005;

AND FURTHER THAT Regional District of Central Okanagan Recreation Facilities Regulation Bylaw No. 1107, 2005 be given first and second readings this 21st day of March 2005.

CARRIED (Cannan opposed)

9. NEW BUSINESS

9.1 Westside Grants in aid (Westside Issues Committee) (*All Directors - Unweighted Vote*)

- a) Killiney Beach Community Association (\$500)
- b) Westside Celebration Society (\$2,500)

#137/05 NOVAKOWSKI/WANNOP

THAT a Westside Electoral Area grant in aid in the amount of \$500 be allocated for 2005 to the Killiney Beach Community Association for the Children's Library;

AND FURTHER THAT a Westside Electoral Area grant in aid in the amount of \$2,500 be allocated for 2005 to the Westside Celebration Society to assist in the costs of Westside Daze.

CARRIED

9.2 Award of Contract – Green Bay Watermain System Upgrade (*All Directors - Weighted Vote*)

#138/05 WANNOP/CANNAN

THAT the Regional Board award the contract for the construction of the Green Bay Watermain System Upgrade to the lowest bidder, Peters Bros Construction Ltd. for the amount of \$296,115.28 (including GST).

CARRIED

9.3 Award of Contract – Joint Wood Grinding Contract for the Westside Landfill (*All Directors – Weighted Vote*)

Staff worked with the Columbia Shuswap, North Okanagan, Okanagan Similkameen Regional Districts and the City of Kelowna for a joint tender for the wood grinding contract. Staff are recommending to their respective boards to accept the proposal. This same contractor will also be contracted for the agricultural wood chipping pilot project.

#139/05 NOVAKOWSKI/KNOWLES

THAT the Regional Board award the contract for wood grinding at the Westside Landfill to A & B Grinding, Williams Lake, BC for the amount of \$4.65/cu.metre (finished) including mobilization/de-mobilization and excluding GST.

CARRIED

- 9.4 Regional District of Central Okanagan Water System Bylaw No. 1108, 2005, **1st, 2nd and 3rd readings, and Adoption** (All Directors - Unweighted Vote)

Staff confirmed that strategies need to be developed for metering new systems and they will continue to develop these.

#140/05 KNOWLES/SHEPHERD

THAT Regional District of Central Okanagan Water System Bylaw No. 1108, 2005 be given first, second and third readings, reconsidered and adopted this 21st day of March 2005.

CARRIED

10. OTHER BUSINESS

10.1 Director Items

a) Wood Chipping Contract

It was suggested that once the joint wood grinding contracts are approved by all partners that a communiqué be sent out highlighting the good cooperation amongst the partners. It is important to celebrate this cooperation.

ACTION: Staff to send a communiqué on the joint wood grinding proposal when final approval is given by all partners.

b) Kettle Valley Railway – Myra Canyon Access

#141/05 SHEPHERD/HANSON

THAT a letter be sent to the Premier of B.C. with copies to the Okanagan MLAs, the Kelowna Chamber of Commerce, and the Friends of Myra Canyon to try to get a commitment from the next government to have the Myra Canyon access road to the Kettle Valley Railway improved prior to the opening of the trestles to the public; and urging the government to prepare a business plan for the operation and maintenance of the road and public facilities associated with the trestles.

CARRIED

c) Blasting Concerns

It was noted that several complaints have been received regarding blasting on the Westside Spyglass Development. It is believed that residents in the area are proceeding with legal action against the developer in this regard.

Staff reminded the Board that the Regional District has no authority over blasting and it was further noted that in fact there is no authority in the Province of BC that manages blasting. The only regulation is in the purchase of blasting material. Certain engineering firms have their own protocol but this is done on a voluntary basis. Currently Regional District staff are referring complaints to the Ministry of Transportation.

#142/05 HARRIMAN/SHEPHERD

THAT staff prepare a draft resolution to UBCM regarding blasting for the Board's review.

CARRIED

11. ADJOURN IN CAMERA

#143/05 HEIN/HANSON

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

CARRIED

There being no further business the meeting was adjourned at 8:40 p.m.

CERTIFIED TO BE TRUE AND CORRECT

R. Hobson (Chair)

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