

**Minutes of the *SPECIAL BOARD MEETING* of the Regional District of Central Okanagan held at Regional District Offices, 1450 KLO Road, Kelowna, B.C. on Thursday, April 8, 2010**

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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)  
K. Hayes (Central Okanagan East Electoral Area)  
R. Hobson (City of Kelowna)  
C. Hodge (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)

Regrets:

L. Derrickson (Westbank First Nation)

Staff:

H. Reay, Chief Administrative Officer  
M. Kopp, Director of Parks Services  
D. Plamondon, Director of Development Services  
M. Rilkoff, Director of Administration and Financial Services  
M. Drouin, Corporate Services Coordinator (recording secretary)

Chair Hobson brought the meeting to order at 11:12 a.m. following a Governance and Services Committee meeting.

**1. MINUTES**

1.1 Minutes – March 22, 2010

1.2 Public Hearing – March 22, 2010

**#98/10**

**OPHUS/REID**

THAT the Regional Board meeting minutes of March 22, 2010 be adopted as circulated;

AND FURTHER THAT the Public Hearing minutes of March 22, 2010 be received.

CARRIED

**2. RISE & REPORT - Governance and Services Committee meeting of April 8, 2010 (Board approval required) [Full reports are in the Governance and Services Committee meeting package of April 8, 2010]**

2.1 RDCO Community Wildfire Protection Plan

#99/10

BAKER/SHEPHERD

THAT the Regional Board receive the final draft “Regional District of Central Okanagan Community Wildfire Protection Plan” (CWPP) report dated March 2010 prepared by B.A. Blackwell & Associates Ltd;

AND THAT the draft RDCO Community Wildfire Protection Plan be shared with member municipalities, Westbank First Nation and fire departments for review and consideration;

AND FURTHER THAT the Plan be referred to the Regional District’s Regional Sustainability Steering Committee for discussion and that an electoral area director and the Westbank First Nation representative be invited to participate in the committee discussions.

CARRIED

2.2 RDCO Regional Parks Operational Wildfire Protection Plan

#100/10

EDGSON/JAMES

THAT the Regional Board receive the draft report titled “RDCO Parks Operational Wildfire Protection Plan: An Operational Plan for Wildfire Hazard Abatement within the RDCO Parks System”;

AND FURTHER THAT the Regional Board authorize staff to initiate the implementation of the recommendations outlined in the RDCO Regional Parks Operational Wildfire Protection Plan in conjunction with the Regional Parks service program annual budget and RDCO Five-Year Financial Plan;

AND FURTHER THAT the Regional Board continue to support applications to UBCM, NRCAN, Service BC and other funding programs that become available to support implementation of the forest fuel treatments described in the report.

CARRIED

2.3 RDCO Regional Parks Tussock Moth Forest Treatment Project

#101/10

EDGSON/BAKER

THAT the Regional Board authorize staff to work in conjunction with the Ministry of Forests and Range (MFR), Forest Health Program to treat four (4) regional parks for infestation of Douglas fir tussock moth by helicopter aerial application of biological controls comprised of either TM Biocontrol-1 (Virus) or Foray 48B (B.t.k.) as determined by the MFR Regional Entomologist;

AND FURTHER THAT the Regional Board authorize staff to implement appropriate park operational plans (i.e. patron notification, park closure on day of treatment, etc.) as well as general public notification processes including, but not limited to, newspaper advertising, RDCO website and public service announcements to inform adjacent landowners and park users of the intent to apply biological control treatments to Coldham, Trepanier Creek Greenway, Mill Creek and Steven Coyote Ridge regional park properties.

CARRIED

2.4 Bylaw Dispute Adjudication Program

#102/10

SHEPHERD/OPHUS

THAT the Regional District of Central Okanagan not participate in the Okanagan Valley Bylaw Dispute Adjudication Program;

AND FURTHER THAT staff be directed to investigate the Okanagan Valley Program for actual costs and results in the year after its implementation.

CARRIED

2.5 Other

No other business.

**3. OLD BUSINESS**

3.1 Parks Acquisition Within the District of West Kelowna (deferred from February 22, 2010 Regional Board meeting) *(All Directors - Unweighted Vote)*

a) Correspondence – Board of Trustees for the Gellatly Cemetery

#103/10

FINDLATER/JAMES

THAT the March 27, 2010 letter from the Board of Trustees for the Gellatly Cemetery regarding the Board's position on the proposed acquisition of park be received.

AND FURTHER THAT the motions from the March 9, 2010 District of Kelowna Council meeting regarding regional parks be received.

CARRIED

b) Staff Report & Recommendation – February 22, 2010 Board Meeting

Staff report dated February 16, 2010 outlined the background origin of parks acquisition within the District of West Kelowna. The Regional Board originally discussed the issue of parks ownership at its February 22, 2010 meeting at

which time the directors of West Kelowna requested deferment until their Council had further discussions on the issue. West Kelowna Council further discussed the issue at its March 9<sup>th</sup> Council meeting and provided their Council resolutions for consideration.

Discussion:

- The question was raised what Westbank First Nation's interest is in the land--there has been media coverage/reports making reference to their interest on Mount Boucherie. It was noted that Westbank First Nation has interest in an adjacent unsurveyed lot on the top of Mount Boucherie which is Crown land.
- The question was raised that if the land is transferred to West Kelowna, why would the Regional District keep it as a regional park and be responsible for maintaining it as a regional park?
- This property met the criteria for a regional park when it was purchased and therefore should always remain as parkland. It does not meet the criteria of a community park in terms of ball fields, playgrounds, etc. as it is natural parkland.
- Local government needs to retain ownership—it makes no difference to the general public who manages the property.
- Regional parks have never before been transferred to a municipality. The question was raised whether there are other regional parks that are owned by a municipality but managed by the Regional District? No, but Mission Creek Greenway, which is a collaboration of properties, is operated by the Regional District through an operational agreement with the City of Kelowna.
- If other requests come forward to take over ownership of any other regional parks, is there a model that will be used? No, this would be complicated when considering financing of the purchase, operational, and development of a park.
- Mount Boucherie was paid for by taxpayers within the service area that included the previous Westside Electoral Area (which is now the District of West Kelowna (97%) and some taxpayers of the Central Okanagan West Electoral Area (3%)).
- The question was raised if West Kelowna agrees it should remain as a regional park, why is it pursuing a title transfer of the property? West Kelowna believes the land was paid for by their citizens and should therefore be titled in the municipality's name.
- Is there a dollar value which should be repaid to the electoral area for what they contributed to the park?
- Should the ownership of the park be transferred to West Kelowna, there is no agreement that the Regional District would be obligated to spend Regional District funds on development of the park.
- Concern was expressed that a five-year tenure agreement is not long enough. Tenure is a negotiable issue. The general view was that tenure agreements should be long term.
- The land is a regionally significant property in the region with the assumption being to maintain a greater natural area around Mount Boucherie. It would be due diligence to have a covenant placed on the property to ensure the property remains as parkland forever should any transfer of title occur.

#104/10

FINDLATER/OPHUS

THAT the Regional Board transfer the title of land identified as Mount Boucherie Regional Park to the District of West Kelowna (D.L. 3486 Except Plans B6872, 24411, 26784, H16793 KAP48075);

AND FURTHER THAT in conjunction with the above proposed title transfer, the Regional Board authorize staff to enter into discussions with the District of West Kelowna staff on a tenure agreement to be implemented between the District of West Kelowna and the Regional District of Central Okanagan to ensure the continued administration and operation of the property as a regional park;

The motion was **WITHDRAWN**

#105/10

FINDLATER/BAKER

THAT the Regional Board is willing to consider, in principle, the transfer of title of the land identified as Mount Boucherie Regional Park to the District of West Kelowna subject to a covenant being placed on the property to remain as parkland;

AND FURTHER THAT the Regional Board authorize staff to enter into discussions with the District of West Kelowna staff to develop the terms of a tenure agreement and determine how the regional park asset will be maintained;

AND FURTHER THAT staff report back to the Regional Board for consideration of the above.

CARRIED (Rule opposed)

As Directors Findlater and Ophus were required to leave the meeting for a previous commitment, a request to defer discussion on ownership of the Gellatly Heritage Regional Park and the Gellatly Nut Farm was raised.

#106/10

OPHUS/BAKER

THAT the discussion on park ownership regarding the Gellatly Heritage Regional Park and the Gellatly Nut Farm be **DEFERRED** until the next Board meeting.

CARRIED (opposed Edgson)

*Directors Findlater and Ophus left the meeting at 12:04 p.m.*

**4. NEW BUSINESS**

- 4.1 Regional District of Central Okanagan Sterile Insect Release Parcel Tax Amendment Bylaw No. 1273, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings and Adoption**  
*(All Directors - Unweighted Vote)*

#107/10

JAMES/FIELDING

THAT Regional District of Central Okanagan Sterile Insect Release Parcel Tax Amendment Bylaw No. 1273, 2010 be given first, second and third readings, and adopted this 8<sup>th</sup> day of April 2010.

CARRIED

- 4.2 Award of Contract – RDCO Water System Review for Killiney Beach, Westshore Estates & Falconridge (*All Directors – Weighted Vote*)

#108/10

EDGSON/JAMES

THAT the Regional Board authorize the award of the contract for the Regional District of Central Okanagan Water Systems Reviews for Killiney Beach, Westshore Estates, Falconridge, to Associated Engineering (B.C.) for the amount of \$44,700 plus GST.

CARRIED

5. ADJOURN IN CAMERA

#109/10

EDSON/JAMES

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

CARRIED

There being no further business the meeting was adjourned at 12:06 p.m.

The Board rose to report from an In Camera meeting at 12:55 p.m.

Kelowna Dirt Bike Club – Injunction

It was noted that the Regional District will further pursue a trial date for injunction on the outstanding noise bylaw infractions by the Kelowna Dirt Bike Club.

There being no further business the meeting was adjourned at 12:56 p.m.

CERTIFIED TO BE TRUE AND CORRECT



R. Hobson (Chair)



H. Reay (Chief Administrative Officer)