

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 12:47 p.m. Thursday, March 7, 2019 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair M. Bauer, Village of Keremeos
Director J. Bloomfield, City of Penticton
Director T. Boot, District of Summerland
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director S. Coyne, Town of Princeton
Director R. Gettens, Electoral Area "F"
Director D. Holmes, District of Summerland
Director J. Kimberley, City of Penticton

Director R. Knodel, Electoral Area "C"
Director S. McKortoff, Town of Osoyoos
Director S. Monteith, Electoral Area "I"
Director M. Pendergraft, Electoral Area "A"
Director R. Obirek, Electoral Area "D"
Director F. Regehr, City of Penticton
Director T. Roberts, Electoral Area "G"
Director J. Vassilaki, City of Penticton
Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer
C. Malden, Manager of Legislative Services
J. Kurvink, Manager of Finance

M. Woods, General Manager of Community Services
B. Dollevoet, General Manager of Development Services
A. Reeder, Manager of Operations

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the [Agenda](#) for the RDOS Board Meeting of March 7, 2019 be amended by adding Item K Closed Session – Labour Relations. - **CARRIED**

1. Consent Agenda – Corporate Issues

- a. Electoral Area "A" Advisory Planning Commission – February 11, 2019
THAT the Minutes of the February 11, 2019 Electoral Area "A" Advisory Planning Commission meeting be received.
- b. Electoral Area "H" Advisory Planning Commission – February 19, 2019
THAT the Minutes of the February 19, 2019 Electoral Area "H" Advisory Planning Commission meeting be received.
- c. Corporate Services Committee – February 21, 2019
THAT the Minutes of the February 21, 2019 Corporate Services Committee meeting be received.

*THAT a citizen committee be created to consider equalization and remuneration for the Board of Directors; and further,
THAT the results be presented at a future committee meeting.*

d. Planning and Development Committee – February 21, 2019

THAT the Minutes of the February 21, 2019 Planning and Development Committee meeting be received.

THAT consideration of “Electoral Area Zoning bylaw Amendments – Cannabis Production Facilities” be postponed to the March 21, 2019 Planning and Development Committee meeting.

e. RDOS Regular Board Meeting – February 21, 2019

THAT the minutes of the February 21, 2019 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Consent Agenda – Corporate Issues be adopted. - **CARRIED**

2. Consent Agenda – Development Services

- a. Development Variance Permit Application – 3321 Juniper Drive, Electoral Area “E”
i. Permit No. E2019.001-DVP

To allow for the construction of an addition to a single detached dwelling.

THAT the Board of Directors approve Development Variance Permit No. E2019.001-DVP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Consent Agenda – Development Services be adopted. - **CARRIED**

B. DEVELOPMENT SERVICES – Building Inspection**1. Building Bylaw Infraction – 2295 Beaverdell Road, Electoral Area “D”**

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot A, Plan KAP63730, District Lot 2710, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

2. Building Bylaw Infraction – 2070 Carmi Road, Electoral Area “D”

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, Plan KAP23219, District Lot 2710, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

3. Building Bylaw Infraction – 1266 Spiller Road, Electoral Area “E”

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, District Lot 2551, Plan KAP86176, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. - **CARRIED**

4. Building Bylaw Infraction – 2201 West Bench Drive, Electoral Area “F”

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, Plan KAP18091, District Lot 5076, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

5. Building Bylaw Infraction - 718 Cedar Creek Road, Electoral Area “H”

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 2, Plan 19227, District Lot 3783, KDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

CARRIED

6. Building Bylaw Infraction – 320/328 Highway 3A, Electoral Area “I”

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot A, Plan KAP34722, District Lots 230S and 237S, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

7. Building Bylaw Infraction – 135 Partington Road, Electoral Area “I”

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as District Lot 973S, SDYD, except Plans 27582, 29380, 30456, KAP70824 and KAP79715, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

8. Building Bylaw Infraction – 129 Par Blvd, Electoral Area “I”

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Strata Lot 46, District Lot 2463S, Strata Plan K180, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. - **CARRIED**

C. **DEVELOPMENT SERVICES – Untidy/Unsightly Bylaw Enforcement**

1. Untidy and Unsightly Property Contravention – 1677 White Lake Road, Electoral Area “I”

To commence a process to clean up a property in contravention of the Untidy and Unsightly Premises Bylaw No. 2326, 2004.

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the RDOS commence the formal process to bring Lot 2, District Lot 259s, SDYD, Plan KAP71905 (1677 White Lake Road) into compliance with the Regional District of Okanagan-Similkameen’s Untidy and Unsightly Premises Bylaw No. 2326, 2004; and

THAT Administration is directed to recover the costs of undertaking the above work in the same manner and with the same remedies as property taxes in arrears.

CARRIED

D. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D”
 - a. Bylaw No. 2455.40, 2019
 - b. Bylaw No. 2603.17, 2019
 - c. Responses Received

The proposed amendments to the Electoral Area “D” Official Community Plan (OCP) Bylaw and Zoning Bylaw are related to the introduction of a Parks and Recreation (PR) Zone over two parcels that the Regional District has acquired for parkland.

Consideration of this item will be brought forward at a future meeting to allow for an amendment to the proposed bylaw.

2. Early Termination of a Land Use Contract – 781 Highway 97, Electoral Area “D”
 - a. Bylaw No. 2455.32, 2018 - Draft
 - b. Bylaw No. 2603.18, 2019 - Draft
 - c. Responses Received

To replace Land Use Contract No. LU-12-D-76 with a Small Holdings Four (SH4) Zone.

RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2603.18, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.32, 2019, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing; and

THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated March 7, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.18, 2019, in conjunction with its Financial and applicable Waste Management Plans; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of April 4, 2019; and

THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

CARRIED

3. Zoning Bylaw Amendment – 4849 & 4844 Bassett Avenue, Electoral Area “D”
 - a. Bylaw No. 2455.34, 2019

To allow for development of duplexes on two residential parcels.

RECOMMENDATION 14 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2455.34, 2018, Electoral Area “D” Zoning Amendment Bylaw be adopted. - **CARRIED**

E. PUBLIC WORKS

1. Purchase of Building and Associated Equipment for the Apex Mountain Waste Transfer Station
 - a. Award Recommendation Letter dated February 25, 2019

To purchase the metal building for the construction of the Apex Mountain Waste Transfer Station at 220 Strayhorse Drive. The assembly and installation of the building and components will be included in the tender documents for a general contractor in an upcoming tender for the site work and construction.

RECOMMENDATION 15 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District award the contract to purchase the metal building for the Apex Mountain Waste Transfer Station construction project to 3 Bar Construction Ltd. at a cost of \$59,451.01. - **CARRIED**

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2. Resolution Request for 2019 OBWB Water Conservation and Quality Improvement Grant Program
 - a. Water Conservation and Quality Improvement Grants Program Guide
 - b. WCQI Grant Program – Local Government Support Information
 - c. En’owkin Centre Letter of Support dated February 21, 2019

The Okanagan Basin Water Board (OBWB) requires that all WCQI grant applications be accompanied by a resolution of support from the organization’s local government council or board (this includes projects submitted by staff of local government; all projects must receive support from their council/board).

RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Board of Directors forward a resolution of support to the Okanagan Basin Water Board for the following applications to the 2019 OBWB Water Conservation and Quality Improvement (WCQI) Grant program:

- 'Follow the Water K-5 Curriculum Project' in collaboration with the En'owkin Centre
- "Old Timer, You're Time is Up" Rebate and Education program
- Skaha Lake Protection and Management Plan

CARRIED

F. FINANCE

1. 2019-2023 Five Year Financial Plan Bylaw No. 2839, 2019
 - a. Proposed Budget Revisions at Third Reading
 - b. Bylaw No. 2839, 2019
 - c. Five Year Financial Plan
 - d. Reference Documents

RECOMMENDATION 17 (Weighted Corporate Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2839, 2019, being the Regional District of Okanagan Similkameen 2019-2023 Five Year Financial Plan, be read a third time;

It was MOVED and SECONDED

THAT the following amendments be adopted;

Area H Recreation be revised to add \$54,534 to contract services and be offset by an increase to the tax requisition

Area G Recycling/Garbage be revised to deduct \$7,824 from user fees and be offset by Transfer from Reserve

The Sun Valley Water System budget be revised to transfer \$22,847 from operating reserves to offset a reduction in Prior Years Surplus

The Similkameen Pool budget be revised to transfer \$7,332 from operating reserves to offset a reduction in the Prior Years Surplus

The Naramata Fire Service budget be revised to add \$43,563 to the tax requisition and be offset by reduction in the Prior Years Surplus

The Loose Bay Campground service budget be revised to deduct \$3,748 from the tax requisition and be offset by an increase in the Prior Years Surplus

The Mosquito Control service budget be revised to deduct \$30,500 from the tax requisition and be offset by an increase in the Prior Years Surplus

The Kaleden Recreation budget be revised to decrease the Prior Year Surplus by \$44,156 and Gas Tax Funding by \$45,000; and that be offset by an increase to the tax requisition by \$15,044 and a decrease to Capital Expenditures by \$74,112

The Animal Control budget be revised to add \$18,364 to the tax requisition and be offset by a reduction in the Prior Years Surplus

That the compensation budgets be revised to delete \$12,015 program change two (Utilities Manager)

That Okanagan Falls Fire Department budget be revised to deduct \$5,000 from tax requisition and be offset by reduction to transfer to building reserve

CARRIED

It was MOVED and SECONDED

That the 2020 Building Inspection budget be increased by \$18,000 to account for legal fees and offset by an increase in tax requisition - **CARRIED**

It was MOVED and SECONDED

That the Keremeos/Area B/Area G fire Department Budget be revised to add \$79,521 to the tax requisition offset by a reduction in Prior years Surplus - **CARRIED**

It was MOVED and SECONDED

That Area G Rural Projects Budget be revised to deduct \$10,000 from contingency offset by a reduction to the tax requisition - **CARRIED**

It was MOVED and SECONDED

THAT Bylaw 2839, 2019 be read a third time as amended – **CARRIED**

It was MOVED and SECONDED

THAT Bylaw 2839, 2019 be adopted. - **CARRIED**

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2. Area “D” Community Works Program Reserve Fund – Amendment Bylaw No. 2832.01
a. Bylaw No. 2832.01, 2019

Amending the Community Works Program Reserve Fund bylaw ensures that the bylaw accounts for the split of Area D into Area D & Area I and adds additional flexibility for the use of funds.

RECOMMENDATION 18 (Weighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT the Area ‘D’ Community Works Program Reserve Fund Amendment Bylaw 2832.01 be read a first, second & third time and be adopted. - **CARRIED**

G. COMMUNITY SERVICES – Rural Projects**1. Pioneer Park Upgrades Project****RECOMMENDATION 19 (Weighted Corporate Vote – Majority)****It was MOVED and SECONDED**

THAT the Regional District approve an increase in total funding for the “Pioneer Park Upgrades” project up to \$475,000 exclusive of GST; and

THAT the existing contracting services agreement with Chute Creek Construction be amended to add Phases 3 and 4.

CARRIED

H. LEGISLATIVE SERVICES**1. Petition to Enter Kaleden Fire Protection Service Area**

- a. Bylaw No. 1238.02, 2019
- b. Service Area Map

RECOMMENDATION 20 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Kaleden Fire Department Fire Protection Local Service Establishment Amendment Bylaw No. 1238.02, 2019 be adopted. - **CARRIED**

2. Okanagan Nation Alliance Steering Committee**RECOMMENDATION 21 (Unweighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the Board of Directors appoint Director Monteith as an alternate to the Okanagan Nation Alliance Steering Committee. - **CARRIED**

3. Letter of Support - Thompson-Okanagan Tourism Association (TOTA)

- a. TOTA Letter dated February 22, 2019

RECOMMENDATION 22 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Regional District provide a letter of support to the Thompson Okanagan Tourism Association (TOTA) for their application for funding to the Okanagan Basin Water Board for the eco-efficiency education program. - **CARRIED**

4. Letter of Support – ABC Communications
 - a. ABC Communications Letter dated February 13, 2019

RECOMMENDATION 23 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District of Okanagan-Similkameen provide a letter of support to ABC Communications for their application to the Connecting British Columbia funding program. - **CARRIED**

5. Electoral Area “F” Advisory Planning Commission (APC) Appointments

To seek Board appointments for the members of the Area Planning Commissions for Electoral Area “F”.

RECOMMENDATION 24 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors appoint the following as members of the Electoral Area “F” Advisory Planning Commission until October 31, 2022: Rick Hatch; Margaret Holm; Mike Stokker; Brad Hills; Galina Pentecost; Don Kelly. - **CARRIED**

6. RDOS Chair and Vice Chair – Ministry Meetings

RECOMMENDATION 25 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors approve the Chair and Vice Chair travel to Victoria to meet with the Ministers outlined in the March 7, 2019 report to the Board of Directors; and further,

THAT the Chair and Vice-Chair report the outcome of the Ministerial meetings at a future meeting of the Board.

CARRIED

7. Declaration of State of Local Emergency Approval

RECOMMENDATION 26 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area “C” due to expire 25 February 2019, at midnight for a further seven days to March 4 2019, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area “C” due to expire 04 March 2019, at midnight for a further seven days to March 11 2019, at midnight.

CARRIED

I. CAO REPORTS

1. Verbal Update

J. OTHER BUSINESS

1. Chair’s Report

2. Directors Motions

- a. Director Vassilaki introduced a Directors Motion regarding Air Canada schedule changes.

It was MOVED and SECONDED

THAT the matter be dealt with at this meeting. – **CARRIED** unanimously

It was MOVED and SECONDED

THAT the Board of Directors send a letter to Air Canada regarding proposed schedule changes and the impacts to citizens of the South Okanagan Similkameen; and further,

THAT a copy of the letter be forwarded to the Provincial and Federal Government representatives.

CARRIED

It was MOVED and SECONDED

THAT the RDOS and the City of Penticton develop a joint business case to address options, pending the results of the March 11, 2019 meeting with Air Canada; and further,

THAT funding not exceed \$10,000.

CARRIED

Opposed: S. Coyne, B. Coyne, McKortoff, Pendergraft, Holmes, Bauer, Bush

- b. Director Knodel gave Notice of Motion regarding a referendum concerning the proposed national park.

3. Board Members Verbal Update

K. CLOSED SESSION**It was MOVED and SECONDED**

THAT in accordance with Section 90(1)(c) of the Community Charter, the Board close the meeting to the public on the basis of labour relations or other employee relations.

CARRIED

The meeting was closed to the public at 2:46 p.m.

The meeting was opened to the public at 3:00 p.m.

L. ADJOURNMENT

By consensus, the meeting adjourned at 3:00 p.m.

APPROVED:



K. Kozakevich
RDOS Board Chair

CERTIFIED CORRECT:



B. Newell
Corporate Officer