



Regional District of Central Kootenay Regular Board Meeting Open Meeting Agenda

Date of Meeting: September 22, 2011

Time: 9:00 a.m.

Location: RDCK Board Room
202 Lakeside Drive, Nelson, BC

Directors will have the opportunity to participate in the meeting electronically. Proceedings are open to the public.

Pages

1. WELCOME

1.1 ADOPTION OF THE AGENDA

RECOMMENDATION:

The agenda for the September 22, 2011 meeting be adopted as circulated.

1.2 ADOPTION OF THE MINUTES

1 - 26

RECOMMENDATION:

The minutes from the August 25, 2011 meeting be adopted.

1.3 RESOLUTION - MEETING CLOSED TO THE PUBLIC

RECOMMENDATION:

In the opinion of the Board - and in accordance with Section 90 of the Community Charter - the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting; AND FURTHER, in accordance with Section 90 of the *Community Charter*, the meeting is to be closed on the basis(es) identified in the following subsections:

(c) labour relations or other employee relations;

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; (g) litigation or potential litigation affecting the municipality;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

1.4 RESOLUTION - RECESS OF OPEN MEETING

RECOMMENDATION:

The Open Meeting be recessed in order to conduct the Closed In Camera Meeting.

1.5 DELEGATION(S)

- delegations will have 15 minutes to address the Board

1.5.1 DONNA SCHMIDT LUNG CANCER PREVENTION SOCIETY

- Gary Barrett, Golder Associates Ltd.

RE: Radon Testing

1.5.2 LOWER KOOTENAY INDIAN BAND

- Chief Jason Louie

2. COMMITTEE/COMMISSION REPORTS

2.1 FOR INFORMATION

Committee/Commission Reports for information have been received as follows:

- | | | |
|-------|--|---------|
| 2.1.1 | Joint Resource Recovery Committee minutes - August 24, 2011 | 27 - 30 |
| 2.1.2 | Riondel Commission of Management minutes - September 6, 2011 | 31 - 34 |

2.2 WITH RECOMMENDATIONS

The minutes of the Nelson & District Recreation Commission meeting held June 23, 2011, have been received.

- 2.2.1 Rural Affairs Committee minutes: September 21, 2011

(will be included in the Addenda)

- 2.2.2 Creston Valley Services Committee minutes - September 12, 2011

- | | | |
|-------|---|---------|
| 2.2.3 | Nelson & District Recreation Commission minutes - June 23, 2011 | 35 - 38 |
|-------|---|---------|

The minutes of the Nelson & District Recreation Commission meeting held June 23, 2011, have been received.

RECOMMENDATION:

The Chair and Secretary be authorized to sign a two-year agreement with an option for a one-year renewal for food and concession services at the Nelson and District Community Complex with Rick and Kathy Lane.

- 2.2.4 West Resource Recovery Committee minutes - September 15, 2011

(will be included in the Addenda)

- 2.3 COMMITTEE CHAIRS' / BOARD REPRESENTATIVES' VERBAL / WRITTEN REPORTS

3. BUSINESS ARISING OUT OF THE MINUTES

- 3.1 REFERRAL FROM AUGUST 25, 2011 BOARD MEETING 39 - 46

580/11:

That the discussion of changes to the Celgar Pulp Mill bus route and the Ootischenia bus route, be referred to the September Board meeting.

The pertinent Board Reports are attached.

4. CORRESPONDENCE 47 - 47

- 4.1 The letter dated August 11, 2011 from UBCM President Barbara Steele advising of receipt of the RDCK's resolutions for the 2011 UBCM Convention, has been received. 48 - 49
- 4.2 The letter dated August 17, 2011 from UBCM advising of the federal response to the RDCK's 2010 UBCM-endorsed resolutions, has been received. 50 - 51

- 4.3 The letter dated August 26, 2011 from the Town of Creston advising of its support for the establishment of a sub-regional fire service in the Creston Valley, has been received. 52 - 52
- 4.4 The letter received August 29, 2011 from B.A. Blackwell and Associates Ltd. responding to concerns that the company's role in wildland urban interface fire hazard reduction is undermining local capacity, has been received. 53 - 53
- 4.5 The news release dated August 17, 2011 from the Columbia Basin Trust announcing financial support for environmental projects in the Basin in 2011/2012, has been received. 54 - 61
- 4.6 The letter dated August 29, 2011 from Fortis BC inviting the Board to meet with company officials at the 2011 UBCM Convention, has been received. 62 - 62
- 4.7 The Member Release dated September 8, 2011 from UBCM inviting expressions of interests for appointment to the BC/Local Government RCMP Contract Management Committee, has been received. 63 - 63
- 4.8 The Memo dated August 16, 2011 from UBCM extending an invitation to the 2011 RHD Cost Sharing Review Session at the UBCM Convention, has been received. 64 - 64
- 4.9 The Member Release dated September 9, 2011 from UBCM announcing that applications are being accepted for the fall intake of the 2011/2012 Community to Community Forum program, has been received. 65 - 66
- 4.10 The letter dated August 24, 2011 from Interior Health in response to the RDCK's invitation to respond to its Agricultural Plan, has been received. 67 - 68
- 4.11 The email dated September 9, 2011 from David Wilks, MP, advising that the Prime Minister's Volunteer Awards call for nomination deadline has been extended to October 14th, has been received. 69 - 69

5. COMMUNICATIONS FOR INFORMATION

- 5.1 Building Permit Summary - August 2012 70 - 73

6. ACCOUNTS PAYABLE

7. BYLAWS

74 - 75

The Board Report dated September 8, 2011 from Uli Wolf, General Manager of Environmental Services, regarding the acquisition of three water systems, has been received.

7.1 BYLAW 2240 - GRANDVIEW WATER SERVICE AREA ESTABLISHMENT BYLAW NO. 2240, 2011

76 - 76

(3 Readings given August 25/11)

The Certificate of Sufficiency dated September 9, 2011 from Dawn Attop, General Manager of Corporate Administration, reporting the successful petition results for the Grandview Water Service Area Establishment petition, has been received.

RECOMMENDATION:

Grandview Water Service Area Establishment Bylaw No. 2240, 2011 is hereby ADOPTED and the Chair and Secretary are authorized to sign same.

7.2 BYLAW 2241 - ROSEBERY WATER SERVICE AREA ESTABLISHMENT BYLAW NO. 2241, 2011

77 - 77

(3 Readings given August 25/11)

The Certificate of Sufficiency dated September 9, 2011 from Dawn Attop, General Manager of Corporate Administration, reporting the successful petition results for the Rosebery Water Service Area Establishment, has been received.

RECOMMENDATION:

Rosebery Water Service Area Establishment Bylaw No. 2241, 2011 is hereby ADOPTED and the Chair and Secretary are authorized to sign same.

7.3 BYLAW 2148 - WOODBURY WATER SERVICE ESTABLISHMENT
BYLAW NO. 2148, 2010

78 - 78

(3rd Reading given August 25/11)

The Certificate of Sufficiency dated September 9, 2011 from Dawn Attop, General Manager of Corporate Administration, reporting the results of the Woodbury Water Service Establishment, has been received.

RECOMMENDATION:

Woodbury Water Service Establishment Bylaw No. 2148, 2010 is hereby ADOPTED and the Chair and Secretary are authorized to sign same.

7.4 BYLAW 2248 - TAX EXEMPTION BYLAW NO. 2248, 2011

79 - 82

3 READINGS + ADOPTION

RECOMMENDATION:

Tax Exemption Bylaw No. 2248, 2011 is hereby read a FIRST, SECOND and THIRD time.

RECOMMENDATION:

Tax Exemption Bylaw No. 2248, 2011 is hereby ADOPTED and the Chair and Secretary are authorized to sign same.

7.5 BYLAW 2231 - ELECTORAL AREA 'D' OFFICIAL COMMUNITY PLAN
AMENDMENT BYLAW NO. 2231, 2011

The minutes of the Public Hearing held August 23, 2011, have been received.

OPTION 1:

3rd Reading + Adoption

OPTION 2:

No further action be taken.

OPTION 3:

Postpone to a future meeting.

OPTION 4:

Refer to another public hearing.

RECOMMENDATION:

Regional District of Central Kootenay Electoral Area D Official Community Plan Amendment Bylaw No. 2231, 2011 is hereby read the THIRD time by content.

RECOMMENDATION:

Regional District of Central Kootenay Electoral Area 'D' Official Community Plan Amendment Bylaw No. 2231, 2011 is hereby ADOPTED and the Chair and Secretary are authorized to sign same.

8. NEW BUSINESS

8.1 DISCRETIONARY GRANTS

RECOMMENDATION:

Discretionary grants out of the funds available for the following Municipalities / Electoral Areas be approved as designated:

8.2 COMMUNITY DEVELOPMENT GRANTS

RECOMMENDATION:

Community Development grants out of the funds available for the following Municipalities / Electoral Areas be approved as designated:

8.3 PURPOSE & OPERATIONS STATEMENTS FOR WINLAW NATURE PARK AND PULPIT ROCK

The Board Report dated September 22, 2011 from Monty Horton, Planner, presenting the Purpose and Operations Statements for the Winlaw Regional and Nature Park and Pulpit Rock Access Regional Park, have been received.

RECOMMENDATION:

That the Regional District Board approve the Purpose and Operations Statements (POS) for Winlaw Regional and Nature Park and Pulpit Rock Access Regional Park, and further, that they be forwarded to the appropriate commissions for further review.

8.4 EMERGENCY GRANT-IN-AID DISBURSEMENT (submitted by Director Kettle)

Policy 21/06:

In the event of an election for the position of Director being scheduled in an Electoral Area, the Board neither consider a request, nor approve the release of money, from such Electoral Area Director for disbursement of grant-in-aid funds or Community Development funds during the period of 45 days prior to the election up to the Inaugural Meeting; AND FURTHER, the following exemptions apply:

(2) Grant-in-Aid disbursements deemed to be emergency allocations having received an affirmative vote of at least 2/3 of the votes cast.

8.5 CHANGE TO CBT GRANT

83 - 84

RECOMMENDATION:

That Resolution #333/11 regarding the allocation of Columbia Basin Trust Community Initiatives and Affected Areas Programs funding be amended to change:

Area E-Initiatives

Harrop Procter and Nelson
Rail Road (HP& NRR) HP& NRR Feasibility Study \$2,500.00

to:

Area E-Initiatives

Kootenay Rail Service
Society HP& NRR Feasibility Study \$2,500.00

8.6 CRESTON VALLEY TRANSIT SERVICE CHANGE

The Board Report dated September 13, 2011 from Randy Matheson, Administrative Assistant, regarding a change to the Creston Valley Transit Service, has been received.

RECOMMENDATION:

The Regional District of Central Kootenay, specifically the local funding partners of the Creston Valley Transit Service (Creston and Electoral Areas A, B and C) approve:

**-the replacement of the fixed route service with a shuttle program at the earliest possible date
and in lead up to the shuttle program, route 2 - Kingsmen Park and route 3 - Centennial Park be converted to a service by request service.**

as per the Memorandum of Understanding from BC Transit dated August 2, 2011.

8.7 CRESTON LIBRARY LEASE AMENDMENT

RECOMMENDATION:

That the Chair and Secretary be authorized to sign Client Agreement #125779 B - the lease amendment between the Province of BC and the RDCK for the land and building situated at 531 16th Street, Creston, BC (Creston Library) for a five-year term commencing January 2011;

AND FURTHER, that \$140,000 from the Creston Library Service #621 Reserve Fund be utilized for a balloon payment on the lease to purchase of the building upon signing of the lease.

9. AGREEMENTS, REPORTS & REQUIRED RESOLUTIONS

RECOMMENDATION:

The Schedule and Statement of Financial Information for the Fiscal Year Ended December 31, 2010, having been received, be approved for release in accordance with the *Financial Information Act*, with a copy to be filed with the Ministry of Culture, Sport and Community Development.

9.1 FIRE PROTECTION SERVICE AGREEMENT - LOWER KOOTENAY INDIAN BAND

RECOMMENDATION:

That the Chair and Secretary be authorized to sign a five-year agreement, with a commencement date of January 1, 2012, with the Lower Kootenay Indian Band, for the provision of fire protection services for portions of Electoral Area B.

9.2 FIRE PROTECTION SERVICE AGREEMENT - RDKB

RECOMMENDATION:

That the Chair and Secretary be authorized to sign a five-year agreement, with a commencement date of January 1, 2012, with the Regional District of Central Kootenay, for the provision of fire protection services to a portion of Electoral Area J and Electoral Area G.

- 9.3 SLOCAN VALLEY FIRE SERVICE - INSTALLATION OF GRAVITY FEED TANK 85 - 90

The Board Report dated September 2, 2011 from Terry Swan, Regional Fire Chief, recommending the amendment of the 2011 Slocan Valley Fire Service Financial Plan to fund the installation of a gravity feed tank, has been received.

RECOMMENDATION:

The Slocan Valley Fire Service Financial Plan for 2011 be amended to include a \$5,000 transfer from Reserves (Service 226) to Passmore and Winlaw Equipment Repair and Maintenance to fund the installation of a 3000 gallon gravity feed tank, and proceed to purchase, pursuant to the RDCK Purchasing Policy.

- 9.4 ENVIRONMENTAL SERVICES MANAGEMENT FEE FOR WATER SYSTEMS BUDGETS 91 - 92

The Board Report dated September 8, 2011 from Uli Wolf, General Manager of Environmental Services, regarding management fees for water systems, has been received.

RECOMMENDATION:

That the fee structure to finance the administrative portion of water services within the environmental services department are accepted on the following basis:

- Every user connection within an RDCK water system will contribute \$100 annually to the environmental services department for the year 2011
- Water systems with more than 1000 connections will be charged \$70 per connection
- Newly acquired water systems with less than 85% of the lots in the service area connected with pay fees equivalent to having 85% of the lots connected; charges will be distributed between connected and un-connected lots
- Staff will prepare 2011 budgets for water systems on this basis and present them to water commission and committees as required prior to presenting the finalized budgets to the RDCK Board for ratification.

9.5 JOINT EMERGENCY PREPAREDNESS PLANNING GRANTS

The Board Report dated September 8, 2011 from Noreen Clayton, Emergency Program Coordinator, recommending that the RDCK apply for JEPP grant funding to purchase Emergency Social Services Emergency identification vests, has been received.

RECOMMENDATION:

That the Regional District of Central Kootenay apply for JEPP grant funding to purchase Emergency Social Services Emergency Identification vests at an approximate cost of \$2000 for all the RDCK ESS teams.

9.6 SOFI

The Schedule and Statement of Financial Information for the Fiscal Year Ended December 31, 2010, is received.

RECOMMENDATION:

The Schedule and Statement of Financial Information for the Fiscal Year Ended December 31, 2010, having been received, be approved for release in accordance with the *Financial Information Act*, with a copy to be filed with the Ministry of Community, Sport and Cultural Development.

10. APPOINTMENTS

11. ADJOURNMENT

RECOMMENDATION:

That the meeting adjourn at ____ p.m.