

TOWN OF CRESTON

REGULAR COUNCIL MEETING MINUTES – May 26, 2015

Minutes of a Regular Meeting of Council held on Tuesday, May 26, 2015 at 3:00 p.m. in the Town of Creston Council Chambers, 238 – 10th Avenue, North.

- PRESENT:** Mayor Toyota
Councillors Boehmer, Comer, Elford, Snopek, Unruh, Wilson
Lou Varela, Town Manager
Colin Farynowski, Manager of Engineering
Bev Caldwell, Executive Assistant
- MEDIA:** Lorne Eckersley, Creston Valley Advance
- GALLERY:** Approximately 16 members of the public, as per the Attendance Sign-In Sheet, which is attached to and forms a part of these minutes as Appendix 'I'.
- CALL TO ORDER:** The Mayor called the Regular Meeting to order at 3:00 p.m.
- INTRODUCTION OF WATER SMART AMBASSADOR** The Manager of Engineering introduced Ms. Avery Deboer-Smith, the Water Smart Ambassador for the year 2015, to members of Council and the Gallery.
- 230-15
AGENDA Moved by Councillor Wilson, seconded by Councillor Unruh
THAT the Agenda for the Regular Meeting of May 26, 2015, be adopted. CARRIED
- 231-15
MINUTES
▶ REGULAR MAY 12/15 Moved by Councillor Unruh, seconded by Councillor Comer
THAT the minutes of the Regular Council Meeting held May 12, 2015, be adopted as read on this day and that such minutes as read set out all the business before Council that day and fully and properly record all of the resolutions and bylaws passed and adopted by Council at that meeting. CARRIED
- 232-15
▶ COMMITTEE MAY 12/15 Moved by Councillor Snopek, seconded by Councillor Unruh
THAT the minutes of the Committee of the Whole Meeting held May 12, 2015, be received. CARRIED
- 233-15
▶ COMMITTEE MAY 19/15 Moved by Councillor Wilson, seconded by Councillor Comer
THAT the minutes of the Committee of the Whole Meeting held May 19, 2015, be received. CARRIED
- 234-15
▶ PUBLIC HEARING MAY 12/15 Moved by Councillor Snopek, seconded by Councillor Unruh
THAT the minutes of the Public Hearing, held May 19, 2015, be received. CARRIED
- DELEGATION**
▶ BC HYDRO ANNUAL OPERATIONAL UPDATE Mayor Toyota welcomed Ms. Diane Tammen, Community Relations Manager, East Kootenay, BC Hydro, to the meeting at 3:05 p.m.
- Ms. Tammen and other representatives from BC Hydro, the U.S. Army Corps of Engineers and the U.S. Fish & Wildlife Service presented their Annual Operational Update, which included the following discussion topics:
- BC Hydro system update (overall energy supply, import/export activity)
 - Agreements – CRT, Libby Coordination Agreement and other
 - CRT Review - status
 - Snow course data, streamflow forecasts and expected operations in the Kootenay Basin (Duncan, Kootenay Lake)
 - Koocanusa Reservoir/Libby operations
 - Kootenay Lake 2015 actual and forecast levels
 - Grohman Narrows widening project
 - U.S. sturgeon and bull fish operations
 - BC Hydro – Status Update
- Ms. Tammen reported that in 2015, BC Hydro will be providing financial support to the Creston Valley Wildlife Management Area; and through their grant program, supporting other non-profit groups in the area.
- Mayor Toyota thanked Ms. Tammen, and representatives of the US Army Corps of Engineers and the US Fish and Wildlife Service for their presentations, which were found to be very informative.

COUNCIL**COMMITTEE**

- 235-15
 ► MAY 12/15 MTG
 RECOMMENDATION
 ► ASSET
 MANAGEMENT
- Moved by Councillor Elford, seconded by Councillor Comer
 THAT Council Committee Recommendation No. 1 from the May 12, 2015
 Regular Committee of the Whole Meeting, be adopted as follows:
RECOMMENDATION NO. 1:
 THAT the verbal presentation by the Manager of Engineering, regarding
 Asset Management (Phase I), be received. **CARRIED**
- 236-15
 ► MAY 19/15 MTG
 RECOMMENDATION
 ► PESTICIDE
 TREATMENT
- Moved by Councillor Elford, seconded by Councillor Boehmer
 THAT Council Committee Recommendation No. 1 from the May 19, 2015
 Regular Committee of the Whole Meeting, be adopted as follows:
RECOMMENDATION NO. 1:
 THAT the verbal report by the Manager of Engineering, regarding
 pesticide/herbicide use on Town properties, be received; THAT Council
 supports staff following the current policy for the application of pesticide
 management for infrastructure and hard landscaping surfaces on Town
 properties for 2015; AND FURTHER, THAT staff draft an Integrated
 Pesticide Management Policy for implementation in the Fall of 2015, for
 Council's consideration. **CARRIED**
- 237-15
 ► MAY 19/15 MTG
 RECOMMENDATION
 ► CEMETERY
 SELECT COMM.
 TERMS OF REF.
- Moved by Councillor Unruh, seconded by Councillor Comer
 THAT Council Committee Recommendation No. 2 from the May 19, 2015
 Regular Committee of the Whole Meeting, be adopted as follows:
RECOMMENDATION NO. 2:
 THAT Ltr #35 from the Director of Finance and Corporate Services,
 regarding the Terms of Reference for a Cemetery Select Committee, be
 received; THAT staff refer an amended Terms of Reference for the Town
 of Creston's Cemetery Select Committee, and the appointment of
 members to the Select Committee, to Council for consideration. **CARRIED**
- 238-15
 ► MAY 19/15 MTG
 RECOMMENDATION
 ► PERMISSIVE TAX
 EXEMPTION (VALLEY
 COMM. SERVICES)
- Moved by Councillor Unruh, seconded by Councillor Boehmer
 THAT Council Committee Recommendation No. 3 from the May 19, 2015
 Regular Committee of the Whole Meeting, be adopted as follows:
RECOMMENDATION NO. 3:
 THAT Ltr #98 from Valley Community Services, regarding a Permissive
 Tax Exemption for 915 Pine Street, be received; AND FURTHER, THAT
 Valley Community Services be advised that Council will not be seeking
 applications for additional Permissive Tax Exemptions in 2015, and that
 Valley Community Services are encouraged to make application in 2016
 for the taxation year 2017. **CARRIED**
- 239-15
 ► MAY 19/15 MTG
 RECOMMENDATION
 ► COUNCIL
 REMUNERATION
 POLICY
- Moved by Councillor Unruh, seconded by Councillor Wilson
 THAT Council Committee Recommendation No. 4 from the May 19, 2015
 Regular Committee of the Whole Meeting, be adopted as follows:
RECOMMENDATION NO. 4:
 THAT staff draft an amendment to the Council Remuneration Policy for the
 Mayor and Councillors for the Town of Creston, that reflects the average
 remuneration awarded in other municipalities with a population base of
 4,000 to 6,000 within the Province, to be effective January 1, 2016, with an
 annual increase that has minimal impact on budget; and to include a
 remuneration review in the first year of the new term following a municipal
 election. **CARRIED**
- 240-15
 ► MAY 19/15 MTG
 RECOMMENDATION
 ► BENEFIT PLAN
 (COUNCIL)
- Moved by Councillor Boehmer, seconded by Councillor Snopek
 THAT Council Committee Recommendation No. 5 from the May 19, 2015
 Regular Committee of the Whole Meeting, be adopted as follows:
RECOMMENDATION NO. 5:
 THAT the verbal report by the Director of Finance and Corporate Services,
 regarding group benefits for members of Council, be received. **CARRIED**

241-15
 ► MAY 19/15 MTG
 RECOMMENDATION
 ► HEALTH &
 WELLNESS
 Sept. 8/15 Reg. Mtg.
 Res. 374-15 Withdrew
 action due to lack of staff
 capacity to complete

Moved by Councillor Boehmer, seconded by Councillor Comer
 THAT Council Committee Recommendation No. 6 from the May 19, 2015
 Regular Committee of the Whole Meeting, be adopted as follows:

RECOMMENDATION NO. 6:

THAT with respect to Ltr #74 from the Healthy Communities Initiatives,
 Interior Health, staff consider opportunities to partner with Interior Health to
 promote health and wellness for Town residents, and draft policies to
 assist in reducing chronic disease risk factors in the community at a future
 date, dependant on staff workload and capacity; and at such time staff will
 request Council to consider a Request for Direction regarding the matter.

CARRIED

242-15
 ► BC HYDRO
 DELEGATION RE
 ANNUAL OPERA-
 TIONAL UPDATE

Moved by Councillor Snopek, seconded by Councillor Wilson
 THAT Ltr #86 from BC Hydro, regarding a delegation request with respect
 to the Annual Operational Update for BC Hydro operations in 2015, be
 received.

CARRIED

243-15
 ► DVP #01/15
 (713 CAVELL ST.)

The Town Manager proceeded with the Development Variance Permit
 Hearing for DVP #01/15 for 713 Cavell Street, as follows:

- a) The Town of Creston has received an application for a Development Variance Permit from the Creston Seventh-Day Adventist Church (the owners) to vary Zoning Bylaw No. 1123, Community Use (P-1) Zone, Section 2.3.i), Minimum Setbacks, "*Principal and accessory buildings and structures, rear yard setback of 3 metres*" to "*Principal and accessory buildings and structures, rear yard setback of 2.3 metres*", subject to all legal requirements, to allow for the construction of an attached Storage Room, on the property legally described as Lot 1, District Lot 524, Kootenay District, Plan 11044, located at 713 Cavell Street.
- b) 34 Notices were mailed on Friday, May 15, 2015.
- c) No written submissions were received by Town Hall staff. One verbal inquiry was received from Mr. Matthew Lipton on May 20, 2015 who wanted to view the proposed Permit. Town staff explained the purpose of the proposed Development Variance Permit, and Mr. Lipton left without comment.
- d) The Town Manager asked if there were any comments from the public? There were none.
- e) The Town Manager advised that Council has the option to either deny the application or authorize the issuance of a Development Variance Permit.

Moved by Councillor Unruh, seconded by Councillor Snopek
 THAT Council authorizes issuance of Development Variance Permit
 DVP #01/15 to the Creston Seventh-Day Adventist Church (the
 owners) to vary Zoning Bylaw No. 1123, Community Use (P-1) Zone,
 Section 2.3.i), Minimum Setbacks, "*Principal and accessory buildings
 and structures, rear yard setback of 3 metres*" to "*Principal and
 accessory buildings and structures, rear yard setback of 2.3 metres*",
 subject to all legal requirements, to allow for the construction of an
 attached Storage Room, on the property legally described as Lot 1,
 District Lot 524, Kootenay District, Plan 11044, located at 713 Cavell
 Street; AND FURTHER, THAT Administration is directed to process
 the said Permit.

CARRIED

- 244-15
► DVP RE
2215 BIRCH ST.
- Moved by Councillor Elford, seconded by Councillor Comer
THAT Ltr #305 from Gilles Pierre Dicaire and Wendy Berge, and Ltr #330 from the Director of Municipal Services, both with respect to a Development Variance Permit Application for the property located at 2215 Birch Street, be received; THAT Council consider the application for Development Variance Permit DVP #02/15 to Gilles Pierre Dicaire and Wendy Berge (the owners) for the property legally described as Lot 12, Block 1, District Lot 891, Kootenay District, Plan 9201 (2215 Birch Street), to vary Zoning Bylaw No. 1123, Zone R-1, Single Family Residential, Section 2.8.i) Minimum Setbacks, “*Principal buildings, front yard setback of 6.1 metres*” to “*Principal buildings, front yard setback of 4.2 metres*”, to allow for the addition and construction of an attached Carport; AND FURTHER, THAT staff is directed to proceed with the required public notice for the Development Variance Permit Application to vary the front yard setback from 6.1 metres to 4.2 metres. CARRIED
- 245-15
► DEV. PERMIT RE
801 VANCOUVER ST.
- Moved by Councillor Boehmer, seconded by Councillor Elford
THAT Ltr #331 from the Director of Municipal Services, regarding the Development Permit application for the property located at 801 Vancouver Street, be received; AND FURTHER, THAT Council approves the issuance of Development Permit No. DP 01/15 for 801 Vancouver Street (as per the draft Development Permit No. DP 01/15 attached, which forms a part of these minutes as Appendix ‘II’), that would allow for the development of a mixed-use commercial development known as the “Cherry Wood Distillery”, pending receipt of an Irrevocable Letter of Credit, in the amount of \$25,000.00. CARRIED
- 246-15
► DEMENTIA
FRIENDLY COMM.
Sept. 8/15 Reg. Mtg.
Res. 374-15 Withdrew
action due to lack of staff
capacity to complete
- Moved by Councillor Unruh, seconded by Councillor Comer
THAT Ltr #325 from the Alzheimer Society of BC, regarding becoming a ‘Dementia Friendly Community’, be received; AND FURTHER, THAT when capacity allows, staff bring forward a report for Council’s consideration, detailing how the Town can work with the Alzheimer Society of BC for Creston to become a ‘Dementia Friendly Community’, within existing budget and manpower capabilities. CARRIED
- 247-15
► FIBRE
TECHNOLOGY
SERVICES
- Moved by Councillor Snopek, seconded by Councillor Elford
THAT Ltr #302 from Tercel Telecom Ltd., regarding fibre technology services, be received. CARRIED
- 248-15
► DOG PARK FOR
SMALL DOGS
Sept. 8/15 Reg. Mtg.
Res. 374-15, Refer to
2016 Budget
- Moved by Councillor Wilson, seconded by Councillor Comer
THAT Ltr #323 from Deborah Munro, regarding dog park options for small dogs, be received; AND FURTHER, THAT staff provide a report to Council on the existing park facilities that could possibly accommodate a designated small dog park area; and the report also to include a review of the current Parks Policy/Bylaw with respect to the restriction of dogs in Town parks. CARRIED
- 249-15
► REVITALIZATION
TAX EXEMPTION
(COMMERCIAL
AREAS)
- Moved by Councillor Wilson, seconded by Councillor Comer
THAT Ltr #327 from the Town Manager, regarding a proposed Revitalization Tax Exemption Program Bylaw, be received; AND FURTHER, THAT staff is authorized to proceed with the required legislative process to bring forward for Council’s consideration, a Revitalization Tax Exemption Program Bylaw for the development of new commercial businesses, or the redevelopment of existing commercial businesses in the Town’s zones that permit commercial uses, based on the following criteria:
- Exemption Program for a maximum ten year period with 100% tax exemption for the first five years and 50% exemption for the second five years of the Program, on the assessed value of the improvements;
 - Minimum eligible project value (as determined by the Chief Building Official) of \$50,000 for renovations and \$150,000 for new commercial construction. CARRIED
- BYLAWS**
- 250-15
► BYLAW 1819
(ADOPTION)
- Moved by Councillor Boehmer, seconded by Councillor Snopek
THAT Water Rates and Regulations Amendment Bylaw No. 1819, 2015, be adopted. CARRIED

- 251-15
▶ **BYLAW 1820 (ADOPTION)** Moved by Councillor Boehmer, seconded by Councillor Unruh THAT Fees and Charges Amendment Bylaw No. 1820, 2015, be adopted. CARRIED
- 252-15
▶ **DOMESTIC WATER SUPPLY** Moved by Councillor Snopek, seconded by Councillor Comer THAT the verbal report by the Manager of Engineering, regarding the status of the domestic water supply to the Town of Creston, be received. CARRIED
- 253-15
▶ **COMMITTEE OF THE WHOLE AGENDA** Moved by Councillor Snopek, seconded by Councillor Boehmer THAT the Regular Committee of the Whole Meeting agenda, as presented, be received. CARRIED
- NEW BUSINESS**
- 254-15
▶ **PARADE INVITATIONS** Moved by Councillor Snopek, seconded by Councillor Wilson THAT the verbal report by Mayor Toyota with respect to invitations for the Town of Creston to participate in parades in various communities, be received. CARRIED
- REPORTS OF REPS.**
- ▶ **CLR BOEHMER** Councillor Boehmer reported on his attendance at a CDYF Community Advisory Committee meeting, and participation in the Business Walk event and the Annual Blossom Festival Parade.
- ▶ **CLR COMER** Councillor Comer reported on her attendance at a Network Society meeting, a CDYF Community Advisory Committee meeting, a Trails Committee meeting and participation in the Business Walk event.
- ▶ **CLR ELFORD** Councillor Elford reported on his attendance at a C.V. Thundercats Annual General meeting, and his participation in the Business Walk event and the Annual Blossom Festival Parade.
- ▶ **CLR SNOPEK** Councillor Snopek reported on his attendance at an Arrow Creek Water Commission meeting and participation in the Annual Blossom Festival Parade.
- ▶ **CLR UNRUH** Councillor Unruh reported on her attendance at a C.V. Chamber of Commerce meeting and participation in the Business Walk event and the Annual Blossom Festival Parade.
- ▶ **CLR WILSON** Councillor Wilson reported on her attendance at an Arts Council meeting and participation in the Business Walk event and the Annual Blossom Festival Parade.
- ▶ **MAYOR TOYOTA** Mayor Toyota reported on his attendance at an RDCK Board meeting, a Municipal Finance Authority Trustee meeting, a C.V. Health Working Group meeting, a Coffee Talk session, and participation in the Business Walk event and the Annual Blossom Festival Parade and events.
- 255-15
▶ **RECEIVE REPORTS** Moved by Councillor Comer, seconded by Councillor Snopek THAT the verbal Reports of Council, be received. CARRIED
- GIVING OF NOTICES**
1. COTW – June 16 (Meeting with School Board in Nelson), July 21, Aug. 18, Sept. 15, 2015
 2. COUNCIL – 2nd & 4th Tuesdays each month (June 10, 23, July 14, Aug. 11, Sept. 8, 29, 2015)
 3. FCM (Edmonton) – June 5 – 8, 2015
 4. Canada Day, July 1, 2015
 5. UBCM – Vancouver – Sept. 21 – 25, 2015
 6. Santa Parade – Dec. 5, 2015
- QUESTION PERIOD**
- ▶ **COUNCIL REMUNERATION** The Media asked the intent of Council's resolution regarding the Council remuneration. The Town Manager advised that Council has directed staff to bring forward a policy for Council's consideration that would implement, as of January 1, 2016, a remuneration for Council members that is the average for Council members in other municipalities of a similar size, with the remuneration being reviewed on a regular basis.

256-15
MOVE TO CLOSED MEETING

Moved by Councillor Snopek, seconded by Councillor Comer
THAT by authority of the Community Charter, this meeting is closed from the public and/or news media, pursuant to Sub-Section 90(1)(c) and (e).
CARRIED

RECONVENE

The Regular Council Meeting reconvened at 5:59 pm.

RESOLUTIONS FROM CLOSED MEETING

257-15
► **MALLANDAINE WATER SERVICES AGREEMENT**

Moved by Councillor Snopek, seconded by Councillor Boehmer
THAT Recommendation No. 1 of Resolution No. 35-15 from the February 24, 2015 Closed Meeting, be reported at the May 26, 2015 Regular Meeting, as follows:
RECOMMENDATION NO. 1:
THAT Ltr #100 from the Manager of Engineering, regarding the Mallandaine Water Services Agreement, be received; AND FURTHER, THAT Council authorizes the Mayor and Corporate Officer to execute an agreement with the Mallandaine Water Users Community, for the supply and delivery of water outside Town boundaries, for the term January 1, 2015 to December 31, 2019, with an option to renew for a further five-year term, as set out in Ltr #100.
CARRIED

258-15
ADJOURNMENT

Moved by Councillor Snopek
THAT the Regular Meeting of May 26, 2015, be adjourned at 6:00 p.m.
CARRIED

CERTIFIED CORRECT:

Ron Toyota
Mayor

Bev Caldwell
Executive Assistant