



# REGULAR COUNCIL MEETING AGENDA TUESDAY, MAY 7<sup>TH</sup>, 2019 COMMENCING AT 4:00 PM

## CALL TO ORDER

## ADOPTION OF AGENDA (and late items, if appropriate)

## ADOPTION OF MINUTES

- a) Regular Council Meeting – April 23, 2019

## DELEGATIONS

- a) **BC Hydro Operations Update** (*BC Hydro Generation Staff and Representatives of the U.S. Army Corps of Engineers shall present this update*)

## ITEMS OF BUSINESS

- a) **Proclamation for “National Public Works Week”** (*See Proclamation from the Canadian Public Works Association. The Public Works Superintendent shall speak to this item*)
- b) **Creston Kids Outside Society – Request for a Licence of Occupation** (*The Public Works Superintendent shall speak to this item*)

## BYLAWS

- a) Clean Air Bylaw No. 1878, 2019 (**Adoption**)
- b) Bylaw Notice Enforcement Amendment Bylaw No. 1880, 2019 (**Adoption**)
- c) Tax Rates Bylaw No. 1883, 2019 (**Adoption**)

## NEW BUSINESS

## REPORTS OF REPRESENTATIVES

- Council Member Verbal Reports
- Staff Verbal Reports (first meeting of each month)

## GIVING OF NOTICES:

- COTW – May 14 and June 18, 2019
- COUNCIL – May 21, June 11 and June 25, 2019
- SPECIAL COTW – May 21, 2019

**ACTING MAYORS SCHEDULE – 2019**

January	Cllr. Unruh	February	Cllr. Wilson
March	Cllr. DeBoon	April	Cllr. Tzakis
May	Cllr. Comer	June	Cllr. Elford
July	Cllr. Unruh	August	Cllr. Wilson
September	Cllr. DeBoon	October	Cllr. Tzakis
November	Cllr. Comer	December	Cllr. Elford

**QUESTION PERIOD**

**MOVE TO CLOSED MEETING, pursuant to Sub-section 90(1)(n) of the *Community Charter*.**

**RECONVENE TO REGULAR MEETING**

**RESOLUTIONS FROM CLOSED MEETING**

**ADJOURNMENT**

**MINUTES OF A REGULAR MEETING OF COUNCIL HELD IN THE TOWN OF CRESTON COUNCIL CHAMBERS, 238 – 10<sup>TH</sup> AVENUE NORTH ON TUESDAY, APRIL 23<sup>RD</sup>, 2019 AT 4:00 P.M.**

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**PRESENT** Mayor Ron Toyota  
Councillor Jen Comer  
Councillor Arnold DeBoon  
Councillor Jim Elford  
Councillor Ellen Tzakis  
Councillor Karen Unruh  
Councillor Joanna Wilson

**STAFF** Michael Moore, Chief Administrative Officer  
Ross Beddoes, Director of Municipal Services  
Ferd Schmidt, Public Works Superintendent  
Stacey Hadley, Corporate Officer  
Marsha Neufeld, Executive Assistant

**MEDIA** Lorne Eckersley, Creston Valley Advance

**GALLERY** Kristina Leidums, Creston Kids Outside Society  
Zavellennahh Young, Creston Kids Outside Society  
Dallas Magrum, Resident  
Marg Meyer, Resident  
Allan Clement, Resident

**CALL TO ORDER** Mayor Toyota called the Regular Meeting to order at 4:00 p.m.

**AGENDA**

117-19 Moved by Councillor Elford, seconded by Councillor Wilson  
THAT the Agenda be adopted as amended to include Item of Business h)  
Dash 4 Trash Sponsorship.

MOTION CARRIED

**MINUTES**

118-19 Moved by Councillor Unruh, seconded by Councillor Elford  
THAT the Minutes of the Regular Council Meeting held April 9<sup>th</sup>, 2019 be adopted.

MOTION CARRIED

119-19 Moved by Councillor Comer, seconded by Councillor DeBoon  
THAT the Minutes of the Public Hearing held April 9<sup>th</sup>, 2019 be adopted.

MOTION CARRIED

120-19 Moved by Councillor Unruh, seconded by Councillor Elford  
THAT the Minutes of the Committee of the Whole Meeting held April 16<sup>th</sup>, 2019 be adopted.

MOTION CARRIED

121-19 Moved by Councillor Comer, seconded by Councillor DeBoon  
THAT the Minutes of the Special Council Meeting held April 16<sup>th</sup>, 2019 be adopted.

MOTION CARRIED

**DELEGATION**

K. Leidums and Z. Young were in attendance to provide an update with respect to the Creston Kids Outside Society's (CKOS) ongoing programs advising that the society's mission is to provide children and families with opportunities for outdoor play and to raise ecological awareness.

K. Leidums noted the following:

- That each program currently accepts a maximum of thirteen (13) children; That only one (1) day of one hundred (100) days of programming was held indoors on account of the weather;
- That Canyon Lister Elementary School currently allows CKOS use of their outdoor classroom which features a teepee and multiple trails;
- That the program welcomed one hundred forty (140) kids in 2017/2018 and two hundred fifty (250) during 2018/2019;
- That only eight (8) percent of children and youth are active enough for healthy child development; and,
- That community support has been great, ensuring success of the program.

122-19 Moved by Councillor Unruh, seconded by Councillor Tzakis  
THAT the Creston Kids Outside Society update be accepted as presented.  
MOTION CARRIED

*K. Leidums and Z. Young left at 4:30 p.m.*

**ITEMS OF BUSINESS****Proclamation for "Lister Days"**

123-19 Moved by Councillor Unruh, seconded by Councillor Tzakis  
THAT June 7<sup>th</sup> – 9<sup>th</sup>, 2019 be hereby proclaimed "Lister Days" in the Town of Creston, in recognition of the community of Lister's 100<sup>th</sup> Anniversary.  
MOTION CARRIED

**Creston Valley Regional Airport Society – Council Discretionary Grant Request**

124-19 Moved by Councillor Elford, seconded by Councillor Unruh  
THAT the Council Discretionary Grant Request from the Creston Valley Regional Airport Society for their "Wings and Wheels" event to be held May 20<sup>th</sup>, 2019 be denied, as the Creston Valley Airport is funded annually through Town of Creston taxation.  
MOTION CARRIED

**Cherie Baker Golf Tournament – Council Discretionary Grant Request**

125-19 Moved by Councillor Elford, seconded by Councillor DeBoon  
THAT the Cherie Baker Golf Tournament Council Discretionary Grant Request be forwarded to a future meeting for review and discussion, upon the submission of a completed Council Discretionary Grant application form from the applicant.  
MOTION CARRIED

**City of Maple Ridge – Request for Resolution**

126-19 Moved by Councillor Comer, seconded by Councillor Elford  
THAT the request from the City of Maple Ridge regarding a request for a resolution in support of local government autonomy, be received as information.  
MOTION CARRIED

**Closed Council Meeting Policy – GOV-001-036**

- 127-19 Moved by Councillor Elford, seconded by Councillor Wilson  
THAT Council hereby approves Policy No. GOV-001-036, being the Closed Council Meeting Policy.

MOTION CARRIED

**Council, Chief Administrative Officer and other Staff Relationship Policy – GOV-001-010**

- 128-19 Moved by Councillor Unruh, seconded by Councillor Wilson  
THAT Council hereby approves Policy No. GOV-001-010, being the Council, Chief Administrative Officer and other Staff Relationship Policy.

MOTION CARRIED

**8<sup>th</sup> Annual “Just Tri It!” Triathlon Event – Request for Road Closures**

- 129-19 Moved by Councillor Elford, seconded by Councillor Wilson  
THAT Council approves the request from the Creston & District Community Complex to close Hillside Street from 16<sup>th</sup> Avenue to 20<sup>th</sup> Avenue on June 1<sup>st</sup>, 2019 from 8:00 a.m. to 12 p.m., to accommodate the 8<sup>th</sup> Annual “Just Tri It!” Triathlon event.

MOTION CARRIED

**Dash 4 Trash Sponsorship**

- 130-19 Moved by Councillor Elford, seconded by Councillor Wilson  
THAT Council approves sponsorship of the 2019 Dash 4 Trash event, organized by the Labatt Brewing Company Limited, in the amount of one thousand dollars (\$1,000).

MOTION CARRIED

**BYLAWS****Five Year Financial Plan (2019 - 2023) Bylaw No. 1882**

- 131-19 Moved by Councillor Unruh, seconded by Councillor DeBoon  
THAT Five Year Financial Plan (2019 – 2023) No. 1882, 2019, be adopted.

MOTION CARRIED

**2019 Tax Rates Bylaw No. 1883**

- 132-19 Moved by Councillor Wilson, seconded by Councillor Elford  
THAT Tax Rates Bylaw No. 1883, 2019, be read a first time by title, second time by content.

MOTION CARRIED

- 133-19 Moved by Councillor Elford, seconded by Councillor Tzakis  
THAT Tax Rates Bylaw No. 1883, 2019, be read a third time.

MOTION CARRIED

**REPORTS OF REPRESENTATIVES**

Mayor Toyota and Councillors DeBoon, Elford, Unruh and Wilson attended the Columbia Brewery’s Goose Island product launch event.

Councillor DeBoon reported on his attendance at the Creston Valley Trails and Creston Valley Regional Airport Society Meetings.

Councillor Wilson reported on her attendance at the Creston Valley Public Library Annual General Meeting.

Mayor Toyota reported on his attendance at the following meetings and/or events:

- Regional District of Central Kootenay Board Meetings;
- Chernoff Funeral Service;
- City Centre Motel Tour; and,
- Creston Valley Chamber of Commerce Executive Lunch meeting.

134-19 Moved by Councillor Unruh, seconded by Councillor DeBoon  
THAT the verbal reports of Council be accepted as presented.

MOTION CARRIED

#### **QUESTION PERIOD**

There were no questions from members of the gallery.

*Council recessed at 4:51 p.m.*

#### **RESOLUTIONS FROM CLOSED MEETINGS**

135-19 Moved by Councillor Elford, seconded by Councillor Wilson  
THAT Resolution Numbers 45-19, 46-19, 54-19 and 56-19 from the March 26<sup>th</sup> and April 9<sup>th</sup>, 2019 Closed Council Meetings, be reported at the April 23<sup>rd</sup>, 2019 Regular Council Meeting as follows:

THAT Councillors Karen Unruh, Ellen Tzakis and Arnold DeBoon be appointed to review and make recommendations to Council on the eighteen (18) 2019 Council Bursary applications.

THAT the update regarding the current Regional Fire Service Contract negotiations be received as information.

THAT the April 9<sup>th</sup>, 2019 Insurance Claims Status update be received as information.

THAT Council hereby enters into the Employment Agreement with Michael Moore, for the position of Chief Administrative Officer for the Town of Creston.

MOTION CARRIED

#### **ADJOURNMENT**

136-19 Moved by Councillor Elford  
THAT the meeting adjourn at 5:01 p.m.

MOTION CARRIED

**CERTIFIED CORRECT:**

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Mayor Ron Toyota

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Stacey Hadley, Corporate Officer



## **National Public Works Week**

**May 19 – 25, 2019**

**“It Starts Here”**

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Creston, British Columbia and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the Creston Valley to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2019 marks the 59<sup>th</sup> annual National Public Works Week sponsored by the Canadian and American Public Works Association’s be it now,

RESOLVED, I, Mayor Ron Toyota on behalf of the Town of Creston in the Province of British Columbia, do hereby proclaim the week of May 19<sup>th</sup> – 25<sup>th</sup>, 2019 as National Public Works Week; I encourage all citizens to show appreciation to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our communities health, safety, and quality of life.

Signed this        day of May, 2019.

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Mayor Ron Toyota,  
Town of Creston

# Town of Creston

## Bylaw No. 1878

A bylaw for the purpose of regulating smoking and vaping, in certain areas within the municipality.

WHEREAS the Council of the Town of Creston considers it desirable to protect the health and safety of all citizens and visitors in the Town of Creston by prohibiting smoking (et al) in specific outdoor places;

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

### Part 1 Citation

1.1 This bylaw may be cited as “Clean Air Bylaw No. 1878, 2019”.

### Part 2 Severability

2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

### Part 3 Interpretation

#### 3.1 Definitions

In this Bylaw:

“**Building**” means a roofed structure with solid exterior walls which is permanently affixed to a site and which is used or intended as shelter for the accommodation of persons, animals or chattels.

“**Bus stop**” means a place on a bus route marked by a sign at which buses stop to pick up and drop off passengers and includes a Transit Shelter.

“**Bylaw Notice Enforcement Bylaw**” means the Town’s current Bylaw Notice Enforcement Bylaw including all amendments and replacements thereto.

“**Bylaw Enforcement Officer**” means any of the following:

- a. Fire Chief of the Town of Creston;
- b. Assistant Fire Chief of the Town of Creston;
- c. Public Safety and Compliance Officer of the Town of Creston;
- d. RCMP Officers; or,
- e. their duly appointed designate.

“**Cannabis**” is as defined in the Cannabis Act (Canada) and includes any Cannabis Product.

“**Cannabis Product**” is as defined in the Cannabis Regulations (Canada) as amended from time to time.



**“Community facility”** means a building or lands including but not limited to recreation centers (Creston & District Community Complex), arenas, picnic shelters and other recreation facilities located in a Park or on any other land which the Town or other public entity owns or controls by means of a lease, licence or other legal instrument that is intended for athletic, social, cultural or recreational use by members or visitors to the community.

**“Outdoor special event”** means a pre-planned or spontaneous community event including but not limited to a temporary street closure, farmers’ market, parade, fair and recreational and/or fundraising events.

**“Park”** means all parks, playing fields, trails, and playgrounds in the Town of Creston.

**“Public Building”** means a building or structure on land owned or operated by the Town or other public entity.

**“Public Safety Compliance Officer”** means the person appointed from time to time by Council as the Public Safety Compliance Officer for the Town of Creston.

**“Public Greenspace”** means a park-like property which the Town or other public entity owns or controls by means of a lease, licence or other legal instrument that is intended for athletic, social, cultural or recreational use by members or visitors to the community.

**“Responsible person”** means the person who controls, governs or directs the activity carried on within the building, place or premises referred to in this Bylaw and includes the person actually in charge thereof.

**“Smoke or smoking”** means to inhale, exhale, burn or carry a lighted or activated cigarette, cigar, pipe, hookah pipe, electronic cigarette or other smoking equipment that burns or vaporizes tobacco, cannabis, or any other substance.

**“Retaining wall”** means a freestanding structure designed and constructed to resist the lateral pressure of soil.

**“Structure”** means any construction, fixed to, supported by or sunk into land or water other than a fence or hedge or retaining wall.

**“Town”** and **“Town of Creston”** means The Corporation of the Town of Creston.

## **Part 4 Prohibition and Offences**

### **4.1 Prohibitions**

No person shall smoke:

- .1 In, or within 6 metres of, a park, public greenspace, or cemetery, unless within a specifically designated area;
- .2 on Creston & District Community Complex property, unless within a specifically designated area;

- .3 within 6 metres of public school property;
- .4 within 6 metres of a door, window, or air intake of a public building;
- .5 within 6 metres of a bus stop, train station or stop, taxi stand, or similar place marked for passenger loading or unloading; or,
- .6 during an outdoor special event.

#### **4.2 Exceptions to Prohibitions Specified in Section 4.1**

This bylaw does not apply to a ceremonial use of tobacco in relation to a traditional Indigenous cultural activity.

#### **4.3 Offences**

- .1 No person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out their duties as prescribed in this bylaw. The Bylaw Enforcement Officer is authorized and empowered to inspect, compel and require that all the regulations and provisions in this bylaw are carried out.
- .2 Every person who contravenes any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfil, observe, carry out, or perform a duty or obligation imposed by this bylaw, shall be deemed to have committed an offence against this Bylaw and:
  - i. Shall be liable to a penalty set out in “Bylaw Notice Enforcement Bylaw No. 1760, 2011” as amended from time to time; or,
  - ii. Shall be liable, upon summary conviction, to the penalties provided under the “Offence Act” and amendments thereto or any other penalty or order imposed or remedies available to the Town under the Community Charter (BC); or,
  - iii. Both 4.3.2(i) and 4.3.2(ii).

### **Part 5 Administration and Enforcement**

- 5.1 Bylaw Enforcement Officers of the Town of Creston are responsible for the enforcement and administration of this Bylaw.
- 5.2 The intent of this Bylaw is to set standards of general public interest, and not to impose a duty on the Town of Creston or its employees to enforce its provisions and:
  - i. A failure to administer or enforce its provisions or the incomplete or inadequate administration or enforcement of its provisions is not to give rise to a cause of action in favour of any person; and,
  - ii. The grant of any approval or permission or issuance of any permit is not a representation, warranty or statement of compliance with the Bylaw and the issuance thereof in error is not to give rise to a cause of action.

## **Part 6 Effective Date**

6.1 This bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME by title and SECOND TIME by content this 26<sup>th</sup> day of March, 2019.

READ A THIRD TIME by title this 9<sup>th</sup> day of April, 2019.

DEPOSITED WITH MINISTER OF HEALTH on April 29<sup>th</sup>, 2019.

ADOPTED this     day of                     , 20   .

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Mayor Ron Toyota

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Stacey Hadley, Corporate Officer

# Town of Creston

## Bylaw No. 1880

A bylaw to amend the Bylaw Notice Enforcement Bylaw No. 1760.

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WHEREAS it is deemed necessary and in the public interest to amend the "Bylaw Notice Enforcement Bylaw No. 1760, 2015";

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

### Part 1 Citation

1.1 This Bylaw may be cited as "Bylaw Notice Enforcement Amendment Bylaw No. 1880, 2019".

### Part 2 Severability

2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

### Part 3 Amendments

3.1 "Schedule A – Designated Bylaw Contraventions and Penalties" in the Bylaw Notice Enforcement Bylaw No. 1760, 2015, is hereby amended by the addition of the following section:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is shown as "Yes")
<b>Clean Air Bylaw No. 1878, 2019</b>						
1878	4.1	Smoking in a prohibited place	\$100.00	\$75.00	\$125.00	No

READ A FIRST TIME by title and SECOND TIME by content this 26<sup>th</sup> day of March, 2019.

READ A THIRD TIME by title this 9<sup>th</sup> day of April, 2019.

ADOPTED this \_\_<sup>th</sup> day of \_\_\_\_, 20\_\_.

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Mayor Ron Toyota

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Stacey Hadley, Corporate Officer

# Town of Creston

## Bylaw No. 1883

A bylaw for the levying of tax rates for Municipal, Hospital, Improvement District and Regional District purposes, for the year 2019.

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WHEREAS Section 197 of the *Community Charter* requires that Council adopt a bylaw to establish tax rates on all taxable land and improvements according to their assessed value;

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

### Part 1 Citation

1.1 This bylaw may be cited as "Tax Rates Bylaw No. 1883, 2019".

### Part 2 Severability

2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

### Part 3 Rates

3.1 The following rates are hereby imposed and levied for the year 2019:

- (a) For all lawful general and debt purposes of the municipality on the value of land and improvements taxable for general municipal purposes, rates appearing in Column "A" and Column "B" of the Schedule attached hereto and forming a part hereof.
- (b) For hospital purposes on the value of land and improvements taxable for regional hospital district purposes (East Kootenay), rates appearing in Column "C" of the Schedule attached hereto and forming a part hereof.
- (c) For hospital purposes on the value of land and improvements taxable for regional hospital district purposes (Central Kootenay), rates appearing in Column "D" of the Schedule attached hereto and forming a part hereof.
- (d) For purposes of the Regional District of Central Kootenay, on the value of land and improvements taxable for regional district purposes, rates appearing in Column "E" of the Schedule attached hereto and forming a part hereof.

### Part 4 Effective Date

4.1 This bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME by title and SECOND TIME by content this 23<sup>rd</sup> day of April, 2019.

READ A THIRD TIME by title this 23<sup>rd</sup> day of April, 2019.

ADOPTED this     day of             , 2019.

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Mayor Ron Toyota

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Stacey Hadley, Corporate Officer

**PROPERTY TAX RATES FOR THE TOWN OF CRESTON**

**SCHEDULE "A" TO BYLAW NO. 1883, 2019**

	A	B	C	D	E
PROPERTY CLASS	Dollars of Tax per \$1000 Taxable Value MUNICIPAL (GENERAL)	Dollars of Tax per \$1000 Taxable Value MUNICIPAL (RCMP)	Dollars of Tax per \$1000 Taxable Value REGIONAL HOSPITAL DISTRICT (EK)	Dollars of Tax per \$1000 Taxable Value REGIONAL HOSPITAL DISTRICT (CK)	Dollars of Tax per \$1000 Taxable Value REGIONAL DISTRICT CENTRAL KOOTENAY
RESIDENTIAL	4.42651	1.20246	0.14602	0.00000	2.92275
UTILITIES	31.45522	8.54478	0.51107	0.00000	10.22962
LT INDUSTRIAL	13.27952	3.60737	0.49647	0.00000	9.93734
BUSINESS	8.45463	2.29669	0.35775	0.00000	7.16073
RECREATION NON-PROFIT	4.42651	1.20246	0.14602	0.00000	2.92275
FARM	4.86916	1.32270	0.14602	0.00000	2.92275