

Minutes  
Regular Meeting of Council  
Village of Lumby  
Village Office, Council Chambers  
Monday, February 4, 2008

Acting Mayor Leroux called the meeting to order at 6:30 p.m.

Members Present: Mayor Eric Foster  
Councillor Deb Leroux  
Councillor Matt McLenehan  
Councillor Elinor Turrill (excused herself from the meeting at  
8:38 p.m.)  
Councillor Ben Winters

Staff: Ken Klassen, Director of Finance/Approving Officer  
Rob Smailes, Development Services Manager NORD  
Frank Kosa, Administrator

Gallery: There was no one present in the gallery

**08/024** Moved by Councillor Turrill, seconded by Councillor Winters that the agenda be adopted.

**CARRIED**

**08/025** Moved by Councillor Leroux, seconded by Councillor McLenehan that the Minutes of the January 21, 2008 Regular Meeting of Council be adopted.

**CARRIED**

**Delegations:**

Rob Smailes, Development Services Manager, for the Regional District of North Okanagan presented Council with an overview of the Draft Terms of Reference for the Regional Growth Strategy. The growth strategy is to look at the trends and growth patterns that are emerging within the urban and rural communities within the region, and explore various aspects of urban containment, preservation of agricultural lands, transportation, water issues and affordable housing. The study is anticipated to be completed within five years, and it will seek public consultation throughout the process. Mr. Smailes stated he is meeting with all municipalities within the region,

and upon the input received, adjust the terms of reference and present the terms of reference to the Regional Committee for endorsement, to the Board of Directors and then proceed to call for proposals. The end result being a strategy to direct growth within the Regional District, over the proceeding twenty years.

Mayor Foster thanked Mr. Smailes for his overview of the growth strategy.

- 08/026** Moved by Councillor Leroux, seconded by Councillor Winters that the Village of Lumby is prepared to participate in the North Okanagan Regional Economic Development Service Establishment function at the 2007 financial level.

**CARRIED**

- 08/027** Moved by Councillor Leroux, seconded by Councillor Turrill that pursuant to the provisions of Section 801.4 of the Local Government Act, the Council of the Corporation of the Village of Lumby does hereby consent, on behalf of the electors of the Village of Lumby, to the Board of the Regional District of North Okanagan adopting the following Bylaw: "Okanagan Film Commission Grant Service Establishment Amendment Bylaw No. 2302,2008" to amend the Okanagan Film Commission Grant Service Establishment Bylaw No. 2151, 2006, by removing the limitation as a grant service only to allow for meeting and travel pay for a representative.

**CARRIED**

- 08/028** Moved by Councillor McLenehan, seconded by Councillor Winters that pursuant to the provisions of Section 801.4 of the Local Government Act, the Council of the Corporation of the Village of Lumby does hereby consent, on behalf of the electors of the Village of Lumby, to the Board of the Regional District of North Okanagan adopting the following Bylaw: "Starling Control Program Grant Service Establishment Bylaw No. 2299,2008" to establish a local area grant service for a Starling Control Program in the Regional District of North Okanagan.

**CARRIED**

- 08/029** Moved by Councillor Leroux, seconded by Councillor Winters that pursuant to the provisions of Section 801.4 of the Local Government Act, the Council of

the Corporation of the Village of Lumby does hereby consent, on behalf of the electors of the Village of Lumby, to the Board of the Regional District of North Okanagan adopting the following Bylaw: "Regional District of North Okanagan Sterile Insect Release Program Service Establishment Amendment Bylaw No 2298, 2008" to amend the Sterile Insect Release Extended Service Establishment Bylaw No. 834,1989 be deleting the City of Enderby, Village of Lumby, and Electoral Areas, D, E and F as participants.

**CARRIED**

**08/030** Moved by Councillor Leroux, seconded by Councillor Winters that pursuant to the provisions of Section 801.4 of the Local Government Act, the Council of the Corporation of the Village of Lumby does hereby consent, on behalf of the electors of the Village of Lumby, to the Board of the Regional District of North Okanagan adopting the following Bylaw: "North Okanagan Regional Transit Service Establishment Amendment Bylaw No. 2296,2008", to amend North Okanagan Regional Transit Service Establishment Bylaw No. 1661,2000 by including the City of Enderby, Village of Lumby and Electoral Area F within the service area/participating area and by reapportioning the net annual cost of the service.

**CARRIED**

**08/031** Moved by Councillor Turrill, seconded by Councillor McLenehan that the tender for the purchase of a one ton truck be awarded to Watkin Motors, that being a 2008 Ford F450 with an automatic transmission and gas engine for the price of \$36,938.37.

**CARRIED**

**08/032** Moved by Councillor Leroux, seconded by Councillor McLenehan that administration be directed to call for proposals for a Water Meter and Cross Connection Control Program.

**CARRIED**

**08/033** Moved by Councillor Winters, seconded by Councillor Turrill that Councillor Leroux attend the Gaining Ground Sustainable Urban Development Summit in Victoria May 22<sup>nd</sup> to 24<sup>th</sup>, 2008, with the Village covering the cost of registration and per diem rates.

**CARRIED**

**08/034** Moved by Councillor Leroux, seconded by Councillor Turrill that By-law 679-2008, being the amending by-law to the Village of Lumby Burning By-law 635-2005, be amended as to section 5, by including after the word, " acre", for the purpose of fire fuel management.

**CARRIED**

**08/035** Moved by Councillor Leroux, seconded by Councillor Turrill that By-law 679-2008, being the amending by-law to the Village of Lumby Burning By-law 635-2005, be further amending by adding to Section 4.4 (a) That wood waste and slash from land development clearing within the Village of Lumby shall only be burnt with a Air Curtain Burner system.

**CARRIED**

**08/036** Moved by Councillor Leroux, seconded by Councillor Turrill, that By-law 679-2008 be given first and second reading as amended, being a bylaw to amend the Village of Lumby Burning Bylaw 535-2005.

**CARRIED**

**08/037** Moved by Councillor McLenehan, seconded by Councillor Leroux, that the Village advertise in the Community Safety Net for the amount of \$75.

**CARRIED**

**08/038** Moved by Councillor Turrill, seconded by Councillor Winters that the correspondence items be noted and filed.

**CARRIED**

**08/039** Moved by Councillor Leroux, seconded by Councillor Turrill that the information items be noted and filed.

**CARRIED**

**08/040** Moved by Councillor Leroux, seconded by Councillor Winters that the accounts for a the period of January 18th to 31<sup>st</sup> be approved in the amount of \$101,621.07

**CARRIED**

**Council Reports:**

Councillor Leroux informed the Council that the 2008 SIGLA Conference being held in Vernon is well on its way to being organized and that the registration forms will be available on-line through the UBCM website.

Mayor Foster spoke of the importance of the Growth Strategy for the Regional District, and suggested that should Council have any concerns, that they contact Rob Smailes for a more detailed explanation, secondly, that the Regional District is commencing its 2008 budget review and that an update will be brought forward to Council.

**08/041** Moved by Councillor Leroux, seconded by Council Winters that Council enter into camera to discuss issues under section 90(i) of the Community Charter.

**CARRIED**

**08/042** Moved by Councillor Leroux, seconded by Councillor McLenehan that Council revert to an open meeting.

**CARRIED**

**08/043** Moved by Councillor Leroux, seconded by Councillor Winters that covenant registered on Lot 2, Plan KAP58504, and on Lots 1 to 17, Plan KAP83151, dated as of December, 1996, as KL008540 be removed, and that the Covenant registered on Lot 2, Plan KAP58504, December, 2006 as No LB016617 not be removed, and that the developer, when registering the building scheme, shall have the building scheme comply with the covenant for all development and construction of dwelling units and accessory buildings.

Secondly, that the Covenant dated December, 2006, as No, LB016617, on Lots 1 to 17, Plan KAP83151 be modified as to clause 2.1(a), "roofing, siding and exterior building projections such as decks, shall be constructed of non-combustible or fire retardant building materials", to permit the use of vinyl siding and as these properties are not within the Wildfire Zone, and based on the supplementary report prepared by TRP Forestry Consultants Inc, dated January 21, 2008, with the exception of Lot 1, Plan KAP83151 which is within the 150 metre Wildfire Zone, and further that the modifications to the covenant registered as LB016617, be reviewed and approved by the Village's solicitor prior to the developer's solicitor contacting the owners of the properties to agree to the

modifications, and further that all costs associated with the legal review and modification of the covenant shall be at the expense of the developer.

**CARRIED**

**08/044** Moved by Councillor Winters that the meeting be adjourned.

**CARRIED**

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Mayor Eric Foster

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Clerk