

Minutes
Regular Meeting of Council
Village of Lumby
Village Office, Council Chambers
Tuesday, April 6, 2010

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

Members Present: Mayor Kevin Acton
 Councillor Janet Green
 Councillor Lori Mindnich
 Councillor Tracy Williamson
 Councillor Ben Winters

Staff: Ken Klassen, Director of Finance
 Roger Huston, Public Works Superintendent
 Frank Kosa, Administrator

Gallery: There was one person present in the gallery

10/078 Moved by Councillor Mindnich, seconded by Councillor Winters that the agenda be adopted, with the following addition business item 6(f), being an amendment to the Development Permit for Senior Housing project, additional information to business item 6(d), being a letter of concern Station Place, relating to the Royal Canadian Legion's application for a patio, and an administrative report relating to the 2010 Scholarship application review for Charles Bloom School.

CARRIED

10/079 Moved by Councillor Green, seconded by Councillor Williamson that the minutes of the March 15, 2010 Regular Meeting of Council be adopted

CARRIED

Delegations:

Cory Rudsvick, representing the Lumby and District Firefighters Association made a presentation to Council relating to the liability insurance that the Association requires at part of their community fund raising programs. The Association's position is that their activities are for the benefit of the community, and that the Village should consider covering their activities under the Village's Liability as a volunteer committee of Council.

Mayor Acton acknowledged their request and stated that the issue of liability insurance is a concern of all local societies and groups. Mayor Acton informed Mr. Rudsvick that the Village would explore what options are available to determine if the Lumby and District Firefighters Association could be considered a volunteer committee of the Village.

Warren Smith the Community Policing representative reviewed with Council the activities and programs being presented to the community. A program on Elder Abuse was presented to the seniors at Saddle Mountain Place, and further programs will be presented to the Monashee 50 Plus Club. The other programs being offered are at the schools relating to bullying, known as the WITS Program. He is also working with the White Valley Community Resource Centre as to future youth programs, community restorative justice program. He is further reviewing the Block Watch program and the Latch Key Kids program. A copy of the written report was filed with Council.

Mayor Acton thanked Mr. Smith for the detailed report.

10/080 Moved by Councillor Williamson, seconded by Councillor Mindnich that Administration explore what options are available through the Village's insurer to obtain liability coverage for the Lumby and District Firefighters Association.

CARRIED

10/081 Moved by Councillor Green, seconded by Councillor Williamson that The Village of Lumby presently supports the initiative of the Lumby Public Market through the White Valley Parks, Recreation and Culture Committee, which has granted the use of the Oval Park at a nominal fee for a period of five years.

CARRIED

10/082 Moved by Councillor Mindnich, seconded by Councillor Green that The Village approve the grant to the Lumby Days Society as set in the 2010 budget at \$2,000.

CARRIED

Councillor Mindnich declared a conflict of interest and vacated the Council Chambers at 7:15 p.m.

10/083 Moved by Councillor Williamson, seconded by Councillor Green that proposal by the Royal Canadian Legion Lumby Branch 167 for the development of a patio not be supported based on the response of adjacent business interests as to lack of parking available on the Legion property, and the negative impact it will have on their operation and future expansion plans.

CARRIED

Councillor Mindnich returned to the Council Chambers at 7:30 p.m.

10/084 Moved by Councillor Williamson, seconded by Councillor Mindnich that the Village adopt a risk management policies and authorizes administration to update the operational procedures on an annual review, and should the approved policies require amendments, they be presented to Council for consideration.

CARRIED

10/085 Moved by Councillor Williamson, seconded by Councillor Mindnich that the Development Permit is issued in accordance with the provisions of Sections 920 and 924 to 928 of the Local Government Act and subject to compliance with all of the Bylaws of the Village of Lumby applicable thereto, except as specifically varied by this Permit.

1. This Development Permit applies to and only to those lands within the Village of Lumby described below, and any and all buildings, structures, and other development thereon:

Legal Description: Lot A, District Lot 164, Osoyoos Division Yale District,
Plan 30783

P.I.D.: 003-850-838

AND

Legal Description: Lot 3, District Lot 164, Osoyoos Division Yale District,
Plan 25135

P.I.D.: 005-613-418

3. The Village of Lumby Zoning Bylaw No. 395, 1986 is hereby supplemented or varied as follows:

n/a

4. Requirements, conditions or standards applicable to Section 920 of the Local Government Act:

- a) the dimensions and siting of the buildings, parking, driveway and sidewalk areas to be constructed on the land be in general accordance with attached Schedule 'A'. Parking stalls and driveways must comply with the size and access requirements of the Village of Lumby Zoning Bylaw;
- b) the exterior design and finish of the buildings to be constructed on the land be in general accordance with attached Schedule 'B';
- c) the property is to be landscaped with grass, trees, shrubs and other plant materials which screen parking areas, define building edges, provide shade and allow for safe and convenient recreational use by all the building occupants;
- d) all construction must meet the flood construction elevation of 492.9 and 493 metres GSC Datum as shown on attached Schedule 'C' and must conform to the Floodplain Management Provisions outlined in the Village of Lumby Zoning Bylaw;

- e) a covenant must be registered on the title of the subject properties restricting the use of five (5) of the proposed ten (10) parking stalls for the occupants of the forty (40) senior citizen dwelling units located on the property legally described as Lot 3, District Lot 164, ODYD, Plan 25135;
 - f) a covenant must be registered on the title of the subject properties that indemnifies the Village of Lumby and the Regional District of North Okanagan from any losses or damages caused by flooding.
5. As a condition of the issuance of this Permit, the Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Village of Lumby may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:
- a. a Bearer Bond in the amount of \$ N/A; or
 - b. a Performance Bond in a form acceptable to the Village of Lumby in the amount of \$ N/A; or
 - c. an Irrevocable Letter of Credit in the amount of \$ N/A;
or
 - d. a certified cheque in the amount of \$ N/A.
6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.
7. If the Permittee does not commence the development permitted by this Permit within two (2) years of the date of issuance of this Permit, this Permit shall lapse.
8. This Permit is not a Building Permit.

CARRIED

10/086 Moved by Councillor Winters, seconded by Councillor Mindnich that By-law 709-2010, being a bylaw to amend the Water Services By-law 700-2009, as to Section 31, Sprinkling Regulation, be given three readings.

CARRIED

10/087 Moved by Councillor Williamson, seconded by Councillor Winters that the correspondence be noted and filed.

CARRIED

10/088 Moved by Councillor Mindnich, seconded by Councillor Winters that the information items be noted and filed.

CARRIED

10/089 Moved by Councillor Green, seconded by Councillor Williamson that the accounts payable listing be accepted for information, for the period of February 26th to March 30, 2010 in the amount of \$98,879.87

COUNCIL REPORTS:

Councillor Winters inquired if the lands being Lot A and B, Plan 30783 would be available for the use of the Lumby Days Society to accommodate the lawnmower races. It was noted that with the pending construction of the seniors housing on a portion of the lands there may be some safety matters to consider. Council inquired what would be the latest timeline for the Society to have an approval for the use of the site. Councillor Winters will report back at the next meeting.

Councillor Mindnich informed Council that the Okanagan Library Board is in the process of interviewing consultants for the Strategic Plan, and that four consultants have been selected for the interviews. The Board is also reviewing the policies of the Board.

Councillor Green informed Council that she attended the Chamber's economic meeting and four persons were present.

Mayor Acton informed Council that he will be attending the Regional Meeting on Wednesday.

Administration presented the By-law Officer's report for the month of February.

Administration presented to Council an overview of a Liquid Waste Management Plan for the Village. The purpose of the plan is to explore long-term solutions for the management of sanitary and storm water created within the Village. There are new regulations being developed as to the quality of grey water entering water courses and dry land applications. The process contains three stages, firstly the review of the existing facility, which defines problems and identifies solutions, the second stage is the developing and evaluating the various solutions and to select a preferred solution, and the final stage is the adoption of the plan. The entire process has a large public participation element, and does involve various Provincial and Federal government agencies. The entire process may take up to three years to complete. The estimated cost could range from \$150,000 to \$200,000 based on other communities that have completed the process. The adoption of the plan has beneficial applications to the Village in relation to future treatment plant upgrades and government funding for such upgrades.

Administration suggested that the engineers be invited to attend a Council meeting to offer greater detail of the program. Council was in agreement that a presentation be made as a study of this nature will certainly have financial implications for future budgets.

10/090 Moved by Councillor Green, seconded by Councillor Williamson that Council enter into an in-camera meeting, under section 90(g) of the Community Charter.

CARRIED

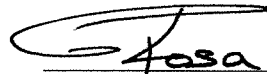
10/091 Moved by Councillor Mindnich, seconded by Councillor Winters that Council revert to an open meeting.

CARRIED

10/092 Moved by Councillor Williamson that the meeting be adjourned.

CARRIED

Mayor Acton



Clerk