

**REGULAR MEETING AGENDA**  
**Tuesday, October 11th, 2005**  
**6:30 p.m.**

**CALL TO ORDER AT 6:30 P.M.**

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

***RECONVENE TO REGULAR MEETING AT 7:00 P.M.***

**ADOPTION OF AGENDA**

**MINISTERIAL INVOCATION**

Pastor Gordon Lawrence, New Life Christian Church

**ADOPTION OF MINUTES:**

- a) Regular Council Meeting held September 19th, 2005 ***(bring your copy)***
- b) Committee Meeting held October 3rd, 2005 ***(TO BE RECEIVED - bring your copy)***.

**INTRODUCTION OF LATE ITEMS:**

**CORRESPONDENCE FOR INFORMATION:**

- 1. Ltr #1283 from the Director of Corporate Administration, listing Correspondence for Information, News Releases, Proclamations, Publications and Workshops and Seminars ***(See Binder for copies)***.

**FINANCE WARRANTS:**

- 2. Finance Warrant No. 38 in the total amount of \$168,486.36 (Ltr #1197)  
Finance Warrant No. 39 in the total amount of \$58,721.01 (Ltr #1229)  
Finance Warrant No. 40 in the total amount of \$185,023.60 (Ltr #1280)

**COUNCIL COMMITTEE:**

- c) Committee Recommendations No. 1 To 3 - October 3rd, 2005, for adoption.

**RECOMMENDATION NO. 1:**

THAT Ltr #1181 from the Village of Nakusp, regarding support for their resolution with respect to the Nakusp Boat Ramp issue, be received; THAT the Mayor write Land and Water British Columbia Inc., in support of the Village of Nakusp and Regional District of Central Kootenay's request that the Water Comptroller and BC Hydro re-evaluate the decision on the eligibility of the Nakusp boat ramp within the Columbia River Water Use Plan, and for BC Hydro to acknowledge its obligations and responsibilities with respect to same; AND FURTHER, THAT copies of the letter of support be forwarded to the Association of Kootenay Boundary Local Governments, Columbia Basin Trust, Regional District of Central Kootenay, Minister of Energy, Mines and Petroleum Resources and respective MLA's in the Columbia Region.

**RECOMMENDATION NO. 2:**

THAT Ltr #1193 from Shelli Morris, regarding a delegation request for the October 11th, 2005 Regular Council Meeting, to appeal the additional parking requirement for the Snoring Sasquatch Hostel, be received; AND FURTHER, THAT Administration advise Ms. Shelli Morris that Council declines her delegation request, as the Zoning Bylaw dictates the required number of parking spaces for any intended use.

**RECOMMENDATION NO. 3:**

THAT Ltr #1223 from the Chief Administrative Officer, regarding Council participation in the CMHC Sustainable Planning Workshop in Creston, be received; AND FURTHER, THAT Council members and senior staff are encouraged and authorized to attend the CMHC Sustainable Planning Workshop at the Rotacrest Hall in Creston on October 6th, 2005

4. Ltr #1256 from BC Hydro, regarding a follow up to their 2005 Integrated Electricity Plan Regional Engagement.
7. Ltr #1269 from the City of Cranbrook, regarding an invitation to attend a Gala Dinner on November 1, 2005, in honour of the City's 100th Anniversary.
8. Ltr #1276 from the Regional District of East Kootenay, regarding a Memorandum of Understanding on the issue of Communication, between the Ktunaxa Nation and Local Governments.
10. Ltr #1279 from the Union of BC Municipalities, regarding the release of additional Tourism Funding.

**GENERAL GOV'T & FINANCE: - Clr Folkman**

- d) Committee Recommendations No. 4 To 8 - October 3rd, 2005, for adoption.

**RECOMMENDATION NO. 4:**

THAT Ltr #1202 from the Director of Municipal Services, regarding the tender for the Creston Airport Runway Repaving project, be received; THAT the tender submitted by Selkirk Paving in the amount of \$654,323.19 for the Creston Airport Runway Repaving Project, be rejected; AND FURTHER, THAT Administration is authorized to re-tender the Creston Airport Runway Repaving Project.

**RECOMMENDATION NO. 5:**

THAT Ltr #1258 from the Director of Municipal Services, regarding the Intermediate Zone Reservoir Tender Proposal, be received; THAT Administration is authorized to immediately issue an Intent to Award the Intermediate Zone Reservoir Contract No. 65.69.1, for the construction of a 4.5 ML reservoir (Option A), to Mutual Construction (2000) Ltd. in the amount of \$2,009,315.55, subject to reasonable costs being negotiated for the additional work required with respect to isolating the high zone submersible pumps from the proposed reservoir; THAT Administration is authorized to amend the 2005 Budget by increasing the Water Budget by \$174,000, with funds to be transferred from the Water Surplus, to accommodate the increased costs of the project; AND FURTHER, THAT Council ratify the foregoing at the October 11th, 2005 Regular Council Meeting.

**RECOMMENDATION NO. 6:**

THAT Ltr #1206 from the Columbia Basin Trust, regarding public meetings with respect to the Option Agreement issue which allows Columbia Basin Trust to purchase the Columbia Power Corporation; be received and filed for information.

**RECOMMENDATION NO. 7:**

THAT Ltr #1232 from Rocky Mountain Visitors Magazine, regarding advertising in the Rocky Mountain Travel Magazine, be received; AND FURTHER, THAT Administration forward a copy of Ltr #1232 to the Creston Valley Development Authority for consideration.

**RECOMMENDATION NO. 8:**

THAT Ltr #1243 from the Creston New Horizons Seniors Society, regarding the return of Columbia Basin Trust funds, be received; AND FURTHER, THAT a copy of Ltr #1243, and the returned cheque from the Creston New Horizons Seniors Society, be forwarded to the Regional District of Central Kootenay.

**LAND USE COMMITTEE: - Clr Mueller**

- e) Committee Recommendations No. 9 To 10 - October 3rd, 2005, for adoption.

**RECOMMENDATION NO. 9:**

THAT Ltr #1212 from James R. Wigen, being a rezoning application for 1913, 1917, 1921, 1925 & 1929 Canyon Street, be received; THAT Administration prepare the necessary Official Community Plan and Zoning Bylaw amendments to designate and rezone the existing property legally described as Lots 9-13, Block 2, District Lot 891, Kootenay District, Plan 2201, **(1913, 1917, 1921, 1925 & 1929 Canyon Street)**, from "C-1 General Commercial" to "R-4 Apartment Residential", subject to all legal requirements, to enable the development of Strata Condominiums; THAT Council consider two readings of Official Community Plan Amendment Bylaw 1631 and Zoning Amendment Bylaw 1632 at the October 11, 2005 Regular Meeting; AND FURTHER THAT a Public Hearing for Bylaws 1631 and 1632 will be held on Monday, October 24<sup>th</sup> at 7:00 p.m. in Council Chambers at 238 - 10<sup>th</sup> Avenue, North.

**RECOMMENDATION NO. 10:**

THAT Ltr #1216 from the Federation of Canadian Municipalities, regarding a new funding opportunity for Brownfield Remediation, be referred to the Chief Administrative Officer for review and recommendation.

13. Development Variance Permit DVP-9/05, Hearing.

- a) The Town of Creston has received an application from the Creston & District Historical & Museum Society, for a Development Variance Permit to vary the provisions of Section 6.11(b) of Sign Development and Regulations Bylaw 1581, by increasing the number of Free Standing Signs from three to five, for the display of seasonal banners between May and September annually, for the property legally described as Lot 2, District Lot 524, Kootenay District, Plan 4720, (219 Devon Street).
- b) 12 notices were mailed on Thursday, September 29, 2005.
- c) \_\_\_\_\_ written or verbal submissions were received by staff at Town Hall.
- d) Are there any comments from the public?
- e) Approve or deny variance.

## DRAFT RESOLUTION:

Moved by \_\_\_\_\_, Seconded by \_\_\_\_\_

THAT further to the Hearing held on October 11, 2005, Council authorizes issuance of Development Variance Permit DVP-9/05 to the Creston & District Historical & Museum Society, to vary the provisions of Section 6.11(b) of Sign Development and Regulations Bylaw 1581, by increasing the number of Free Standing Signs from three to five, for the display of seasonal banners between May and September annually, for the property legally described as Lot 2, District Lot 524, Kootenay District, Plan 4720, (219 Devon Street), AND FURTHER, THAT Administration is directed to process the said Permit.

**PARKS, YOUTH & CULTURE: - Clr Lavender**

- f) Committee Recommendations No. 11 To 13 - October 3rd, 2005, for adoption.

**RECOMMENDATION NO. 11:**

THAT Ltr #1190 from the BC Achievement Foundation, regarding nominations for Community Achievement Awards, be received; AND FURTHER, THAT Administration advertise for nominations for Community Achievement Awards in the local newspaper.

**RECOMMENDATION NO. 12:**

THAT Ltr #1230 from the Canada World Youth - Youth Volunteer Coalition, regarding support of a petition to the Senate and House of Commons, to enact legislation to allow youth to serve in communities as volunteers at the National or International levels, be received; AND FURTHER, THAT the Mayor write the House of Commons and the Senate, encouraging the enactment of legislation, or to take other measures, to allow all young Canadians who wish to do so to serve in communities as volunteers at the National and International levels.

**RECOMMENDATION NO. 13:**

THAT Ltr #1237, being minutes of the September 14th, 2005 Community Pride Meeting, be received; AND FURTHER, THAT Town crews install a garbage container and lighting in the rest area located at 1411 Canyon Street, for health and security purposes.

15. Ltr #1266 from Early Childhood Services for School District No. 8 (Kootenay Lake), regarding an application to the Union of BC Municipalities, for financial assistance with respect to Pilot Projects (Parts 1 and 2), Expressions of Interest Proposals for developing intergenerational activity spaces in Creston's Centennial Park.

**PROTECTION & POLICING: - Clr Vondracek**

- g) Committee Recommendations No. To 14 -16 October 3rd, 2005, for adoption.

**RECOMMENDATION NO. 14:**

THAT Ltr #1178 from the Minister of Labour and Citizens' Services, regarding an intent to introduce legislation to change the Workers' Compensation Act, to list certain cancers as occupational diseases associated with long-term employment as a firefighter, be received and filed for information.

**RECOMMENDATION NO. 15:**

THAT Ltr #1204 from the Bylaw Enforcement Officer, regarding the proposed handicapped parking location on 11th Avenue North, near the Royal Canadian Legion building, be received; AND FURTHER, THAT Administration forward a copy of Ltr #1204 from the Bylaw Enforcement Officer to the Royal Canadian Legion, Branch No. 29 for information.

**RECOMMENDATION NO. 16:**

THAT Ltr #625 from Cpl. Rob Knapton, and memo dated July 28, 2005 from the Director of Corporate Administration, regarding the implementation of bylaws and procedures to deal with Grow-Operations within the Town of Creston, with respect to health and safety issues, be received; THAT whereas Council wishes to be pro-active in reducing the health and safety risk to residents of the Town of Creston, with respect to dwellings that may house illegal grow operations; Administration prepare the required bylaw(s) for Council's consideration, to authorize Town staff to attend properties to determine whether the building has been damaged and requires remediation; and establish requirements and procedures to be met by the property owner prior to the issuance of a Building (Occupancy) Permit being issued; THAT Administration prepare a report to Council on the costs of implementing such a procedure; AND FURTHER, THAT upon the implementation of a 'Grow-Op Procedures' bylaw, Administration initiate a campaign to inform the public of Council's actions in this regard.

**TRANSPORTATION COMMITTEE: - Clr Thomas**

- h) Committee Recommendations No. 17 To 18 - October 3rd, 2005, for adoption.

**RECOMMENDATION NO. 17:**

THAT Ltr #1200 from the International Selkirk Loop, regarding the International Selkirk Loop becoming North America's first "International Scenic Byway", be received and filed for information.

**RECOMMENDATION NO. 18:**

THAT Ltr #1207 from Julie Miller, regarding a request to close off the parking lot on Cook Street on October 31st, 2005, to accommodate a youth street hockey tournament and skate boarding display, be received; AND FURTHER, THAT Administration advise Mrs. Miller that Council approves the closure of the Cook Street parking lot on October 31st, 2005, between the hours of 6:00 and 11:00 p.m., to accommodate a youth street hockey tournament and skate boarding display; AND FURTHER, THAT the Town provide barricades for the closure of the parking lot for this event.

19. Ltr #1271 from the Senior Falls Prevention Manager for Interior Health, regarding participation in the Community Based Injury Prevention Workshop in Kelowna in November, 2005.

**UTILITIES & CEMETERIES: - Clr Sadler**

- No Reports.

**REGIONAL DISTRICT DIRECTOR:**

- i) Committee Recommendations No. 19 To 21 - October 3rd, 2005, for adoption.

**RECOMMENDATION NO. 19:**

THAT Ltr #1188 from the Regional District of Central Kootenay, regarding the Grant-In-Aid Summary dated August 27, 2005 and Transactions dated September 19, 2005; be received and filed for information.

**RECOMMENDATION NO. 20:**

THAT Ltr #1198 from the Ktunaxa/Kinbasket Health & Wellness Society, regarding a request for a grant-in-aid to purchase tickets to a Benefit Concert on October 8th, 2005, at a cost of \$350.00, be received and filed for information; and further that the Ktunaxa/Kinbasket Health & Wellness Society be so advised.

**RECOMMENDATION NO. 21:**

THAT Ltr #1210 from the Creston Ministerial Association, regarding a grant-in-aid to assist with the room rental costs for their Christmas Hamper Program, be received; AND FURTHER, THAT the Regional District Director is authorized to allocate \$459.03 from the Town's portion of Regional District of Central Kootenay grant-in-aid funds to the Creston Ministerial Association, to assist with facility rental costs for their Christmas Hamper Program.

22. Ltr #1270 from the Regional District of Central Kootenay, regarding the Grant in Aid Summary dated September 24, 2005 and Transactions dated October 4, 2005.

**BYLAWS:**

**Readings**

25. Bylaw No. 1630, 2005, 2006 and 2007 Tax Exemption Amendment (*1<sup>st</sup> and 2<sup>nd</sup> Readings*)
- 25A Bylaw No. 1630, 2005, 2006 and 2007 Tax Exemption Amendment (*3<sup>rd</sup> Reading*)
26. Bylaw No. 1631, Official Community Plan Amendment (1913, 1917, 1921, 1925 & 1929 Canyon St.) (*1<sup>st</sup> and 2<sup>nd</sup> Readings*)
27. Bylaw No. 1632, Zoning Amendment (1913 - 1929 Canyon St.) (*1<sup>st</sup> and 2<sup>nd</sup> Readings*)

**Adoption**

28. Bylaw No. 1627, Building Bylaw Amendment (Schedule of Fees) (***Adoption***)

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**REPORTS OF REPRESENTATIVES:**

**RESOLUTIONS FROM CLOSED MEETING:**

**GIVING OF NOTICES:**

1. Committee Meetings (1<sup>st</sup> & 3<sup>rd</sup> Mondays) (Oct. 17, Nov. 7, 21)
2. Council Meetings (2<sup>nd</sup> & 4<sup>th</sup> Mondays) (Oct. 24, Nov. 14, 28)
3. October 31 - Strategy & Planning Meeting
4. November 19<sup>th</sup> - Local Government Election
5. Dec. 5<sup>th</sup> - Inaugural Meeting

**Acting Mayors - 2005**

October      Clr. Thomas

November    Clr. Vondracek

December    Clr. Folkman

**QUESTION PERIOD**

**MOVED TO CLOSED MEETING, IF REQUIRED**

**RECONVENE TO REGULAR MEETING, IF REQUIRED**

**ADJOURNMENT**