

THE CORPORATION OF THE CITY OF ROSSLAND

Minutes of the Regular Open Meeting of Council Held Monday, January 26, 2009

Present

Mayor G.E. Granstrom
Councillor T. L. Charlton
Councillor M.K. Moore
Councillor J.H. Smith
Councillor D.J. Spearn
Councillor A.W. Stradling
Councillor K.H. Wallace

Staff In Attendance

CAO – R. Campbell
Deputy City Clerk – T. Butler
Manager of Planning and Development Services – M. Maturo
City Engineer – M. Thomas
Manager of Finance – D. Timm

Mayor Granstrom called the meeting to order at 7:30 pm

Agenda

Moved by Councillor Spearn / Seconded by Councillor Charlton

THAT the agenda for the Regular Meeting of Council held January 26, 2009 be amended by including as a late addition;

(8) NEW BUSINESS - Reports

(e) School District #20 Planning for Our Future – Facilities Audit

AND FURTHER

THAT item (6)(b) be moved to be dealt with following items (6)(c) and (d).

CARRIED

Minutes

Moved by Councillor Charlton / Seconded by Councillor Wallace

THAT the minutes of the Regular Meeting of Council held January 12, 2009 be adopted.

CARRIED

Minutes

Moved by Councillor Charlton / Seconded by Councillor Wallace

THAT the minutes of the Finance Committee Meeting held January 6, 2009 be received.

CARRIED

Minutes Moved by Councillor Spearn / Seconded by Councillor Moore

THAT the minutes of the Sustainability Commission Meeting held November 6, 2008 be received.

CARRIED

Minutes Moved by Councillor Spearn / Seconded by Councillor Smith

THAT the minutes of the Sustainability Commission Meeting held November 24, 2008 be received.

CARRIED

Minutes Moved by Councillor Moore / Seconded by Councillor Charlton

THAT the minutes of the Sustainability Commission Meeting held January 20, 2009 be received.

CARRIED

GENERAL MATTERS – Delegation

**Bear Aware –
Rachael Roussin**

Rachael Roussin, Program Delivery Specialist, Rossland Bear Aware Program re: January 14, 2009 written submission 2008 report and plans for 2009. Removal of rogue fruit trees, education program, fruit picking and bear proof containers were discussed.

**Natural Control
Alternatives
Society – Scott
Leyland**

Scott Leyland, Natural Control Alternatives Society, re: request for Council support for bear-proof bin proposal. Mr. Leyland explained to Council the costs and implementation necessary to install the bear proof bins and how the system would work in cooperation with the blue bag system.

UNFINISHED BUSINESS

**Mayor
Reconsideration
of the Notice of
Motion –
Councillor
Charlton / OCP**

Mayor Granstrom request to review Council support of the following motion passed at the January 12, 2009 Regular Meeting of Council;

THAT a copy of the OCP be circulated to all members of Council and further that the OCP be referred to the Planning and Development Committee for review.

Moved by Councillor Moore / Seconded by Councillor Spearn

THAT a copy of the OCP be circulated to all members of Council and that if during the review of the new Zoning Bylaw, Council discovers inconsistencies with the Official Community Plan, Council then address those issues when the need arises.

CARRIED with Councillor Spearn voting opposed

**Mayor
Reconsideration
of the Notice of
Motion –
Councillor Smith /
run of the rivers**

Mayor Granstrom request to review Council support of the following motion passed at the January 12, 2009 Regular Council meeting, in consideration of the January 13, 2009 letter from Graham Kenyon;

THAT Council write a letter to the Provincial Government which recommends placing a moratorium on the issuing of Water Licences or Licences of Occupation for Independent Power Projects, and which also argues that all hydropower be;

- (1) *Publicly owned and regulated*
- (2) *Regionally planned*
- (3) *Environmentally appropriate*

Moved by Councillor Smith / Seconded by Councillor Wallace

THAT the original motion be rescinded and that the topic Run of the Rivers be referred to a Committee-of-the-Whole Meeting for further discussion.

CARRIED with Councillor Charlton voting opposed.

**Local Government
and Climate
Change – Course
Attendance by
Council**

Consideration of Councillor Smith attending the Local Government and Climate Change – Current Law and Urgent Action at UBC Robson Square, Vancouver, BC Friday, March 6, 2009. Invitation to other local municipalities to share in travel expenses – no response.

Moved by Councillor Wallace / Seconded by Councillor Moore

THAT Councillor Smith, on behalf of Council, attend the Local Government and Climate Change – Current Law and Urgent Action Workshop in Vancouver.

CARRIED

**Recycling Depot
Location**

January 20, 2009 report from the Manager of Planning and Development Services re: consideration by Council of the Recycling Depot Location at the Centennial Trailhead.

Email correspondence from Alan Stanley, RDKB re: Rossland Recycling Depot/Curbside Issue accompanied by a copy of a letter sent by Marguerite Rotvold, Chair, RDKB Board of Directors to Minister Penner – EPR Program.

Three letters of concern from Rossland Residents to Council expressing issues related to the Rossland Recycling Depot.

Moved by Councillor Charlton / Seconded by Councillor Moore

THAT the City not designate the proposed Centennial Trail Head site as a recycling depot.

CARRIED with Councillor Spearn voting opposed.

Moved by Councillor Stradling / Seconded by Councillor Wallace

THAT the City continue to work with the Regional District of Kootenay Boundary to improve the communication and education directly to the citizens of Rossland about the curbside pick-up and the removal of the recycling depot;

AND FURTHER that the Regional District of Kootenay Boundary work with the contractor to improve the level of service to accommodate all users having difficulty accessing the service and that Council supports the RDKB Small Business Curbside pilot project for commercial businesses.

CARRIED

MATTERS REFERRED

**Blackjack Ski Club
– Snowshoe Trails**

Matter referred from the January 12, 2009 Regular Meeting Delegation re: reconsideration of Development Permit Application for snowshoe trails at Blackjack Ski Club.

January 19, 2009 report from the Manager of Planning and Development Services with a list of 14 recommendations for Council consideration re: snowshoe trail on Ophir Dam.

January 20, 2009 email letter from Jill Austin requesting Council deny the Blackjack Ski Club access to the Ophir Dam.

Moved by Councillor Moore / Seconded by Councillor Stradling

THAT Council enter into an agreement with the Blackjack Ski Club for the property legally described as Lot 1, Section 15, Township 28, Kootenay District Plan NEP78098, located at Ophir Reservoir, with the following conditions:

1. THAT all of Blackjack Ski Club's members sign a blanket waiver, specifically mentioning the section of the snowshoe trail crossing on the Ophir dam, relieving the city of all liability.
2. THAT the Blackjack Ski Club enters into an agreement with the City which indemnifies the City of all liability in the case of any incident resulting in injury to a snow-shoer or other Blackjack recreationist on any trail on city owned land.
3. THAT the Blackjack Ski Club funds and posts signage required by the MIA and approved by the City Engineer on the trail/s.
4. THAT the Blackjack Ski Club members sign a code of conduct for recreating in the city's watershed, with specific references to permitted and prohibited activities, both on the dam and around the reservoir.
5. THAT the Blackjack Ski Club funds and erects fencing on the dam site according to the specifications determined by the City Engineer.
6. THAT the Blackjack Ski Club agrees to manually groom the condition of the dam's surface in order that a wide horizontal surface is properly maintained to minimize the potential for slipping toward either edge of the dam.
7. THAT the Blackjack Ski Club reports to the City all non-compliant incidents occurring on the dam.
8. THAT the Blackjack Ski Club prohibits their members from taking their pets across the dam.

9. THAT the Blackjack Ski Club ensures that all trail approaches provide setbacks from the natural boundary of all creeks and tributaries to Ophir Reservoir with greater setback distances required for steep bank areas where erosion potential is higher or where closer proximity land excavation would jeopardize slope stability.
10. THAT the Blackjack Ski Club does not engage in any land altering or land clearing,
11. THAT the Blackjack Ski Club does not run any mechanized vehicles of any kind on the dam itself.
12. THAT the Blackjack Ski Club shall adhere to the fullest practical extent with the Topping Creek Best Management Practices.
13. THAT the Blackjack Ski Club assumes full financial responsibility for any remedial work necessary in the case of damage on the dam or around the dam during a Blackjack Ski Club activity.
14. THAT any user agreement accepted by the City is valid only for the 2008-'09 winter season

DEFEATED

List of recommendations from Working Meeting – Rossland Council and Sustainability Commission

January 19, 2009 meeting notes from the Working Meeting of City Council and the Sustainability Commission re: recommended amendments to the Sustainability Commission Bylaw #2428;

Moved by Councillor Stradling / Seconded by Councillor Moore

THAT the list of recommendations suggested in the January 19, 2009 meeting notes from the Working Meeting of City Council and the Sustainability Commission be incorporated into a new Sustainability Commission Bylaw for Council consideration and in addition Staff review the definitions for consistency and duplication within the contents of the bylaw.

CARRIED

Changes to Manager's Responsibility Sustainability Commission

Copy of changes recommended to Bylaw#2428 Sustainability Commission Bylaw;

Moved by Councillor Moore / Seconded by Councillor Stradling

THAT the "Notice of Commission Meetings" section of the new Sustainability Commission Bylaw reflect that a City Staff member will be responsible for this section not the Manager.

CARRIED

Recommendation from the Jan. 20/09 Sustainability Commission Meeting & Resignation Letter from Erin McGuigan

Matter referred from the January 20, 2009 Sustainability Commission Meeting re: January 14, 2009 letter of resignation from - Erin McGuigan, Contract Manager for the Sustainability Commission;

Moved by Councillor Charlton / Seconded by Councillor Moore

THAT the letter of resignation from Erin McGuigan be accepted with regret by

Council and that a letter of acknowledgment be sent to Erin McGuigan thanking her for her services.

CARRIED

Moved by Councillor Spearn / Seconded by Councillor Wallace

THAT on behalf of the City, Council purchase a thank you gift to Erin McGuigan for her services.

DEFEATED

Moved by Councillor Moore / Seconded by Councillor Spearn

THAT the Sustainability Commission undertake a review of the roles and responsibilities of the Manager prior to the City of Rosland recruiting a new manager.

CARRIED

NEW BUSINESS – Correspondence

AKBLG – Art for display

December 15, 2008 memorandum from the Association of Kootenay and Boundary Local Governments and January 20, 2009 email from Arlene Parkinson re: donations of art depicting the AKBLG area.

Moved by Councillor Charlton / Seconded by Councillor Moore

THAT the letter and the background information be forwarded to the Rosland Council for Arts and Culture and the Schools for consideration pending clarification.

CARRIED

Interior Health – Building Healthy Communities

January 9, 2009 letter from Dr. Nelson Ames, Medical Health Officer, Interior Health Authority re: Building Healthy Communities, suggestion of meeting with Council to discuss regulatory and health improving activities and roles.

Moved by Councillor Smith / Seconded by Councillor Wallace

THAT Council invite Dr. Nelson Ames, Medical Health Officer, Interior Health Authority to a meeting with Council, at his earliest convenience.

CARRIED

City of Trail –

December 18, 2008 letter from Mayor Dieter A. Bogs, City of Trail re: invite to

**Recreation &
Culture Service
Dissolution**

joint informational meeting to discuss Greater Trail Recreation & Culture Service Dissolution.

Moved by Councillor Wallace / Seconded by Councillor Moore

THAT a letter be sent informing the City of Trail that Rossland Council is interested in attending a joint informational meeting to discuss Greater Trail Recreation & Culture Service Dissolution.

CARRIED

Moved by Councillor Stradling / Seconded by Councillor Moore

THAT Staff draft a background report for Council information regarding regional recreation.

CARRIED

**Recycling Council
of BC**

January 15, 2009 letter from the Recycling Council of BC re: membership and attendance at the 35th annual Zero Waste Conference, May 2009, Whistler, BC.

Moved by Councillor Charlton / Seconded by Councillor Moore

THAT the letter from the Recycling Council of BC be tabled until further information regarding benefits of membership is obtained.

CARRIED

**Regional
Recreational Trail
Service**

January 7, 2009 letter from the City of Trail and January 16, 2009 letter from the Village of Fruitvale re: Council interest in endorsing a new service for recreation trails on a sub-regional basis.

Moved by Councillor Spearn / Seconded by Councillor Charlton

THAT a letter be written to the Regional District of Kootenay Boundary expressing Councils endorsement of a new service for recreation trails on a sub-regional basis.

CARRIED

**Friends of the
Rossland Range**

January 21, 2009 letter from the Friends of the Rossland Range re: request for Council support –proposed Community Tenure / Old Glory Alpine/Mt. Crowe. Attached sample letter of support for Council consideration.

Moved by Councillor Spearn / Seconded by Councillor Charlton

THAT Council write a letter of support for the Friends of the Rossland Range proposal to seek Community Tenure of the Old Glory Alpine Park.

CARRIED

Moved by Councillor Charlton / Seconded by Councillor Wallace

THAT the City explore the possibility, in conjunction with the Regional District of Kootenay Boundary, of designating a joint regional municipal park in the Old Glory Alpine Park.

DEFEATED

Meeting with MLA

January 21, 2009 email correspondence from Elaine Whitehead, Constituency Assistant for Katrine Conroy, MLA re: setting dates for meeting with Council.

Moved by Councillor Wallace / Seconded by Councillor Moore

THAT a meeting be set for April 7 or 9, 2009 to meet with Katrine Conroy, MLA, to discuss local issues.

CARRIED

NEW BUSINESS - Reports

**Subdivision
Application – 2961
Happy Valley,
Kaiser/Dobovicnik**

January 19, 2009 memorandum from the Manager of Planning and Development Services re: options for Council consideration in response to the January 6, 2009 letter from Nancy Kaiser and Bernie Dobovicnik, 2961 Happy Valley Road.

Moved by Councillor Smith / Seconded by Councillor Wallace

THAT Staff investigate the feasibility of options using adjacent city owned properties, to assist in the request from Nancy Kaiser and Bernie Dobovicnik's to increase their property size to 4 hectares / 10 acres.

CARRIED

**Drinking Water
Annual Report -
2007**

January 8, 2009 memorandum from the City Engineer to the CAO with attached 2007 Drinking Water Annual Report. The following resolution is for Council consideration;

Moved by Councillor Spearn / Seconded by Councillor Wallace

THAT the 2007 Drinking Water Annual Report be released as a public document and is to be posted on the City web site and advertised in the next Council Newsletter.

CARRIED

**LGMA Joint
Chapter Meeting**

January 19, 2009 memorandum from the Deputy City Clerk to the CAO re: City

of Rossland participation in the LGMA Joint Chapter Meeting with the following motion for Council consideration;

Moved by Councillor Charlton / Seconded by Councillor Wallace

THAT the City of Rossland assist in hosting the 2009 LGMA Joint Chapter meeting and that the list of names suggested for guest speakers for the AKBLG Conference be forwarded to the organizers for consideration.

CARRIED

CBT Community Initiatives

January 19, 2009 memorandum from the Deputy City Clerk to the CAO re: Columbia Basin Trust Community Initiatives;

Moved by Councillor Spearn / Seconded by Councillor Moore

THAT Council form the adjudication committee for the Columbia Basin Trust Community Initiatives and Affected Areas Program and that a Committee-of-the-Whole Meeting be scheduled for April 20, 2009 to conduct the adjudication of the grant funds.

CARRIED

Motion to Extend

Moved by Councillor Stradling / Seconded by Councillor Spearn

THAT the January 26, 2009 Regular Meeting of Council be extended to 10:30 pm.

CARRIED

School District #20 Facilities Audit

Oral report from the Administrator re: School District #20 Planning for our future facilities audit;

Moved by Councillor Spearn / Seconded by Councillor Wallace

In accordance with the City’s Official Community Plan and Strategic Sustainability Plan, Rossland City Council strongly supports K-12 education in Rossland;

AND FURTHER

THAT the City is committed to collaborative planning efforts with School District #20 in support of K-12 education in Rossland.

CARRIED

LEGISLATIVE MATTERS

Road Closure Bylaw #2431 - Adoption

Road Closure Bylaw #2431, a bylaw to close part of Monita Street in order for snow storage in the area of 1505 Nickleplate Road re: following motion for

Council consideration:

Moved by Councillor Wallace / Seconded by Councillor Smith

THAT Monita Street Road Closure Bylaw No. 2431 be adopted.

CARRIED

**Signing Authority
Repeal Bylaw
#2432 - Adoption**

Repeal Bylaw #2432 – A bylaw to repeal Bylaw #1566 Signing Authority Bylaw;

Moved by Councillor Stradling / Seconded by Councillor Moore

THAT Bylaw #2432 – Signing Authority Repeal Bylaw be adopted.

CARRIED

MAYOR AND COUNCIL REPORTS

Councillor Wallace

Staff to investigate the status of the Centennial Trail Grooming.

**Councillor
Charlton – Notice
of Motion**

Notice of Motion by Councillor Charlton re: photocopying

THAT Staff be directed to provide passwords for the photocopier to Council Members.

Request from Councillor Charlton to place the December 2, 2008 report from the Administrator regarding City Funding Requests / Policy 870 on the Council follow up report.

Councillor Moore

Request from Councillor Moore to place the Water Shed Report on the Council follow up report.

CLOSED MEETING RESOLUTION

**Closed Meeting
Resolution**

Moved by Councillor Charlton / Seconded by Councillor Moore

THAT the proceedings of the remainder of the meeting of January 26, 2009 be closed to the public pursuant to section 90 (1)(a)(g) and (e) of the *Community Charter*..

CARRIED

Close

Mayor Granstrom closed the meeting at 10:12 pm.

I hereby certify the preceding to be a true and correct account of the Regular Meeting of Council held on January 26, 2009.

Mayor

Corporate Officer