

THE CORPORATION OF THE CITY OF GRAND FORKS

REGULAR MEETING of COUNCIL
MONDAY APRIL 4, 2005

PRESENT: MAYOR JAKE RAVEN
COUNCILLOR ANN GORDON
COUNCILLOR MIKE KANIGAN
COUNCILLOR NEIL KROG
COUNCILLOR PATRICK J. O'DOHERTY
COUNCILLOR TOM SHKRABUIK
COUNCILLOR BOB SMITH

CAO	J. Lambie
CITY CLERK	L. Burch
DEP CLK / TREASURER	D. Zabinsky

GALLERY

The Mayor called the meeting to order at 7:00p.m.

ADOPTION OF AGENDA:

AMENDMENTS TO THE AGENDA:

- Add the Mayor's verbal report on the Joint Municipalities meeting held last Thursday, March 31st. It will be brought forward as item 10(b).

MOTION: SHKRABUIK / GORDON

RESOLVED THAT THE AGENDA BE ADOPTED AS AMENDED.

CARRIED.

MINUTES:

MOTION: O'DOHERTY / SMITH

RESOLVED THAT THE MINUTES OF THE REGULAR MEETING OF COUNCIL HELD ON MONDAY, MARCH 21 2005, BE ADOPTED, AS AMENDED.

CARRIED.

Corrections –

- page 5387 under Councillor Gordon report, reference should be “She” not “He”
- page 5384 – under Delegation delete reference to crimestoppers funding due to criminal code, as this has not been determined to be factual.
- Page 5385 – under Election officials resolution space between a and rate.

BUSINESS ARISING FROM MINUTES:

None

DELEGATIONS:

a) The Freedom Festival at the Forks – Resuming financial support of the festival

On behalf of the delegation, J.J. Verigin made a presentation to Council requesting that Council reconsider their previous decision to support the 2005 freedom festival with in-kind contributions only. Mr. Verigin requested that Council consider resuming financial support of the festival, scheduled for July, of this year. Mona Mattei referred to the Okanagan cultural corridor that has become a tourism initiative and suggested it could be a tourism attraction for Grand Forks as well, and that financial support from the City is critical.

MOTION: O'DOHERTY / SMITH

RESOLVED THAT COUNCIL PROVIDE THE FREEDOM FESTIVAL AT THE FORKS THE SAME FUNDING AS LAST YEAR, A CASH CONTRIBUTION AND IN-KIND CONTRIBUTIONS, TOTTALLING \$3,000.00. CARRIED.

COMMUNICATIONS FOR INFORMATION:

MOTION: O'DOHERTY / KROG

RESOLVED THAT THE LETTER FROM THE MINISTER OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES, RELATIVE TO THE SMALL COMMUNITIES PROTECTION GRANT, BE RECEIVED FOR INFORMATION.

CARRIED.

CORRESPONDENCE:

a) Customs Excise Union Douanes Accise – Request for support for Canadian Border Patrol

Councillor Kanigan, as a member of the Customs Excise Union Douanes Accise, stated his intention to vacate Council Chambers at this time, prior to the discussion on the next item on the agenda, due to a potential conflict of interest inasmuch as Councillor Kanigan advises that he is a member of the Customs Excise Union. Councillor Kanigan left Council Chambers at 7:29 p.m.

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MOTION: O'DOHERTY / SHKRABUIK

WHEREAS BORDER SECURITY IN CANADA IS VERY IMPORTANT AND NOT PROPERLY ENSURED;

WHEREAS BORDER SECURITY WAS ONCE STRICTLY A RESPONSIBILITY OF CUSTOMS' ;

WHEREAS RESPONSIBILITY FOR THE BORDER BETWEEN POINTS OF ENTRY WAS GIVEN TO THE RCMP IN THE 1930'S AND CUSTOMS RETAINED RESPONSIBILITY AT POINTS OF ENTRY;

WHEREAS THE RCMP COMMISSIONER HAS TESTIFIED TO THE HOUSE OF COMMONS JUSTICE COMMITTEE ON DECEMBER 9, 2004, THAT THE RCMP DOES NOT HAVE ENOUGH RESOURCES TO FULFILL ITS MANDATE ALONG THE BORDER, AND IS EXCLUSIVELY FOCUSED ON GATHERING INTELLIGENCE AND INVESTIGATING MAJOR CASES;

WHEREAS THE RCMP CANNOT POSSIBILIY BE EXPECTED TO SATISFY A BORDER PATROL MANDATE BECAUSE IT ALSO HAS TO PROVIDE POLICE RESPONSE TO ORTHER CRISES IN COMMUNITIES;

WHEREAS CUSTOMS IS AT THE BORDER ALREADY AND HAS DEVELOPED EXPERTISE ON HOW TO PROVIDE BORDER SECURITY DURING ITS MORE THAN 100 YEARS AT THE BORDER;

WHEREAS CUSTOMS HAS A BORDER PATROL ALREADY ESTABLISHED IN THAT IT OPERATED WHAT WERE CALLED FLEXIBLE RESPONSE TEAMS DURING THE LATE 1990'S UNTIL THE EARLY 2000 YEARS – TIME AT WHICH THE GOVERNMENT OF CANADA'S FUNDING OF THE ANTI-SMUGGLING INITIATIVE CEASED LAST YEAR;

WHEREAS CANADA HAS IN EXCESS OF 200 UNGUARDED ROADS THAT CAN BE USED TO ENTER CANADA FROM THE US;

WHEREAS WE KNOW THAT THERE ARE HUNDREDS OF VEHICLES THAT ENTER CANADA ON ANY GIVEN MONTH WITHOUT REPORTING TO CUSTOMS – WE DON'T KNOW WHO IS IN THOSE VEHICLES OR WHAT THEY CARRY;

WHEREAS THE CANADA BORDER SERVICES AGENCY (CBSA) RECORDED OVER 1,600 VEHICLES ENTERING CANADA IN 2004 AND FAILING TO REPORT TO A CUSTOMS OFFICE;

WHEREAS THERE ARE 139 WORK LOCATIONS ON RECORD IN CANADA WHERE CUSTOMS OFFICERS WORK ALONE AND HAVE LITTLE HOPE OF RECEIVING TIMELY AND ADEQUATE BACKUP FOR ASSISTANCE;

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WHEREAS CUSTOMS OFFICERS HAVE STOPPED CALLING POLICE FOR BACKUP IN MANY LOCATIONS ACROSS CANADA BECAUSE POLICE RESPONSE FOR BACKUP HAS BECOME NEXT-TO-NON-EXISTENT BECAUSE OF A LACK OF RESOURCES;

WHEREAS BORDER SECURITY IS A FEDERAL RESPONSIBILITY'

WHEREAS CBSA HAS A INTERPRETATION ADVISING OF THE APPLICABLE RULES OF CONTINUITY FOR EVIDENCE WOULD NOT STAND IN A COURT OF LAW SHOULD A CUSTOMS OFFICER WORKING ALONE ARREST SOMEONE THEN PROCEED TO DEAL WITH PROCESSING ADDITIONAL TRAFFIC THAT WOULD ARRIVE AT THE PORT – RULES DICTATE THAT ONE MUST KEEP AN EYE ON THE ARRESTED INDIVIDUAL AT ALL TIMES, WITHOUT EXCEPTION;

WHEREAS MEANINGFUL BORDER SECURITY IS FIELD-DRIVEN, HANDS ON, AND REQUIRES EYES AND EARS ON THE GROUND AT THE FRONT-LINE, AND IS NOT MERELY INTELLIGENCE-DRIVEN-FROM-LARGE-URBAN-CENTRES-OR-OTTAWA;

WHEREAS THE CANNABIS TRADE BETWEEN CANADA AND THE US IS BECOMING A MAJOR PROBLEM THAT, UNLESS IT IS CURBED, COULD SIGNIFICANTLY THREATEN OUR LEGITIMATE TRADING RELATIONSHIP WITH THE US;

WHEREAS A BORDER PATROL WOULD HAVE THE CAPACITY TO BOTH INTERVENE AS WELL AS GATHER EVIDENCE AND FACTS ON THE FRONT-LINE AS THE EYES AND EARS ON THE GROUND AND TO THEN RELATE THAT INFORMATION TO PROPER AUTHORITIES SUCH AS POLICE AND OUR PARTNERS IN THE US;

WHEREAS A BORDER PATROL WOULD ONLY SERVE ONE MASTER, THE BORDER, AND BE ABLE TO FOCUS ITS ENTIRE RESOURCES AT MAINTAINING A SECURE BORDER, PROVIDING RAPID ASSISTANCE TO CUSTOMS OFFICERS WORKING ALONE, PROVIDE BACKUP FOR CUSTOMS OFFICERS, AND GUARDING UNGARDED ROADS;

WHEREAS EVERY TOWN, VILLAGE, PARISH, COUNTY, MUNICIPALITY, AND CITY STIUATED ON OR IN CLOSE PROXIMITY TO THE US BORDER HAS A COLLECTIVE AND VESTED INTEREST TO ENSURE BORDER SECURITY IS PROVIDED IN A MEANINGFUL AND ENFORCEABLE WAY;

THEREFORE BE IT RESOLVED THAT THE CITY OF GRAND OFRKS SUPPORTS THE CUSTOMS EXCISE UNION DOUANES ACCISE IN ITS BID TO HAVE THE GOVERNMENT OF CANADA GIVE TO THE CANADA BORDER SERVICES AGENCY THE FIRST-RESPONSE MANDATE TO PATROL THE BORDER BETWEEN POINTS OF ENTRY AND WORKING IN PARTNERSHIP WITH THE RCMP AND OTHER POLICE FORCES, THAT LATTER OF WHOM WOULD ACT AS THE SECOND-RESPONSE PARTNER ALONG THE BORDER AT AND BETWEEN POINTS OF ENTRY; AND

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BE IT FURTHER RESOLVED THAT THIS FIRST-RESPONSE MANDATE MUST BE DELIVERED BY WAY OF A BORDER PATROL;

AND BE IT ALSO RESOLVED THAT PARLIAMENT AMEND BILL C-26, WHICH CREATES THE CANADA BORDER SERVICES AGENCY (CBSA) AND ESTABLISHES ITS MANDATE, SO AS TO BROADEN CBSA'S MANDATE AND GRANT IT AUTHORITY AND RESPONSIBILITY TO HAVE THE FIRST-RESPONSE MANDATE BETWEEN PORTS OF ENTRY.

CARRIED.

Councillor Kanigan returned to Council Chambers at 7:35 p.m.

b) Pacific Abrasives and Supply, Inc. – Request to attend meeting in Penticton

MOTION: O'DOHERTY / SMITH

RESOLVED THAT THE LETTER, DATED MARCH 23, 2005, FROM PACIFIC ABRASIVES AND SUPPLY, INC., REQUESTING THE CITY'S ASSISTANCE IN GAINING PROVINCIAL SUPPORT IN REDUCING ASSESSMENTS IMPOSED BY THE MINISTRY OF ENERGY AND MINES, BE RECEIVED. BE IT FURTHER RESOLVED THAT MAYOR RAVEN BE AUTHORIZED TO ATTEND A MEETING IN PENTICTON WITH THE HONOURABLE BILL BARISOFF, MINISTER OF WATER, LAND AND AIR PROTECTION AND PACIFIC ABRASIVES & SUPPLY, INC., AS REQUESTED.

CARRIED.

c) USCC Union of Youth – Invitation to 58th Annual Youth Festival

MOTION: SHKRABUIK / SMITH

RESOLVED THAT THE LETTER, DATED MARCH 25, 2005, FROM THE USCC UNION OF YOUTH, INVITING THE MAYOR TO PARTICIPATE IN THE 58TH ANNUAL YOUTH FESTIVAL IN CASTLEGAR MAY 21 AND 22, BE RECEIVED. BE IT FURTHER RESOLVED THAT THE MAYOR BE AUTHORIZED TO ATTEND.

CARRIED.

ADMINISTRATIVE REPORTS:

Reports for Information:

None

Prior to the discussion of the Administrative Reports, the Mayor brought forward the matter of the request from the Forestry Attack Base to remove trees on their leased area at the Grand Forks Airport.

MOTION: GORDON / SHKRABUIK

RESOLVED THAT THE SOUTHEAST FIRE CENTRE BE AUTHORIZED TO PROCEED WITH THE REMOVAL OF TREES ON PROPERTY OCCUPIED BY THE MINISTRY AT THE GRAND FORKS AIRPORT, AS PER THEIR WRITTEN PRESENTATION RECEIVED MARCH 21, 2005.

CARRIED.

Councillor Kanigan voted against the motion.

ADMINISTRATIVE REPORTS REQUIRING ACTION:

a) **Deputy Clerk / Treasurer's Report – 2005 City Campground Services Request for Proposals**

MOTION: GORDON / SHKRABUIK

RESOLVED THAT THE COUNCIL OF THE CITY OF GRAND FORKS AWARD THE CONTRACT FOR 2005 CITY CAMPGROUND SERVICES TO THE CHAMBER OF COMMERCE OF THE CITY OF GRAND FORKS WITH THE CONTRACT TO BEGIN ON MAY 14TH, 2005, AND CONCLUDE ON OCTOBER 16, 2005. **BE IT FURTHER RESOLVED THAT** THE MAYOR AND THE DEPUTY CLERK / TREASURER BE AUTHORIZED TO SIGN THE ENCLOSED CONTRACT ON BEHALF OF THE CITY OF GRAND FORKS.

Discussion ensued as to discussing this matter at a Finance Committee Meeting.

MOTION: SMITH / O'DOHERTY

RESOLVED THAT THE ABOVE OUTLINED RESOLUTION REGARDING THE AWARDED OF THE 2005 CITY CAMPGROUND SERVICE CONTRACT BE DEFERRED TO A MEETING OF THE FINANCE COMMITTEE TO BE HELD THIS WEEK. CARRIED.

It was determined that a Finance Committee Meeting will be held on Thursday April 7th, at 5:30 p.m.

b) **CAO'S Report - Airport Trees**

MOTION: O'DOHERTY / KANIGAN

RESOLVED THAT THE ATTACHED REPORT, DATED MARCH 16, 2005, FROM MARSHALL FORESTRY SERVICES, BE RECEIVED. **BE IT FURTHER RESOLVED THAT**

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REMOVAL OF TREES AT THE AIRPORT BE DEALT WITH ON APRIL 25TH, 2005, DURING COUNCIL'S STRATEGIC PLANNING SESSION. CARRIED.

MAYOR'S REPORT:

- Mayors for Peace – the Mayor brought forward an invitation to attend the upcoming Mayors for Peace conference in New York. The letter will be filed.
 - Joint Boundary Municipalities meeting – the Mayor reported on his and the Deputy Clerk/Treasurer's attendance at the meeting in Midway. He reported on a number of the topics of discussion.
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MOTION: O'DOHERTY / SHKRABUIK

RESOLVED THAT THE CITY OF GRAND FORKS PARTICPATE WITH THE MUNICIPALITIES OF GREENWOOD AND MIDWAY IN PURSUING A BOUNDARY COMMUNITY FOREST LICENCE. BE IT FURTHER RESOLVED THAT THE PROVINCIAL GOVERNMENT BE REQUESTED TO APPROVE A COMMUNITY FOREST LICENCE TO CUT 100,000 CUBIC METERS OF TIMBER FOR THE BOUNDARY AREA.

CARRIED.

The Mayor advised that there was discussion on the matter of a Bear Aware Program at the joint meeting. He stated that funding from local government has been requested and that it was suggested that local funding be funded by three communities, Grand Forks, Midway, Greenwood at \$3,000 each, with the BC Conservation Foundation contributing \$5,000.00. Council determined that this is a provincial responsibility. It was determined to lobby the provincial government to fund this program.

MOTION: KANIGAN / SHKRABUIK

RESOLVED THAT THE CITY OF GRAND FORKS SEND A LETTER TO THE MINISTRY OF WATER LAND AND AIR PROTECTION STATING COUNCIL'S POSITION THAT THE MATTER OF THE BEAR AWARE PROGRAM IS A PROVINCIAL RESPONSIBILITY, AND REQUEST THAT THE PROVINCIAL GOVERNMENT FUND THE BEAR AWARE PROGRAM IN THE BOUNDARY AREA.

CARRIED.

- The Mayor reported on the discussion on Tourism in the boundary area that was held at the joint meeting. It was suggested at the meeting that a coordinated Boundary effort needs to occur.
- It was stated that the matter of regional emergency planning was brought forward at the joint meeting. The CAO spoke to the matter stating, that the 3 communities are currently working on mutual aid agreement.
- The Mayor advised that discussion took place at the matter of the Highway 3 Advisory Committee, and the fact that there is no representation from the Boundary area on the Advisory Committee. It was stated that Council had previously requested the Minister to consider a Boundary representative, however to date no Boundary representative has been appointed.

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MOTION: O'DOHERTY / SHKRABUIK

RESOLVED THAT COUNCIL SEND A SECOND LETTER TO THE MINISTER OF TRANSPORTATION REQUESTING THAT A BOUNDARY REPRESENTATIVE BE CONSIDERED FOR THE HIGHWAY 3 ADVISORY COMMITTEE.

CARRIED.

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- The Mayor advised that the next joint meeting will be scheduled in September.
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COMMITTEE REPORTS:

Zoning and Planning Committee – Councillor Krog

Parks Advisory Committee

RDKB – Councillor Krog advised that he attended RDKB Board meeting and has brought back the RDKB 5 year financial plan, which is in Councillor's room. He stated RDKB has not made a decision to support the freedom festival financially.

Skateboard Park Committee - Councillor Krog spoke to his circulated report requesting financial assistance for the Skateboard Park Opening Ceremonies on April 9, 2005.

MOTION: SHKRABUIK / GORDON

RESOLVED THAT COUNCIL APPROVE A FINANCIAL CONTRIBUTION UP TO \$1,500.00 TO COVER EXPENSES NOT COVERED BY CORPORATE DONATIONS AND SPONSORSHIPS, FOR THE OPENING CEREMONIES FOR THE GRAND FORKS SKATEBOARD PARK. BE IT FURTHER RESOLVED THAT THE FINANCIAL CONTRIBUTION BE FUNDED FROM THE ACCUMULATED SURPLUS.

CARRIED.

Bylaw Review Committee – Councillor Smith -

Grand Forks & District Recreation Commission Representative

Economic Development Committee - Councillor Shkrabuik - no report

Chamber of Commerce and Chamber of Commerce Tourism Committee Representative

Emergency Program Executive Committee – Mayor

Community Consultative Group Representative

Boundary Economic Development Commission Representative –

Economic Development Advisory Committee

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Communications Advisory Committee – Councillor Gordon

Court House Advisory Committee

Phoenix Foundation -

Airport Advisory Committee –

Courthouse Use Committee

Finance Committee – Councillor O’Doherty -

Personnel Committee – Councillor Kanigan -
Aquifer Protection Society Representative

BYLAWS:

NEW BUSINESS

GIVING OF NOTICES:

REGULAR MEETING OF COUNCIL – Monday, April 18, 2005, 7:00 P.M.

ADJOURNMENT:

MOTION: SHKRABUIK

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE ADJOURNED AT 8:17 P.M.

CARRIED.

CERTIFIED CORRECT:

MAYOR JAKE RAVEN

CITY CLERK – LYNNE BURCH

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