

THE CORPORATION OF THE CITY OF GRAND FORKS

REGULAR MEETING OF COUNCIL
MONDAY FEBRUARY 19, 2006

PRESENT: MAYOR NEIL KROG
COUNCILLOR ANN GORDON
COUNCILLOR TOM HINTER
COUNCILLOR CHRIS MOSLIN
COUNCILLOR PATRICK O'DOHERTY
COUNCILLOR GENE ROBERT
COUNCILLOR TOM SHKRABUIK

CITY MANAGER
CITY CLERK

V. Kumar
L. Burch

GALLERY

CALL TO ORDER:

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

RECESS TO PRIMARY COMMITTEE MEETING:

MOTION: HINTER / O'DOHERTY

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE RECESSED AT 7:01 P.M. TO ALLOW FOR THE PRIMARY COMMITTEE MEETING, AND THAT THIS REGULAR MEETING OF COUNCIL BE RECONVENED AT THE CONCLUSION OF THE PRIMARY COMMITTEE MEETING. CARRIED.

The Meeting was recessed at 7:01 p.m. and reconvened at 7:18 p.m.

ADOPTION OF AGENDA:

AMENDMENTS TO THE AGENDA:

- Add proposed resolution, on the matter of streamlining court procedures to the Clerk's Report , Item Number 6 (a), resolutions to be presented to AKBLG members at the conference in April.

MOTION: SHKRABUIK / ROBERT

RESOLVED THAT THE FEBRUARY 19, 2007 REGULAR MEETING AGENDA BE ADOPTED AS AMENDED. CARRIED.

**FEBRUARY 19, 2007
MINUTES:**

REGULAR MEETING

PAGE 5726

MOTION: GORDON / O'DOHERTY

RESOLVED THAT THE MINUTES OF THE REGULAR MEETING HELD ON MONDAY, FEBRUARY 5, 2007, BE ADOPTED AS CIRCULATED. CARRIED.

MOTION: HINTER / GORDON

RESOLVED THAT THE MINUTES OF THE SPECIAL MEETING HELD ON MONDAY, FEBRUARY 5, 2007, BE ADOPTED AS CIRCULATED. CARRIED.

REGISTERED PETITIONS AND DELEGATIONS:

NONE

UNFINISHED BUSINESS:

None

RECOMMENDATIONS FROM STAFF FOR DECISIONS:

a) City Clerk Report – Adoption of Resolutions to forward to AKBLG

MOTION: SHKRABUIK / ROBERT

WHEREAS SECTION 119 OF THE WORKERS' COMPENSATION ACT PLACES A LEGAL OBLIGATION ON THE OWNER OF PREMISES USED AS WORKPLACE, AND MANY LOCAL GOVERNMENTS ACROSS THE PROVINCE LEASE MUNICIPAL AND REGIONAL LAND AND BUILDINGS TO NON-PROFIT ORGANIZATIONS AND TO PROVINCIAL AND FEDERAL GOVERNMENTS, AND THESE ORGANIZATIONS AND GOVERNMENTS EMPLOY WORKERS ON THE LEASED PREMISES AND LANDS; AND

WHEREAS THE WORKERS' COMPENSATION BOARD SEEMS TO BE PROVIDING A WIDE INTERPRETATION OF SECTION 119 OF THE WORKERS' COMPENSATION ACT, HOLDING THE PROPERTY OWNERS', SUCH AS MUNICIPAL AND REGIONAL GOVERNMENTS, RESPONSIBLE FOR SAFETY VIOLATIONS OF THEIR TENANTS;

THEREFORE BE IT RESOLVED THAT THE MEMBERS OF THE ASSOCIATION OF KOOTENAY BOUNDARY LOCAL GOVERNMENTS THROUGH THE UNION OF BRITISH COLUMBIA MUNICIPALITIES, REQUEST THE PROVINCE OF B.C. TO PROVIDE CLARITY TO SECTION 119 OF THE WORKERS' COMPENSATION ACT TO ENSURE THAT OWNERS, WHO HAVE LEASED PREMISES AND LANDS, ARE NOT HELD LIABLE FOR THE SAFETY VIOLATIONS OF THEIR TENANTS' WORKERS. CARRIED.

FEBRUARY 19, 2007

REGULAR MEETING

PAGE 5727

MOTION: ROBERT / HINTER

WHEREAS MANY LOCAL GOVERNMENTS HAVE ADOPTED BURNING AND FIRE PREVENTION BYLAWS THAT ARE APPLICABLE WITHIN THE BOUNDARIES OF MUNICIPALITIES AND IN ALL, OR PORTIONS OF, ELECTORAL AREAS OF REGIONAL DISTRICTS; AND

WHEREAS THE LOCAL GOVERNMENT ACT AND THE COMMUNITY CHARTER GRANT THE AUTHORITY FOR MINIMAL POWERS TO REGULATE OPEN BURNING AND FIRE PREVENTION, AND THE POWERS UNDER THE WILDFIRE ACT AND THE WILDFIRE REGULATIONS ARE NOT APPLICABLE TO ALL LOCAL GOVERNMENTS, AND THE LEGISLATURE MIGHT NOT HAVE INTENTIONALLY MEANT TO EXCLUDE THE MAJOR OPERATIVE PROVISIONS OF THE WILDFIRE ACT AND THE WILDFIRE REGULATIONS TO REGULATE AREAS WHERE THEY ARE MOST NEEDED;

THEREFORE BE IT RESOLVED THAT THE MEMBERS OF THE ASSOCIATION OF KOOTENAY BOUNDARY LOCAL GOVERNMENTS THROUGH THE UNION OF BRITISH COLUMBIA MUNICIPALITIES, REQUEST THE PROVINCE OF B.C. TO PROVIDE CLARITY TO THE WORDING OF SECTION 4 OF THE WILDFIRE ACT AND SECTION 3 OF THE WILDFIRE REGULATIONS, SO THAT THE VAST AREAS OF THE PROVINCE ARE NOT LEFT IN A REGULATORY VACUUM WITH RESPECT TO WILDFIRE LEGISLATION.

CARRIED.

.....

MOTION: GORDON / SHKRABUIK

WHEREAS THERE IS AN INCREASING DEMAND PLACED ON POLICING RESOURCES THROUGH PROCEDURAL DELAYS WHEN THE ALLEGED OFFENCES RELATE TO THE MOTOR VEHICLE ACT AND REGULATORY OFFENCES AND IN THE PRESENT SYSTEM OF JUSTICE, IT IS INCUMBENT THAT ALLEGED OFFENDERS RECEIVE FAIR AND UNBIASED HEARING BEFORE THE COURTS WHICH IS THE FOUNDATION OF A DEMOCRATIC SOCIETY; AND

WHEREAS PROCEDURES MAY BE USED TO UNDULY DELAY THE CASE AND FURTHER DELAYS CAN ALSO BE ACHIEVED THROUGH REQUESTS FOR EXTENSIVE INFORMATION FROM POLICE, RESULTING IN THE EXTENSIVE WITHDRAWAL OF PERSONNEL FROM ENFORCEMENT DUTIES TO "PAPERWORK" DUTIES AND EXTENSIVE OVERTIME, RESULTING IN BURDENS PLACED ON LOCAL GOVERNMENT POLICING BUDGETS;

THEREFORE THE ASSOCIATION OF KOOTENAY BOUNDARY LOCAL GOVERNMENTS THROUGH THE UNION OF BRITISH COLUMBIA MUNICIPALITIES REQUESTS THAT THE ATTORNEY GENERAL UNDERTAKE CONSULTATION WITH THE ADMINISTRATIVE JUSTICES TO STREAM LINE COURT PROCEDURES FOR HANDLING OFFENCES RELATING TO THE MOTOR VEHICLE ACT AND RELATED REGULATORY OFFENCES.

CARRIED.

b) City Clerk's Report – Application for Development Permit

MOTION: SHKRABUIK / GORDON

RESOLVED THAT COUNCIL APPROVES THE APPLICATION FOR A DEVELOPMENT PERMIT TO INSTALL AN ILLUMINATED SIGN AT 2691 CENTRAL AVENUE, IN SUBSTANTIAL COMPLIANCE, AND AS PRESENTED IN THE APPLICATION SUBMITTED BY SELKIRK SIGNS, AS AGENTS FOR KAL TIRE. CARRIED.

c) City Clerk's Report – Application for Strata Conversion of a duplex unit

MOTION: O'DOHERTY / SHKRABUIK

RESOLVED THAT COUNCIL APPROVES THE APPLICATION FOR STRATA CONVERSION, AS SUBMITTED BY PROPERTY OWNERS, JIM AND GAYLE HOLMES AND STEVE AND BARB WALLER, FOR PROPERTY LOCATED AT 7527 AND 7537 16TH STREET, LEGALLY DESCRIBED AS LOT A, DL380, PLAN KAP491129, AND DELEGATE TO THE APPROVING OFFICER THE AUTHORITY TO SIGN THE "ENDORSEMENT BY APPROVING AUTHORITY" FORM T. CARRIED.

REQUESTS ARISING FROM CORRESPONDENCE:

None

INFORMATION ITEMS:

MOTION: HINTER / GORDON

RESOLVED THAT INFORMATION ITEMS NUMBERED 5A TO 5N BE RECEIVED AND ACTED UPON AS RECOMMENDED. CARRIED.

.....

MOTION: MOSLIN / HINTER

RESOLVED THAT COUNCIL SEND A LETTER TO THE BC TIMBER SALES MANAGER, KOOTENAY BUSINESS AREA, MINISTRY OF FORESTS, IN SUPPORT IN PRINCIPLE OF THE PHOENIX MOUNTAIN ALPINE SKI SOCIETY AND THE SOCIETY'S PLAN'S FOR EXPANSION OF THE PHOENIX SKI HILL. BE IT FURTHER RESOLVED THAT COUNCIL REQUEST THE BC TIMBER SALES MANAGER TO DELAY THE TIMBER SALE OF PROPERTY IN THE VICINITY OF THE EXISTING PHOENIX SKI HILL SITE, UNTIL AFTER THE SOCIETY HAS HAD THE OPPORTUNITY TO MAKE THEIR EXPANSION PLAN PRESENTATION. CARRIED.

BYLAWS:

a) Bylaw 1824 – Electrical Utility Regulatory Amendment Bylaw

MOTION: O'DOHERTY / GORDON

RESOLVED THAT BYLAW NO. 1824, CITED AS “ELECTRICAL UTILITY REGULATORY AMENDMENT BYLAW NO. 1824, 2007, BE FINALLY ADOPTED.

CARRIED.

LATE ITEMS:

None

REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL (VERBAL)

Councillor Shkrabuik :

No report

Councillor Moslin:

Councillor Moslin reported on the following activities:

- Reported that a municipality in this province has made a pledge to reduce it's emissions in an effort to comply with the Kyoto Accord. He provided the list of 12 steps that the municipality is doing, stating that Grand Forks has already undertaken many of the things in the 12 step pledge.
- Stated that Grand Forks is in a good position to live up to the province's reduced emission goals.

Councillor Robert:

Councillor Robert reported on the following activities.

- Advised that Music Man will be held the last weekend of February and 1st week of March at the GFSS auditorium
- Spoke to the upcoming Annual General Meetings of the Grand Forks Public Library

A copy of Councillor Robert's report is attached to and forms part of these minutes.

Councillor Hintz –

No report

Councillor Gordon

No report

Councillor O'Doherty

No report

Mayor Krog

Reported on Staff's meeting with staff of the Ministry of Highways,. He advised that Highways will undertake a pavement study of Highway 3 running through Grand Forks as weather permits in the spring, stating that the City will be provided a letter of response indicating the results of the study, once it is completed. He stated that the repaving of Central Avenue will be put in the Ministry budget 2008- 2009 at a cost of approximately \$1 million. He further stated that the City will make application for cost sharing of design of some intersections of Highway 3 and municipal streets. In conclusion he advised that it is the intention of the Ministry to conduct a traffic study at the intersection of North Fork Road and Highway 3.

MOTION: SHKRABUIK / O'DOHERTY

RESOLVED THAT ALL REPORTS OF MEMBERS OF COUNCIL, GIVEN VERBALLY AT THIS MEETING, BE RECEIVED. CARRIED.

ADJOURNMENT:

MOTION: O'DOHERTY

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE ADJOURNED AT 7:53 P.M. CARRIED.

CERTIFIED CORRECT:

MAYOR NEIL KROG

CITY CLERK - LYNNE BURCH

Regular Meeting of Council
February 19, 2007

**THE CORPORATION OF THE CITY OF GRAND FORKS
AGENDA – REGULAR MEETING**

Monday February 19, 2007 – 7:00 p.m.

	<u>ITEM</u>	<u>SUBJECT MATTER</u>	<u>RECOMMENDATION</u>
1.	<u>CALL TO ORDER</u>	7:00 p.m. Call to Order	Call Meeting to Order at 7:00 p.m.
	<u>RECESS TO PRIMARY COMMITTEE MEETING</u>		Recess meeting into Primary Committee Meeting. Reconvene Regular Meeting at conclusion of Primary Committee Meeting
2.	<u>REGULAR MEETING AGENDA</u>	February 19, 2007 Agenda	Adopt Agenda
3.	<u>MINUTES</u> <ul style="list-style-type: none">- February 5, 2007- February 5, 2007	Regular Meeting Minutes Special Meeting Minutes	Adopt Minutes Adopt Minutes
4.	<u>REGISTERED PETITIONS AND DELEGATIONS</u> None		
5.	<u>UNFINISHED BUSINESS:</u> None		
6.	<u>RECOMMENDATIONS FROM STAFF FOR DECISIONS:</u> a) City Clerk's Report – Adoption of Resolutions to forward to AKBLG	2 proposed additional resolutions to be forwarded to the AKBLG Conference prior to the deadline of February 27 th as described below: <ul style="list-style-type: none">▪ Province to clarify Section 119 of the Workers' Compensation Act to ensure that owners are not held liable for safety violations of their tenant's workers.▪ Province to clarify the wording of Section 4 of the Wildfire Act and Section 3 of the Wildfire Regulations so that the vast areas of the Province are not left in a regulatory vacuum with respect to wildfire legislation	Council to adopt the resolutions as outlined in the Staff Report and forward copies of the adopted resolution to the Association of Kootenay Boundary Local Governments conference scheduled for April, 2007.

**b) City Clerk's Report –
Application for a
Development Permit**

Application for a development permit to install an illuminated sign, on property located at 2691 Central Avenue, new home of Kal Tire.

Council approves the application for a development permit to install an illuminated sign at 2691 Central, in substantial compliance, and as presented in the application submitted by Selkirk Signs, as agents for Kal Tire.

**c) City Clerk's Report –
Application for Strata
Conversion of a duplex unit**

Application for Strata Title Conversion for Duplex unit located at 7527 and 7537 16th Street, as requested by the property owners, Jim and Gayle Holmes and Steve and Barb Waller.

Council resolves to approve the application for strata conversion and delegate to the Approving Officer the authority to sign the "Endorsement by Approving Authority" Form T.

7. **REQUESTS ARISING FROM
CORRESPONDENCE:**

8. **INFORMATION ITEMS**

- Summary of Informational Items

Receive the items and direct staff to act upon as recommended

9. **BYLAWS**

**a) Bylaw 1824 – Electrical Utility
Regulatory Amendment Bylaw**

A bylaw to adjust the electrical utility rates.

Final Reading

10. **LATE ITEMS**

11. **REPORTS, QUESTIONS AND
INQUIRIES FROM MEMBERS OF
COUNCIL (VERBAL)**

a) City Clerk Report

Members of Council may ask questions, seek clarification and report on issues

Issues seeking information on city operations be referred to the City Manager prior to the meeting.

12. **ADJOURNMENT**