

	<p style="text-align: center;">stqaʔkʷnɨw` t WESTBANK FIRST NATION 515 Highway 97 South Kelowna, B.C. V1Z 3J2 Phone: (250) 769-4999 Fax: (250) 769-4377 www.wfn.ca <i>Community. Leadership. Pride.</i></p>	<p style="text-align: center;">MINUTES ADVISORY COUNCIL pæckʔtán (March) 12, 2019 Approved sp'ixəmtən (April) 9, 2019</p>
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Meeting took place in the First Floor Boardroom of the Westbank First Nation Government Building.

ADVISORY COUNCIL IN ATTENDANCE:

Terry Turcan - Chair	Gord Couch – Vice-Chair
Ludwig Teichgraber	John Cole
Rick Ould	

STAFF IN ATTENDANCE:

Jeniffer Bellingham	Researcher
Pat Leitch	Director of Finance
Martin Rutherford	Financial Consultant
Ernest Jack	Surveyor of Taxes
Joe Mocilac	Director of Development Services
Della Elliott	Legal Services Supervisor
Julia Buck	Legal Counsel
Adam Nerger	səxʷk'əʔq'əym / Recording Clerk

CALL TO ORDER	Agenda is attached to these minutes as Exhibit "A."
<i>T. Turcan</i>	Called the meeting to order at 8:58 a.m. with P. Leitch and M. Rutherford present.
	<u>Motion to Adopt the Agenda of pæckʔtán (March) 12, 2019</u>
MOTION	MOVED BY J. COLE Seconded by G. Couch THAT the Advisory Council hereby approves the agenda of pæckʔtán (March) 12, 2019. CARRIED
	<u>Motion to Adopt the Minutes of sknir'mn (February) 12, 2019</u>
MOTION	MOVED BY G. COUCH Seconded by J. Cole THAT the Advisory Council hereby approves the minutes of sknir'mn (February) 12, 2019. CARRIED
NEW BUSINESS	
	<u>Presentation of the FY2020 LGS Budget</u> Presentation is attached to these minutes as Exhibit



	"B."
Staff Entered:	E. Jack entered the meeting at 9:03 a.m.
<i>E. Jack</i>	There are 15 property assessment appeals identified this year; 10 residential and 5 commercial which is a typical amount. These appeals are with the appeals manager for their review at this time.
<i>P. Leitch</i>	<p>Overviewed the presentation with the Advisory Council. Highlights from the presentation included:</p> <ul style="list-style-type: none"> • Residential assessments have increased from the previous fiscal year; • There was a 6.0% increase in property taxation revenue from the previous fiscal year; • General Government Services increased by 1.8%; • Protective Services increased by 9.4%, this is largely a result to the new conservation partnership initiative between WFN and BC Conservation Services; • There was a 3% reduction in tax contribution to the provisional budget from the previous fiscal year; • There were notable shifts in use and access of services by non-Members resulting in some changes to the allocation of funds; • A Grant Coordinator position has been included in the upcoming fiscal budget and will support the identification of new funding sources to support WFN's services; and • There will be an approximate 3.6% increase for residential properties for the tax rate.
Staff Entered:	J. Mocilac entered the meeting at 9:23 a.m.
<i>E. Jack</i>	In response to T. Turcan, clarified that steps have been taken to increase the rate of utilities so that WFN is reflective of other local governments' rates . At this time, WFN's rates are nearing a consistent level with other local governments however will continue to be raised in upcoming years until it reaches this level.
<i>P. Leitch</i>	<p>Continuing the presentation:</p> <ul style="list-style-type: none"> • Homeowners will pay an average property tax of \$1,915 prior to the homeowner grant, an increase of 3.6% from the previous year; and • WFN is initiating the process to bring the homeowner grant to an online format to assist in providing alternative forms of access.



<i>J. Cole</i>	Requested that an update on comparable tax rates be provided following the receipt of final rates from neighbouring local governments for review by the Advisory Council.
<i>J. Mocilac</i>	<p>Overviewed the WFN Major Capital Projects Budget 2019-2020 with the Advisory Council. Highlights included:</p> <ul style="list-style-type: none"> • A grant application was submitted to support the development of the I.R. No. 9 water treatment facility in the sum of \$25 million, an update on the application is anticipated shortly; and • Water system meter project continues to be an initiative for Utilities staff members.
<i>P. Leitch</i>	<p>Continuing the report:</p> <ul style="list-style-type: none"> • Other local government services account for \$2.28 million; • \$1.5 million has been set aside for capital projects reserve; and • \$170,000 will be transferred from reserve to support the upcoming fiscal budget.
<i>G. Couch</i>	In my eight years with the Advisory Council I have continued to be impressed with the level of service and presentation from staff in preparing and presenting the fiscal budget. I appreciate these efforts and express my compliments to WFN Administration and WFN Council in supporting the Advisory Council and its recommendations.
Staff Left:	J. Bellingham left the meeting at 9:48 a.m.
MOTION	<p>MOVED BY G. COUCH Seconded by J. Cole THAT the Advisory Council determined to support and recommend adoption of the FY2020 LGS Budget by WFN Council. CARRIED</p>
	The Advisory Council expressed appreciation for the updates provided by WFN's Development Services on ongoing projects and capital projects.
	<u>Presentation of the January Financial Report</u> Report is attached to these minutes as Exhibit "C."
<i>P. Leitch</i>	<p>Overviewed the report with the Advisory Council. Highlights from the report included:</p> <ul style="list-style-type: none"> • A review of projects will occur with the Director of Development Services to ensure project budgets



	<p>are as up to date and accurate as possible as there have been a few projects identified that are completed; and</p> <ul style="list-style-type: none"> • A purchase of land had been identified in an incorrect budget line as identified by L. Teichgraber during the previous Advisory Council meeting and has since been addressed and coded appropriately by Financial Services staff.
<i>J. Mocilac</i>	<p>In response to T. Turcan clarified staff are currently reviewing a water fee increase with a final fee amount not yet identified. An increase has not occurred in recent years, though a gradual increase is likely to occur shortly. Development Services will work with Financial Services to prepare an appropriate communication package to inform residents when rates change.</p> <p>In response to L. Teichgraber, clarified that tests are conducted to ensure the accuracy of water meters on an ongoing basis.</p>
MOTION	<p>MOVED BY J. COLE Seconded by L. Teichgraber THAT the Advisory Council determined to accept the January, 2019 Financial Report as presented. CARRIED</p>
	<p><u>Presentation of By-law 19-TX-01</u> Staff Report from E. Jack is attached to these minutes as Exhibit "D."</p>
<i>E. Jack</i>	<p>Overviewed the report with the Advisory Council. First Reading was presented and approved by WFN Council yesterday.</p>
MOTION	<p>MOVED BY R. OULD Seconded by J. Cole THAT the Advisory Council determined to support and recommend 19-TX-01 as presented. CARRIED</p>
	<p><u>Presentation of By-law 19-TX-02</u> Staff Report from E. Jack is attached to these minutes as Exhibit "E."</p>
<i>E. Jack</i>	<p>Overviewed the report with the Advisory Council. First Reading was presented and approved by WFN Council yesterday.</p>
MOTION	<p>MOVED BY G. COUCH Seconded by R. Ould</p>



	<p>THAT the Advisory Council determined to support and recommend 19-TX-02 as presented. CARRIED</p>
	<p><u>Update on BC Assessment Discussions</u></p>
<i>E. Jack</i>	<p>At the April 12, 2019 Advisory Council meeting a representative of BC Assessment, Bill Dawson, will be in attendance to speak to property assessments and how these are determined and conducted on WFN lands. BC Assessment representative Tracy Wall will also be present from BC Assessment to answer any questions posed by the Advisory Council in this matter.</p>
Staff Left:	<p>P. Leitch, J. Mocilac, E. Jack left the meeting at 10:20 a.m.</p>
RECESS	<p>The Advisory Council recessed for a short break at 10:21 a.m.</p>
RECONVENE	<p>The Advisory Council reconvened at 10:31 a.m. with D. Elliott and J. Buck present.</p>
	<p><u>Conservation Officer Update</u></p>
<i>D. Elliott</i>	<p>The conservation initiative has progressed since our last update to the Advisory Council. Wayne Murdock will become a member of Conservation Services effective April 15, 2019. At that time Wayne will become a full time conservation officer and in May and June, 2019 he will begin conservation training in Hinton, Alberta. Following this, there will be two more training sessions in September and October 2019 before he becomes a full time conservation officer. WFN will prepare a workplan for Wayne and he will operate from an office on WFN lands, located near the Elders Hall. His position has been posted and there have been 18 applications received so far, with 6 of note.</p> <p>In response to T. Turcan clarified that Wayne will operate off-reserve but his primary focus will be on Westbank lands.</p> <p>This is a first for a First Nation community in Canada and an appropriate communication will be prepared for release when this is finalized. An update will be provided to the Advisory Council closer to finalization of the agreement between WFN and Conservation Services. Chief Doug Forsdick of Conservation Services will be attending WFN Council in April to provide a similar presentation that was previously provided to the Advisory Council.</p>



	In response to T. Turcan clarified that there will be a level of shared costs for co-badging of Wayne as a shared employee of WFN and Conservation Services, likely in the sum of \$45,000.00. There may be other minor costs associated to this initiative however this has not yet been finalized.
	<u>HUB Situation Table</u>
<i>D. Elliott</i>	<p>The HUB Situation Table is a joint partnership between WFN, the City of West Kelowna, and the District of Peachland to support those in need and provide a level of assistance within 48 hours. This is a joint table formed with individuals who are able to review an individual's needs and identify appropriate supports for those at risk. This projects results from a lack of services currently available on the westside to support those who are homeless or identified as being at risk.</p> <p>An initial meeting will occur on April 2, 2019 with 50-75 individuals from various bodies anticipated to be present. Following this initial meeting, the model will be developed which is supported by a grant in the sum of \$50,000.00. This model was developed from a similar project in St. Albert, Alberta where it was successful in addressing a number of social concerns. The Advisory Council is welcome to attend this session and information will be shared as it becomes available.</p>
Staff Left:	D. Elliott left the meeting at 10:49 a.m.
	<u>Update on WFN Law Amendments Concerning Cannabis</u> Supporting Documentation is attached to these minutes as Exhibit "F."
<i>J. Buck</i>	<p>Overviewed the update with the Advisory Council. Highlights from the update included:</p> <ul style="list-style-type: none"> • In Fall 2018, Council initiated the amendment process to WFN laws concerning cannabis following the passing of the Federal Cannabis Act which affected the medical cannabis legislation which subsequently impacted WFN's Safe Premises Laws; and • Staff subsequently identified other WFN laws that required amendments which included the Business Licenses Law, Safe Premises Law, and Land Use Law. <p>In response to L. Teichgraber clarified that the laws are in</p>



	the amendment process following First Reading. Any feedback from the Advisory Council will be brought forward to Council on March 25 th for Second Reading.
<i>L. Teichgraber</i>	From review of the provided drafts there are some concerns that I have and I would prefer to have additional time to review and provide feedback on these amendments to the laws.
<i>J. Buck</i>	<p>The substantive changes are minimal in nature. Going forward we will look to provide the Advisory Council with additional time to review for the purposes of providing feedback. These proposed amendments are specific to modernization of current WFN laws to recognize changes to federal legislation which has affected WFN laws as they exist currently.</p> <p><u>WFN Safe Premises Law</u> Overviewed the proposed WFN Safe Premises Law amendments with the Advisory Council.</p> <p><u>WFN Business License Law</u> Overviewed the proposed WFN Business License Law amendments with the Advisory Council.</p> <p>In response to L. Teichgraber clarified how the Business License Law would apply to charity fundraising as set out in section 17 of the Law.</p> <p>In response to L. Teichgraber clarified how section 19 applies to home renovation and construction as it relates to contractors and sub-contractors.</p>
<i>J. Cole</i>	Recommended that physiotherapy and naturopathic operations be identified under the Business License Law as businesses.
<i>J. Buck</i>	<p>In response to T. Turcan clarified that amendments were prepared based on internal review with the Business License Officer and updated as required.</p> <p>Business licenses concerning cannabis are required to be brought to the attention of WFN Council and not addressed by the Business License Officer. There has been discussion on the potential development of a WFN Cannabis Act, however based on the current revenue sharing model which does not apply to WFN there is a level of concern WFN's ability to collect revenue. If WFN does not receive revenue then WFN may not look to take jurisdiction until such time that revenue sharing is</p>



	amended and an appropriate model is in effect. At this time, this will fall under Provincial jurisdiction and governed under Provincial law as an interim measure.
<i>J. Buck</i>	<u>WFN Land Use Law</u> Overviewed the proposed amendments to the Land Use Law with the Advisory Council. One notable change is the ability of a WFN Member to construct a home without appropriate zoning in effect, this has been amended to ensure that appropriate zoning is in place to support the construction of a residence. Further overviewed proposed amendments to the WFN Land Use Regulations with the Advisory Council.
<i>L. Teichgraber</i>	Some municipalities limit the number of days a year that a residence can be rented as a short term rental over a cumulative period of time. This is something that WFN could look to consider. This occurs in Vancouver and I understand is being considered in the City of Kelowna. Requested clarity on the application of zoning to secondary suites as identified in section 6.12 on page 37 of the Regulation. Recreational vehicles, such as boats, should also be identified throughout the law for regulation purposes as they have been a notable concern in some residential developments.
<i>J. Buck</i>	Secondary suites are referenced in section 4.1.8 of the Regulations for greater clarity.
<i>L. Teichgraber</i>	Recommended that consideration be given to addressing temporary dwellings under the Law.
<i>J. Buck</i>	In response to T. Turcan clarified there would be a zoning overlap present for current residences to address any non-compliance. If there are any additional comments then Advisory Council members can contact me with any additions or concerns through email.
Staff Left:	J. Buck and A. Nerger left the meeting at 11:55 a.m.
	<u>Review of Donation Opportunities</u>
<i>T. Turcan</i>	It will be beneficial to ensure that there is a level of clarity in our budget as it relates to grants and donations. Our recent donation to the United Church did receive a



	level of recognition within the community. At this time we have \$1,000.00 remaining in our budget for donation purposes that can be utilized as determined by the Advisory Council.
<i>R. Ould</i>	I recommend that a donation be made to the Westside Food Bank with the remaining budget amount.
MOTION	MOVED BY R. OULD Seconded by L. Teichgraber THAT the Advisory Council supported a donation in the sum of \$1,000.00 to the Westside Food Bank. CARRIED
	<u>Discussion on the Residential Pamphlet</u>
<i>J. Cole</i>	I feel that the included information is accurate and reflects the content we were seeking to identify.
	<u>Discussion on the Residents Annual General Meeting</u>
<i>G. Couch</i>	At our Resident's Annual General Meeting I feel it is important for our Advisory Council to speak to residents present to remind them of their voting rights and where they are entitled to vote. This could be a separate topic raised by a member of the Advisory Council during the meeting with a focus on encouraging engagement from residents. This can be an ongoing reminder each year during this event to promote resident engagement.
	The Advisory Council determined to consider inviting RDCO representative Wayne Carson to a future meeting with the Advisory Council.
	<u>Review of Consultation Notice for Lot 348-2, Plan 101944, Carrington Road</u>
<i>G. Couch</i>	I followed up with the Director of Development Services to raise ongoing concerns with Carrington Road that have previously been expressed. There are continued concerns for this road and intersections connected to this roadway. These concerns are largely with the Ministry of Transportation and Infrastructure and it was identified that staff are continuing to pursue this matter with this body. There is an increased level of continued issues as the property zoning has the potential for hotel development, however I am satisfied with the answers provided by the Director of Development Services and his level of awareness with these concerns.
	<u>District Reports</u>



	<u>Lakeridge</u>
<i>L. Teichgraber</i>	There is nothing to report at this time.
	<u>Prairie</u>
<i>G. Couch</i>	There are concerns with the roadway that leads to the Sun Village entry which is a Ministry of Transportation and Infrastructure matter. This is a recurring issue that results in temporary fixes however needs to be addressed. The Ministry has expressed that Sun Village is responsible however as this is occurring on the roadway I feel it is the Ministry's responsibility.
	<u>Lakeshore</u>
<i>R. Ould</i>	There is nothing to report at this time.
	<u>East Boundary</u>
<i>J. Cole</i>	There is nothing to report at this time.
	<u>Old Okanagan</u>
<i>T. Turcan</i>	The Bayview development held its annual general meeting recently which was well attended. There was discussion on the development of a dog park as well as the implementation of restrictions for short term rentals such as through AirBnB.
<i>R. Ould</i>	I was present for this meeting and there appears to be a strong desire to prevent short term rentals. It was identified that there was discussion with WFN's Senior Planner on upcoming law amendments however there is a desire to implement restrictions in the community.
	<u>Next Meeting</u>
	The next meeting will take place on sp'íłəmtən (April) 9, 2019
ADJOURNMENT MOTION	MOVED BY J. COLE Seconded by G. Couch THAT the Advisory Council meeting be adjourned. CARRIED The meeting adjourned at 12:29 p.m.



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Westbank First Nation
Community. Leadership. Pride.

MINUTES
ADVISORY COUNCIL
pæktán (March) 12, 2019

These minutes are certified correct:

Terry Turcan

Gord Couch

Ludwig Teichgraber

Rick Ould

John Cole