

	<p style="text-align: center;">stqa?kʷnínw` 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 siya?tən (June) 13, 2017</p> <p style="text-align: center; color: red;">Approved tʰxʷtʰán (July) 11, 2017</p>
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Meeting took place in the First Floor Boardroom of the Westbank First Nation Government Building.

ADVISORY COUNCIL IN ATTENDANCE:

Gordon Couch - Chair	Ludwig Teichgraber – Vice-Chair
Cathy Graham	Terry Turcan

STAFF IN ATTENDANCE:

Adam Nerger	səxʷkʷəqʷəqʷaym / Recording Secretary
Jen Bellingham	Researcher
Brian Conner	xatus sqlaw / Director of Finance
Eric Fleury	Budget and Financial Reporting Administrator
Ernest Jack	xatus i? kʷəl sʰəqʷəqʷ / Surveyor of Taxes
Derek Corning	Infrastructure Engineer
Graeme Dimmick	Senior Planner
Della Elliott	Legal Services Supervisor

CALL TO ORDER	Agenda is attached to these minutes as Exhibit "A."
<i>G. Couch</i>	Called the meeting to order at 9:04 a.m.
<i>Staff Present:</i>	E. Fleury, B. Conner and E. Jack were present for the opening of the meeting.
MOTION	<p><u>Motion to Adopt the Agenda of siya?tən (June) 13, 2017</u></p> <p>MOVED BY C. GRAHAM Seconded by T. Turcan THAT the Advisory Council hereby approves the agenda of siya?tən (June) 13, 2017 with the following additions:</p> <ul style="list-style-type: none"> • Assessment Matter <p>CARRIED</p>
MOTION	<p><u>Motion to Adopt the Minutes of míktú?tin (May) 9, 2017</u></p> <p>MOVED BY T. TURCAN Seconded by L. TEICHGRABER THAT the Advisory Council approves the minutes of míktú?tin (May) 9, 2017. CARRIED</p>



NEW BUSINESS	
<i>G. Couch</i>	I understand that there are residents in attendance today that are looking to speak to an ongoing matter occurring on Abel Street. We welcome your comments at this time however the Advisory Council has reviewed this matter previously.
	<p>Comments from residents in attendance included:</p> <ul style="list-style-type: none"> • A residence on Abel Street is in violation of Schedule A of the Lakeridge Park lease; • This has been an ongoing issue with the resident since 2006; • Understanding that an unsightly premises notice was issued to the resident from WFN however the property remains in the same state as prior to when the notice was issued; • Recently it appears that the residence has began to operate an auto-shop on the premises; • Question of what the next steps are for law enforcement by WFN in addressing this matter; and • Concern that the lease agreement has not been upheld and whether or not the matter can be resolved by WFN.
<i>G. Couch</i>	We discussed this matter at our last Advisory Council meeting. I would recommend at this time that those residents affected look to make an appointment with the Legal Services Supervisor and provide any current photos and supporting materials to the Legal Services department for further consideration. Legal Services will be the key contact point for these discussions.
<i>T. Turcan</i>	We can appreciate and understand the concerns expressed here today. We have a Council to Council meeting that will be scheduled shortly with WFN Council where we can look to bring this matter to their attention for further consideration.
	<u>Local Government Finance Report, Fiscal Year 2017 Financial Report is attached to these minutes as Exhibit "B."</u>
<i>E. Fleury</i>	<p>Overviewed the Financial Update with the Advisory Council. Highlights from this update included:</p> <ul style="list-style-type: none"> • The majority of departments ended the year with a surplus apart from the Public Works department. This is a result of overtime expenditures, increased expectations and increased costs for materials experienced by Public Works. The



	<p>budget has been adjusted for this fiscal year to reflect these concerns;</p> <ul style="list-style-type: none"> • Surplus funds will be returned to the department as a retainer for future capital expenditures however larger surplus funds will be returned to the stabilization fund; • As of this report the Youth Centre is below budget with minor residual costs expected to be received for this fiscal year; and • Dosing Chamber Repairs were undertaken as an emergency repair and costs are anticipated to be in the amount of \$250,000 which will come from the Utilities Reserve.
<i>B. Conner</i>	<p>Continuing the report:</p> <ul style="list-style-type: none"> • \$1.5 million was moved into the contingency fund this year; • Capital Projects reserve fund is currently in a deficit, however this will be addressed in this fiscal year's budgeting; and • Property Tax reserves have decreased by \$500,000 due to a transfer to the contingency fund and costs associated with the Youth Centre.
<i>J. Bellingham</i>	<p>At the request of G. Couch clarified that concerns regarding the audio upgrades have been reviewed by WFN's IT Department and Property Management. The audio system setup has been tested and there were no concerns found following this review.</p>
MOTION	<p>MOVED BY C. GRAHAM Seconded By L. Teichgraber THAT the Advisory Council approved the Financial Report as presented. CARRIED</p>
<i>G. Couch</i>	<p>This year we saw a 3% increase in property taxes, I am wondering if we will see a continued increase due to recent emergencies that we are seeing with flooding. I am also curious as to whether there funding provided to WFN from the Province to address these unanticipated costs?</p>
<i>B. Conner</i>	<p>Overtime, supplies and materials incurred by WFN during this time can be reimbursed. We are currently monitoring expenditures as a result of recent flooding in collaboration with other regional EOC partners.</p>
<i>E. Fleury</i>	<p>At this time it appears that we will likely be looking at a</p>



	total cost of \$50,000. Typically local governments will submit a report to the Province and insurance provider for reimbursement. WFN would look to submit costs to Indigenous and Northern Affairs Canada ("INAC") for reimbursement. Some costs are covered by the Province through EOC services. We will look to review these costs at a later date with the Advisory Council once costs are finalized.
	<u>Demolition of 1875 Pheasant Lane Capital Expenditure Bylaw 17-TX-05</u> Staff Report from E. Jack is attached to these minutes as Exhibit "C."
<i>E. Jack</i>	Overviewed the staff report with the Advisory Council.
MOTION	MOVED BY T. TURCAN Seconded By C. Graham THAT the Advisory Council supports and recommends Bylaw 17-TX-05 as presented. CARRIED
Staff Left:	E. Fleury, B. Conner and E. Jack left the meeting at 10:04 a.m.
	A short break occurred at 10:03 a.m. The meeting reconvened at 10:11 a.m.
	<u>Residential Development List Update</u>
<i>G. Couch</i>	I thank the members of the Advisory Council in continuing to assist me in putting together this list. Once completed, a copy of the list will be provided to WFN's Legal Services department. This list can be used in the event of future emergencies and will assist in providing contact information for key development representatives.
	G. Couch will distribute a copy of the residential development list to Advisory Council members and WFN Administration upon completion.
	<u>Semi-Annual Council to Council Meeting</u>
<i>J. Bellingham</i>	Unfortunately we have not been able to set a date for the Council to Council meeting as a result of conflicting schedules. At this time we are looking to set potential dates that be discussed with WFN Council.
	The Advisory Council proposed June 26 th , 2017 or alternative dates as provided by Council for the semi-annual Council to Council meeting.



	<p><u>Consultation Notice Lot 481, Plan 101102 CLSR and Lot 435 and 436, Plan 97849 CLSR</u> Consultation Notice is attached to these minutes as Exhibit "D."</p>
Staff Entered:	G. Dimmick and D. Corning entered at 10:21 a.m.
<i>G. Dimmick</i>	Overviewed the consultation notice with the Advisory Council. No public feedback has been received in response to the notice.
MOTION	<p>MOVED BY C. GRAHAM Seconded By L. Teichgraber THAT the Advisory Council provided their approval for the provided Consultation Notice. CARRIED</p>
	<p><u>Consultation Notice, Lot 302-3, Plan CLSR 73194</u> Consultation Notice is attached to these minutes as Exhibit "E."</p>
<i>G. Dimmick</i>	Overviewed the consultation notice with the Advisory Council. No public feedback has been received in response to the notice however staff will look to work with the applicant as there are a few concerns identified following review of the proposed development.
	<p>Various comments from Advisory Council members included:</p> <ul style="list-style-type: none"> • Notable increase in multi-family styled developments on WFN lands; • Consideration to be given for parking requirements for future developments; and • Implementation of green space requirements for future developments should be considered.
MOTION	<p>MOVED BY C. GRAHAM Seconded By L. Teichgraber THAT the Advisory Council provided their approval for the provided Consultation Notice. CARRIED</p>
	<p><u>Capital Projects Update</u></p>
<i>G. Couch</i>	Requested an update on the Carrington Road/Elk Road traffic concerns previously discussed by the Advisory Council.
<i>D. Corning</i>	We have spoken with the Ministry of Transportation ("MOT") and have obtained design plans that will provide alternative options to address these concerns. Previously MOT was not supportive of implementing roundabouts in



	<p>these areas however at our last meeting there appeared to be support following explanation of ongoing traffic concerns. A four way stop proposal was also discussed during this meeting. MOT bases its decision for supporting these projects on crash statistics received, however as crash statistics do not support a large scale project of this nature a case will need to be developed to support this initiative. Following further discussion with MOT we can return to the Advisory Council with an update.</p>
<i>G. Couch</i>	<p>We recognize that this problem has been ongoing for a few years and that implementing stop signs is not a long term solution however this would be beneficial for residents in the area. We do understand the challenge faced with making this case to MOT and the expenses associated with these proposed developments.</p>
<i>D. Corning</i>	<p>At the request of T. Turcan clarified that construction of a sidewalk on Old Okanagan will likely be concluded by the end of June, 2017. Delays were experienced as a result of a construction setback in the development of a wall along this area.</p>
<i>G. Dimmick</i>	<p>One notable project that will be upcoming is the development of a sports court for the community. At this time staff has developed three initial concepts based on consultation with community youth and Membership. We will look to establish cost estimates for these three concepts as the next step of the project. These concepts look to provide a variety of sports opportunities such as basketball courts, skate park and a pump track.</p>
Staff Left:	<p>D. Corning left the meeting at 11:13 a.m.</p>
	<p><u>Review of Open House: Zoning Regulation Update</u></p>
<i>G. Dimmick</i>	<p>At our recent open house we provided information on concerns identified with the current WFN zoning law. A consultant will next look to provide proposed changes to the zoning laws that we will look to present at a future open house for discussion with residents. A few key concerns that will be identified in this revision are:</p> <ul style="list-style-type: none"> • Secondary suites, • Parking concerns, • Mixed used and neighbourhood commercial development, • Expansion of the definition for parks and greenspaces; and • RV Sites.



	The Law was first developed in 2007 and the intent is that this review will address notable issues and concerns that have been experienced since that time. We anticipate that we will receive a draft from the consultant by the end of July and a revised law will be implemented by the Fall. We will look to engage the Advisory Council and collaborate to share information on these revisions with residents.
Staff Left:	G. Dimmick left the meeting at 11:22 a.m.
	<u>Update on the Carbon Tax Rebate</u>
<i>G. Couch</i>	This is a matter that we have discussed for a number of years now. With the potential that John Horgan will become the new Premier, we may look to once again express our concerns through a letter to the Provincial Government. Mr. Horgan has previously taken note of our concern and has brought this matter forward to the house for discussion however the matter did not progress further at the time. I would suggest that we look to work with WFN Chief and Council in the event that John Horgan is appointed as Premier to draft a letter bringing forward our concerns with the Carbon Tax Rebate.
	The Advisory Council agreed that if John Horgan became the Premier, they would look to collaborate with WFN Council in drafting a letter to reopen discussion regarding the Carbon Tax Rebate for WFN residents.
	<u>Determination of a Budget re: Legacy of the Advisory Council/Information on the Advisory Council Video Production</u>
<i>J. Bellingham</i>	I have been able to determine that the Advisory Council would likely have \$4000.00 for this project prior to the election that could be used for the production of a legacy video. The Advisory Council will need to consider that this is a start for the project and that time will need to be allotted by current Advisory Council members.
ACTION ITEM	G. Couch will connect with Rick Sagayadon to discuss the project and establish a budget for discussion at the next Advisory Council meeting.
	<u>Review of Abel Road Concerns</u>
Staff Entered:	D. Elliott entered the meeting at 11:17 a.m.
<i>D. Elliott</i>	Law Enforcement has not received any complaints regarding this property since May 11, 2017 until this morning. Law Enforcement will be attending the residence



	<p>this afternoon to follow up on this matter. Following initial discussion with the property owner, the initial concerns were addressed by the owner. We did receive a complaint from the property owner who also felt as though they were being harassed by their neighbours during this time.</p>
<i>G. Couch</i>	<p>We did receive an audience of neighbouring residents this morning looking to speak to this matter. At this time we clarified our position as the Advisory Council. We can look to inform them that Law Enforcement will be in attendance to review the property status.</p>
<i>L. Teichgraber</i>	<p>One concern for neighbours is that during this issue it appeared that the materials have been juggled around the property following Law Enforcement attendance. I feel that the neighbouring residents have been left in limbo regarding this matter and that they should be notified of the actions taken by Law Enforcement.</p>
<i>D. Elliott</i>	<p>This would be against privacy legislation which we cannot allow. Those that called our office to express concerns were informed that the matter was being addressed and that if they experienced further concerns they were welcome to submit them to our office for review.</p>
<i>L. Teichgraber</i>	<p>Is there an established standard held by WFN when reviewing properties that are identified as unsightly premises?</p>
<i>D. Elliott</i>	<p>These situations are unique and are issue specific. We have not received a concern since May 11, 2017 and I encourage residents to submit their concerns to our office so that we are aware of these occurrences at the time they are happening.</p>
<i>T. Turcan</i>	<p>I agree that these matters are issue specific and I concur with D. Elliott's comments. I also agree that these matters are of a private nature and should not be shared with neighbouring residents. I do however find that it is difficult for neighbours to provide complaints if the resident then complains that they are being harassed. I would recommend that if these matters continue to occur and the resident does not comply that a ticket be issued by Law Enforcement as identified in the WFN Penalty Schedule.</p>
<i>D. Elliott</i>	<p>Our Law Enforcement Officer will be attending the property this afternoon to conduct a review of the property. If the property does not comply with our</p>



	previous discussions then the attending Law Enforcement Officer has the ability to issue a ticket to the owner at their discretion.
	<u>Advisory Council Law 2017</u> The revised 2017 Advisory Council Law is attached to these minutes as Exhibit "F."
<i>G. Couch</i>	We have received the finalized version of the Advisory Council Law and would like to express our appreciation for the efforts of D. Elliott, K. Kingston and A. Nerger in moving our recommendations forward and adopting them into the revised law.
	The Advisory Council further expressed their congratulations to Richard Johns for his recent attendance to a policing conference hosted in Budapest Hungary where he was asked to speak on law enforcement activities undertaken by WFN.
Staff Left:	D. Elliott left the meeting at 11:55 a.m.
	<u>Assessments</u>
<i>T. Turcan</i>	A year ago, a seasonal RV trailer operation was opened near the Great Canadian Oil Change. This operation has since become a year-round operation similar to existing RV Parks on Old Okanagan Highway beside the Copper Sky Development. This is of concern for residents in the area. I would question if these residences are included as part of BC Assessment and whether they are subject to property taxes. I feel that these operations are a matter that should be reviewed by WFN administration.
	The Advisory Council agreed to discuss this matter at the semi-annual Council to Council meeting.
	<u>District Reports</u>
	<u>Lakeridge</u>
<i>L. Teichgraber</i>	There is nothing further to report at this time.
	<u>East Boundary</u>
<i>C. Graham</i>	There is nothing to report at this time.
	<u>Old Okanagan</u>
<i>T. Turcan</i>	Expressed appreciation for the water quality signage that has been implemented to increase resident awareness. There was a concern addressed by a resident who claimed they were unable to insure their residence on Westbank lands, however this was clarified by WFN Council Secretariat that no changes have been made WFN



	laws that would affect this insurance. This is likely an issue that will occur again for other residents and we will need to encourage residents to be aware of their rights on WFN lands.
	<u>Prairie</u>
<i>G. Couch</i>	Expressed appreciation to Jonathon Ford for his efforts during recent emergency situations. Sun Village will be hosting its annual meeting where a discussion on the community reserve funds will likely take place as increased recent use of these funds to address emergency situations has been notable.
	<u>Next Meeting</u>
	The next meeting will take place on Tuesday July 11, 2017 at 9:00 a.m. in the First Floor Boardroom of the Lindley Building.
ADJOURNMENT MOTION	MOVED BY T. TURCAN THAT the Advisory Council meeting be adjourned. CARRIED The meeting adjourned at 12:18 p.m.

These minutes are certified correct:

Gordon Couch

Terry Turcan

Ludwig Teichgraber

Cathy Graham