

VILLAGE OF CACHE CREEK, BRITISH COLUMBIA
REGULAR MEETING HELD THE 20th OF SEPTEMBER, 2022 VOLUME 37, PAGE 97

Present: Mayor Santo Talarico
Councillors Lisa Dafoe, Wendy Coomber, Sue Peters and Annette Pittman

Staff:

Chief Administrative Officer Damian Couture (virtually)
Chief Financial Officer Cristina Martini

Press & Media:

Jessica Clement: The HUB Online Network

Public:

Several members of the public were present

1. **ORDER:**

Mayor Talarico called the meeting to order at 6:01 pm.

2. **DELEGATION:**

A) Moore and Sons Contracting Inc.

Don Moore of Moore and Sons Contracting Incorporated presented regarding his application for subdivision of his property on Collins Road.

3. **MINUTES:**

A) September 6, 2022 Annual Meeting

MOVED by Councillor Peters

SECONDED by Councillor Dafoe

THAT the minutes of the Annual Meeting held on September 6, 2022 be adopted as presented.

CARRIED UNANIMOUSLY

B) September 6, 2022 Regular Council Meeting

MOVED by Councillor Dafoe

SECONDED by Councillor Peters

THAT the minutes of the Regular Council Meeting held on September 6, 2022 be adopted as presented.

DEFEATED

MOVED by Councillor Dafoe

SECONDED by Councillor Pittman

THAT the tape of the meeting on September 6, 2022 be reviewed and any necessary corrections to the minutes be made.

CARRIED UNANIMOUSLY

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C) September 8, 2022 Special Council Meeting

MOVED by Councillor Dafoe
SECONDED by Councillor Peters
THAT the minutes of the Special Council Meeting held on September 8, 2022 be adopted as presented.

CARRIED UNANIMOUSLY

4. **BUSINESS ARISING FROM DELEGATION:**

5. **BUSINESS ARISING FROM THE MINUTES:**

A) Questions regarding Campbell Hill Water

Councillor Pittman asked if Wastech has been contacted regarding partial payment for the repairs to the valves? CAO Couture responded that no, we have not contacted them specifically, it is already written in the agreement. The process is still ongoing. Councillor Pittman asked if the balance of the cost will be covered under the gas tax fund? CFO Martini replied that if it is something the entire Village will be using will qualify to be paid by the gas tax fund but if it is not used by the entire Village it will not qualify.

B) Bylaw No. 5-005, 2022 Bylaw Notice Enforcement

Councillor Pittman stated that in the previous meeting that the public requested to have public input and consultation prior to the final reading and passing of this bylaw but it is on this agenda for final consideration and adoption. Mayor Talarico responded that this can be addressed at the time the Bylaw is discussed in this meeting.

6. **COMMITTEE REPORTS:**

A) **Economic Development**

- Councillor Peters and Councillor Coomber

B) **Budget & Administrative Services**

- Councillor Peters and Councillor Coomber

C) **Policy & Bylaw Review**

- Mayor Talarico and Councillor Peters

1) Bylaw No. 5-005, 2022 Bylaw Notice Enforcement

MOVED by Councillor Peters
SECONDED by Councillor Dafoe
THAT Council give final consideration to and adopt Bylaw No. 5-005, 2022 Bylaw Notice Enforcement.

CARRIED
Councillor Pittman OPPOSED

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2) Bylaw No. 6-004, Zoning Amendment, 2022

MOVED by Councillor Peters
SECONDED by Councillor Dafoe
THAT Council give first reading to Bylaw No. 6-004, Zoning Amendment, 2022.

CARRIED UNANIMOUSLY

D) Public Works & Community Facilities

- Mayor Talarico and Councillor Dafoe

1) Herb Hofer Memorial Bench

MOVED by Councillor Dafoe
SECONDED by Councillor Pittman
THAT Council approve the Herb Hofer memorial bench to be placed on Stage Road to replace the current wooden bench adjacent to the Lopez Creek culvert.

CARRIED UNANIMOUSLY

E) Village Services & Liaison

- Councillor Dafoe and Councillor Coomber

1) The Equality Project

MOVED by Councillor Coomber
SECONDED by Councillor Dafoe
THAT Council decline to send a letter of support for the Equality Project application for a grant from PGNAETA and request the Equality Project to revise their request to encompass the items discussed during Shelley Magwood's presentation to Council.

CARRIED UNANIMOUSLY

F) Protective Services

- Mayor Talarico and Councillor Coomber

Declaring a person interest in the following item Mayor Talarico and Councillor Peters left the room at 6:34 pm.

1) Letter from Fire Chief Tom Moe

MOVED by Councillor Coomber
SECONDED by Councillor Dafoe
THAT Council direct staff to draft a Policy regarding pay for Village staff responding to fire calls during work hours.

CARRIED
Councillor Pittman OPPOSED

Mayor Talarico and Councillor Peters returned at 6:41 pm.

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2) Firefit
Councillor Peters reported that she and Mayor Talarico had accompanied the Cache Creek Firefit team in the World Firefit Championships. The Cache Creek team ran their fastest time in their first run and though they had issues in their second run they still ran a fast time. They were well received by the other teams and they represented the Village well. They have started training for next year.

3) Firefighters Association
Mayor Talarico wished to thank the Cache Creek Firefighters Association for their donation to the banquet and weekend activities that took place on the weekend. The money that was contributed was raised by the fire department and put back in to the community.

G) Intergovernmental Relations

- Mayor Talarico and Councillor Coomber

1) Thompson Nicola Regional District Meeting
Mayor Talarico stated that there is a TNRD board meeting on Thursday so he will have a report in the next meeting.

2) Union of BC Municipalities Conference
Councillor Coomber stated that she had attended the annual UBCM conference and will have a report forthcoming.

H) Landfill Advisory Committee

- Mayor Talarico and Councillor Coomber

1) Monitoring Committee Meeting
Councillor Coomber reported that there is a monitoring committee meeting next week.

I) Emergency Management Committee

- Councillor Dafoe and Councillor Peters

7. STAFF REPORTS:

1) Shrine Property Open House
CAO Couture reported that a public release will be coming tomorrow but in summary the Village has been working with BC Housing on development of the Immaculate Heart of Mary Shrine property. There will be a series of public tours taking place next Wednesday, September 28 at 10am, 2pm or 7pm.

8. INFORMATION CORRESPONDENCE:

9. NEW BUSINESS:

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10. **QUESTIONS FROM THE PUBLIC:**

- 1) A member of the public asked why there isn't a referendum going to public about firemen getting paid? Mayor Talarico responded that a referendum is a very expensive process so if there is a policy that can be passed in house and council approves it then it is a simpler process and at a lower cost to the taxpayers.
- 2) A member of the public stated that in the previous meeting that the public would be consulted regarding bylaws but now it's being pushed through without the public being involved. Mayor Talarico asked for clarification for which bylaw? The member of the public stated the bylaws passed in this meeting. Councillor Peters reiterated that the bylaws as they sit now do need to be revised and that was where they stated there would be public involvement. The bylaw passed at this meeting is a compilation of current bylaws that are already in place, putting their fine structures in one place, it did not change any bylaws. The process that has to happen is that all of those bylaws have to be reviewed.
- 3) A member of the public asked if the fire department gets paid by the Province when they respond to a fire? CAO Couture responded if the Provincial Government specifically requests services from the Fire Department there is a payment structure related to that, other than that the only payment that the fire department association as a whole gets is \$10,000.00 per year for the whole membership flat rate. Councillor Coomber asked what they do with that \$10,000.00? CAO Couture replied that they recently put \$5,000.00 back into the community for the event last weekend and other than that they buy t-shirts. There is no dollar amount for each member. A lot of other departments do have that structure where each member is paid but even then, it is a low amount. Our fire department does not currently operate under that structure. Councillor Peters asked if she was correct in her understanding that some time ago the fire fighters association made the decision to invest the money into the department instead of taking the money individually? CAO Couture replied that he believes that is the case but he has been on the department 14 years and it has been that way since long before he was there. There is no intention to change that. The big thing was that most other places of work do compensate their firefighters for their time away from work. The employer does it. Mayor Talarico stated that the Firefighters Association was founded in roughly 1982 and it has pooled its funds in this way since then.
- 4) A member of the public stated that Councillor Peters stated that all of the bylaws that are listed in this new bylaw already exist in other bylaws this is just putting them all in one place. So the fee structures that are currently included were in previous bylaws or not? CAO Couture replied that all the 15 bylaws that are included in the new bylaw have existed for varying amounts of time, none of them outline the specific fees, but they outline the violations. So the fee structure is new, but the violations are all listed in the previous bylaws. The issue in the past is that there was no option to deal with violations aside from taking people to court for bylaw violations. This bylaw gives our bylaw enforcement officer another level. So he can speak to residents, give warnings and if the person continues to be non-compliant there is an option to issue a ticket. It is not intended to be a revenue generating activity, just another tool for the bylaw officer. The member of the public asked if CAO Couture could explain why there are outdated bylaws that have had fees attached to them when they know that they won't be continued bylaws at some

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point. CAO Couture replied that because personal bias had to be kept out of the process. So all parts of these bylaws had to be included.

Another member of the public stated that this new fee structure will keep the Village in court dealing with these fees or is the Village bypassing that and there is just a fine, it will not go in front of a judge? CAO Couture replied that anything to do with zoning or building the fine is meant to lead to correction of whatever the issue is. If a person were to think the fines are unjust they can still take the Village to court. The main issue is that it would first go to adjudication rather than directly to court.

Councillor Peters stated that the purpose of this is not to fine people, it is to help make the community better for everyone. The first step is to have conversations around complaints that are made and it is not meant to penalize people.

- 5) A member of the public made a statement regarding events in the park. They stated that they have retired to Cache Creek and everything was quite until July when Council approved bands to play for 3 days and 3 nights very loudly in the park. Last Saturday there was another event in the park. It wasn't as long but was still loud. The resident stated they are okay with the park but not the loud music.
- 6) A resident stated that they agree that we need a bylaw officer, but wonders if all of the members of Council have met the bylaw enforcement officer? The resident stated that he had a very poor meeting with the bylaw enforcement officer. The resident felt compelled to file a police report and a formal complaint in the office and felt that they and their part of the community is being targeted by the bylaw officer who patrolled the area multiple times in an unmarked car. The resident looked into the bylaws to reference the bylaw the officer quoted to the resident. The resident felt there should be more accountability and transparency for and from the bylaw officer and that he should have a code of conduct that is available on the website. The resident also felt the bylaw officer should have a gps device installed on his vehicle to protect both the officer and the public. The resident is concerned that given the interpretive nature of some of the bylaws the officer would be able to target people they may not like. The resident pointed out that the new bylaw for fees has a discrepancy between the wording in the fine and the wording in the original bylaw. They are concerned that this bylaw is being adopted as it is. The resident also stated they have spoken with several other members of the public who have had negative interactions with the bylaw officer.
- Another member of the public asked what credentials the bylaw officer holds. The member of the public further commented that the bylaw officer should not drive around in an unmarked car. CAO Couture replied that if the public have an issue with the bylaw officer they should bring these concerns directly to the office. He thanked the member of the public who did come in to the office with their complaints. He further commented that if a fine is issued the ticket can still be disputed, they would come and see the CAO and they would go through the specifics of the ticket and hear the bylaw officer and the member of the public side of the dispute and the CAO can decide. There is also the option for certain bylaws that have the ability to have a compliance agreement, such as a violation of the sign bylaw.
- A member of the public commented that some of these bylaws are silly and antiquated and wondered why there are fines associated with these old fashioned bylaws if there is no intention to enforce them? He was further concerned with changes to the heavy truck parking bylaw from a certain tonnage to state all commercial vehicles. CAO Couture responded that to date no one has given even a

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warning regarding commercial vehicle parking. The member of the public responded that even though it has not happened the potential exists that it may. CAO Couture replied that it would only be if someone filed a formal complaint regarding parking of a commercial vehicle the Village would then address it. He stated that the first step will always be talking to the person, the Village will not just issue fines, there will always be a conversation to try to resolve any issues first. Mayor Talarico replied that in the past all bylaw enforcement in the Village was complaint based, so if a resident did not like someone else they could come to the office and file a complaint. Now that there is a bylaw officer with a specific fee schedule it is hoped the system will be less biased. He reiterated that it is compliance the Village is seeking, not the issuance of fines. The bylaws referenced in this document will be revised as possible moving forward and the fee/fine schedule in the new bylaw will be amended as the bylaws themselves are amended.

A member of the public stated concerns with the way the bylaw officer stops people while walking down the street with their dogs on a leash being a civil liberties concern.

- 7) A member of the public commented that while the Equality Project seems to build on compassion there is extreme risk with anyone picking up people who have social issues and as such there is potential for personal injury and a risk to sponsors if professionals trained to deal with those people don't oversee the program. Mayor Talarico replied that is a point well taken.
- 8) A member of the public asked if the Village supported the changes to the Wastech operating permit to add to the 750,000 tons allowable to include 70,000 tons of auto residue and 100,000 tons of contaminated soil? They further asked if the Village received professional support to look at the impacts of this change? They stated that the FLNRO 2017 post Elephant Hill Wildfire report indicated Campbell Hill as a potential flooding area. They further asked where the water supply for the Campbell Hill reservoir is located in relation to the landfill and if there is any potential of contamination of this water source from the landfill? The member of the public also asked if there was a due diligence report created and if it is available to the public and was the extension request brought to the public for comment and if not, why not? Mayor Talarico replied that the 100,000 tons is included within the 750,000 tons permitted within the original permit in a calendar year, it does not increase the total allowable volume of waste. Mayor Talarico also responded that the water supply for the Campbell Hill water system is located at the south end of the Sage and Sands mobile home park.
- 9) A member of the public asked about being allowed to park rv's in front of private homes? This was addressed in the previous questions about bylaw enforcement.
- 10) A member of the public asked if the volunteers of the fire department are to be compensated for time it means they will fall under the category as an employee. Have they, or will they be added under WCB and will they be covered under the Village blanket municipal insurance once they get compensated the Village will be liable if they get injured. CAO Couture replied that when firefighters are responding to fires or doing any training they are already employees of the Village even though they are volunteers. If they get hurt in the line of duty it goes against the Village's WCB; we must report our membership numbers and training level to WCB very

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consistently. So for all intents and purposes they are considered employees of the Village already.

11. **QUESTIONS FROM THE PRESS:**

12. **CLOSED SESSION:**

MOVED by Councillor Dafoe
SECONDED by Councillor Peters
THAT Council move to a CLOSED Session pursuant to Section 90 of the *Community Charter* to consider items relating to one or more of the following:

(c) labour relations or other employee relations;

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

Council closed the meeting to the public at 7:24 pm.

13. **ITEMS RELEASED FROM CLOSED MEETING**

1) **Visitor Information Centre Contract 2023/2024**

MOVED by Councillor Peters
SECONDED by Councillor Dafoe
THAT item 5: E) from the September 6, 2022 Regular Closed Meeting regarding the Visitor Information Centre Contract be released to the public.

CARRIED UNANIMOUSLY

MOVED by Mayor Talarico
SECONDED By Councillor Coomber
THAT Council approve a renewal of the contract with the Desert Mesa Club and AttackKat Consulting and Planning for the operation of the Cache Creek Visitor Information Centre for the 2023/2024 Seasons.

CARRIED UNANIMOUSLY

14. **ADJOURNMENT:**

MOVED by Councillor Dafoe
SECONDED by Councillor Peters
THAT Council adjourn the meeting at 8:31 pm.

CARRIED UNANIMOUSLY

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Santo Talarico, Mayor

Damian Couture,
Chief Administrative Officer

I hereby certify the foregoing to be a true recording of the Minutes of the Regular Meeting of Council held the 20th day of September, 2022 E. & O.E.E.

Corporate Officer