

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, August 20, 2020
RDOS Boardroom – 101 Martin Street, Penticton

SCHEDULE OF MEETINGS

9:00 am - 10:00 am

RDOS Board

“Karla Kozakevich”

Karla Kozakevich, Chair
Regional District of Okanagan-Similkameen

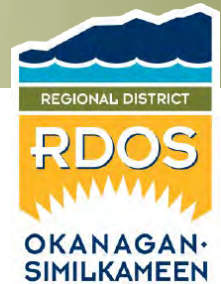


Serving the citizens of the Okanagan-Similkameen since 1966.

www.rdos.bc.ca

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Thursday, August 20, 2020
RDOS Boardroom – 101 Martin Street, Penticton



REGULAR AGENDA

A. APPROVAL OF AGENDA

Recommendation 1 (Unweighted Corporate Vote – Simple Majority)

THAT the Agenda for the RDOS Board Meeting of August 20, 2020 be adopted.

B. PUBLIC WORKS

1. Organics Processing Treatment Facility
 - a. Bylaw No. 2916,2020
 - b. Administrative Report for Bylaw No. 2916, 2020

Recommendation 2 (Weighted Corporate Vote – Majority)

THAT the Regional District enter into Agreement with Cheveldave & Associates Ltd., the Court-appointed Receiver for the sale of property at 1313 Greyback Mountain Road owned by Sather Ranching Ltd., to purchase the property in accordance with the terms of S. 3 of the Expropriation Act.

THAT the Regional District approve the purchase of the lands for \$1,600,000.00, to come from the Campbell Mountain Landfill Capital Reserve and Operations/Closure Reserve Funds.

THAT Bylaw No. 2916, 2020, being a bylaw to withdraw funds totaling \$1,600,000 from the Campbell Mountain Landfill Closure Plan Reserve Fund for the purchase of property to construct a sub-regional composting facility be given first, second and third reading and adopted.

C. CAO Reports

1. Verbal Update
-

D. Other Business

1. Chair's Report
-



2. Directors Motions
 - a. Chair Kozakevich
THAT staff bring forward recommendations to imbed anti-discrimination wording and concepts in current RDOS Board policies or develop new policy for Board consideration.
 - b. Director Pendergraft
FireSmart in ESDP areas (exact wording to be provided prior to or at Board Meeting)
-

3. Board Representation
 - a. BC Grape Growers Association and Starling Control – *Bush, Monteith (Alternate)*
 - b. Municipal Finance Authority – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - c. Municipal Insurance Association – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - d. Okanagan Basin Water Board – *McKortoff, Boot, Knodel, Pendergraft (Alternate to McKortoff)*
 - e. Okanagan Film Commission – *Gettens, Holmes (Alternate)*
 - f. Okanagan Regional Library – *Kozakevich, Roberts (Alternate)*
 - g. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
 - h. South Okanagan Similkameen Fire Chief Association - *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - i. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
 - j. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
-

4. Board Members Verbal Update
-

5. Adjournment

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

To: Board of Directors
From: Bill Newell, CAO
Date: 20 August 2020
RE: Organics Processing and Treatment Facility

RECOMMENDATIONS:

1. That the Regional District enter into Agreement with Cheveldave & Associates Ltd., the Court-appointed Receiver for the sale of property at 1313 Greyback Mountain Road owned by Sather Ranching Ltd., to purchase the property in accordance with the terms of S. 3 of the Expropriation Act.
2. That the Regional District approve the purchase of the lands for \$1,600,000.00, to come from the Campbell Mountain Landfill Capital Reserve and Operations/Closure Reserve Funds.

REFERENCE:

1. Expropriation Act, Chapter 125, RSBC 1996.
2. CMLF Operations/Closure Reserve Withdrawal Bylaw

HISTORY:

At their meeting of 6 August 2020 the Board of Directors received a report on the acquisition of 80 acres of land at 1313 Greyback Mountain Road (Sather Ranch) for the purpose of a future organics processing and treatment facility. Hearing the information presented, the Board subsequently passed a resolution to proceed with the acquisition through the expropriation act.

Following the resolution, expropriation notices were served on the Parties to the sale, it was filed with Land Titles and the process for expropriation was commenced. Following service of the expropriation notice, discussions occurred with the Receiver and the prospective purchaser. It was agreed that the Parties would jointly recommend to the Court that the Hearing previously scheduled for August 13th should be adjourned until August 27th, to allow the Regional District to consider reverting from action under S. 6 of the Expropriation Act to an Agreement under S. 3 of the Expropriation Act, with market value agreed to rest upon the existing \$1.6M offer from an interested Purchaser.

Should the Board adopt the recommendation to enter into the S. 3 Agreement, the prospective purchaser will withdraw their offer, the S. 3 Agreement will be presented to the Court and, with both Parties agreeing on the price, it is anticipated that the judge would accept the sale as proposed.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW No, 2916, 2020

A bylaw to authorize the expenditure of monies from the Campbell Mountain Landfill Closure Plan Reserve for the purchase of property to construct a sub-regional composting facility.

WHEREAS Section 377 of the Local Government Act, and Section 189 of the Community Charter authorises the Board, by bylaw adoption by at least 2/3 of its members, to provide for the expenditure of any money in a reserve fund and interest earned on it;

AND WHEREAS the Campbell Mountain Landfill Closure Plan Reserve Fund has sufficient monies available for community capital projects;

NOW THEREFORE, the Board of the Regional District of Okanagan-Similkameen in open meeting enacts as follows:

1. CITATION

1.1. This Bylaw shall be cited as the “***Campbell Mountain Landfill Closure Reserve Fund Expenditure Bylaw 2916, 2020***”

2. The expenditure of \$1,600,000.00 from the Campbell Mountain Landfill Closure Reserve Fund Expenditure Fund is hereby authorized for the purchase of property to construct a sub-regional composting facility.

READ A FIRST, SECOND AND THIRD TIME this xx day of xx, 2020

ADOPTED BY TWO THIRD VOTE this xx day of xx, 2020

Board Chair

Corporate Officer

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: Bill Newell, Chief Administrative Officer

DATE: August 20, 2020

RE: BYLAW 2916 – Campbell Mountain Landfill Closure Plan Reserve Fund Expenditure Bylaw

Administrative Recommendation:

THAT Bylaw No. 2916, 2020, being a bylaw to withdraw funds totalling \$1,600,000 from the Campbell Mountain Landfill Closure Plan Reserve Fund for the purchase of property to construct a sub-regional composting facility be given first, second, & third reading and adopted.

Reference:

Bylaw 2578, 2011 Campbell Mountain Landfill Closure Plan Reserve Fund Establishment Bylaw

Bylaw, 2916, 2020 Campbell Mountain Landfill Closure Plan Reserve Fund Expenditure Bylaw

Background:

A parcel of land at 1313 Greyback Road, in Electoral Area E, can be acquired for \$1.6M for the purposes of siting a sub-regional composting facility.

This new sub-regional facility will serve residents of Electoral Areas B, G, D, I, E, and F and the municipalities of Keremeos and Penticton.

This facility will accept biosolids, yard and food waste. Currently, food waste represents approximately 40% of the volume going into the landfill. It is estimated this new facility could divert 26% of this waste, effectively extending the useful life of the landfill.

Analysis:

This expenditure meets the criteria set out in the reserve fund establishment bylaw. By extending the operating period of the Campbell Mountain Landfill, it provides additional time for contributions to be made into the closure plan reserve each year.

After deducting the expenditures already committed in 2020, the balance in the Campbell Mountain Landfill Closure Plan Reserve Fund is \$4,769,811.

Alternatives:

Status-Quo – purchase does not occur.

Respectfully submitted:

“John Kurvink, Manager of Finance/CFO”

J. Kurvink, Finance Manager