

A regular meeting of the District of Wells Council was held October 21, 2014 at 7:00 P.M. in the Wells Community Hall, 4269 Sanders Avenue, Wells, BC V0K 2R0

## MINUTES

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**PRESENT:** Mayor Robin Sharpe and Councillors Mike Wallace, Virginia Wilkins and Richard Wright

**ALSO PRESENT:** Katrina Leckovic, C.A.O.; Dennis Manuel, Superintendent of Public Works and Deborah McKay, Deputy Clerk.

**PUBLIC GALLERY:** 11 People

**A. CALL TO ORDER AND AGENDA ADOPTION:**

**14-220 MOVED** Councillor Wilkins Seconded Councillor Wallace **THAT** the Agenda be adopted as circulated.

Carried Unanimously

**B. ADOPTION OF MINUTES:**

1. Minutes of Regular Council Meeting, October 7, 2014

**14-221 MOVED** Councillor Wallace Seconded Councillor Wright **THAT** the minutes of the Regular Council Meeting, October 7, 2014 be adopted as circulated.

Carried Unanimously

**C. DELEGATIONS AND PETITIONS: NIL**

**D. BUSINESS ARISING FROM THE MINUTES / UNFINISHED BUSINESS: NIL**

**E. NEW BUSINESS:**

1. Miner's Hall - Remedial Action Requirements

Eva May, owner of the Miner's Hall, noted that she and Mr. May had hoped that Jim Beler would attend the Council meeting. Mrs. May noted that at the August 2012 Council meeting the response by Council to their plans to renovate the Miners Hall was positive so they went ahead. Mrs. May further noted that the previous owners recommended using Jim Beler as their contractor and therefore they hired Mr. Beler. Mrs. May noted that the Mays have spent a lot of money and the project is becoming financially tough to continue, but they will see what happens. Lastly, Mrs. May noted again that they had hoped that Mr. Beler would attend the meeting as well as Simon Yu, the engineer they hired.

The Mayor noted that a deficiencies report was completed by Erin Reed, the Building Inspector for the District.

Mr. Jim Beler arrived at 7:20 PM.

Jim Beler, the Contractor for the Miners' Hall noted the following:

- One post at the front of the building was off by 4 inches
- Fred Schmode dug down at least 10 feet for the pillars which were put on footings bigger than what was required by law.

- The Building Inspector is doing what she can to stop this project.
- Simon Yu, the engineer, said there were no problems with anything on the Miners' Hall and to go ahead.
- The building is built well and himself and the Mays, owners of the building, are being treated unfairly
- Snow could not come down on the neighbour's house

The Mayor invited Erin Reed, the Building Inspector for the District of Wells to present a response to Mr. Beler.

Ms. Reed noted the following:

- No new building permits were issued for the Miner's Hall and therefore no construction should have transpired.
- Two stop-work orders were issued.
- Adequate drawings were not provided at any stage.
- The District of Wells, not the engineer in Prince George, has the final say on the go-ahead in regards to building.
- The Mays have invested a lot of money and time in this project.
- It would be negligent on the part of the Building Inspector not to take relevant action in regards to halting the construction.
- The porch may be encroaching on District property and a proper survey may be required
- The addition, which was originally proposed to be considered on the other side of the house, is in close proximity to the neighbour's house and it is unclear what is being built.
- There were several conversations, correspondence and meetings with the Mays and Mr. Beler, advising both parties about the building permit requirements and stop work orders.
- It is the responsibility of the District to make sure that the building is safely built.

Councillor Wright noted the following:

- Mr. Beler was being disrespectful to the Building Inspector, Council and the two stop work orders issued by the District of Wells.
- How do the Mays move on from here; how do they propose addressing the issues in the report?

The Mayor noted the following:

- When Mr. and Mrs. May first approached Council with their drawings and a request for a Development Permit, Council was agreeable to the job and to saving the building.
- Building permits were not applied for and proper drawings were not submitted.
- The Mayor did not appreciate Mr. Beler coming to his house and telling him it would be in his best interest to let Mr. Beler continue with the project.
- Mr. Beler has shown disrespect to every person that works for the District of Wells and Mr. Beler does not believe in authority.
- Mr. Beler had two years to bring in the proper paper work for this

project.

The Mays noted that they need to deal directly with the Building Inspector, the Administrator and Council and get the required permits and drawings. Councillor Wright noted that District Council and staff will work with the Mays to restore the building and that he appreciated the Mays taking the time to come up to Wells to attend the Council meeting. Councillor Wilkins noted that she was sorry that the Mays had to spend all this money but that she can tell by looking at the photos that it was unsafe and needed a lot of corrections. Mrs. May noted that the building is going to be a residence for one family with one commercial floor. Councillor Wilkins noted that the Mays needed to talk to the Building Inspector, Erin Reed to see what is required to proceed with the construction of the Miners Hall. Councillor Wright noted that Council is not qualified to say if a building is structurally sound, however, Council is morally and legally responsible to make sure that buildings are safe. Steve May noted a concern about the building coming up to code by today's standards. The Building Inspector responded that whenever someone reconfigures or improves an old building it is required that the building be brought up to code. The Mays noted that they will talk to the engineer, Simon Yu, and see if it is financially viable to go ahead with the building or if they will be forced to sell. Ms. Reed recommended that a Notice on Title be placed on the property since the Mays were considering selling so that potential buyers would be aware that there are outstanding issues with the building. Ms. Reed noted that an extension of 180 days for the Remedial Action Requirement was to make decisions on how they want to move forward and get the permits that are required, including a Development Permit, as the original permit had expired.

14-222

**MOVED** Councillor Wright Seconded Councillor Wallace **THAT** Council receive the information re: the Miner's Hall - Remedial Action Requirements.  
Carried Unanimously

14-223

**MOVED** Councillor Wallace Seconded Councillor Wright **THAT** the following resolution be approved:

WHEREAS Council passed a resolution respecting the land and building located at 2315 Pooley Street, Wells BC and legally described as PID 010-496-386, Lot 6, Block 4, Plan 18500, District Lot 289, Cariboo Land District, (the "Property") on October 7, 2014 (the "RAR Resolution");

AND WHEREAS the RAR Resolution requires Steven Richard May and Eva May, the owners of the Property, to submit permit applications and documentation in respect of Property as set out therein;

AND WHEREAS Steven Richard May and Eva May requested that Council reconsider the RAR Resolution and provided a written submission dated October 13, 2014;

AND WHEREAS Council has provided Steven Richard May and Eva May with an opportunity to make additional representations to Council in relation to the reconsideration of the RAR Resolution, including the requirements imposed

therein;

AND WHEREAS after providing the opportunity to make representations, Council may confirm, amend or cancel the RAR Resolution;

AND WHEREAS the Building Official has recommended that Council consider directing the Corporate Officer to file a notice in the land title office pursuant to s. 57 of the *Community Charter*;

AND WHEREAS Council has provided the Building Official and Steven Richard May and Eva May the opportunity to be heard prior to considering whether to direct that a notice be placed on title to the Property;

NOW THEREFORE the Council of the District of Wells resolves:

1. To amend the RAR Resolution (as follows);  
(6.) THAT no later than 180 days after notice of this remedial action requirement has been given pursuant to s. 77 of the *Community Charter*,
2. To provide notice of this resolution to the persons entitled to notice under s. 77 of the *Community Charter*, including a copy of this resolution; and
3. To defer the recommendation of the Building Official that the Corporate Officer file a notice on title to the Property pursuant to s. 57 of the *Community Charter*.

Carried Unanimously

F. CORRESPONDENCE:

1. 14.10.15 Kirsten Pedersen, Executive Project Director, BC on the Move, Ministry of Transportation and Infrastructure re: BC on the Move, A 10-Year Transportation Plan

**14-224** **MOVED** Councillor Wright Seconded Councillor Wallace **THAT** the 14.10.15 letter from Kirsten Pedersen, Executive Project Director, BC on the Move, Ministry of Transportation and Infrastructure re: BC on the Move, A 10-Year Transportation Plan be received.

Carried Unanimously

G. BYLAWS AND RESOLUTIONS: NIL

H. REPORTS: NIL

I. CONSENT CALENDAR:

**14-225** **MOVED** Councillor Wallace Seconded Councillor Wilkins **THAT** the Consent Calendar be adopted as circulated

1. 14.10.15 Judy Mooring, Visitors Experiences, Barkerville Historic Town re: Thank you for donation towards fireworks

Carried Unanimously

J. INFORMATION AND ANNOUNCEMENTS:

1. Council Members:

**Councillor Wright** noted that he wouldn't be attending the November 4, 2015 Council meeting and that he would return for the all candidates forum on November 12, 2014. Councillor Wright also noted that he has enjoyed working with the current Council. Lastly, Councillor Wright expressed his concern in regards to the number of power outages the District has had recently and further noted that we need to encourage BC Hydro to at least take down any danger trees. Staff will speak to Dave Mosure at BC Hydro about this issue.

**Councillor Wallace** noted that he will be at the next few Council meetings.

**Councillor Wilkins** thanked everybody who attended the meeting. Councillor Wilkins noted that she was very sorry for all the trouble the Mays had to endure and expressed her hopes that things will resolve for them eventually. Lastly, Councillor Wilkins noted that the first Community Forest meeting was on Thursday, October 23, 2014.

**The Mayor** noted that he would attend a Cariboo Regional District (CRD) meeting on October 24, 2014.

2. Staff:

**The Deputy Clerk** noted that Lynn Stevens would be taking the outgoing Council's photo on November 18, 2014 at 6:15. The Deputy Clerk also noted six school groups have already booked for the spring and that she is glad that Halloween is in Barkerville this year.

3. Public Gallery:

**Mark Rempel** noted that someone should speak with BC Hydro about the trees on the power lines. He also noted that there are still a lot of trees that need to come down.

**Dave Jorgenson** noted that the ferry to Bella Coola is an important issue to add to *BC On the Move*.

**Rebecca McCarthy** inquired if it was possible to give new people more information when they want to invest in the town of Wells. The Mayor responded that the Mays were given a lot of information in regards to their building and that the issue with the Mays was because of their contractor, not lack of communication and information. The contractor chose to not follow the correct procedure. The Mayor noted that he hopes the Mays' experience ends up being positive.

**Eva May** asked if she could apply for their first permit on October 21, 2014.

K. ADJOURNMENT:

**14-226 MOVED** Councillor Wallace Seconded Councillor Wright **THAT** the meeting adjourn at 8:18 PM.

Carried Unanimously

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Robin Sharpe, Mayor

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Katrina Leckovic, CAO