



Regional Board Report

Request for Decision

Approved for Board Consideration

To: Regional Board
From: Murray Kopp, Director – Parks Services
Date: June 9, 2022
Subject: Gellatly Heritage Park Partnership Agreement Renewal - Gellatly Cemetery Trustees

Corie Griffiths, Deputy CAO

Voting Entitlement: *All Directors – Stakeholder Weighted Vote – Majority (LGA s.209)*

Purpose: To renew the 1999 Partnership Agreement and accompanying 2019 Amending Agreement between the RDCO and the Trustees of the Gellatly Cemetery.

Executive Summary:

The RDCO owns and operates a 2.54 Ha (6.3 acre) property identified as the Gellatly Heritage Regional Park located at 4120 Gellatly Road (West Kelowna) and the Trustees of the Gellatly Cemetery own and operate a 0.631 Ha (1.56 acre) property identified as the Gellatly Cemetery located at 4140 Gellatly Road (West Kelowna) that is situated “within” the identified regional park. The RDCO and Trustees of the Gellatly Cemetery entered into a partnership agreement in February 1999 that has successfully supported capital improvements and on-going maintenance of both the regional park and cemetery sites. In an effort to continue to support the Trustees of the Gellatly Cemetery in compliance with the operating requirements identified in the Province of BC’s Cemetery And Funeral Services Act, RDCO Parks staff and the Trustees of the Gellatly Cemetery are recommending the RDCO Board support the renewal of the attached Gellatly Heritage Park Partnership Agreement Amendment which will continue to support the Trustees future management of the Caretaker House located within Gellatly Heritage Regional Park.

Recommendation(s):

THAT the Regional Board approve renewing a three (3) year amending agreement, in the form attached to the Report of the Director – Parks Services dated June 9, 2022, for a term extending from 2022 – 2025 in conjunction with the February 24, 1999 RDCO Partnership Agreement with the Trustees of the Gellatly Cemetery;

AND THAT the Board Chairperson and Corporate Officer be authorized to execute the Amending Agreement on behalf of the Regional District of Central Okanagan.

Respectfully Submitted:

A handwritten signature in blue ink, appearing to read "Murray Kopp", is written over a light blue horizontal line.

Murray Kopp, Director – Parks Services

Attachment(s): Gellatly Heritage Regional Park Map
2022 Amending Agreement Between RDCO / Trustees of the Gellatly Cemetery

Strategic Plan Alignment:

Priorities: Environment, Sustainable Communities

Values: Relationships, Collaboration

Background:

One of the original pioneering families that settled in the Okanagan was the Gellatly family. The family originally located on land and constructed a home and supporting farm buildings that were sited near the present Gellatly Road on land currently owned by the Bennett family. Many of these structures have deteriorated over the years but Trustees of the Gellatly Cemetery salvaged, relocated some of these structures to the Gellatly Heritage Regional Park. The Trustees of Gellatly Cemetery (i.e., Mrs. Ferne Jean) have invested numerous volunteer hours and committed significant funding toward the restoration of some of the buildings to a condition that the public can enjoy and the overall development and ongoing maintenance of the Gellatly Heritage Park site.

Considerations:**Organizational/External:**

The renewal of the Gellatly Heritage Park Partnership Agreement Amendment will assist the RDCO in appropriately continuing to ensure that cemetery security and oversight is entrusted to the Trustees of Gellatly Cemetery.

Financial:

The Gellatly Heritage Park Partnership Agreement renewal will support a percentage of the volunteer annual operating fund contributions that the Trustees of the Gellatly Cemetery donate to the park in addition to asset management funding support that will be secured by the RDCO through this agreement. The amending agreement renewal will see the Trustees apply a 2022 fixed term tenancy rent rate (August 1st, 2022 – July 31st, 2023) which will generate the equivalent of \$6351.84 in annual funds that will be distributed between the RDCO (\$3811.10) and the Trustees (\$2540.73) prior to July 31st, 2023. The Trustees share of the rent will be used on an “as needed” or as “mutually agreed with the Regional District” for site maintenance related to the Cemetery and in support of operational needs with the RDCO regional park. The RDCO will place a significant portion of the RDCO allocated funds into a capital reserve fund that can be used for future major capital repairs at the residence.

Legal/Statutory Authority:

The Local Government Act enables a Regional District to enter into lease agreements with partners.

Alternate Recommendation:

- N/A

Considerations not applicable:

- N/A