

Mayor McMynn opened the special meeting of Council at 18:00 hours on October 30, 2017 in the Council Chambers, Municipal Office, 661 Eighth Ave., Midway BC

Present: Mayor McMynn
Councillors Schierbeck, Rotvold

Staff: Penny Feist, Chief Administrative Officer
Sheri Harpur, Administrative Assistant

Delegation: Brad Elenko - McElhanney

Introduction of Late Items – Nil

Adoption of Agenda

Moved Councillor Rotvold, **Seconded** Councillor Schierbeck that the October 30, 2017 special meeting agenda be adopted as circulated. **Carried**

Delegation

Brad Elenko, Agent for Ted and Noreen Neuman for the proposed subdivision for their property located on DL 2227. Mr. Elenko advised Council he was here to discuss the subdivision and the Approving Officers Preliminary Layout Assessment requirements. Mr. Elenko does not agree with the conditions outlined in the AO's PLA specifically on-site septic service to the proposed lots or security prior to receiving final approval. He advised that with most bylaws from municipalities and regional districts that he has dealt with state that if a person is going to subdivide they must provide services or security paid to the municipality to have the services done. When it comes to subdividing where a septic field is going to be put in a Registered Wastewater Practitioner needs to ensure that there is a suitable area of land for a primary and back up field and the Neuman's have done this. The interpretation of the Village's bylaw is that the septic needs to either be constructed or to supply security for it. The problem with this is that a person doesn't put a septic field in until they know the location where they will be building their house on the property, and how can you put a security down when no one knows the size of the septic that will be needed.

The Neuman's Agent requests that Council allow a variance to the bylaw requirements to allow the subdivision to proceed without having to provide security to the Village for the septic system.

Councillor Schierbeck asked why the Neuman's are having an issue with paying the security? Brad Elenko said that Neuman's would rather not have to pay the security and then have to wait for someone to build a house in the unforeseen future. When a lot is subdivided it is never the practice for the person who is subdividing the lot to build the septic system. They provide the area and ensure that the new owner has the area to construct the septic system. In all his years of consulting Mr. Elenko has never encountered an approving officer or municipality requiring security for the installation of a septic system. Septic systems are designed based on the type of house so how does one even calculate the security for that?

CAO Feist pointed out that an engineer could be brought in to determine a layout plan and costs on a typical single family dwelling. Brad Elenko pointed out again that a septic system is always the responsibility of the homeowner not the person who is subdividing the property.

Councillor Rotvold asked if the water wells have been tested to make sure they meet Interior Health standards. As far as Mr. Elenko knows yes they have. CAO advised at this point there has not been any documentation received showing potable test results yet, only a well report.

Councillor Schierbeck's concern is that without the security from the Neuman's how does the Village know that once the properties are sold that the new owners won't come in and put a septic system in that won't meet standards. Mr. Elenko pointed out that no matter if it is put in now or later it still needs to be certified and that the security is not a guarantee that it's going to be done properly.

Mr. Elenko questioned Council whether or not the Building Inspector is required to make sure that certification is there and septic system is installed in accordance with the requirements for the Wastewater Practitioner.

Councillor Schierbeck leaves the room at 18:34 hours.

Mr. Elenko stressed again that this is the first time he has ever encountered a municipality requiring a security on a septic system. He completely understands if this subdivision were going to be hooked up to the Village sewer system but it is not.

Councillor Schierbeck returns at 18:36 hours.

CAO Feist advised Mr. Elenko that she received the water tests back from the 2 wells and the report for the well #1 on the proposed west lot shows it will provide adequate day to day requirements and adequate flows for fire protection pumping at 20+ USgpm, but the well on well #2 proposed east lot shows it will only provide 3+ USgpm. Well #2 does not meet the requirements outlined in the subdivision bylaw. Mr. Elenko feels that the requirements are for when a home is connected to the municipal water. CAO Feist advised that the subdivision bylaw references the ability to connect to both community water and onsite water services, and feels the design parameter requirements outlined in the bylaw should not be different from each other.

With regard to the subdivision bylaw requirement to either provide the services or security prior to final approval, the CAO will need to consult again with legal to get opinion on the Village of Midway's bylaw in reference to regulations and requirements for the provisions of services in respect to subdivision of lands.

Moved Councillor Rotvold, **Seconded** Mayor McMynn to defer to the next regular meeting for full Council discussion and decision the Neuman's request to Council to vary the bylaw to allow the subdivision to proceed without the requirement to construct an onsite septic system or provide security.

Carried

0188-2017

Brad Elenko leaves at 18:38 hours.

Moved Councillor Rotvold, **Seconded** Councillor Mayor McMynn to move to the in-camera portion of the meeting under section 90 (1)(e) of the Community Charter at 18:39 hours.

Carried

Returned to regular meeting at 18:47 hours.

Discussion

Fire Apparatus Replacement

Council was advised that Engine 2 pump can be reconditioned, however, will cost approximately \$10,000 - \$12,000 and will have to go out to Red Deer AB. Cost of transport no included, then any required future fixes will need to be done by same outfit.

CAO Feist advised there are areas in Midway that are not accessible to fire hydrants, therefore, the same fire response service would apply to those areas in the Midway boundaries as out in the KVFPS area using a tender for quick dump and a bladder.

Mayor McMynn advised that a committee should be formed to research tender apparatus replacement for Midway and research information for the RDKB for a tender for the KVFPS area. Mayor McMynn advised that the committee should consist of a at least two Council members along with members from the MVFD, he advised he would be willing to sit on the committee.

COA explained to Council that FUS does not credit fire apparatus over 30 years to communities for fire insurance grading purposes including tenders. They can be front line trucks up to 20 years old, you can use them up to 30 years for reserve as long as they pass both NFPA and FUS standard annual inspections. CAO explained that RDKB Fire Chief Dan Derby spoke with FUS regarding the fire department expansion out west and a possible exemption from the age requirement of the apparatus, however, FUS is requiring an audit of the services that both RDKB and the Village are currently working on completing.

Discussions surrounded what to do with the pump on the 1978 Ford (Engine 2), Councillor Schierbeck feels very strongly that the 1978 Ford (Engine 2) should be replaced instead of sending it out to Red Deer to have the pump reconditioned.

Mayor McMynn asked Council if they would like to see a new committee form or have the same committee that was formed in regards to the purchase of the new Regional District (Engine 3) and include two members of Council in the committee.

Moved Councillor Rotvold, **Seconded** Councillor Schierbeck to work with the Fire Department and form a committee to look into a suitable tender for Midway proper and possibly another unit for the RDKB for the KVFPs area. Mayor McMynn and one other Councillor to be a part of the committee.

Carried

0189-2017

Arena Safety Equipment

Councillor Schierbeck met with the Arena Manager Bob Peters regarding the safety system, equipment and standards. The arena manager went over what is already in place for safety standards, and the safety system and equipment for possible emergency events. Councillor Schierbeck feels that full Council should go on a tour of the arena with the arena manager so they have a clear idea of the regulated safety standards, the safety system, alarms and equipment that are in place at the facility.

Moved Councillor Schierbeck, **Seconded** Mayor McMynn that staff arrange a tour of the arena with full Council and the arena manager.

Carried

0190-2017

Moved Councillor Schierbeck that the meeting adjourn at 19:11 hours.

MAYOR

CAO