

Mayor McMynn opened the regular meeting of Council at 18:30 hours on September 4, 2018 in the Council Chambers, Municipal Office, 661 Eighth Ave., Midway BC

Present: Mayor McMynn  
Councillors Schierbeck, Metcalf  
Councillor Rotvold absent

Staff: Penny Feist, CAO  
Tami Peters, Deputy Clerk

Delegation: Bob Peters, Arena/Parks Manager

Public: Martin Fromme

**Introduction of Late Items** – None

**Adoption of Agenda**

**Moved** Councillor Schierbeck, **Seconded** Councillor Metcalf that the September 4, 2018 regular meeting agenda be adopted as circulated. **Carried**

Councillor Dunsdon arrives at 18:34 pm

**Delegation**

Bob Peters, Arena/Parks Manager reported to Council on the Worksafe and Technical Safety BC audit reports, advising that most of the outstanding items they noted are now in compliance. The arena was risk assessed in 2007 reducing the requirement for a qualified Refrigeration Operator to be on-site 24/7 while the compressors are in operation to 7 hrs per day 7 days a week supervision. There are a couple of items from the WorksafeBC site inspection that are currently being addressed and will be completed shortly. The Public Works Foreman is now a qualified Fit Test instructor and will be able to train and test village employee's that require this certification.

With the type of permit the arena operates under that was set by BC Safety Authority now Technical SafetyBC, we do not have enough qualified personal to run our plant. The arena manager reported that Peter Baia and Charlene Hamilton have been approached and are willing to assist if needed. Both have their RO tickets, and both are experienced arena workers. Previously John Boltz and Nathan Harpur completed a Refrigeration Safety Awareness course but never followed through with writing their government exam so they are currently not allowed to go into the arena without a properly ticketed person on site while the arena is in operation. Arena Manager hopes to get them to complete the course and exam this year. Arena Staff will do their best to keep the arena busy during the times its open. Arena manager full report on file.

Mayor McMynn and Council thanked the arena manager for his report.

Staff to look at ways to help promote the arena more, like vary rates, promotion, etc.

Bob Peters leaves at 18:47 hours

**Adoption of Minutes**

**Moved** Councillor Dunsdon, **Seconded** Councillor Schierbeck that the minutes from the August 20, 2018 Regular Meeting of Council be adopted as circulated. **Carried**

**Business Arising**

Page 6395 – Nil

Page 6396 – Nil

Page 6397 – Nil

Page 6398 – Two proposals received so far for the arena concession, one of those submitted has withdrawn.

Page 6399 – Nil

Page 6393 – Nil

Page 6394 – Nil

**New and Unfinished Business**

8a) Open Burning During Winter Season for Bona Fide Farmers – Councillor Schierbeck would like staff to look into different option available and report back at the next meeting.

8b) Permissive Exemptions:

- i) Boundary District Curling Club - Permissive Exemption for 2019 - Lot 3, Plan KAP39672, DL501, SDYD, PID 011-121-823, 706 Seventh Ave - Council received and reviewed the BDCC's letter request, and after discussions it was:

**Moved** Councillor Schierbeck, **Seconded** Mayor McMynn that the Council of the Village of Midway approves the Boundary District Curling Club letter requesting an exemption from taxation on both and improvements for the 2019 taxation year. **Carried**

121-2018

- ii) King of Kings New Testament Church (The Bridge) – 2019 Grant-in-Aid - Lot 19-20, Block 27, Plan KAP3, DL 501, SDYD, PID'S 012-853-062 and 012-853-054, 629 Eighth Avenue – Council received and reviewed the King of Kings New Testament Church (The Bridge) letter request, and after discussions it was:

**Moved** Councillor Dunsdon, **Seconded** Mayor McMynn that the Council of the Village of Midway approves a *grant-in-aid for the year 2019* in the amount of \$1,478.82 for the King of Kings New Testament Church operating 'The Bridge' located at 629 Eighth Ave. **Carried**

122-2018

- iii) King of Kings New Testament Church – Permissive Exemption for 2019 - Parcel B, Block 17, Plan KAP3, DL 501, SDYD, PID 023-134-763, 735 Seventh Avenue – Council received and reviewed the King of Kings New Testament Church letter request, and after discussions it was:

**Moved** Councillor Metcalf, **Seconded** Councillor Dunsdon that the Council of the Village of Midway approves King of Kings New Testament Church letter requesting an exemption from taxation on the land surrounding the building for the taxation year 2019. **Carried**

123-2018

- iv) Boundary Community Church – Permissive Exemption for 2019 - Parcel A, Plan KAP40642, DL 377, SDYD, PID 012-917-826, 934 Thirteenth Avenue

**Moved** Councillor Dunsdon, **Seconded** Councillor Schierbeck that the Council of the Village of Midway approves the Boundary Community Church letter requesting an exemption on the land surrounding the building for the taxation year 2019. **Carried**

124-2018

- v) Midway Ambulance Station – Permissive Exemption for 2019

**Moved** Councillor Dunsdon, **Seconded** Councillor Schierbeck that the Council of the Village of Midway approves an exemption on the lands and building for the Province of BC-BCEHS leased portion of Lot A, Plan KAP64982, DL 501, SDYD, Except Plan KAP55388, KAP67241, 661B Eighth for the 2019 taxation year. **Carried**

125-2018

Staff to prepare the Permissive Exemption Bylaws to bring to the next meeting for three readings for the Boundary District Curling Club, Ambulance Station, Boundary Community Church and King of Kings New Testament Church (735 Seventh Ave), and will prepare the required notice for publication in the local newspaper.

**Correspondence****Administrator's Report**

1. RCMP Midway Property – Notice of Council's interests in the RCMP property has been sent and acknowledged.
2. Agriculture Land Commission – The Land Use Planner at the ALC has been notified of Council's decision to proceed with the exclusion from the ALR the 2.5 ha area of airport lands as per the ALC 2006 resolution 170/2006. CAO has requested if this can be deferred to the 2019 year, still waiting for a response.
3. CELP – Council's direction to the question posed at the August 20, 2018 meeting regarding whether the project would proceed if the Heritage Canada grant funding was not approved was submitted and acknowledgement received.

4. Destruction of Office Files – Staff are working on cleaning up old files in the basement, and the following list titled, 'File Retention – Files to be destroyed September 4, 2018' outlines files to be destroyed.

**Resolution Required:**

**Moved** Councillor Dunsdon, **Seconded** Councillor Schierbeck

*That the Council of the Village of Midway approves the destruction of the files outlined in the spread sheet that will attach and form a part of the minutes.*

**Carried**

126-2018

CAO advised that BC Basements will be giving a quote on Radon Mitigation for the basement of the Village Office.

5. Disposal of Surplus Assets - Fire Apparatus:

The Public Works department have decided to retain the 1978 Ford 2WHDR for their public works purposes, therefore, staff request Council approval to dispose of the following surplus vehicles (fire apparatus)

1974 Ford 2WHDR Pumper (truck that we received from the City of Greenwood – sitting in the P/W yard)

1992 International Fire (truck we purchased from the Town of Oliver – was known as Rapid Attack)

1981 International 2WHDR Fire (truck that we received from the RDKB)

**Moved** Councillor Dunsdon, **Seconded** Councillor Schierbeck *that the Council of the Village of Midway approves the disposal of the following surplus fire apparatus:*

- 1974 Ford 2WHDR Pumper
- 1992 International Fire
- 1981 International 2WHDR Fire

**Carried**

127-2018

Council directed the CAO to report back to council on how the disposal process will be done before the vehicles are disposed of as Councillor Metcalf did not feel the last vehicle was disposed of fairly.

6. Disposal of Surplus Assets – Public Works Vehicles and Equipment

Public Works requests approval to dispose of the following surplus public works vehicle and equipment:

2001 GMC 2WHDR Dump, furnace, three-point plow blade, two compressor motors

**Resolution required:**

**Moved** Councillor Schierbeck, **Seconded** Councillor Dunsdon

*That the Council of the Village of Midway approves the disposal of the following surplus Public Works equipment:*

- 2001 GMC 2WHDR Dump (VIN# 1GDG6C1CX1J505736)
- three-point plow blade
- 2 compressor motors
- furnace

**Carried**

128-2018

7. Complete Climate Control Inc. – As per CAO August 22, 2018 email to Council.

**Resolution required:**

**Moved** Councillor Schierbeck, **Seconded** Mayor McMynn

*That the Council of the Village of Midway approves the signing of a one year 'Planned Arena Preventative Maintenance and Service Contract Program' between the Village of Midway and Complete Climate Control Inc.*

**Carried**

129-2018

8. Subdivisions:
- On August 14, 2018 documents for the approval and registration of Robert and Bernice Johansen's subdivision were executed in Grand Forks at the lawyers.
  - On August 30, 2018 documents for the approval and registration of Ted and Noreen Neuman's subdivision were executed in Grand Forks at the lawyer's office.
9. Land Sale: Part of Road Dedicated on Plan 3 District Lot 501 SDYD (Portion of Palmerston Ave)
- On August 30, 2018 documents for the completion and sale of the lands to Midway Spot Holdings Ltd., were executed in Grand Forks at the lawyer's office.

10. Building Bylaw – Building Permit Refund Request

August 21, 2018 the Building Inspector dropped off a Building Permit file and spoke with CAO on the request.

Building Permit issued January 17, **2017** to build a single-family dwelling. On July 17, 2017 the building inspector received a letter from the applicant advising that due to family reasons they would not be able to start work until 2018. On August 20, 2018 the Building Inspector received a phone call from the applicant advising they would not be building at all, and the building permit refund was requested. The Building Inspector advised the applicant that this would be a decision that the Village of Midway authorities would make.

Our Building Bylaw states the following, under Schedule C to Bylaw 290 subsection D states the following under ***Building Permit Refunds***

*Where a Permit has been issued pursuant to the Bylaw and construction has not commenced:*

- *75% of the permit fee may be refunded upon application for the cancellation of the permit;*
- *No refund in the amount of less than \$50.00 shall be made.*
- *Application for refunds must be received within 12 months of permit issuance*

The *Permit Fee is 2017 revenue*. The 2017 permit fee total is \$805 of which 75% (\$603.75) would be refunded. The applicant did not request the refund in writing, and the request for a refund was more than 20 months after the date of issuance. *CAO strongly recommends that Council does not approve the refund.*

**Moved** Councillor Dunsdon, **Seconded** Councillor Schierbeck that the Council of the Village of Midway does not approve the verbal request by the applicant to the Building Inspector for a refund of the building permit fee's. **Carried**

130-2018

11. Disaster Financial Assistance – Further to the discussions with Tim MacLeod, DFA Field Manager and Gregory Garost, Recovery Officer/EMBC mid-August.

August 22, 2018 - Public Works Foreman EMBC's contracted geotechnical engineer Doug Nicol did a site visit of the water and sewer lines at Boundary Creek and looked at the Myers Creek road. After the site visit the Engineer, Public Work Foreman and CAO met to discuss the Engineer's preliminary findings and that he would be drafting up a report for the DFA Field Manager to review. We will be copied. We were told that the Myers Creek Rd is ineligible for DFA funding, and while it looks like the sewer crossing may also possibly be not eligible we will know more from the DFA Field Manager after he reviews the engineers report.

August 24, 2018 – CAO and Public Works Foreman met with Christina Anderson, Water Stewardship Officer FLNRORD. She discussed the in-stream application process Section 11 application and advised that the Village needs to have a professional plan in place whether they decide to do in-stream work or directional drilling. If the works are in-stream the Section 11 process will require a plan with options for the instream work and this application requires first nation consultation (that they will do). As the issue with the exposed water line was a result of the flooding emergency, the application would be fast tracked as the work window is the month of September.

August 27, 2018 – CAO and Public Works Foreman met with Jason McBain, VAST Resource Solutions. VAST Resource Solutions were the successful proponents for the Village of Midway's Flood Risk Assessment, Flood Mapping and Flood Mitigation Plan (CEPF). He was in the area doing work on another matter and stopped in for introductions. With the short window for the Boundary Creek issues, and the Village requiring to have a plan in place for the mitigation work, the in-stream application and the DFA, CAO requested to retain the services of VAST Resource Solutions to assist with a plan for the Boundary Creek Water and Sewer issues for the Village. On August 28<sup>th</sup>, CAO received a phone call from VAST Resource Solutions, they will take on the project.

**Resolution required:**

**Moved** Councillor Dunsdon, **Seconded** Councillor Schierbeck

***That the Council of the Village of Midway approves to retain the services of VAST Resource Solutions to assist the Village of Midway in developing a plan to mitigate the water and sewer main line crossings on the Boundary Creek.***

**Carried**

131-2018

On August 29, 2018 CAO spoke with Dave Reid and while he knows that the road is not eligible for Disaster Financial Assistance, he would still like to schedule a time to come down with Dennis Kurylowich to look at the Myers Creek Rd. issues again with the Public Works Foreman to see what can be done to fix the road.

Public Works Foreman was to meet with a representative from Ironman Directional Drilling company on Friday, August 31<sup>st</sup> at the Boundary Creek to go over the water and sewer mainline issues and to get a quote on the job. This will also be required for the Cost Recovery Plan that the DFA will require to be filled out and submitted.

CAO still waiting to meet with Tim MacLeod, DFA Field Manager to go over the Cost Recovery Plan.

12. Kettle Valley Fire Protection Services Agreement – Received confirmation from RDKB's CAO that the Board deferred consideration of the draft agreement at its June 29<sup>th</sup> meeting. They had originally planned to meet again in late June in conjunction with a meeting of the Fire Services Advisory Committee, but the timeline did not permit it as the Fire Services Advisory Committee set up a short notice meeting on a day that the RDKB's CAO had another commitment in Trail. RDKB CAO is to schedule a meeting in conjunction with the next Fire Services Advisory Committee meeting and will advise.

13. Hiring of Pete Baia and Charlene Hamilton as temporary/part-time workers to work on an as needed bases at the Boundary Expo Recreation Centre during the winter season. Both hold Refrigeration Operator's Certificates and are experience in arena operations.

**Moved** Councillor Schierbeck, **Seconded** Councillor Dunsdon that the Council of the Village of Midway approves the hiring of Pete Baia and Charlene Hamilton as temporary/part-time seasonal workers at the Boundary Expo Recreation Centre.

**Carried**

132-2018

**Mayor and Council Reports**

Councillor Metcalf –When does the nomination period end?

Councillor Schierbeck – No report

Councillor Dunsdon - Volunteer Appreciation Day was well attended approximately 95 people. He also advised that plastic and glass is not being recycled and wonder if there was anything the Village could do?

Mayor McMynn – Elected Officials and tax implementations of Elected Officials – Staff to get more information on what other Municipalities for the next meeting.

**Question Period**

Martin Fromme complimented on the volunteer appreciation day.

**Budgets/Accounts**

**Moved** Councillor Dunsdon, **Seconded** Councillor Schierbeck that the budgets and accounts totaling \$67,966.15 be drawn on the general account and be paid.

**Carried**

**Correspondence for Info Only**

**Moved** Councillor Dunsdon, **Seconded** Mayor McMynn that correspondence for information only items:

- a) Fred Marshall – The Power of the Urban Tree
- b) Mike Farnworth, Minister of Public Safety and Solicitor General – Policy of Single Standard of Fire Safety for Public Buildings
- c) Green Communities Committee – Congratulations for Successful Efforts on Action to Reduce GHG Emissions for 2017
- d) Ray Crampton, District Manager Okanagan Shuswap Natural Resource District, Ministry of Forests, Lands and Natural Resource Operations and Rural Development – Low Water Advisory and Request for Conservation
- e) Ministry of Municipal Affairs and Housing – 2018 General Local Elections

be received and filed.

**Carried**

**Correspondence for Info Only – to be held for two weeks only**

**Moved** Councillor Schierbeck, **Councillor** Metcalf that correspondence for information only item:

- a) Municipal Insurance Association of BC – Summer 2018 Newsletter
- b) Interior Health – BC's Mobile Medical Unit to Visit Nelson

Be rec'd and filed.

**Carried**

**Moved** Councillor Dunsdon that the meeting be adjourned at 19:45 hours

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MAYOR

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CAO