

R.M. OF LUMSDEN NO. 189
MINUTES OF THE REGULAR MEETING
HELD ON MAY 26th, 2011

The Lumsden Rural Municipal Council convened their regular meeting in the Council Chambers of the R.M. Office, on Thursday, May 26, 2011 at 3:15 p.m. with Reeve Jim Hipkin presiding.

Present: Reeve: Jim Hipkin
 Councillor: Kent Farago, Tom Harrison (arrived at 6:00pm)
 Dale Srochenski, Jim Atcheson

Administrator: Wayne Zerff

Asst. Administrator: Darcie Cooper

Absent: Councillor: Al Szeles, Bill Marquardt

Minutes:

197-11 Atcheson: "That the minutes of the April 28th, 2011 regular meeting be approved as amended." **CARRIED**

Minutes:

198-11 Farago: "That the minutes of the May 3rd, 2011 Public Works committee meeting be approved as circulated." **CARRIED**

Correspondence

199-11 Atcheson: "That the attached list of correspondence and reports have been reviewed and the Administrator is authorized to file the same accordingly.

- A. H.Franson – Ltr re: Snoasis Development update
- B. Colhoun – re: Notice of Motion – Municipal Expropriation NE 01-20-21-W2
- C. K+S Potash Canada – Ltr re: Community Open House, Bethune – May 18/11
- D. SK Corrections, Public Safety & Policing – Ltr re: PDAP 2010 municipal deductible changes
- E. SK Highways – Ltr re: response to mtg at SARM – Grid Road 734
- F. Professional Bldg Inspections – Ltr & Agreement Addendum re: New Inspector
- G. Citizenship & Immigration – Ltr re: Canada's Citizenship Award 2011
- H. SK Watershed – Ltr re: Temp approval to drain water from SW02-19-20-W2
- I. Ag in the Classroom – Ltr re: 2010 Annual Report
- J. D&S Babey – Ltr re: road concerns
- K. SAMA – Ltr re: 2011 Annual Mtg resolutions & 2010 Annual report
- L. PDAP – Ltr re: RM designated as eligible for disaster assistance
- M. Vale Potash Drilling report – NW 16-19-19, NW 16-20-21 & NE 18-20-19
- N. Apollo Property Dev – Ltr re: Landscape construction & Maintenance
- O. J. Agopsowicz – Thank you ltr re: donation
- P. Miscellaneous Publications." **CARRIED**

Accounts to be Approved:

200-11 Atcheson: "That the list of accounts attached hereto and forming a part of these minutes totalling \$88,457.05, is hereby approved for payment by the Reeve and Administrator." **CARRIED**

Bank Reconciliation:

201-11 Srochenski: "That the Bank Reconciliation for the period ending April 30th, 2011 be accepted as submitted." **CARRIED**

Committee Reports:

Reeve Jim Hipkin provided a verbal report on information he received from Public Works Chairman Al Szeles on the Public Works Committee meeting on May 19th regarding the interview and hiring of a permanent seasonal employee.

Councillor Dale Srochenski provided a verbal report on the Southeast Library meeting he attended.

Administrator's Report:

Assistant Administrator, Darcie Cooper, provided a written and verbal report on various administrative issues.

202-11 Srochenski "That the Assistant Administrator's report be accepted as presented." **CARRIED**

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NEW BUSINESS:**Municipal Expropriation of Roadway – NE 01-20-21-W2:**

203-11 Srochenski: "That we authorize SARM solicitor, Mike Morris to file a Notice of Motion with the Court of Queen's Bench for June 7, 2011, on behalf of the municipality, regarding compensation settlement for the Expropriation of the unregistered roadway through a portion of land legally described as NE 1-20-21-W2 and owned by Norm & Laurie Colhoun; and

That this action is taken in an attempt to expedite settlement of the matter due to the Notice of Motion that was filed by Norm & Laurie Colhoun, relating to the same."

CARRIED**Sask. Watershed Permit – Water Pumping - SW 02-19-20-W2:**

204-11 Atcheson: "That we authorize payment of \$100.00 to Saskatchewan Watershed Authority for the permit fee to pump water from the slough in the SW 02-19-20-W2 into the west ditch of the municipal road located east of the NE 33-18-20-W2; and

That we agree to invoice Brora United Church for the permit fee of \$100.00, as this permit was due to their request."

CARRIED**Administrator's Retirement – BBQ:**

205-11 Srochenski: "That we share the cost of a Retirement barbeque jointly with the Town of Lumsden in honour of the service provided to the municipalities by Administrator Wayne Zerff, on Saturday, June 18th at River Park Centre for council members during his employment with the municipalities, staff members and their spouses."

CARRIED**Municipal Representatives - Deer Valley Litigation:**

206-11 Farago: "That we agree with the recommendation of the Public Works Committee and authorize Norm Kindred and Administrator, Wayne Zerff to attend the mediation session with Deer Valley Development Inc. as municipal representatives."

CARRIED**Sask Energy - Pipeline:**

207-11 Atcheson: "That we approve the pipeline extension submitted by Sask Energy to service the property located at the NW 34-20-22-W2."

CARRIED**Pest Control - Contract:**

208-11 Farago: "That we authorize the Administrator to sign the contract with Jim King to provide pest control inspections in the R.M. of Lumsden No. 189 during 2011 at a rate of \$30 per call."

CARRIED**Deer Valley Signage:**

209-11 Farago: "That we authorize the Manager of Public Works, Don Barnett to purchase and install 3 cautionary signs to watch for children along Deer Valley Road in Deer Valley."

CARRIED**Development Application - #2011-016 – Eberts W ½ 36-20-22-W2:**

210-11 Farago: "That we recommend approval to the Director of the Community Planning Branch of Municipal Affairs for the proposed first parcel out of a quarter section subdivision on the land legally described as the W ½ 36-20-22-W2 submitted by John Eberts subject to the following:

- A service agreement shall be signed with the municipality which includes a requirement to pay \$2,500.00 in off-site servicing fees to the municipality,
- Cash-in-lieu of Municipal Reserve dedication in the amount of \$500.00, if deemed applicable by Community Services Branch of the Ministry of Municipal Affairs; and

That we are not aware of any land uses in the vicinity that would be incompatible with the intended use of the proposed site or any condition that would make the land unsuitable for the intended use; and

That we are not aware of any facilities that could be affected by the proposed development."

CARRIED**Development Application #2011-019 – Kydd – NW 34-20-22-W2:**

211-11 Srochenski: "That we approve the development application submitted by Christian & Ian Kydd to construct a new residence on land legally described as NW 34-20-22-W2, subject to the following:

- All development, including trees shall be setback 150 feet from the center line of the municipal road and 50' from the side and rear property line."

CARRIED

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Development Application #2011-021 – Deer Valley Development Inc. – NW 08-19-21-W2:

212-11 Farago: “That we recommend approval to the Director of the Community Planning Branch of Municipal Affairs for the tie code removal subdivision, subject to the following recommendations:

- All water and sewer infrastructure located on land owned by Deer Valley Developments Inc. be separated out for Tie Code Removal, including Lagoon, Lift Stations and manholes where deemed desirable, so that they may be transferred to a Utility Company. This would include easements for infrastructure crossing Deer Valley Development Inc. lands, which should be made in favour of the Utility Company; and

That we provide further comments to the Director regarding our concerns over removing the tie code for the Water Treatment Plant, without all other utility related infrastructure, being separated out as well; and

That we feel strongly that all the Utility Infrastructure should be separated out at the same time, and transferred to the Utility Company.” **CARRIED**

Development Application #2011-023 – Vale Potash – NE 18-20-19-W2:

213-11 Atcheson: “That we approve the development application submitted by Vale Potash Canada to perform well drilling for potash on land legally described as NE 18-20-19-W2.” **CARRIED**

Development Application #2011-024 – Vale Potash – NW 16-20-21-W2:

214-11 Srochenski: “That we approve the development application submitted by Vale Potash Canada to carry out the following on land legally described as NW 16-20-21-W2:

- Improve the road allowance to allow access for equipment to perform Potash Drilling on the NW 16-19-19-W2
- Perform well drilling for potash on the property
- Construct an approach to access the property.” **CARRIED**

Development Application #2011-025 – Vale Potash – NW 16-19-19-W2:

215-11 Atcheson: “That we approve the development application submitted by Vale Potash Canada to construct an approach, install a culvert and perform well drilling for potash on land legally described as NW 16-19-19-W2.” **CARRIED**

Development Application #2011-026 – Moltz – SE 20-19-22-W2:

216-11 Srochenski: “That we approve the development application submitted by Richard & Laura Moltz to construct a new residence on land legally described as SE 20-19-22-W2, subject to the following:

- All development, including trees shall be setback 150 feet from the center line of the developed municipal road allowances along the West and North boundaries of the property and 50’ from the side and rear property line; and
- That the setback of 150’ from the centre of the undeveloped municipal road allowance along the East side of the property be reduced to a 50 foot setback, as council has no intention of constructing a road along that road allowance in the future; and
- That if the applicant proposes to access the parcel from the West boundary road allowance, the applicant is required to enter into a Road Development Agreement with the municipality.” **CARRIED**

Development Application #2011-027 Byrne – NW 22-19-20-W2:

217-11 Farago: “That we recommend refusal to the Director of Community Planning Branch of Municipal Affairs for the residential subdivision of a first parcel out of a quarter section submitted by Rick Byrne to subdivide 12.5 acres, on land legally described as NW 22-19-20-W2 as the applicant only owns one quarter section and would not retain the minimum agriculture holding of 160 acres as required in the municipality’s zoning bylaw.” **CARRIED**

Deer Valley – Hamlet Maintenance Contract:

218-11 Farago: “That due to the letter received from Deer Valley Development Inc. indicating their desire to discontinue maintenance services for the Hamlet of Deer Valley, effective no later than September 30, 2011, we authorize the Administration to meet with Deer Valley Developments Inc. to gather information on services provided to residents of Deer Valley; and
That Administration provides council with options as to servicing the Hamlet including requirements and costs to provide maintenance to Deer Valley using municipal

JRH WS

employees and equipment.”

CARRIED

Public Works – Seasonal Utility Operator:

219-11 Srochenski: “That we agree to hire Chad Eide for the Permanent Seasonal Utility Operator position effective May 30th, with a probationary period of (3) three months and salary starting at Step 1 currently of \$15.06 as outlined in the Teamster’s Bargaining Agreement.”

CARRIED

Public Works – Cautionary Signage:

220-11 Atcheson: “That we authorize Manager of Public Works, Don Barnett, to purchase the necessary cautionary signage to mark frost boil areas as he deems appropriate.”

CARRIED

Additional Hours - Library Funding:

221-11 Srochenski: “That we agree to continue to pay the costs for an additional 2 hours per week for the Lumsden librarian’s wages, for the remainder of the 2011 year, to assist with the community’s demand for increased library availability in the Southeast Regional Library system; and

That we recognize the Town of Lumsden is already contributing to an additional 3 hours per week for increased library hours.”

CARRIED

Public Works – Staff Appreciation Steak Night Tickets:

222-11 Srochenski: “That we agree to show our appreciation to the Public Works staff for their work and efforts during the 2011 flood events, by purchasing tickets for them to attend the Lumsden Library steak night fundraiser on June 11th, 2011.”

CARRIED

Office Services Clerk Position:

223-11 Farago: “That due to the recent resignation of Michelle Renkas, we agree to hire Marla Lillejord for the Office Services Clerk position effective immediately, with a probationary period of (6) six months and salary starting at Step 2 (3.5 points) of the 2011 Joint Administration Salary grid (\$13.15/hour); and

That this position will be 2 days per week from May to June, and will commence full time on July 1st, 2011.”

CARRIED

Amend Servicing Agreement – Development Standards:

224-11 Srochenski: " That we rescind resolutions No. 118-11 and No. 136-11; and That we change the municipality’s standard Servicing Agreements to reflect an increase in the Minimum Development Standards as follows:

- Single detached dwellings shall have a minimum appraised value of Two Hundred Thousand dollars (\$200,000) or Two Hundred dollars (\$200.00) per square foot, whichever is greater, which reflects an increase over the \$50,000 or \$50.00/square foot minimum previously required.”

CARRIED

Road Maintenance Agreement:

225-11 Srochenski: “That we agree to enter into a road maintenance agreement with Devon Parcher to haul clay fill to his residence located at Ptn. NW 13-20-21-W2 from the Pit located at Ptn. NW 12-20-21-W2.”

CARRIED

Emmanuel Lutheran Church – Centennial Celebration:

226-11 Atcheson: “That we authorize the Emmanuel Lutheran Church Committee to install a large tent on municipally owned land legally described as Ptn. SW 3-21-19-W2 to hold their Centennial Celebration event on July 10, 2011; and

That we authorize Councillor Dale Srochenski to attend the celebration as the municipality’s representative.”

CARRIED

Heritage Grant Application – Emmanuel Lutheran Church:

227-11 Atcheson: “That we authorize the Emmanuel Lutheran Church Committee to apply for funding under the Saskatchewan Heritage Foundation for the repair of the basement of the Church due to excessive moisture.”

CARRIED

Authorize Road Detour – Regina Multisport Club’s Regina Beach Triathlon:

228-11 Harrison: “That we approve the detour proposed by the Regina Multisport Club for the Regina Beach Triathlon to detour traffic from 54 Highway as attached hereto and forming a part of these minutes; and

That we inform the Club that some of the roads marked on their detour are not all weather roads and may be impassable due to inclement weather.”

CARRIED

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Rescinded
by res 255-11

Recess Regular Meeting:

229-11 Farago: "That we agree to recess the regular meeting at 8:00 p.m. to provide for the public hearing to rezone lands in the SW 03-19-21-W2 from Low Density Valley Residential to Agricultural to provide for a U-Pick Orchard." **CARRIED**

Reconvene Regular Meeting:

230-11 Srochenski: "That we agree to reconvene the regular meeting at 8:05 p.m." **CARRIED**

SaskTip Membership:

231-11 Srochenski: "That we agree to renew our 2011 year membership for the SaskTip organization supporting the provision of a reward fund for information that leads to the discovery and/or prosecution of fisheries, wildlife, forestry, and environmental law violators." **CARRIED**

Development Application - #2011-029 – NW 35-19-20-W2:

232-11 Srochenski: "That we recommend approval to the Director of the Community Planning Branch of Municipal Affairs for the proposed first parcel out of a quarter section subdivision on the land legally described as the NW ¼ 35-19-20-W2 submitted by IDD Holdings Inc. (Darrel & Deb Irvine) subject to the following:

- A service agreement shall be signed with the municipality which includes a requirement to pay \$2,500.00 in off-site servicing fees to the municipality,
- There shall be a clause added to the servicing agreement indicating that, should the need arise, Council has no intention on replacing the bridge South of the proposed parcel for land access, due to the significant replacement cost.
- Cash-in-lieu of Municipal Reserve dedication in the amount of \$500.00, if deemed applicable by Community Services Branch of the Ministry of Municipal Affairs; and

That we are not aware of any land uses in the vicinity that would be incompatible with the intended use of the proposed site or any condition that would make the land unsuitable for the intended use; and

That we are not aware of any facilities that could be affected by the proposed development." **CARRIED**

Development Application #2011-030 – Wozniak – Ptn. NW 01-19-21-W2:

233-11 Farago: "That we approve the development application submitted by Jack Wozniak to construct an approach and a shed on land legally described as Ptn. NW 01-19-21-W2, subject to the following:

- All development, including trees shall be setback 150 feet from the center line of the municipal road allowance and 50' from the side and rear property line; and
- That approach specifications and culvert requirements be at the discretion of the Manager of Public Works, Don Barnett." **CARRIED**

Development Application #2011-031 – Gilmour – Ptn. SE 3-19-21-W2:

234-11 Farago: "That we approve the development application submitted by Amanda Gilmour to construct a new residence on land legally described as Ptn. SE 3-19-21-W2, subject to the following:

- All development, including trees shall be setback 150 feet from the center line of the developed municipal road allowance and 50' from the side and rear property line; and
- A favourable building inspection by Professional Building Inspections."

CARRIED

Bylaw 06-2011 – A Bylaw to Amend the Zoning Bylaw- Orchard Rezoning – 2nd reading:

235-11 Farago: "That bylaw 06-2011, being a bylaw to amend the Zoning Bylaw #02-2000, be read a second time." **CARRIED**

Bylaw 06-2011 – A Bylaw to Amend the Zoning Bylaw- Orchard Rezoning – Adoption:

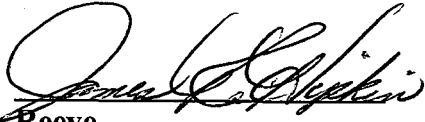

236-11 Atcheson: "That bylaw 06-2011, being a bylaw to amend the Zoning Bylaw #02-2000, be adopted, signed and sealed." **CARRIED**

JRH WJG

Adjournment:

237-11 Atcheson: "That we adjourn this meeting at 8:50 pm."

CARRIED


Reeve
Administrator