

**R.M. OF LUMSDEN NO. 189
MINUTES OF THE REGULAR MEETING
HELD ON JUNE 12th, 2008**

The Lumsden Rural Municipal Council convened their regular meeting in the Council Chambers of the R.M. Office, on the afternoon of Thursday, June 12th, 2008 at 1:08 p.m. with Reeve Jim Hipkin presiding.

Present: Reeve: Jim Hipkin
Councillor: Jim Atcheson, Al Szeles, Bill Marquardt
Tom Harrison

Administrator: Wayne Zerff
Asst. Administrator: Darcie Cooper

Manager of Public Works: Don Barnett

Absent: Councillor: Kent Farago, Herman Wagner

Minutes:

168-08 Marquardt: "That the minutes of the May 8th regular meeting be approved as circulated."
CARRIED

Delegations:

3:20pm James Rollins appeared before council to discuss dust control on the Russell Hill Road particularly during the Craven Jamboree.

Correspondence:

169-08 Atcheson: "That the attached list of correspondence and reports have been reviewed and the Administrator is authorized to file the same accordingly.

- A. Kramer – Ltr. re: Thank you letter and notice of surveys
- B. SARM – 2008 Division Meetings – June 18th in Moose Jaw
- C. SK Corrections, Public Safety & Policing – Ltr. re: 2008 rates for RCMP services
- D. Lumsden & District Heritage Home – Mtg. Minutes Apr. 15/08
- E. SK Municipal Affairs – Ltr. re: Subdivision NE ¼ 4-20-20-W2
- F. SK Watershed – Ltr. re: Upper Qu'Appelle River & Wascana Creek Watersheds – Source Water Protection Plan
- G. Brett Gaube – Letter of resignation for Buffalo Pound Qu'Appelle River Watershed
- H. Misc. Publications." *CARRIED*

Bank Reconciliation & Financial Statement:

170-08 Marquardt: "That the Bank Reconciliation and the Financial Statement for the period ending May 31st, 2008 be accepted as submitted." *CARRIED*

Accounts to be Approved:

171-08 Marquardt: "That the list of accounts attached hereto and forming a part of these minutes and totalling \$157,149.95, is hereby approved for payment by the Reeve and Administrator." *CARRIED*

Staff Reports:

Public Works - Report:

Don Barnett, Manager of Public Works provided a written and verbal report on various public works issues.

172-08 Szeles: "That the Manager of Public Works written and verbal report be accepted as presented." *CARRIED*

Committee Reports:

Tom Harrison provided a verbal report about the Beetle Collection as a form of Leafy Spurge control, in Weyburn on July 2nd and requested that the municipality's pesticide applicator, Brian Cooper, to attend and collect Beetles to distribute in the municipality.

OLD BUSINESS:

Shaun Semple – Trees within Highway Sightline:

173-08 Szeles: "That we authorize the Administrator to send a letter to Shaun Semple informing him of our municipal engineer, Ted Koch's findings regarding sightline

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required at the junction of Highway 6 and Old Highway 11; and
 That we inform Mr. Semple that we have been in contact with the Department of Highways and they acknowledge that the trees planted on your land legally described as SE Ptn. 6-19-19-W2 is in contravention with their required sightline; and
 That we expect Mr. Semple to comply with the requirements from the Department of Highways and remove the trees that are in the sightline." **CARRIED**

Great Plains Trans Canada Trail Association – Trail Proposal:

174-08 Atcheson: "That we approve the trail proposal submitted by the Great Plains Trans Canada Trail Association as attached hereto and forming a part of these minutes, subject to the following:

- The Association erect and maintain all signage required, including signs to make the public aware that these portions of the roads are being utilized by both vehicles and pedestrians
- The association agree to indemnify and hold harmless the municipality of and from any claims for bodily injury by persons using these portions of the trail, arising out of an alleged failure to erect and/or maintain adequate signage
- The Association hold \$5,000,000 in liability insurance."

CARRIED

NEW BUSINESS:

Recess – Council Meeting:

175-08 Harrison: That we agree to recess the Council meeting at 2:02 p.m. for the purpose of the Public hearing regarding Bylaw 2-2008 to amend contract zoning bylaw #5-2000 to rezone land owned by Brenda Clemens from "A" Agriculture to "R1" Low Density Valley Residential."

CARRIED

Reconvene – Council Meeting:

176-08 Atcheson: That we agree to reconvene the Council meeting at 2:16 p.m."

CARRIED

AMK Construction – Dirt Removal:

177-08 Harrison: "That we authorize the Administrator to send a letter to AMK Construction informing them that council has not authorized any removal of dirt along any municipal road and request that they refrain from any further removal of dirt; and
 That we request AMK Construction to return the slopes of any road that dirt was removed from to an acceptable, safe manner and request that any future agreements with the municipality be in writing and authorized by council."

CARRIED

Road Signs:

178-08 Atcheson: "That we authorize the Manager of Public Works, Don Barnett to erect signs along the road along the Northern Boundary of Sections 35 & 36-20-20-W2 and Section 31-20-19-W2 indicating 60 km zone and narrow road signs."

CARRIED

Recess – Council Meeting:

179-08 Harrison: That we agree to recess the Council meeting at 3:00 p.m. for the purpose of the Public hearing regarding Bylaw 3-2008 to amend contract zoning bylaw #5-2000 to rezone land owned by Albert Molnar from "A" Agriculture to "R1" Low Density Valley Residential."

CARRIED

Reconvene – Council Meeting:

180-08 Atcheson: That we agree to reconvene the Council meeting at 3:10 p.m."

CARRIED

Dust Control Meeting with Town of Regina Beach:

181-08 Harrison: "That we authorize the Public Works Committee to set up a meeting with the Town of Regina Beach regarding dust control along the road running along the Eastern boundary of Sections SE ¼ 16 & E ½ 9-21-22-W2 due to the Septic Truck Traffic."

CARRIED

Visa Cards – Public Works Purchases:

182-08 Atcheson: "That we authorize the issuance of Visa cards to the Public Works Manager, Don Barnett and the Lead Hand, Brian Cooper to aid in the day to day purchases to ensure the municipality benefits from the best price and not just with suppliers with whom we have accounts."

CARRIED

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Development Application 2008-036 – Mursell Subdivision:

183-08 Harrison: "That we agree to forward the subdivision application submitted by Kevin & Diane Mursell to subdivide their land legally described as NW 10-21-22-W2 in 2 phases for a total of 14 parcels to our planner, John Wolfenburg for his comments and recommendations; and

That we request a deposit in the amount of \$2,500.00 from Mursell's to go towards planning fees associated with their subdivision application."

CARRIED

Councillor Tom Harrison left the meeting at 4:20 p.m.

SARM Divisional Meeting:

184-08 Szeles: "That we authorize any interested councillors and the Administrator to attend the SARM Divisional Meeting held on June 18th, 2008 in Moose Jaw, Saskatchewan with expenses to be reimbursed by the municipality."

CARRIED**Tender Grid 734 (Old No. 11 Highway):**

185-08 Marquardt: "That we authorize UMA Engineering to tender out a grind and an overlay on Old No. 11 (about 2 miles along land legally described as the Southern boundary of S ½ 1, S ½ 2-19-21-W2 including around the curve); and

That we authorize Ted Koch, with UMA Engineering to be the Engineer for the total 734 Grid road resurfacing project."

CARRIED**Clearing the Path Primary Weight Corridor - Grant Application:**

186-08 Szeles: "That we authorize Ted Koch, with UMA Engineering to complete and submit the Grant Application for the resurfacing of the portion of Grid 734 (Old No. 11 highway) between No. 11 and No. 6 highways."

CARRIED**Town of Regina Beach – Request for funding for the Cemetery:**

187-08 Atcheson: "That we deny the Town of Regina Beach's request for funding the Town of Regina Beach's cemetery as there are many cemetery's located throughout the municipality and it would be unfair to financially support one and not support all the others."

CARRIED**Intensive Livestock Operation Application Leitch – Comments to Sask Ag & Food:**

188-08 Szeles: "That we respond to Saskatchewan Agriculture & Food's request for comments on the application for an Intensive Livestock Operation submitted by Roy Leitch Livestock with the following comment at this time:

- Concern over the manure spreading on properties along the Qu'Appelle River
- Manure application should conform to a setback of at least 300 metres (for unincorporated manure) and 150 metres (for manure incorporated within 24 hours of application), or such other distance that may be recommended by a Professional Engineer, near any watercourse, dwelling or domestic groundwater supply."

CARRIED**Botkin Construction – Road Maintenance Agreement Concerns:**

189-08 Atcheson: "That we request a representative from Botkin Construction to appear before council to discuss concerns over the road along the Northern Boundary of Sections 35 & 36-20-20-W2 and Section 31-20-19-W2."

CARRIED**Botkin Construction – Road Maintenance Agreement:**

190-08 Atcheson: "That we agree to enter into a Road Maintenance Agreement with Botkin Construction to haul gravel over the road along the Northern Boundary of Sections 35 & 36-20-20-W2 and Section 31-20-19-W2."

CARRIED**Development Application 2008-030 – Van Everdink:**

191-08 Atcheson: "That we approve the development application 2008-030 submitted by Landon Van Everdink, to develop a residence and yard site on land legally described as the Ptn.SE ¼ 21-19-21-W2 subject to the following:

- All building and trees shall be setback 150 feet from the center line of the municipal road and 50' from the property line
- Installation of a 24" culvert as recommended by the Manager of Public Works."

CARRIED

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Subdivision Application – Anderson – NW 25-19-20-W2:

192-08 Szeles: "That we recommend approval to the Director of Community Planning of the Ministry of Municipal Affairs of the proposed subdivision submitted by Mary Anderson, to subdivide a 7.4 acre parcel out of land legally described as NW 25-19-20-W2 subject to the following:

- Signing of a servicing agreement, which includes a requirement to pay \$2,500.00 in off-site servicing fee; 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 we have no issues." **CARRIED**

Development Application 2008-032 – Bruce Ritter:

193-08 Szeles: "That we approve the development application 2008-032 submitted by Bruce Ritter, to develop a residence and yard site on land legally described as the NW ¼ 25-19-20-W2 subject to the following:

- All building and trees shall be setback 150 feet from the center line of the municipal road and 50' from the property line
- Installation of a 24" culvert as recommended by the Manager of Public Works."

CARRIED

Development Application 2008-033 – Pristine Land Development:

194-08 Marquardt: "That we approve the development application 2008-033 submitted by Pristine Land Development, to develop a commercial building to manufacture trailers on land zoned as M1 Industrial and legally described as the SE ¼ 18-19-20-W2 subject to the following:

- All building and trees shall be setback 150 feet from the center line of the municipal road and front site line, 20' from the side property line and 16' from the Rear property line
- Installation of a 24" culvert as recommended by the Manager of Public Works."

CARRIED

Land Consolidation Subdivision App. –101070896 Sask Ltd.–E ½ & NW 30-19-21-W2:

195-08 Marquardt: "That we recommend approval to the Director of Community Planning of the Ministry of Municipal Affairs of the proposed parcel B consolidation of land subdivision submitted by Fugro/SESL Geomatics on behalf of 101070896 Sask. Ltd., for land legally described as E ½ & NW 30-19-21-W2; 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 we have no issues." **CARRIED**

Development Application 2008-035 – Ash Tie Code Removal Subdivision:

196-08 Acheson: "That we agree to forward the subdivision application submitted by David Ash to remove tie codes for land legally described as SE 32-20-21-W2 to our planner, John Wolfenberg for his comments and recommendations." **CARRIED**

Development Application 2008-037 – Kellsey:

197-08 Acheson: "That we approve the development application 2008-037 submitted by Doug & Rhonda Kellsey, to develop a residence and yard site on land legally described as the Ptn.SE ¼ 36-19-21-W2 subject to the following:

- All buildings shall be setback 150 feet from the center line of the municipal road and 50' from the property line
- No construction is to commence until the newly constructed road and approach has been approved by our municipal engineer, Ted Koch, developer Norm Colhoun is to address remedial work identified by Mr. Koch."

CARRIED

Development Application 2008-038 – Rollins:

198-08 Marquardt: "That we approve the development application 2008-038 submitted by James Rollins, to develop an addition of attached garage with 2nd floor living space on land legally described as the NE ¼ 14-20-21-W2." **CARRIED**

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Development Application 2008-039 – Thibault:

199-08 Szeles: "That we approve the development application 2008-039 submitted by Roland Thibault, to develop a second approach to access land legally described as NE 11-19-21-W2."
CARRIED

Right of Way Sale Agreement – Colhoun:

200-08 Atcheson: "That we accept the terms of the agreement for sale of right of way as offered by Norm Colhoun for the road through NE 1-20-21-W2; and
That based on legal advice obtained from SARM Solicitor, Mike Morris that the liability risks to the municipality are minimal by reason of Clause 345(b) of The Municipalities Act, we accept the well that has been installed within the proposed 66' road allowance; and
That due to the fact that the road is not a new road nor is there any intention of future construction of this road, we accept Mr. Colhoun's offer to give the municipality 66' road allowance instead of 100' road allowance."
CARRIED

Ltr. support – Worker's Comp. Volunteer Fire Fighter Policy:

201-08 Szeles: "That we authorize the administrator to send a letter to Saskatchewan Worker's Compensation with a carbon copy to Premier, Brad Wall and Minister Rob Norris requesting the Saskatchewan Workers Compensation Board to review and change their policy on Volunteer Fire Fighters and adjudicate all fire fighting claims equally."
CARRIED

Bylaw #2-2008 Bylaw to amend Zoning Bylaw - Clemens – 2nd Reading:

202-08 Marquardt: "That Bylaw No.2-2008, being a Bylaw to amend Bylaw 2-2000, the Zoning Bylaw be read a second time."
CARRIED

Bylaw #2-2008 Bylaw to amend Zoning Bylaw - Clemens – Adoption:

203-08 Szeles: "That Bylaw No.2-2008, being a Bylaw to amend Bylaw 2-2000, the Zoning Bylaw be adopted, signed and sealed."
CARRIED

Bylaw #3-2008 Bylaw to amend Zoning Bylaw - Molnar – 2nd Reading:

204-08 Atcheson: "That Bylaw No.3-2008, being a Bylaw to amend Bylaw 2-2000, the Zoning Bylaw, be read a second time."
CARRIED

Bylaw #3-2008 Bylaw to amend Zoning Bylaw - Molnar – Adoption:

205-08 Marquardt: "That Bylaw No.3-2008, being a Bylaw to amend Bylaw 2-2000, the Zoning Bylaw be adopted, signed and sealed."
CARRIED

Bylaw #4-2008 Bylaw to provide for Short-Term Borrowing – 2nd Reading:

206-08 Szeles: "That Bylaw No.4-2008, being a Bylaw to provide for short-term borrowing, be read a second time."
CARRIED

Bylaw #4-2008 Bylaw to provide for Short-Term Borrowing – Adoption:

207-08 Atcheson: "That Bylaw No.4-2008, being a Bylaw to provide for short-term borrowing, be adopted, signed and sealed."
CARRIED

Bylaw #6-2008 Bylaw to amend Vehicle Weight Management – 2nd Reading:

208-08 Marquardt: "That Bylaw No.6-2008, being a Bylaw to amend Bylaw 9-2004, establishing Vehicle Weight Management, be read a second time."
CARRIED

Bylaw #6-2008 Bylaw to amend Vehicle Weight Management – Adoption:

209-08 Szeles: "That Bylaw No.6-2008, being a Bylaw to amend Bylaw 9-2004, establishing Vehicle Weight Management be adopted, signed and sealed."
CARRIED

Bylaw #7-2008 Bylaw to amend Zoning Bylaw - Cowley – 1st Reading:

210-08 Marquardt: "That Bylaw No.7-2008, being a Bylaw to amend Bylaw 2-2000, the Zoning Bylaw, be read a first time."
CARRIED

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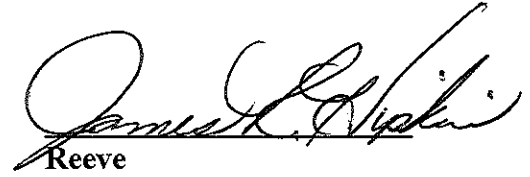
Bylaw #8-2008 Bylaw to amend Zoning Bylaw – Craven Riverside/Snack Shack – 1st

Reading:

211-08 Atcheson: "That Bylaw No.8-2008, being a Bylaw to amend Bylaw 2-2000, the Zoning Bylaw, be read a first time." **CARRIED**

Adjournment:

212-08 Szeles: "That we adjourn this meeting at 6:46 p.m." **CARRIED**



Reeve



Administrator