

**R.M. OF LUMSDEN NO. 189
MINUTES OF THE REGULAR MEETING
HELD ON OCTOBER 9th, 2008**

The Lumsden Rural Municipal Council convened their regular meeting in the Council Chambers of the R.M. Office, on the afternoon of Thursday, October 9th, 2008 at 1:15 p.m. with Reeve Jim Hipkin presiding.

Present: Reeve: Jim Hipkin
Councillor: Al Szeles, Jim Atcheson, Herman Wagner,
Bill Marquardt, Tom Harrison (arrived at 1:25 pm)
Administrator: Wayne Zerff
Asst. Administrator: Darcie Cooper

Absent: Councillor: Kent Farago

Minutes:

320-08 Atcheson: "That the minutes of the August 19th planning advisory committee meeting be approved as circulated." **CARRIED**

Minutes:

321-08 Szeles: "That the minutes of the September 11th regular meeting be approved as circulated." **CARRIED**

Minutes:

322-08 Atcheson: "That the minutes of the September 11th Hansen rezoning public meeting be approved as circulated." **CARRIED**

Minutes:

323-08 Wagner: "That the minutes of the September 11th Leitch Livestock rezoning public meeting be approved as circulated." **CARRIED**

Minutes:

324-08 Atcheson: "That the minutes of the September 11th Crofts rezoning public meeting be approved as circulated." **CARRIED**

Delegations:

1:30 pm Caroline Burr appeared before Council to discuss a development application she is considering submitting to establish a dog camp franchise on land she is looking at purchasing on the W ½ of 36-19-19-W2.

Correspondence:

325-08 Marquardt: "That the attached list of correspondence and reports have been reviewed and the Administrator is authorized to file the same accordingly.

- A. Premier Wall – Ltr responding to request to remove school tax from property assessment
- B. Community Planning – Ltr. re: Subd. Approval - NE ¼ 18 & SE ¼ 19-19-21 – Clemens
- C. Community Planning – Ltr. re: Subd. Approval - W ½ 28-19-19-W2 – Rudolph
- D. Lumsden & District Heritage Home – Aug. 18th Meeting Minutes
- E. Hon Lyle Stewart – Ltr. re: new economic development program – Enterprise Regions replace REDA
- F. REDA – Ltr. re: Enterprise Regions program
- G. Pasqua Paving – Ltr. re: July Royalties
- H. Sask Municipal Hail – Claims Received reports
- I. SARM – Ltr. re: Facilitating Development Workshop – Wed. Nov. 12/08
- J. Sask Watershed Authority – Ltr. re: D.Babey Irrigation Development SE 20-19-22-W2 – Approval to Construct
- K. SGI – Ltr. re: 2007 Casualty Collisions
- L. Ag Health & Safety Network – Ltr. re: Get prepared for Farm Safety Workshop – Saskatoon Oct.20/08
- M. Misc. Publications." **CARRIED**

Bank Reconciliation & Financial Statement:

326-08 Marquardt: "That the Bank Reconciliation and the Financial Statement for the period ending September 30th, 2008 be accepted as submitted." **CARRIED**

IRH W3

Accounts to be Approved:

- 327-08 Atcheson: "That the list of accounts attached hereto and forming a part of these minutes and totalling \$361,153.84, including council remuneration and invoice No. 3911 in the amount of \$51,602.51 submitted by WF Botkin, is hereby approved for payment by the Reeve and Administrator."
CARRIED

Staff Reports:**Administrator's Report:**

Administrator Wayne Zerff provided a verbal report on various administrative issues.

- 328-08 Wagner: "That the Administrator's verbal report be accepted as presented."
CARRIED

Public Works - Report:

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

- 329-08 Szeles: "That the Manager of Public Works written and verbal report be accepted as presented."
CARRIED

Committee Reports:

Councillor Harrison provided a verbal report on the September Planning Advisory Committee Meeting he attended.

NEW BUSINESS:**Authorize Service Line Relocation – Road Construction Project:**

- 330-08 Marquardt: "That we authorize the Public Works Manager to arrange for the relocation of a water line and a phone line within the municipal road allowance to allow for road construction from Deer Valley to Seven Bridges Road."
CARRIED

Pavement Patching:

- 331-08 Wagner: "That we authorize Public Works Manager, Don Barnett to either contract Department of Highways or rent the required equipment to crack seal the pavement west of Lumsden."
CARRIED

Recess – Council Meeting:

- 332-08 Atcheson: "That we agree to recess the Council meeting at 2:00 p.m. for the purpose of the Public hearing regarding Bylaw 11-2008 to amend zoning bylaw #2-2000 to rezone land owned by 615238 Saskatchewan Limited from "A" Agriculture to "C1" Commercial."
CARRIED

Reconvene – Council Meeting:

- 333-08 Atcheson: That we agree to reconvene the regular Council meeting at 2:10 p.m."
CARRIED

Lay-off Notices for Seasonal Employees:

- 334-08 Marquardt: "That we authorize the Administrator to issue notices to seasonal employees for winter layoffs subject to the following:
- In consultation with the Public Works Manager Don Barnett, layoff notices will be issued to seasonal employees effective November 1st, 2008 for the reason of lack of work and should the fall weather permit additional work to be undertaken, we authorize Public Works Manager Don Barnett to extend the effective date of layoff."
CARRIED

Additional Employee – November - March:

- 335-08 Atcheson: "That we authorize Public Works Manager, Don Barnett to hire one employee to assist the Public Works Manager with snow removal and other duties for the period of November 2008 to March 2009, subject to the conditions of the bargaining agreement regarding seniority."
CARRIED

JRH WJ

ASL Paving – Request Representation:

336-08 Marquardt: “That we request a meeting with ASL Paving to address concerns over the deterioration of the road known as the “haul road” that runs South of No. 11 Highway, adjacent to E of Sections 31, 30, 19 and NE Ptn. 18 Township 19 Range 22-W2.”

CARRIED**Stop Sign Installation – Paintball Paradise:**

337-08 Atcheson: “That we authorize the Public Works Manager, Don Barnett to install a stop sign in the road allowance at the approach of Paintball Paradise on land legally described as the N ½ of the SE ¼ 20-20-19-W2 due to safety concerns over increased traffic from this business.”

CARRIED**Decal – Municipal Truck:**

338-08 Szeles: “That we authorize the Public Works Manager, Don Barnett to install a decal on the municipal truck identifying it as property of the R.M. of Lumsden No. 189.”

CARRIED**Facilitating Development Workshop:**

339-08 Marquardt: “That we authorize any interested council members and the Administrator to attend the Facilitating Development Workshop in Saskatoon on November 12, 2008 in conjunction with the SARM Mid-Term Convention, with expenses to be reimbursed by the municipality.”

CARRIED**Recess – Council Meeting:**

340-08 Harrison: “That we agree to recess the Council meeting at 3:00 p.m. for the purpose of the Public hearing regarding Bylaw 13-2008 to amend zoning bylaw #2-2000 to rezone land owned by Kevin & Diane Mursell from “A” Agriculture to “R2” Medium Density Valley Residential.”

CARRIED**Reconvene – Council Meeting:**

341-08 Wagner: That we agree to reconvene the regular Council meeting at 3:21 p.m.”

CARRIED**Tax Abatement - Scriven:**

342-08 Harrison: “That we agree to abate the taxes as detailed below on land legally described as Ptn. SE 2-21-22-W2, to the owners Stewart & Jill Scriven due to an assessment change for the property, as determined by Saskatchewan Assessment Management Agency:

Municipal	\$25.53	School	\$43.46	Total	\$68.99.”
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CARRIED**SK Highways – Winter Weight Restrictions:**

343-08 Szeles: “That we agree to opt out of the Winter Weight Restrictions program of the department of highways.”

CARRIED**Lutzer Latrace Seed Farms – Bore Road Request:**

344-08 Marquardt: “That we approve the request by Jim Latrace of Lutzer Latrace Seed Farms, for Sask Power to bore under the road between the yards on his land legally described as SW 24-19-21-W2 and SE 23-19-21-W2 for the purpose of installing a power line for a windmill generator.”

CARRIED**Advertising 2007 Tax Arrears:**

345-08 Marquardt: “That the Administrator is authorized to proceed under the Tax Enforcement Act and advertise the list of lands in arrears and without a tax lien, as attached hereto and forming a part of these minutes, subsequent to The Municipalities Act.”

CARRIED**Road Maintenance Agreement – SF Ventures:**

346-08 Szeles: “That we authorize the Administrator and the Reeve to enter into a Road Maintenance Agreement with SF Ventures with royalties at a rate of 2.5 cents per cubic yard per loaded mile or its equivalent and that maintenance of the road after and during the haul being the responsibility and cost of SF Ventures.”

CARRIED

IRH WJ

Saskatchewan Environment – Elk & Moose Seasons:

347-08 Atcheson: "That we authorize the Administrator to respond to Saskatchewan Environment indicating our support of their proposal to open new elk and moose seasons within Wildlife Management Zones."
CARRIED

Development Application #2008-069 - Denzin:

348-08 Wagner: "That we approve development application 2008-069 submitted by Frederick Denzin, to move on a RTM residence on the land legally described as the SW ¼ 12-20-20-W2 subject to the following:

- All building and trees shall be setback 150 feet from the center line of the municipal roads
- All buildings shall be setback 50 feet from the side property line."

CARRIED**Development Application #2008-070 – Hanson:**

349-08 Harrison: "That we approve the development application 2008-070 submitted by Dale Hanson to construct an accessory building on land legally described as SE 25-20-22-W2 subject to the following:

- All building and trees shall be setback 150 feet from the center line of the municipal roads
- All buildings shall be setback 50 feet from the side property line."

CARRIED**Fido Solutions/Rogers Cantel – Tax Cancellation:**

350-08 Marquardt: "That we agree to cancel the 2007 and 2008 taxes on a cell tower located on land legally described as the SE 5-20-21-W2 and leased by Rogers Cantel Inc. due to the dismantling of the Cell Tower in September 2005 as outlined below:

Municipal \$3,081.70 School \$5,087.91 Total \$8,169.61."

CARRIED**Proposed Subdivision – Dave Weber NE 18-19-20-W2:**

351-08 Wagner: "That we agree to refer the subdivision application submitted by Dave Weber to subdivide 41 industrial lots on the land legally described as the NE 18-19-20-W2 to our municipal planner, John Wolfenberg, for him to provide comments to council as to how the proposed development fits into the current municipal planning documents and the steps Council should consider for such a comprehensive development; and That we agree to request a planning fee deposit in the amount of \$2,500.00 from the developer."
CARRIED

Proposed Subdivision – Crofts SW 29-19-21-W2:

352-08 Marquardt: "That we recommend approval to the Director of Community Planning Services of the Community Planning Branch of the Ministry of Municipal Affairs for the proposed subdivision of 17 lots on the land legally described as the SW 29-19-21-W2 submitted by Dan Crofts subject to the following:

- As the internal subdivision road is required to be a public roadway, the developer is required to enter into a road development agreement with the municipality for the construction of the internal roadway as well as the roadway from Old No. 11 highway to the subdivision as outlined in his application.
- A service agreement shall be signed with the municipality which includes a requirement to pay \$2,500.00 per newly created parcel for off-site servicing fees to the municipality,
- Municipal Reserve land dedication as indicated in the plan of proposed subdivision, meets the municipal requirements pertaining to land dedication, 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."
CARRIED

IRH W.B.

Proposed Subdivision – Hanson NW 23-19-21-W2:

353-08 Atcheson: “That we recommend approval to the Director of Community Planning Services of the Community Planning Branch of the Ministry of Municipal Affairs for the proposed subdivision of one 44 acre lot on the land legally described as the NW 23-19-21-W2 submitted by Dave and Shirley Hansen 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 in the amount of \$500.00 will be required, if deemed applicable by Community Services Branch 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.” **CARRIED**

Rezoning Bylaw – Mursell Subdivision:

354-08 Wagner: “That we table the reading of Bylaw #13-2008, the Mursell Rezoning Bylaw, until council has an opportunity to review the municipal planner’s comments on the subdivision and public hearing transcripts, as well as, we receive and review the submission of the hydro geological report, required by the Community Planning Branch of Municipal Affairs.” **CARRIED**

Buena Vista – Waste Water Treatment Facility:

355-08 Harrison: “That we authorize the Administrator to set up a meeting for the Public Works Committee to meet with the council of the Village of Buena Vista to discuss their planned Waste Water Treatment Facility and impacts on land in the rural municipality.” **CARRIED**

Development Application #2008-071 – Osborne/English:

356-08 Atcheson: “That we recommend approval to the Director of Community Planning Services of the Community Planning Branch of the Ministry of Municipal Affairs for the subdivision application submitted by Dale Osborne on behalf of Marilyn English for the subdivision of a 14.39 acre cut-off parcel on the land legally described as NW 4-19-21-W2, 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 in the amount of \$500.00 if deemed applicable by Community Planning Branch of Municipal Affairs.”

CARRIED**Development Application #2008-052 – Roy Leitch:**

357-08 Wagner: “That contingent to approval of the rezoning bylaw by the Director of Community Planning Services of the Ministry of Municipal Affairs, we approve the development application submitted by 615238 Sask. Ltd to develop indoor commercial storage on the land legally described as NE 19-20-19-W2.” **CARRIED**

Proposed Development – Caroline Burr:

358-08 Szeles: “That we agree to consider the development application submitted by Caroline Burr for the dog camp boarding facility once the municipality receives proof of the applicants legal interest in the land, such as a conditional offer to purchase.”

CARRIED**Bylaw #11-2008 Bylaw to amend Zoning Bylaw – Roy Leitch – 2nd Reading:**

359-08 Szeleso: “That Bylaw No.11-2008, being a Bylaw to amend Bylaw 2-2000, the Zoning Bylaw, be read a second time.” **CARRIED**

Bylaw #11-2008 Bylaw to amend Zoning Bylaw – Roy Leitch – Adoption:

360-08 Marquardt: “That Bylaw No.10-2008, being a Bylaw to amend Bylaw 2-2000, the Zoning Bylaw, be adopted, signed and sealed.” **CARRIED**

JRH WB

Bylaw #14-2008 Bylaw for a Discount for Early Payment on Taxes – 1st Reading:

361-08 Acheson: "That Bylaw No.14-2008, being a Bylaw to provide for a discount on early payment of taxes, be read a first time." **CARRIED**

Bylaw #15-2008 Bylaw to Establish Speed Limits Within Deer Valley – 1st Reading:

362-08 Marquardt: "That Bylaw No.15-2008, being a Bylaw to establish maximum speed limits within the unorganized hamlet of Deer Valley, be read a first time."

CARRIED

Bylaw #16-2008 Fixed Assets Bylaw - 1st Reading:


363-08 Szeles: "That Bylaw No.16-2008, being a Bylaw to establish accounting policies for tangible capital assets, be read a first time."

CARRIED

Adjournment:

364-08 Marquardt: "That we adjourn this meeting at 6:00 p.m."

CARRIED


Reeve


Administrator