

**R.M. OF LUMSDEN NO. 189
MINUTES OF THE REGULAR MEETING
HELD ON FEBRUARY 14th, 2008**

The Lumsden Rural Municipal Council convened their regular meeting in the Council Chambers of the R.M. Office, on the afternoon of Thursday, February 14th, 2008 at 1:05 p.m. with Reeve Jim Hipkin presiding.

Present:	Reeve:	Jim Hipkin
	Councillor:	Kent Farago, Bill Marquardt, Jim Atcheson Al Szeles, Tom Harrison (arrived at 1:27 p.m.)
	Administrator:	Wayne Zerff
	Asst. Administrator:	Darcie Cooper
	Public Works Mgr:	Adri Vandeven

Minutes:

38-08 Atcheson: "That the minutes of the January 10th regular meeting be approved as circulated." **CARRIED**

Minutes:

39-08 Atcheson: "That the minutes of the January 21st Joint Administration Council supper meeting be approved as circulated." **CARRIED**

Minutes:

40-08 Marquardt: "That the minutes of the January 24th special meeting be approved as circulated." **CARRIED**

Delegations:

3:05pm Hilding Franson appeared before council to give an update on the Snoasis Development Project proposal.

Correspondence:

41-08 Szeles: "That the attached list of correspondence and reports have been reviewed and the Administrator is authorized to file the same accordingly.

- A. Redhead Equipment Ltd. – Invitation to Hospitality Reception – SARM Convention
- B. South Central Transportation Committee – Dust Control Workshop – Feb.20/08
- C. SARM – Fax re: Insurance Liability Claim – Lamontagne/RB Septic Services Rollover
- D. Lumsden & District Heritage Home – Jan.15/08 Mtg – No Quorum – Notice of AGM-Feb.19/08
- E. Shercom Industries – Ltr. re: Recycled Tires to Fix Frost Boils
- F. Municipal Affairs – Approval of Subd. SE 36-19-21-W2 – Colhoun
- G. Municipal Affairs – Approval of Subd. W ½ 36-19-19-W2 – Wood/Hamann
- H. Municipal Affairs – Approval of Subd. NE 6-21-21-W2 – Crampton
- I. Concerned Citizens of Lumsden – Ltr. re: Town of Lumsden development/Sewage treatment concerns
- J. Sask Municipal Hail Ins. – Ltr. re: Crop Hail Inspectors, 2007 Losses, Minutes from the 2007 AGM
- K. Ag Health and Safety Network – Ltr. re: Sleepless in Sask. workshops
- L. Ministry of Municipal Affairs – Info. Bulletin Amendments to the Municipalities Act
- M. Fed. Of Cdn. Municipalities – Ltr. re: Land Mgmt Workshop–North Battleford-Feb.29/08
- N. SAMA – 2007 Assessment Certificate of Confirmation
- O. SAMA – 2008 Municipal Requisition
- P. South Central Transportation Planning Committee – AGM Notice – Mar.20/08
- Q. Misc. Publications." **CARRIED**

Bank Reconciliation & Financial Statements:

42-08 Marquardt: "That the Bank Reconciliation and Financial Statements for the period ending January 31st, 2008 be accepted as submitted." **CARRIED**

Accounts to be Approved:

43-08 Atcheson: "That the list of accounts attached hereto and forming a part of these minutes and totalling \$219,893.94, is hereby approved for payment by the Reeve and Administrator." **CARRIED**

JRH WS

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

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

44-08 Farago: "That the Administrator's verbal report be accepted as presented."

CARRIED

Manager of Public Works - Report:

Public Works Manager, Adri Vandeven provided a written report on various public works issues.

45-08 Marquardt: "That the Public Works Manager's written report be accepted as presented."

CARRIED

APPOINTMENTS:**Stray Animals Act – Administrator & Assistant:**

46-08 Szeles: "That we appoint Wayne Zerff and Darcie Cooper as the Administrator and Assistant Administrator respectively, under the Stray Animals Act."

CARRIED

OLD BUSINESS:**Rybchuk Subdivision – NE 4-20-20-W2:**

47-08 Harrison: "That, in consideration of the developer satisfying all requirements requested by council in Resolution No. 322-07, we recommend approval to the Director of Community Planning Branch of the Ministry of Municipal Affairs subject to the following:

- Internal subdivision road is required by the Community Planning Branch to be a public roadway, the developer would need to enter into a road development agreement with the municipality for the construction of the internal roadway
- A service agreement shall be signed with the municipality which includes a requirement to pay \$2,500.00 per newly created parcel in off-site servicing fees to the municipality,
- All buildings shall be setback 150 feet from the center line of the municipal road,
- Cash-in-lieu in the amount of \$500.00 for each newly created parcel 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

Molnar Subdivision – NW 1-19-21-W2:

48-08 Farago: "That, in consideration of council agreement that the land in the south portion of LSD 11 in the NW 1-19-21-W2 is of a lesser quality than what the soil capabilities map in the municipality's zoning bylaw indicate, we agree to set Thursday, May 8th at 3:00 p.m. in the Council Chambers of the Lumsden Municipal Office as the date, time and place of a public hearing regarding the rezoning of land from Agricultural (A) to Low Density Valley Residential (R1) to accommodate the proposed subdivision."

CARRIED

Sullivan Subdivision Application – SE 6-19-20-W2:

49-08 Atcheson: "That we deny the subdivision application submitted by Pat & Clarke Sullivan to subdivide four (4) parcels in the SE 6-19-20-W2 due to the land being Class 2 agriculture land which does not comply with the municipality's development plan which focuses on the retention of Class 2 land for agricultural use."

CARRIED

NEW BUSINESS:**SCTPC - Dust Control Workshop:**

50-08 Farago: "That we authorize the Public Works Manager, Adri Vandeven to attend the Dust Control Workshop presented by the South Central Transportation Committee in Moose Jaw on February 20th, with expenses reimbursed by the municipality."

CARRIED

Special Council Budget Orientation Meeting:

51-08 Farago: "That we agree to hold a special council meeting at 1:00 p.m. on March 14th to

JRH WJ

review the budgeting process and assist new Councillors in the development of their 2008 Divisional budget plan.”

CARRIED

Tender Old No. 11 Highway – Sandseal and resurfacing:

52-08 Farago: “That we contract UMA Engineering to tender out the Sand Seal Project for Old No. 11 highway as submitted under the New Deal Grant; and

Amended by Bill Marquardt:

That we request UMA Engineering to tender out the stripping and resurfacing of Old No. 11 highway from Lumsden to No. 6 highway, as an alternative option to the sand sealing tender, for comparison purposes.”

CARRIED

Colhoun Subdivision Application– NE 1-20-21-W2:

53-08 Atcheson: “That, we recommend approval of the subdivision application submitted by Norm & Laura Colhoun under the cut-off parcel section of land legally described as the NE 1-20-21-W2 to the Director of Community Planning Branch of the Ministry of Municipal Affairs subject to the following:

- The developer secure a 100’ right of way for the existing road through the land legally described as SE 12-20-21-W2 and through the developer’s own property to ensure access is maintained to land legally described as NW 06-20-20-W2 currently owned by Ron & Shelly Patterson
- 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

Gavin & Annette Semple – Erection of Fence – SW 7-21-18-W2:

54-08 Atcheson: “That we approve the erection of the stone pillar and wrought iron fence and gate design submitted by Gavin & Annette Semple to be erected within 150’ of the municipal road on land legally described as the SW 7-21-18-W2, along the existing tree line as there is no history of snow blockage from the trees and the fence is not a solid fence.”

CARRIED

Mark & Kerri Ermel – 6% Discount refund:

55-08 Farago: “That we agree to abate taxes equivalent to the 6% discount shown below to Mark & Kerri Ermel for land legally described as Lot 33, Block 1, Plan 01RA14458 due to the indication that upon the purchase of the property, they did not receive a 2007 tax notice and were unaware of the early payment discount.

Municipal: \$57.44 School: \$108.56 Total: \$166.00

CARRIED

Councillor Szeles left the meeting at (5:05 p.m.)

SK Municipal Hail Insurance Annual Meeting:

56-08 Atcheson: “That we appoint Councillor Al Szeles as the municipality’s voting delegate at the Saskatchewan Municipal Hail Insurance Annual Meeting on Tuesday, March 11, 2008 in Regina during the SARM convention, with travel costs to be reimbursed by the municipality.”

CARRIED

Sask Highways & Transportation – Bridge Construction Purchase Approval:

57-08 Harrison: “That we authorize Saskatchewan Highways and Transportation, Municipal Bridge Engineer, David Altwasser to purchase various services and materials on behalf of the municipality relating to the construction of a new 12 metre bridge over Flying Creek located in the NE ¼ 11-20-21-W2 under the Bridge Assistance Program.”

CARRIED

Dust Control Concern – Mursell:

58-08 Harrison: “That we respond to the correspondence we received from Diane Mursell regarding her concern over the excessive dust and options for dust control for Old 54 highway, informing her that the Public Works Manager, Adri Vandeven will be

JRH WS

attending a Dust Control Workshop and dust control costs will be obtained for Council consideration during the budget process; and
 That the municipality will be meeting with the Town of Regina Beach and the Village of Buena Vista to discuss the issue of the septic trucks along that route, in an attempt to find a workable solution for the dust and road maintenance problems occurring from the high traffic use.”

CARRIED**Hackett – Tax Cancellation:**

59-08 Marquardt: “That we deny Ken Hackett’s request to cancel taxes on his residence located on the SE Ptn. 4-20-21-W2 for the years 2004-2007 (residence was vacant since 2004), since the legislation places the onus on the individual to claim the vacancy exemption in the year of occurrence and the municipality does not have the authority to cancel school taxes prior to the current year without School Division consent; and
 That in consideration of the legislation we agree to cancel the first six months of taxes on his residence for 2008 providing an affidavit is submitted indicating that the residence will be vacant until July 2008.”

CARRIED**Development Application 2008-006 - Chalupiak:**

60-08 Harrison: “That we approve the development application 2008-006 submitted by Kyle & Carmen Chalupiak to construct a residence, garage and barn on land legally described as SW 5-19-20-W2 subject to the following:

- A favourable geo-technical report is received regarding suitable building sites
- All development needs to be setback 150’ from the center of the road and 50’ from the property line
- Installation of a 24” standard culvert in the approach.”

CARRIED**Lloyd Myrah – Tie Code Removal Subdivision – SW 23-21-19-W2:**

61-08 Atcheson: “That we recommend approval to the Director of the Community Planning Branch of the Ministry of Municipal Affairs of the Tie Code Removal subdivision submitted by Lloyd Myrah on the land legally described as the SW 23-21-19-W2.”

CARRIED**Snow Plow Club Agreements:**

62-08 Farago: “That we designate the following Snow Plow Clubs, their executive, operators, route and miles as active clubs for 2008, subject to the approval (*initials on plow route page*) by the respective division councillor:”

DIV #	SNOW PLOW CLUB	MILEAGE	OPERATORS
1	NORTH TREGARVA SNOW PLOW CLUB	11.5	R.Byrne, K. Dickson, N.Holt, T.Irvine, D.Irvine, H.Jorgensen, L.Weber, P.Lambert, P.Miller, W.Oddie, B.Punga, D.Srochenski, D.Thunberg, W.Wirtz
5	COLINA SNOW PLOW CLUB	2.5	Ken Christoph, Rod Waggoner

CARRIED**Regular Council Meeting Submission & Package Delivery Policy:**

63-08 Atcheson: “That we revise our policy pertaining to Council meeting submissions and agree to set a cut off date of the end of the month prior to a council meeting for receiving information for submission to a regular council meeting; and
 That Administration is granted the authority to hold any submissions received prior to the end of the month that are not complete by the mailing/delivery date of the Council meeting package; and
 That due to inconsistent mailing timeframes between Lumsden, Craven, Regina we authorize the hand delivery of the meeting package to the Reeve and Councillors, by Public Works, one week prior to the regular meeting date to ensure Council has sufficient time to review the meeting material.”

CARRIED

IRH W3

Babco Cattle Corporation – Animal Units:

64-08 Marquardt: “That we authorize the Administrator to send a letter to Darryl Babey with the Babco Cattle Corporation informing him of our Municipal Planner, John Wolfenberg’s interpretation on the current Zoning Bylaw with respect to allowed animal units as follows:

- Confining more than 100 animal units per quarter section is considered an ILO; and

That as Darryl Babey indicated he has 500 cows and calves located mainly on 2 quarters of land, he is in contravention of the municipality’s current bylaws; and

That we acknowledge the municipality currently has no policy on wintering of cattle, however, council will address the issue through the Planning and Zoning review; and

That we acknowledge Darryl Babey previously received authorization from the municipality in a letter dated February 16, 2004 for 300 animal units for the operation.”

CARRIED

Bylaw #1-2008 Bylaw to amend Bylaw 2-99 Respecting Buildings – Adoption:

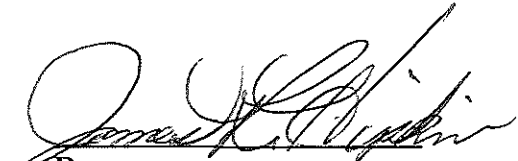
65-08 Marquardt: “That Bylaw No.1-2008, being a Bylaw to amend Bylaw 2-99 respecting buildings, be adopted, signed and sealed.”

CARRIED

Adjournment:

66-08 Atcheson: “That we adjourn this meeting at 8:26 p.m.

CARRIED


Reeve


Administrator