



RURAL MUNICIPALITY OF
L U M S D E N
No. 189

Rural Municipality of Lumsden No.189
Meeting Minutes
Regular Council Meeting April 25, 2019 - 07:00 PM

Call to Order

The Lumsden Rural Municipal Council convened their Regular meeting in the Council Chambers of the R.M. Office, on Thursday, April 25, 2019 at 7:00 p.m. with Reeve Kent Farago presiding.

Present:

Reeve: Kent Farago

Councillors: Jeremy Andrew (arrived at 7:02 pm), Derek Neuls, Boutros Skaf, Cody Garbutt, John Langford, Cody Jordison

Chief Administrative Officer: Monica M. Merkosky

Director of Planning and Development: Luke Grazier (Left at 7:52 pm)

Communications Clerk: Alyssa Lawford

Public Works Manager: Leighton Watts

Resolution No.
2019-181

Additions to Agenda

Moved by: Councillor Langford

"That we agree to add the following items to the agenda under:

- Communications:

Deer Valley Meeting Minutes - April 24, 2019

- New Business:

Deer Valley Hamlet Board Request

- Planning and Development:

Legal Counsel - Breach of Zoning Compliance Order

- Committee Report:

Inter-Municipal Utility Committee Meeting - Report."

CARRIED

Resolution No.
2019-182

Approval of Agenda

Moved by: Councillor Garbutt

"That we approve the agenda as amended."

CARRIED

Public Works Reports

Resolution No.
2019-183

Heavy Haul Report

Moved by: Councillor Langford

"That we approve the Public Works Manager's Heavy Haul report as presented." **CARRIED**

Financial Reports

Resolution No.
2019-184

List of Accounts - April 25, 2019

Moved by: Councillor Langford

"That the list of accounts attached hereto and forming a part of these minutes and totalling \$237,245.26 are hereby approved for payment with the following amendment:

- Remove all payments to Snow Plow Clubs."

CARRIED

Resolution No.
2019-185

Bank Reconciliation - February 28, 2019

Moved by: Councillor Neuls

"That the Bank Reconciliation for the period ending February 28, 2019 be accepted as presented."

CARRIED

Resolution No.
2019-186

Financial Statement - February 28, 2019

Moved by: Councillor Langford

"That the Financial Statement for the period ending February 28, 2019 be accepted as presented."

CARRIED

Planning and Development Applications and Reports

Conflict Declared

Councillor Jeremy Andrew declared a conflict of interest with respect to Development Application 2019-007 submitted by R & J Farms. Councillor Andrew abstained from discussion and voting on the matter and left the Council Chambers at 7:09 pm.

Resolution No.
2019-187

Dev. Appl. #2019-007 - R & J Farms - Ag Comm Subdivision - SW 33-19-19-W2 - Div. #1
Moved by: Councillor Jordison

"That we agree to recommend approval to the Director of Community Planning of the Ministry of Government Relations for Development Application #2019-007, submitted by R & J Farms, to subdivide an agricultural parcel from SW 33-19-19-W2 Ext. 19, subject to:

1. Prior to the construction of any new property access approaches, or modifications to the existing property access approach, an application first be made and approved by the RM of Lumsden No. 189;
2. Dedication of a 5-Metre strip of right-of-way along the frontage of the land proposed for subdivision to accommodate future road widening;
3. Payment of \$2,000 cash in-lieu of municipal reserve dedication; and
4. Execution of a Servicing Agreement, including the requirement to pay a development charge in the amount of \$3,763.80."

CARRIED

Conflict - Return to Chambers

At the conclusion of voting on the matter, Councillor Jeremy Andrew returned to the Council Chambers at 7:18 pm.

Resolution No.
2019-188

Dev. Appl. 2019-008 - Hecker - Farm Dwelling Disc. Use - NW 34-19-19-W2 - Div. #1
Moved by: Councillor Neuls

"That we agree to table Development Permit Application No. 2019 - 008 for an accessory farm dwelling on land legally described as: LSD 13-34-19-19-2 Ext. 13, submitted by Tara & Michael Hecker."

CARRIED

Resolution No.
2019-189

Dev. Appl. 2019-009 - Jorgensen - Micro Cannabis Production Facility - NE 23-19-20-W2 - Div. #1
Moved by: Councillor Andrew

"That we approve Discretionary Use Application No. 2019-009, for a 'cannabis production facility (micro)' use, subject to:

1. All materials and goods used in conjunction with the micro cannabis production facility use be stored within an enclosed building, no outside storage shall be permitted;
2. Upon the issuance of this permit, the applicant may begin construction; however, no cannabis production-related activities are permitted to commence until the applicant provides proof of compliance with all provincial and federal authorities and regulations related to the growing, cultivation, processing, wholesale and distribution of cannabis; and
3. Any signage related to the use shall not contain images but may include the business name in alpha-numeric characters."

CARRIED

Resolution No.
2019-190

Dev. Appl. 2019-010 - Herba Farms Ltd. - Cannabis Production Facility - SE 18-19-20-W2 - Div. #2
Moved by: Councillor Andrew

"That we approve Discretionary Use Application No. 2019 - 010, for a 'cannabis production facility' use, subject to:

1. All materials and goods used in conjunction with the cannabis production facility use be stored within an enclosed building, no outside storage shall be permitted;
2. Upon the issuance of this permit, the applicant may begin construction; however, no cannabis production-related activities are permitted to commence until the applicant provides proof of compliance with all provincial and federal authorities and regulations related to the growing, cultivation, processing, wholesale and distribution of cannabis; and

Handwritten signature

3. Any signage related to the use shall not contain images but may include the business name in alpha-numeric characters." **CARRIED**

Resolution No.
2019-191

Emmanuel Lutheran Church Property
Moved by: Councillor Langford

"That we agree to extend the Emmanuel Lutheran Heritage Committee's deadline to respond to our offer to sell the Emmanuel Lutheran Church Property to the Emmanuel Lutheran Heritage Committee until August 31, 2019, subject to completion of the front entrance steps."

CARRIED

Resolution No.
2019-192

Closed Session - LAFOIP S. 16(1)(a) Legal Related Matters
Moved by: Councillor Jordison

"That we agree to move into Closed Session at 7:38 pm for the purpose of discussing legally-related matters as allowed pursuant to Section 120 of *The Municipalities Act* (LAFOIP S. 16(1)(a)), with staff to be included in the session."

CARRIED

Resolution No.
2019-193

Rise from Closed Session
Moved by: Councillor Jordison

"That we agree to rise from the Closed Session and return to the open meeting at 7:47 pm."

CARRIED

Resolution No.
2019-194

Addition to Agenda: Legal Counsel - Breach of Zoning Compliance Order
Moved by: Councillor Jordison

A recorded vote was requested for the following motion.

"That we agree to retain legal counsel to prepare all necessary court documents required to file an originating application with the Court of Queen's Bench to obtain a Permanent Injunction Relief for the purposes of enforcing the Zoning Compliance Order on Parcel C, Plan 101443823 Ext. 127."

Name	Yes	No	Abstained
Jeremy Andrew	✓		
Kent Farago	✓		
Cody Garbutt	✓		
Cody Jordison	✓		
John Langford	✓		
Derek Neuls	✓		
Boutros Skaf	✓		

CARRIED UNANIMOUSLY

Adoption of Minutes

Resolution No.
2019-195

Regular Council Meeting - April 11, 2019
Moved by: Councillor Langford

"That the minutes of the April 11, 2019 Regular Council meeting be approved, as circulated."

CARRIED

Resolution No.
2019-196

Finance Committee Minutes - April 18, 2019
Moved by: Councillor Andrew

"That the minutes of the April 18, 2019 Finance Committee meeting be approved, as circulated."

CARRIED

Resolution No.
2019-197

Public Hearing Minutes - 03-2019
Moved by: Councillor Garbutt

"That the minutes of the April 11, 2019 Public Hearing - Bylaw 03-2019 meeting be approved, as circulated."

CARRIED

Committee Reports

Resolution No.
2019-198

2019 Budget
Moved by: Councillor Langford

That we agree with the recommendation of the Finance Committee and approve the 2019 mill rates and minimum taxes as follows:

- Residential Mill Rate - 9.6
- Agricultural Mill Rate - 9.6
- Commercial Mill Rate - 8.10
- Residential Minimum Tax - \$1,492.40
- Commercial Minimum Tax - \$1,600.00." **CARRIED**

Resolution No. **Addition to Agenda: Inter-Municipal Utility Committee Report**
 2019-199 **Moved by:** Councillor Garbutt
 "That the Inter-Municipal Utility Committee report be accepted as presented." **CARRIED**

New Business

Resolution No. **Lumsden High School Scholarship**
 2019-200 **Moved by:** Councillor Andrew
 "That we agree to offer a \$750.00 scholarship to a graduate of the Lumsden High School, and; that Councillor Cody Garbutt will present the award on behalf of Council at the 2019 Graduation exercises on June 26, 2019 at the Queensbury Convention Centre at EVRAZ Place." **CARRIED**

Resolution No. **Closed Session**
 2019-201 **Moved by:** Councillor Jordison
 "That we agree to move into Closed Session at 8:30 pm for the purpose of discussing strategic planning as allowed pursuant to Section 120 of *The Municipalities Act*, with staff to be included in the session." **CARRIED**

Resolution No. **Rise from Closed Session**
 2019-202 **Moved by:** Councillor Jordison
 "That we agree to rise from the Closed Session and return to the open meeting at 8:35 pm." **CARRIED**

Resolution No. **Addition to Agenda: Deer Valley Hamlet Board Request**
 2019-203 **Moved by:** Councillor Skaf
 "That we authorize administration to prepare a Zoning Bylaw amendment to apply a "H" holding provision to all vacant parcels within the Organized Hamlet of Deer Valley, in accordance with the Hamlet Board's request." **CARRIED**

Resolution No. **Reports of Administration**
 2019-204 **Moved by:** Councillor Jordison
 "That the report of the Chief Administrative Officer be accepted as presented." **CARRIED**

Resolution No. **May 23, 2019 Regular Meeting - Time Change**
 2019-205 **Moved by:** Councillor Andrew
 "That we agree to change the May 23, 2019 Regular meeting time from 7:00 pm to 1:00 pm." **CARRIED**

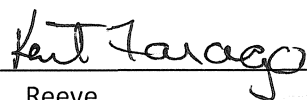
Resolution No. **Communications**
 2019-206 **Moved by:** Councillor Garbutt
 "That the following communications and reports have been reviewed and the Chief Administrative Officer is authorized to file the same accordingly:
 a. RM of Sherwood - Conflict of Interest Workshop presented by Ombudsman of SK - April 30, 2019
 b. Emmanuel Lutheran Church - Disposition of Municipal Assets
 c. Municipal Hail - Withdrawal List
 d. Ministry of Government Relations - SW 17-19-19-W2 - Notice of Decision
 e. Deer Valley Meeting Minutes - April 24, 2019
 f. Miscellaneous." **CARRIED**

Resolution No. **RM of Sherwood - Conflict of Interest workshop presented by Ombudsman of SK - April 30, 2019**
 2019-207 **Moved by:** Councillor Jordison
 "That we authorize administration to reply with Council's attendance to the RM of Sherwood - Conflict of Interest Workshop presented by the Ombudsman of SK on April 30, 2019 with expenses to be reimbursed by the municipality." **CARRIED**

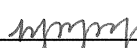
Bylaws

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- Resolution No.** 2019-208 **Bylaw No. 06-2019 - Corr Grain - Tax Exemption - 1st Reading**
Moved by: Councillor Jordison
"That Bylaw No. 06-2019, being the NW 11 Grain Storage Inc. - Tax Exemption Bylaw, be read a first time." **CARRIED**
- Resolution No.** 2019-209 **Bylaw No. 06-2019 - Corr Grain - Tax Exemption - 2nd Reading**
Moved by: Councillor Andrew
"That Bylaw No. 06-2019, being the NW 11 Grain Storage Inc. - Tax Exemption Bylaw, be read a second time." **CARRIED**
- Resolution No.** 2019-210 **Bylaw No. 06-2019 - Corr Grain - Tax Exemption - be Given 3 Readings**
Moved by: Councillor Jordison
"That Bylaw No. 06-2019, being the NW 11 Grain Storage Inc. - Tax Exemption Bylaw, be given three readings at this meeting." **CARRIED UNANIMOUSLY**
- Resolution No.** 2019-211 **Bylaw No. 06-2019 - Corr Grain - Tax Exemption - 3rd Reading**
Moved by: Councillor Skaf
"That Bylaw No. 06-2019, being the NW 11 Grain Storage Inc. - Tax Exemption Bylaw, be read a third time, adopted, signed and sealed." **CARRIED**
- Reeve and Councillors Forum**
- Resolution No.** 2019-212 **Closed Session LAFIOP(1)(b) Employee Related Matters**
Moved by: Councillor Jordison
"That we agree to move into Closed Session at 9:30 pm for the purpose of discussing Employee-Related Matters as allowed pursuant to Section 120 of *The Municipalities Act* (LAFIOP(1)(b)), with staff to be excluded in the session except CAO Monica Merkosky." **CARRIED**
- Resolution No.** 2019-213 **Rise from Closed Session**
Moved by: Councillor Langford
"That we agree to rise from the Closed Session and return to the open meeting at 10:05 pm." **CARRIED**
- Resolution No.** 2019-214 **Closed Session**
Moved by: Councillor Jordison
"That we agree to move into Closed Session at 10:14 pm for the purpose of discussing strategic planning as allowed pursuant to Section 120 of *The Municipalities Act*, with staff to be excluded in the session except CAO Monica Merkosky." **CARRIED**
- Resolution No.** 2019-215 **Rise from Closed Session**
Moved by: Councillor Jordison
"That we agree to rise from the Closed Session and return to the open meeting at 10:32 pm." **CARRIED**
- Resolution No.** 2019-216 **Adjournment**
Moved by: Councillor Jordison
"That we adjourn the meeting at 10:33 pm." **CARRIED**



Reeve



Chief Administrative Officer