

**TOWN OF LUMSDEN**  
**MINUTES OF THE REGULAR MEETING HELD ON**  
**SEPTEMBER 22<sup>nd</sup>, 2008**

The Lumsden Town Council convened their regular meeting in the Council Chambers of the Town Office, on the evening of Monday, September 22<sup>nd</sup>, 2008 at 8:05 p.m. with Mayor Verne Barber presiding.

**Present:** Mayor: Verne Barber  
Councillor: Al Sulma, Sid Sikorski, Wayne MacKay  
Gerry Tomkins, Dan Kirby

Administrator: Wayne Zerff  
Asst. Administrator: Darcie Cooper  
Utilities Foreman: Dave Cherney

**Absent:** Councillor: Ron Hart

**Minutes:**

244-08 Tomkins/Sulma: “That the minutes from the September 8<sup>th</sup> regular meeting be approved as circulated.” *CARRIED*

**Minutes:**

245-08 Sikorski/Tomkins: “That the minutes from the August 11<sup>th</sup> River Park meeting be approved as circulated.” *CARRIED*

**Minutes:**

246-08 Sulma/Sikorski: “That the minutes from the August 12<sup>th</sup> Group II committee meeting be approved as circulated.” *CARRIED*

**Minutes:**

247-08 Kirby/Sikorski: “That the minutes from the September 2<sup>nd</sup> Group I committee meeting be approved as circulated.” *CARRIED*

**Delegations:**

248-08 Sulma/Sikorski: “That we accept Ryan & Dick Leech with Stone Developments, Roger Mitchell with BMP Architects, Tim Adelman with Ground Engineering and Tom with Associated Engineering, to the meeting.” *CARRIED*  
The delegation appeared before council to provide a written and verbal proposal for development on land legally described as Lot 1 Block Y Plan 75R12775.

**Correspondence:**

249-08 Sulma/Tomkins: “That the following correspondence and reports have been reviewed and the Administrator is authorized to file the same accordingly:

- A. Lumsden & District Heritage Home – August 18, 2008 Mtg Minutes
- B. Tanya Marshall – Thank you card
- C. Dave & Liz Cameron – Thank you Ltr. re: sidewalk repair
- D. SK Justice – July 2008 & Sept. 2008
- E. SK Enterprise – Ltr. re: REDA program replacement
- F. MacLean Keith – Stmt of Account re: M. Williams
- G. Misc. Publications.” *CARRIED*

**General Account - Payment Vouchers:**

250-08 MacKay/Sulma: "That the general accounts listed below and totaling \$116,651.88 have been checked and approved for payment by the respective committees." **CARRIED**

**Bank Reconciliation:**

251-08 Kirby/Sikorski: "That we accept the Bank Reconciliation for period ending August 31, 2008 as submitted." **CARRIED**

**Committee Report:**

Mayor Verne Barber provided a verbal report on the Group II Committee meeting he attended.

**Administrator's Report:**

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

252-08 Tomkins/Kirby: "That the verbal report provided by the Administrator be accepted as presented." **CARRIED**

**Public Works Report:**

Utilities Foreman, Dave Cherney provided a verbal report on various public works issues.

253-08 Tomkins/Sulma: "That the verbal report provided by Dave Cherney be accepted as presented." **CARRIED**

**OLD BUSINESS:**

**Kay Burrows – Demolition of Fire Damaged House and Yard Clean up:**

254-08 Tomkins/Sikorski: "That we authorize the Administrator to enter into the land access agreement with Kay Burrows as originally presented; and  
That if the property owner is unwilling to enter into the land access agreement, we authorize the Administrator to proceed under the Nuisance Bylaw to look after the site clean up with expenses to be added to the property owner's taxes." **CARRIED**

**NEW BUSINESS:**

**Tax discount – Rubin:**

255-08 Tomkins/Kirby: "That we agree to approve the 5% discount on 2008 taxes for Lila and Edward Rubin since the change of ownership from SAMA was provided to the municipality prior to mailing the 2008 tax notices." **CARRIED**

**Fine Options Agreement:**

256-08 Kirby/MacKay: "That we authorize the Administrator to sign the Fine Option/Community Service Order Agency Agreement." **CARRIED**

**Maintenance of Property – Parcel A Plan C2386:**

257-08 Kirby/Tomkins: "That we authorize the Administrator to send a letter to the owner of property legally described as Parcel A Plan C2386, and indicate that the staff of the Town of Lumsden will no longer be cutting the grass on this property; and  
That, if in the future, the vegetation is not kept in a tidy manner by the property owner, the Town will proceed under the Nuisance Bylaw in order to keep the property in a tidy manner; and  
That we also inform the owner that people are parking vehicles that are for sale, on their property." **CARRIED**

**Traffic Bylaw Contravention – Parking in excess of 24 hours:**

258-08 Sikorski/Sulma: “That we agree to notify the RCMP Detachment of vehicles identified as a contravention to Bylaw No. 2001-04, known as the Traffic Bylaw, in particular Clause 3(f)(6) “No person shall park a vehicle on any highway at one place for any period of time exceeding twenty-four (24) consecutive hours” on the highway in front of the following locations:

- 125 Qu’Appelle Drive East
- 1<sup>st</sup> Avenue and Colbourne Street
- 35 Kelly Avenue

**CARRIED**

**Nuisance Declaration – Lot 7, Block 1, Plan C2386:**

259-08 Kirby/MacKay: “Be it resolved that the Council of the Town of Lumsden, acting pursuant to s. 364 of *The Municipalities Act* hereby declares that the junked vehicle and overgrown grass and weeds of Lot 7, Block 1, Plan C2386 (the “land”), hereby constitutes a nuisance because of its unsightly nature and is thereby adversely affecting peoples’ use and enjoyment of their property and the amenity of the neighbourhood; and

Be it resolved that notice is hereby directed to be served, in accordance with s. 364 (2) of *The Municipalities Act* on the owner of the land stating the date, time and place of a meeting of the council at which an appeal to the order will be considered.”

**CARRIED**

**Nuisance Declaration – Lot 6, Block 6, Plan 8561:**

260-08 Sikorski/MacKay: “Be it resolved that the Council of the Town of Lumsden, acting pursuant to s. 364 of *The Municipalities Act* hereby declares that the unlicensed vehicles of Lot 6, Block 6, Plan C8561 (the “land”), hereby constitutes a nuisance because of its junked vehicles and is thereby adversely affecting the amenity of the neighbourhood; and

Be it resolved that notice is hereby directed to be served, in accordance with s. 364 (2) of *The Municipalities Act* on the owner of the land stating the date, time and place of a meeting of the council at which an appeal to the order will be considered.”

**CARRIED**

**Nuisance Declaration – Parcel J, Plan 62R12592:**

261-08 Sikorski/MacKay: “Be it resolved that the Council of the Town of Lumsden, acting pursuant to s. 364 of *The Municipalities Act* hereby declares that the unlicensed vehicles of Parcel J, Plan 62R12592 (the “land”), hereby constitutes a nuisance because of its junked vehicles and is thereby adversely affecting the amenity of the neighbourhood; and

Be it resolved that notice is hereby directed to be served, in accordance with s. 364 (2) of *The Municipalities Act* on the owner of the land stating the date, time and place of a meeting of the council at which an appeal to the order will be considered.”

**CARRIED**

**Nuisance Declaration – Lot 4, Block 5, Plan 48571:**

262-08 Sikorski/MacKay: “Be it resolved that the Council of the Town of Lumsden, acting pursuant to s. 364 of *The Municipalities Act* hereby declares that the unlicensed vehicles, the overgrown grass and weeds, untidy and unsightly yard and the outdoor storage of material of Lot 4, Block 5, Plan 48571 (the “land”), hereby constitutes a nuisance thereby adversely affecting the amenity of the neighbourhood and peoples use and enjoyment of their property; and

Be it resolved that notice is hereby directed to be served, in accordance with s. 364 (2) of *The Municipalities Act* on the owner of the land stating the date, time and place of a meeting of the council at which an appeal to the order will be considered.”

**CARRIED**

**Nuisance Declaration – Parcel D, Plan 101446747:**

263-08 Sikorski/Tomkins: “Be it resolved that the Council of the Town of Lumsden, acting pursuant to s. 364 of *The Municipalities Act* hereby declares that the unlicensed vehicles and the overgrown grass and weeds of Parcel D, Plan 101446747 (the “land”), hereby constitutes a nuisance thereby adversely affecting the amenity of the neighbourhood; and  
Be it resolved that notice is hereby directed to be served, in accordance with s. 364 (2) of *The Municipalities Act* on the owner of the land stating the date, time and place of a meeting of the council at which an appeal to the order will be considered.” **CARRIED**

**Nuisance Declaration – Lot 11, Block 4, Plan 8561:**

264-08 Sulma/Sikorski: “Be it resolved that the Council of the Town of Lumsden, acting pursuant to s. 364 of *The Municipalities Act* hereby declares that the unlicensed, rusted, partly wrecked, partly dismantled, inoperative vehicle of Lot 11, Block 4, Plan 8561 (the “land”), hereby constitutes a nuisance because of its junked vehicle and is thereby adversely affecting the amenity of the neighbourhood and is dangerous to the safety of the people in the neighbourhood; and  
Be it resolved that notice is hereby directed to be served, in accordance with s. 364 (2) of *The Municipalities Act* on the owner of the land stating the date, time and place of a meeting of the council at which an appeal to the order will be considered.” **CARRIED**

**Nuisance Declaration – Lot 1, Block M, Plan AT39:**

265-08 Sikorski/Sulma: “Be it resolved that the Council of the Town of Lumsden, acting pursuant to s. 364 of *The Municipalities Act* hereby declares that the unlicensed vehicles of Lot 1, Block M, Plan AT39 (the “land”), hereby constitutes a nuisance because of its junked vehicle and is thereby adversely affecting the amenity of the neighbourhood; and  
Be it resolved that notice is hereby directed to be served, in accordance with s. 364 (2) of *The Municipalities Act* on the owner of the land stating the date, time and place of a meeting of the council at which an appeal to the order will be considered.” **CARRIED**

**Adjournment:**

266-08 Kirby/Tomkins: “That we adjourn this meeting at 11:10 p.m.” **CARRIED**

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**Mayor**

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**Administrator**