

MINUTES OF THE REGULAR MEETING OF
THE RURAL MUNICIPALITY OF SHERWOOD NO. 159 HELD IN COUNCIL CHAMBERS
AT 1840 CORNWALL STREET, REGINA, SASKATCHEWAN
Wednesday, April 09, 2014

PRESENT: Kevin Eberle, Reeve
Joe Repetski, Councillor Division 1 (*via telephone*)
Tim Probe, Councillor Division 2
Corey Wilton, Councillor Division 4
Barry Jijian, Councillor Division 6

ABSENT: Dale Heenan, Councillor Division 3
Vacant, Councillor Division 5

STAFF: Rod Benroth, Public Works Manager
Adam Toth, Municipal Planner
Erin Halliday, Municipal Clerk
Jessica Heisler, Assistant Municipal Clerk

ORDER: Deputy Reeve Tim Probe called the meeting to order at 5:38 p.m.

145/14 **AGENDA**

COUNCILLOR JIJIAN: THAT the agenda be adopted with the following amendments:

That Items G. 8. to G. 12 be moved to after B.

CARRIED UNANIMOUSLY

Reeve Kevin Eberle entered Council Chambers at 5:40 p.m.

Deputy Reeve Tim Probe stepped down from the Chair at 5:40 p.m.

Reeve Kevin Eberle assumed the Chair at 5:40 p.m.

146/14 **RECESS**

COUNCILLOR PROBE: THAT this meeting recess at 5:40 p.m.

CARRIED UNANIMOUSLY

147/14 **RECONVENE**

COUNCILLOR WILTON: THAT this meeting reconvene at 5:44 p.m.

CARRIED UNANIMOUSLY

148/14 **SUBDIVISION APPLICATION NO. 10-12**

COUNCILLOR JIJIAN: THAT report no. SU 10-12 be received and filed.

CARRIED UNANIMOUSLY

149/14 **SUBDIVISION APPLICATION NOS. 13-019 & 13-020**

COUNCILLOR PROBE: WHEREAS the residual sites on both SW 4-16-19-W2 and SE 4-16-19-W2 as a result of Subdivision Application Nos. 13-019 & 13-020 (Community Planning File R0331-13R and R0332-13R) would be 80 acres; and,

WHEREAS the Rural Municipality of Sherwood No. 159 Official Community Plan Bylaw No. 06/11 does not allow for residual sites of less than 120 acres per quarter section;

BE IT RESOLVED THAT the Rural Municipality of Sherwood No. 159 does not support Subdivision Application Nos. 13-019 & 13-020.

CARRIED UNANIMOUSLY

150/14 RE-ZONING APPLICATION NO. 13-012 – SUPPLEMENTAL REPORT

COUNCILLOR PROBE: THAT Subdivision Application No. 13-012 be received and filed.

CARRIED UNANIMOUSLY

SUBDIVISION APPLICATION NO. 13-014

COUNCILLOR WILTON: THAT Subdivision Application No. 13-014 (Community Planning File R0846-13R) for a transmission line right of way easement, be supported subject to the applicant applying for a development permit prior to development.

AMENDMENT

AND THAT this application is clearly understood as a right of way easement although, in this instance, the term "subdivision" application is used.

CARRIED UNANIMOUSLY

151/14 SUBDIVISION APPLICATION NO. 13-014

COUNCILLOR WILTON: THAT Subdivision Application No. 13-014 (Community Planning File R0846-13R) for a transmission line right of way easement, be supported subject to the applicant applying for a development permit prior to development; and,

THAT this application is clearly understood as a right of way easement although, in this instance, the term "subdivision" application is used.

CARRIED UNANIMOUSLY

152/14 DEVELOPMENT PERMIT APPLICATION NO. 14-001

COUNCILLOR PROBE: THAT Development Permit Application No. 14-001 for an asphalt plant to be established and produce asphalt at Lot28, Blk/Par 1, Plan 79R44507, NE 13-18-20-W2, be hereby approved subject to the following conditions being met prior to issuance of a development permit:

1. That the applicant provides a landscaping and parking plan to the satisfaction of the development officer and maintain the property thereafter in accordance with the approved plans.
2. That the development officer receives a letter of credit or bank draft in the amount of the cost of the landscaping for security.
3. That the development, operation, and sewer servicing is to the satisfaction of the Ministry of Environment and other applicable Provincial Authorities and copies of any approvals and correspondence are sent to the development officer.
4. That the applicant receives approvals from the Water Security Agency for surface water works.
5. That a road use agreement is signed between the proponent and the RM of Sherwood Manager of Public Works.
6. That all utilities are contacted to locate facilities prior to development.
7. That the Emergency Response Plan is to the satisfaction of the RM of Sherwood Manager of Public Works and the City of Regina Fire Department.
8. That any improvements to site grading will require prior approval from the RM of Sherwood Manager of Public Works.

CARRIED UNANIMOUSLY

153/14 COMMENTS RE: DEVELOPMENT APPLICATIONS – CITY OF REGINA

COUNCILLOR REPETSKI: THAT the Rural Municipality of Sherwood No. 159 engage Perspectives Community Planning & Development Services in drafting a letter signed by Reeve Kevin Eberle to be sent to the City of Regina Director of Planning requesting that going forward, comments from the City of Regina regarding R. M. development applications be directly related to the application in which comments were requested for, rather than making general suggestions that relate to matters beyond the specified application.

CARRIED UNANIMOUSLY

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154/14 MARCH 12, 2014 REGULAR COUNCIL MEETING MINUTES

COUNCILLOR PROBE: THAT the minutes of the March 12, 2014 Regular Meeting of Council be adopted as presented.

CARRIED UNANIMOUSLY

155/14 BANK RECONCILIATION

COUNCILLOR WILTON: THAT the Bank Reconciliation for the Month of March, 2014, attached to and forming a part of these minutes, be accepted as presented.

CARRIED UNANIMOUSLY

156/14 STATEMENT OF FINANCIAL ACTIVITIES

COUNCILLOR JIJIAN: THAT the Statement of Financial Activities for the period ending March 31, 2014, attached and forming a part of these minutes, be accepted as presented.

CARRIED UNANIMOUSLY

157/14 BANK STATEMENT

COUNCILLOR REPETSKI: THAT the Bank Statement for the period ending March 31, 2013, be accepted as presented.

CARRIED UNANIMOUSLY

158/14 BUDGETARY CONTROL REPORT

COUNCILLOR PROBE: THAT the Budgetary Control Report for the period ending March 31, 2014, be accepted as presented.

CARRIED UNANIMOUSLY

ACCOUNTS FOR APPROVAL

COUNCILLOR WILTON: THAT cheque numbers 10827 to 10929 totaling \$189,815.17, as outlined in the List of Accounts for Approval attached to and forming part of these minutes, be approved for payment; and,

THAT Payroll and Electronic Fund Transfers totaling \$83,132.81 be ratified.

AMENDMENT

COUNCILLOR REPETSKI: With the exception of cheque no. 10880, in which prior to the payment being approved, the Manager of Public Works shall bring forth more information to Council regarding an explanation of the charges indicated on the invoice pertaining to that payment.

CARRIED UNANIMOUSLY

159/14 ACCOUNTS FOR APPROVAL

COUNCILLOR WILTON: THAT cheque numbers 10827 to 10929 totaling \$189,815.17, as outlined in the List of Accounts for Approval attached to and forming part of these minutes, be approved for payment, with the exception of cheque no. 10880, in which prior to the payment being approved, the Manager of Public Works shall bring forth more information to Council regarding an explanation of the charges indicated on the invoice pertaining to that payment; and,

THAT Payroll and Electronic Fund Transfers totaling \$83,132.81 be ratified.

CARRIED UNANIMOUSLY

160/14 MARCH 2014 PUBLIC WORKS REPORT

COUNCILLOR WILTON: THAT the Manager of Public Works March 2014 written report be accepted as information and filed.

CARRIED UNANIMOUSLY

161/14 WELLINGS SUBDIVISION PAVING PROJECT – RATEPAYER RESPONSES

COUNCILLOR PROBE: THAT the Rural Municipality of Sherwood No. 159 approve the Wellings Subdivision Paving Project in principle; and,

THAT the Manager of Public Works move forward with the project in adherence with *The Local Improvements Act*.

CARRIED UNANIMOUSLY

162/14 2014 MUNICIPAL ROADS FOR THE ECONOMY PROGRAM FUNDING

COUNCILLOR PROBE: THAT the Rural Municipality of Sherwood No. 159 pursue the completion of the Inland Drive Reconstruction Project for the 2014 construction season using Municipal Roads for the Economy Program (MREP) funding for the 2014 year; and,

FURTHERMORE THAT the Rural Municipality of Sherwood No. 159 obtain funding through MREP to assist with completion of the project in 2015.

CARRIED UNANIMOUSLY

163/14 SHERWOOD FOREST BRIDGE

COUNCILLOR JIJIAN: THAT the Manager of Public Works contact the Municipal Roads for the Economy Program (MREP) to confirm that preliminary expenses incurred during the 2014 year for the Sherwood Forest Bridge Project will be included as an eligible expense for the 2015 MREP funding year; and,

THAT, upon confirmation of the above, the Rural Municipality of Sherwood No. 159 begin preliminary work for the project, including project design and acquisition of right-of-way.

CARRIED UNANIMOUSLY

164/14 ROAD WORKS PROJECTS

COUNCILLOR REPETSKI: THAT the Manager of Public Works call a Special Meeting of Council to review a five (5) year plan for road construction and re-construction projects within the R. M.

CARRIED UNANIMOUSLY

165/14 INSPECTION OF CURRENT R. M. INFRASTRUCTURE & DEVELOPMENTS

COUNCILLOR PROBE: THAT the Manager of Public Works escort Council throughout the R. M. in an inspection of current infrastructure and current developments that are taking place within the R. M.; and,

THAT the Manager of Public Works rent a suitable vehicle to transport Council during their inspection of the R. M.

CARRIED UNANIMOUSLY

166/14 GROUNDWATER INVESTIGATION PROPOSAL

COUNCILLOR WILTON: THAT the Manager of Public Works Report No. 2013-01-036 regarding a groundwater investigation proposal be tabled for further review.

CARRIED UNANIMOUSLY

167/14 ACCOUNTS FOR RATIFICATION

COUNCILLOR REPETSKI: THAT cheque numbers 10432 to 10434 totaling \$48,865.50, as outlined in the List of Accounts for Ratification attached to and forming part of these minutes be ratified.

CARRIED UNANIMOUSLY

168/14 CHIEF ADMINISTRATIVE OFFICER RESIGNATION & APPOINTMENT OF ACTING ADMINISTRATOR

COUNCILLOR WILTON: THAT Council accept the resignation of Rachel Kunz as Chief Administrative Officer for the Rural Municipality of Sherwood No. 159 effective March 27, 2014; and,

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Resolution No. 168/14 continued;

THAT Erin Halliday be appointed Acting Administrator.

CARRIED UNANIMOUSLY

169/14 APPOINT SASKATCHEWAN MUNICIPAL HAIL AGENT

COUNCILLOR PROBE: THAT Resolution No. 39/13 be hereby rescinded; and,
THAT the Rural Municipality of Sherwood No. 159 appoint Erin Halliday,
Municipal Clerk as the Saskatchewan Municipal Hail Insurance (SMHI) agent.

CARRIED UNANIMOUSLY

170/14 SIGNING AUTHORITY

COUNCILLOR PROBE: THAT Rachel Kunz's signing authority and MasterCard
Authorization for the Rural Municipality of Sherwood No.159 be revoked; and,
THAT Lorna Hillier be granted signing authority for the Rural Municipality of
Sherwood No. 159.

CARRIED UNANIMOUSLY

171/14 MASTERCARD AUTHORIZATION

COUNCILLOR PROBE: THAT Rural Municipality of Sherwood No.159
MasterCard with a maximum credit limit of \$10,000.00 be issued to Erin
Halliday to be used for municipal business.

CARRIED UNANIMOUSLY

172/14 AGREEMENT CANCELLATION REQUEST – TERMINATION OF LEASE

COUNCILLOR WILTON: THAT Council withdraw the request to cancel the
Agreement Cancellation Request – Non-Payment of Property Taxes relative to
Provincial Lands applying to leases on NE 26-18-19-W2, SE 35-18-19-W2 and
SW 35-18-19-W2; and,

THAT the Lessee be advised that if arrears are not paid in full, Council will
consider proceeding with cancellation of lease.

CARRIED UNANIMOUSLY

Councillor Barry Jijian left Council Chambers at 7:00 p.m.

173/14 TAX OVER-PAYMENTS – SHERWOOD FOREST

COUNCILLOR PROBE: THAT all Roll Nos. within Sherwood Forest that have a
credit amount as indicated on Report No. JH2014-004, be refunded to the
assessed owner of the account.

CARRIED UNANIMOUSLY

Councillor Barry Jijian entered Council Chambers at 7:01 p.m.

174/14 TAX ENFORCEMENT – PROCEED TO REQUEST TITLE

COUNCILLOR REPETSKI: THAT the Acting Chief Administrative Officer be
authorized under *The Tax Enforcement Act* to proceed to request title for the
following described lands:

Legal Land Description	Title No.
Blk/Par B-Plan 101280282 Ext 3	139720428
Blk/Par A-Plan 101280282 Ext 2	140616389
NE 22-16-19-2 Ext 0	140460241
NW 22-16-19-2 Ext 1	139853379
SW 22-16-19-2 Ext 0	140460263
Blk/Par T-Plan 101995410 Ext 0	137991752
Blk/Par A-Plan 102018743 Ext 0	141589121

CARRIED UNANIMOUSLY

175/14 SERVICING AGREEMENT – FIRST WEST DEVELOPMENTS INC.

COUNCILLOR WILTON: THAT the Rural Municipality of Sherwood No. 159 ratify the Servicing Agreement with First West Developments L.P. for the proposed subdivision of SE ¼ 16-18-19, Surface Parcel No. 110907479, attached to and forming part of these minutes, conditional upon receipt of the payments required for Direct Costs and Cash In Lieu of Municipal Reserve.

FOR: Eberle, Repetski, Wilton

AGAINST: Probe, Jijian

CARRIED

176/14 RECESS

COUNCILLOR JIJIAN: THAT this meeting recess at 7:34 p.m.

CARRIED UNANIMOUSLY

177/14 RECONVENE

COUNCILLOR PROBE: THAT this meeting reconvene at 7:53 p.m.

CARRIED UNANIMOUSLY

178/14 CORRESPONDENCE

COUNCILLOR WILTON: THAT the following correspondence be accepted as information and filed:

1. March 06, 2014 - Water Security Agency – Receipt of your Request for Assistance In Resolving a Complaint Form
2. March 12, 2014 – Water Security Agency – Drainage and Subdivision Development
3. March 13, 2014 – Ministry of Highways & Infrastructure – Land Acquisition for the Regina Bypass
4. March 14, 2014 – Regina Airport Authority – Annual Nominations Meeting
5. March 19, 2014 – White Butte Regional Planning Committee – Highway Bypass Project
6. March 19, 2014 – Trans Canada Trail – Connection 2017
7. March 21, 2014 – Minister of Government Relations – 2014 Potential Education Mill Rates
8. April 03, 2014 – Saskatchewan Workers’ Compensation Board – Workers’ Compensation Board 2014 Annual General Meeting
9. April 07, 2014 – Crime Stoppers – 2014 Requisition for Voluntary Levy
10. The Royal Canadian Legion, Saskatchewan Command – Military Service Recognition Book

CARRIED UNANIMOUSLY

179/14 ROYAL CANADIAN LEGION'S 2014 MILITARY SERVICE RECOGNITION BOOK

COUNCILLOR PROBE: THAT the Rural Municipality of Sherwood No. 159 purchase advertising space in the Royal Canadian Legion’s 2014 Military Service Recognition Book at a cost of \$595.00.

CARRIED UNANIMOUSLY

180/14 RESCIND RESOLUTION NO. 36/14

COUNCILLOR PROBE: THAT Resolution No. 36/14 be hereby rescinded.

CARRIED UNANIMOUSLY

181/14 2014 CRIME STOPPERS VOLUNTARY REQUISITION

COUNCILLOR REPETSKI: THAT the Rural Municipality of Sherwood No. 159 contribute a two hundred dollar (\$200.00) voluntary requisition to the Saskatchewan Crime Stoppers for the 2014 year.

CARRIED UNANIMOUSLY

Reeve Kevin Eberle stepped down from the Chair at 8:08 p.m.

Councillor Corey Wilton assumed the Chair at 8:08 p.m.

Reeve Kevin Eberle left Council Chambers at 8:08 p.m.

182/14 MEMORANDUM OF UNDERSTANDING – SAKIMAY FIRST NATION & GREAT PRAIRIE DEVELOPMENTS

COUNCILLOR PROBE: THAT the verbal report given by Councillor Barry Jijian regarding entering into a memorandum of understanding with the Sakimay First Nation and Great Prairie Developments be accepted as information; and,

THAT the draft memorandum of understanding be forwarded to the Municipal Solicitor for review.

CARRIED UNANIMOUSLY

183/14 PAYMENTS OF CASH-IN-LIEU – PREVIOUS DEVELOPMENTS

COUNCILLOR PROBE: THAT, for those applicants that make an inquiry to the R. M., the Municipal Planner review development applications that were submitted after 2009 to confirm that any by-law or policy requirement or exemption to pay cash-in-lieu of municipal reserve has been met; and,

THAT a refund be given where it is found that an applicant was wrongly required to pay cash-in-lieu of municipal reserve.

CARRIED UNANIMOUSLY

Reeve Kevin Eberle entered Council Chambers at 8:21 p.m.

Councillor Corey Wilton stepped down from the Chair at 8:21 p.m.

Reeve Kevin Eberle assumed the Chair at 8:21 p.m.

184/14 POTABLE WATER SOURCES

COUNCILLOR JIJIAN: THAT the Manager of Public Works call for a meeting with the Municipal Solicitor, Members of Council and Mike Famulak of Beckie Hydrologists Ltd., to review potable water sources available within the R. M.

CARRIED UNANIMOUSLY

185/14 BYLAW NO.04/14 – A BYLAW TO AMEND THE RURAL MUNICIPALITY OF SHERWOOD NO. 159 ZONING BYLAW NO. 07/11

COUNCILLOR REPETSKI: THAT Bylaw No. 04/14, a bylaw to amend the Rural Municipality of Sherwood No. 159 Zoning Bylaw No. 07/11, be introduced and read a first time.

CARRIED UNANIMOUSLY

186/14 BYLAW NO.08/14 – A BYLAW TO AMEND THE RURAL MUNICIPALITY OF SHERWOOD NO. 159 ZONING BYLAW NO. 07/11

COUNCILLOR WILTON: THAT Bylaw No. 08/14, a bylaw to amend the Rural Municipality of Sherwood No. 159 Zoning Bylaw No. 07/11, be read a second time.

CARRIED UNANIMOUSLY

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- 187/14** **BYLAW NO.08/14 – A BYLAW TO AMEND THE RURAL MUNICIPALITY OF SHERWOOD NO. 159 ZONING BYLAW NO. 07/11**
- COUNCILLOR PROBE: THAT Bylaw No. 08/14, a bylaw to amend the Rural Municipality of Sherwood No. 159 Zoning Bylaw No. 07/11, be read a third time and hereby adopted.
- CARRIED UNANIMOUSLY
- 188/14** **IN CAMERA**
- COUNCILLOR WILTON: THAT this meeting go into In Camera session at 8:39 p.m.
- CARRIED UNANIMOUSLY
- 189/14** **RECONVENE**
- COUNCILLOR WILTON: THAT this meeting reconvene into regular session at 9:08 p.m.
- CARRIED UNANIMOUSLY
- 190/14** **MEETING WITH CONSUMERS CO-OPERATIVE REFINERY LTD.**
- COUNCILLOR REPETSKI: THAT the Manager of Public Works and the Municipal Solicitor call for a meeting with representatives from the Consumers Co-operative Refinery Ltd. to secure an agreement regarding a road haul agreement and compensation for roadway upgrading.
- CARRIED UNANIMOUSLY
- 191/14** **JOINT COMMITTEE MEETINGS WITH CITY OF REGINA**
- COUNCILLOR JIJIAN: THAT the Rural Municipality of Sherwood No. 159 engage the Municipal Solicitor in drafting a letter on behalf of the R. M. to be sent to all members of the Sherwood-Regina Governance Committee (SRGC) regarding Council's concerns with the selection of high priority deliverables for 2014; and
- THAT it be corresponded that it is the R. M.'s wish to re-evaluate the procedures and the formality of the joint committee meetings.
- CARRIED UNANIMOUSLY
- 192/14** **MEDIA RELEASE – REGINA BYPASS**
- COUNCILLOR PROBE: THAT the Rural Municipality of Sherwood No. 159 engage Redworks Communications in drafting and issuing a media release regarding the R. M.'s position on the Regina Bypass.
- CARRIED UNANIMOUSLY
- 193/14** **IN CAMERA**
- COUNCILLOR PROBE: THAT this meeting go into In Camera session at 9:14 p.m.
- CARRIED UNANIMOUSLY
- 194/14** **RECONVENE**
- COUNCILLOR WILTON: THAT this meeting reconvene into regular session at 9:41 p.m.
- CARRIED UNANIMOUSLY
- 195/14** **2014 EMPLOYEE COMPENSATION**
- COUNCILLOR PROBE: THAT the recommendation as provided in Councillor Repetski's In Camera report no. C-2014-01 detailing employee compensation for 2014, be hereby approved.
- CARRIED UNANIMOUSLY

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196/14 ADJOURNMENT

COUNCILLOR WILTON: THAT this meeting be adjourned at 9:47 p.m.

CARRIED UNANIMOUSLY

Reeve

Administrator