

**MINUTES OF THE REGULAR COUNCIL MEETING OF
THE RURAL MUNICIPALITY OF SHERWOOD NO. 159 HELD IN COUNCIL CHAMBERS
AT 1840 CORNWALL STREET, REGINA, SASKATCHEWAN
Wednesday, April 10, 2013**

PRESENT: Kevin Eberle, Reeve
Joe Repetski, Councillor Division 1
Tim Probe, Councillor Division 2
Dale Heenan, Councillor Division 3
Corey Wilton, Councillor Division 4
David Wellings, Councillor Division 5 (via telephone)
Barry Jijian, Councillor Division 6

ABSENT:

STAFF: Rachel Kunz, Administrator
Rod Benroth, Manager of Engineering Operations
Adam Toth, Municipal Planner
Jessica Heisler, Assistant Municipal Clerk

ORDER: Reeve Kevin Eberle called the meeting to order at 5:34 p.m.

168/13 AGENDA

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

Move Item C. to Item D.

Move Item D. to Item C.

CARRIED UNANIMOUSLY

169/13 IN CAMERA

COUNCILLOR PROBE: THAT this meeting move into In Camera session at 5:36 p.m.

CARRIED UNANIMOUSLY

170/13 RECONVENE

COUNCILLOR PROBE: THAT this meeting reconvene to Regular Session at 5:48 p.m.

CARRIED UNANIMOUSLY

171/13 MARCH 20 2013 REGULAR COUNCIL MEETING MINUTES

COUNCILLOR WILTON: THAT the minutes of the March 20, 2013 Regular Meeting of Council be adopted as presented.

CARRIED UNANIMOUSLY

172/13 MARCH 27 2013 SPECIAL MEETING MINUTES

COUNCILLOR REPETSKI: THAT the minutes of the March 27, 2013 Special Meeting of Council be adopted as presented.

CARRIED UNANIMOUSLY

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173/13 IN CAMERA

COUNCILLOR REPETSKI: THAT this meeting move into In Camera session at 5:52 p.m.

CARRIED UNANIMOUSLY

174/13 RECONVENE

COUNCILLOR WILTON: THAT this meeting reconvene to Regular Session at 6:58 p.m.

CARRIED UNANIMOUSLY

175/13 RECESS

COUNCILLOR PROBE: THAT this meeting recess at 6:59 p.m.

CARRIED UNANIMOUSLY

Councillor Dave Wellings disconnected via telephone at 7:04 p.m.

176/13 RECONVENE

COUNCILLOR HEENAN: THAT this meeting reconvene at 7:38 p.m.

CARRIED UNANIMOUSLY

177/13 BANK RECONCILIATION

COUNCILLOR PROBE: THAT the Bank Reconciliation for the Month of March 2013, attached to and forming a part of these minutes, be accepted as presented.

CARRIED UNANIMOUSLY

178/13 STATEMENT OF FINANCIAL ACTIVITIES

COUNCILLOR REPETSKI: THAT the Statement of Financial Activities for the period ending March 31, 2013, attached and forming a part of these minutes, be accepted as presented.

CARRIED UNANIMOUSLY

179/13 BANK STATEMENT

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

CARRIED UNANIMOUSLY

Councillor Dave Wellings connected via telephone at 7:40 p.m.

180/13 BUDGETARY CONTROL REPORT

COUNCILLOR JIJIAN: THAT the Budgetary Control Report for the period ending March 31, 2013, be accepted as presented.

CARRIED UNANIMOUSLY

181/13 ACCOUNTS FOR RATIFICATION

COUNCILLOR REPETSKI: THAT cheque Numbers 9731 to 9752, totaling \$65,041.81, attached to and forming a part of these minutes, and Payroll Deposits totaling \$45,434.38, be ratified.

CARRIED UNANIMOUSLY

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182/13 ACCOUNTS FOR APPROVAL

COUNCILLOR JIJIAN: THAT cheque Numbers 9753 to 9799 totaling \$92,923.70, attached to and forming a part of these minutes, be approved for payment.

CARRIED UNANIMOUSLY

183/13 MANAGER OF ENGINEERING OPERATIONS REPORT

COUNCILLOR REPETSKI: THAT Rod Benroth, Manager of Engineering Operations April 2013 written report, be accepted as information and filed.

CARRIED UNANIMOUSLY

184/13 SEWAGE COLLECTION & TREATMENT FEASIBILITY STUDY

COUNCILLOR REPETSKI: THAT the Waste Water Feasibility Study be awarded to Dillon Consulting Ltd. for \$39,800.

CARRIED

FOR: Repetski, Probe, Wilton, Jijian

AGAINST: Heenan, Wellings

185/13 PINKIE ROAD-HIGHWAY #1 GRAVEL CONTRACT

COUNCILLOR PROBE: THAT the Ministry of Highways and Infrastructure Contract No. SRM-13-006 dated April 9, 2013, attached to and forming part of these minutes, be ratified.

CARRIED UNANIMOUSLY

186/13 ARMOUR ROAD SAFETY/SIGNAGE STUDY

COUNCILLOR WILTON: THAT the Manager of Public Work's verbal report regarding the Armour Road safety and signage study, be accepted as information.

CARRIED UNANIMOUSLY

187/13 MUNICIPAL ROAD GARBAGE REMOVAL

COUNCILLOR WILTON: THAT the Rural Municipality of Sherwood No. 159 obtain the services of a contractor for the purpose of garbage removal throughout the R.M. on and alongside Municipal Roads as deemed required by the Manager of Public Works.

CARRIED UNANIMOUSLY

188/13 SPRING ROAD BAN SELF-ISSUE PERMITS

COUNCILLOR WILTON: THAT the Rural Municipality of Sherwood No. 159 Manager of Public Works contact the Saskatchewan Government Insurance (SGI) Permit Office to inquire about the feasibility of ratepayers in the Rural Municipality of Sherwood No. 159 being allowed to self-issue permits during the Spring Road Bans; and,

THAT Administration be instructed not to invoice ratepayers for load permits during the Spring Road Bans provided that the ratepayers have previously obtained the appropriate annual permit(s).

CARRIED UNANIMOUSLY

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189/13 ZONING BYLAW NO. 07/11 AMENDMENT

COUNCILLOR PROBE: THAT the Rural Municipality of Sherwood No. 159 Planning & Development Department amend Zoning Bylaw No. 07/11 to include apiaries and fish farms as discretionary uses in the Agricultural District (AG1).

CARRIED UNANIMOUSLY

Councillor Joe Repetski left Council Chambers at 8:03 p.m.

190/13 RZ 15/12 – RE-ZONING APPLICATION – AGRICULTURAL TO RESIDENTIAL – NW 33-18-20 W2 Ext 152

COUNCILLOR PROBE: THAT the Rural Municipality of Sherwood No. 159 support the application to re-designate NW 33-18-20 W2 Ext 152 from Agricultural to Residential in the Official Community Plan Bylaw No. 6/11 and to re-zone NW 33-18-20 W2 Ext 152 from AG1 Agricultural District to CR Country Residential District in the Zoning Bylaw No. 7/11; and,

THAT the Municipal Planner move forward with the amendment process to the Official Community Plan Bylaw No. 6/11; and,

FURTHERMORE THAT the applicant submit a detailed servicing plan to the Rural Municipality of Sherwood No. 159.

CARRIED UNANIMOUSLY

Councillor Joe Repetski connected via telephone at 8:07 p.m.

191/13 SU 13-004 – SUBDIVISION APPLICATION – DRAINAGE DITCH RE-ALIGNMENT – NE 14-17-21 W2

COUNCILLOR PROBE: THAT Subdivision Application No. 13-004, Community Planning File No. R0114-13R, to allow for a ditch re-alignment on NE 14-17-21 W2 be hereby tabled to allow the Municipal Planner prepare and bring forth additional background information to Council.

CARRIED UNANIMOUSLY

192/13 DU 13-004 – DISCRETIONARY USE APPLICATION – PROPANE STORAGE AREA – SW 10-18-19-W2, Lot 4, Blk/Par X, Plan 102034257

COUNCILLOR WILTON: THAT Discretionary Use Application No. 13-004 for the storage, handling, and distribution of up to 10,000 propane tanks on part of SW 10-18-19-W2, Lot 4, Blk/Par X, Plan 102034257 be hereby approved subject to the following conditions being met before the development permit is issued:

1. That the Rural Municipality of Sherwood No. 159 Emergency Measures Organization Coordinator be satisfied with the applicant's emergency response plan.
2. That if any natural drainage on site is to be altered by this development, that the applicant obtains prior approval from the Saskatchewan Water Security Agency.
3. That the applicant receives approval from the Ministry of Environment to store propane tanks in this location and fashion.

CARRIED UNANIMOUSLY

193/13 RZ 18/12 – RE-ZONING APPLICATION – NE 35-16-20 W2 Blk/Par D, Plan FL 4374

COUNCILLOR PROBE: THAT Re-zoning Application No. RZ 18/12 to re-designate PT NE 35-16-20 W2, Block/Parcel D, Plan FL4374 from agricultural to commercial in the Sherwood-Regina Planning District Development Plan Bylaw No. 9/91, and to re-zone PT NE 35-16-20 W2, Block/Parcel D, Plan FL4374 from A-Agricultural district to C-Commercial District in the Sherwood-Regina Planning District Zoning Bylaw No. 10/91, be hereby approved; and,

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Resolution No. 193/13 continued;

THAT the Rural Municipality of Sherwood No. 159 Planning & Development Department move forward with the amendment process to accommodate business offices in the commercial district in the Sherwood-Regina Planning District Zoning Bylaw No. 10/91; and,

FURTHERMORE THAT the correspondence from the City of Regina dated April 8, 2013, City of Regina File No. 13-Z(r)-1, be sent to the applicant.

CARRIED UNANIMOUSLY

194/13 ACTING ADMINISTRATOR

COUNCILLOR WILTON: THAT a decision to designate an Acting Administrator in temporary absences of the Administrator be tabled until the next Council Meeting for further discussion.

CARRIED UNANIMOUSLY

195/13 BARBER SERVICING AGREEMENT

COUNCILLOR JIJIAN: THAT the Servicing Agreement with Spoger Holdings LTD for the proposed subdivision of SE ¼ 9-18-19 W2, Surface Parcel No. 111431012, attached and forming part of these minutes, be ratified.

CARRIED UNANIMOUSLY

196/13 BUDGET COMMITTEE MEETING

COUNCILLOR JIJIAN: THAT a Budget Committee meeting be held on May 1, 2013 at 1:00 p.m.

CARRIED UNANIMOUSLY

197/13 WHITE BUTTE REGIONAL PLANNING COMMITTEE

COUNCILLOR JIJIAN: THAT the Rural Municipality of Sherwood No. 159 attend White Butte Regional Committee meetings; and,

THAT Reeve Kevin Eberle, or Deputy Reeve Tim Probe in Reeve Eberle's absence, represent Council at these meetings.

CARRIED UNANIMOUSLY

198/13 MEDIATION – CITY OF REGINA

COUNCILLOR JIJIAN: WHEREAS the Rural Municipality of Sherwood No. 159 and the City of Regina have been working diligently since the summer of 2012 to prepare a Memorandum of Understanding (MOU); and,

WHEREAS in July 2012, both parties agreed to refrain from using the media to discuss matters pertinent in the MOU negotiations; and,

WHEREAS the MOU should pertain to land of interest in both Municipalities and address inter-municipal cooperation in matters such as Infrastructure, Transportation, Fire Services, Waste Management Services, Potable and Wastewater Services and Planning; and

WHEREAS the Administration in both Municipalities believe that a Provincial Mediator would be helpful in the moving forward with the completion of a MOU; and,

WHEREAS both the Rural Municipality of Sherwood No. 159 and the City of Regina should formally request mediation through the Provincial Mediator to complete a MOU;

BE IT RESOLVED THAT the Rural Municipality of Sherwood No. 159 formally contact J. Glen Gardner, Director of the Dispute Resolution office; and,

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Resolution No. 198/13 continued;

THAT the Rural Municipality of Sherwood No. 159 request that mediation sessions between the Rural Municipality of Sherwood No. 159 Council and the City of Regina Council be held with the objective of completing a MOU between Municipalities; and,

THAT the City of Regina be notified of the Rural Municipality of Sherwood No. 159 request.

CARRIED UNANIMOUSLY

199/13 CITY OF REGINA STUDY – CONTACT PERSON

COUNCILLOR WILTON: THAT the decision to appoint a person as the RM's contact person to assist the City of Regina in the information and data gathering phase of their Regina and Region Water and Wastewater Study, be tabled to allow the Administrator to bring forth more information to Council regarding the study.

CARRIED UNANIMOUSLY

200/13 REGIONAL BYLAW ENFORCEMENT

COUNCILLOR JIJIAN: THAT Administration be hereby directed to begin the process of engaging regional partners to discuss sharing the cost of a Bylaw Enforcement Officer; and,

THAT if feasible, a Regional Bylaw Enforcement agreement be negotiated and drafted.

CARRIED

FOR: Repetski, Probe, Wilton, Wellings, Jijian

AGAINST: Heenan

201/13 CORRESPONDENCE

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

1. SGI - Business Recognition Assessment, effective May 1, 2013 - March 1, 2013
2. Enbridge Pipelines Inc. - Teleconference on Set-aside Mechanism and Collection Mechanism for Pipeline Abandonment Funds - March 4, 2013
3. Bert & Cathy Besplug - March 28, 2013
4. Gary & Michelle Howland - April 2, 2013
5. TansCanada - Energy East Pipeline Project - April 3, 2013

CARRIED UNANIMOUSLY

202/13 MOOSE JAW-REGINA INDUSTRIAL CORRIDOR CORRESPONDENCE

COUNCILLOR HEENAN: THAT the correspondence dated April 6, 2013 from the Moose Jaw-Regina Industrial Corridor be brought forth to Council at the next regular session of Council.

CARRIED UNANIMOUSLY

203/13 BYLAW NO. 5/13 – A BYLAW TO AMEND THE SHERWOOD-REGINA PLANNING DISTRICT ZONING BYLAW NO. 10/91

COUNCILLOR PROBE: THAT Bylaw No. 5/13, a Bylaw to amend the Sherwood-Regina Planning District Zoning Bylaw No. 10/91 by inserting a new subsection after subsection 4.5 entitled "4.6 Sites with Specific Yard Requirements" and to further amend Bylaw No. 10/91 by including NW 13-18-20-W2, Lot 24, Blk/Par 1, Plan 101228802, Ext 88 shall have an east side yard of no less than 3.95 meters to accommodate an existing shop building under "4.6 Sites with Specific Yard Requirements", be read a first time.

CARRIED UNANIMOUSLY

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Councillor Joe Repetski disconnected via telephone at 8:34 p.m.

Reeve Kevin Eberle verbally made Councillor Dave Wellings aware that Bylaw No. 6/13 affected lands owned by DBR Developments.

204/13 BYLAW NO. 6/13 - A BYLAW TO AMEND THE SHERWOOD-REGINA PLANNING DISTRICT ZONING BYLAW NO. 10/91

COUNCILLOR WILTON: THAT Bylaw No. 6/13, a Bylaw to amend the Sherwood-Regina Planning District Zoning Bylaw No. 10/91 by allowing all of SE 18-18-19 W2 the same yard standards as the rest of the smaller sized lots in the existing Sherwood Industrial Park under section 7.3.4 "Subdivision and Development Standards", be read a first time.

CARRIED UNANIMOUSLY

205/13 BYLAW NO. 7/13 - A BYLAW TO AMEND THE SHERWOOD-REGINA PLANNING DISTRICT DEVELOPMENT PLAN BYLAW NO. 9/91

COUNCILLOR PROBE: THAT Bylaw No. 7/13, a Bylaw to amend the Sherwood-Regina Planning District Development Plan Bylaw No. 10/91 by re-designating Blk/Parcel D-Plan FL4374 NE 1/4 Sec 35 - Twp 16 - Rge 20 - W2 from Agricultural to Commercial on Map 7 – Conceptual: Future Industrial and Commercial Land Use, be read a first time.

CARRIED UNANIMOUSLY

206/13 BYLAW NO. 8/13 - A BYLAW TO AMEND THE SHERWOOD-REGINA PLANNING DISTRICT ZONING BYLAW NO. 10/91

COUNCILLOR JIJIAN: THAT Bylaw No. 8/13, a Bylaw to amend the Sherwood-Regina Planning District Zoning Bylaw No. 10/91 by amending Zoning Map 2 to re-zone Blk/Parcel D-Plan FL4374 NE 1/4 35-16-20 W2 from A - Agricultural District to C - Commercial District, and to further amend Bylaw No. 10/91 by adding "Business Offices" at the appropriate location in numerical order under Section 7.2.3, Discretionary Uses in the Commercial District, be read a first time.

CARRIED UNANIMOUSLY

207/13 BYLAW NO. 9/13 - A BYLAW TO AMEND THE RURAL MUNICIPALITY OF SHERWOOD NO. 159 ZONING BYLAW NO. 7/11

COUNCILLOR WELLINGS: THAT Bylaw No. 9/13, a Bylaw to amend the Rural Municipality of Sherwood No. 159 Zoning Bylaw No. 7/11 by adding "g) Apiaries" and "h) Fish Farms" to Subsection 5.3.1 Agricultural Uses under subsection 5.3 Discretionary Uses under Section 5 Agricultural District (AG1), be read a first time.

CARRIED UNANIMOUSLY

Councillor Barry Jijian left Council Chambers at 8:41 p.m.

Councillor Joe Repetski connected via telephone at 8:43 p.m.

208/13 IN CAMERA

COUNCILLOR PROBE: THAT this meeting move into In Camera session at 9:01 p.m.

CARRIED UNANIMOUSLY

209/13 RECONVENE

COUNCILLOR WILTON: THAT this meeting reconvene to Regular Session at 10:26 p.m.

CARRIED UNANIMOUSLY

Councillor Dave Wellings disconnected via telephone at 10:26 p.m.

Councillor Joe Repetski disconnected via telephone at 10:26 p.m.

Councillor Dave Wellings connected via telephone at 10:27 p.m.

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210/13 REDWORKS COMMUNICATIONS

COUNCILLOR HEENAN: THAT Redworks Communications be engaged to develop and implement a comprehensive and strategic public relations campaign and communication plan; and,

THAT Redworks Communications be instructed to begin the process as quickly as possible.

CARRIED UNANIMOUSLY

211/13 MUNICIPAL CLERK

COUNCILLOR WILTON: WHEREAS the Municipal Clerk for Rural Municipality of Sherwood No. 159 has unfortunately been on Short Term Disability benefits since May 7th 2012; and,

WHEREAS the Municipal Clerk is currently applying for Long Term Disability benefits; and,

WHEREAS the absence of the Municipal Clerk for the past twelve months has left the administration department very short staffed; and,

WHEREAS it is unknown if and when the Municipal Clerk will be returning to work for the Rural Municipality of Sherwood No 159.

BE IT RESOLVED THAT once the current Municipal Clerk, Sharon Pope, has received approval to receive Long Term Disability Benefits, the Administrator find a solution to fill the Municipal Clerk position; and,

THAT the Administrator be permitted to hire a fulltime permanent Municipal Clerk; and,

THAT Essence Recruiting be hired to assist in the search for a Municipal Clerk.

CARRIED UNANIMOUSLY

212/13 MAIN FARM ACCESS ROAD WIDTH

COUNCILLOR PROBE: THAT the Manager of Public Works draft a policy requiring all main farm access roads to be built to a width of thirty (30) feet.

CARRIED UNANIMOUSLY

213/13 ADJOURNMENT

COUNCILLOR HEENAN: THAT this meeting adjourn at 10:32 p.m.

CARRIED UNANIMOUSLY

Reeve

Administrator