

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE RURAL
MUNICIPALITY OF SHERWOOD NO. 159 HELD IN THE COUNCIL
CHAMBERS AT 1840 CORNWALL STREET, REGINA, SASKATCHEWAN
WEDNESDAY, APRIL 18, 2012**

PRESENT: Kevin Eberle, Reeve
Tim Probe, Councillor Division 2
Corey Wilton, Councillor Division 4
David Wellings, Councillor Division 5

ABSENT: Joe Repetski, Councillor Division 1
Dale Heenan, Councillor Division 3
Barry Jjian, Councillor Division 6

STAFF: Lorna Hillier, Administrative Assistant
Rod Benroth, Manager of Engineering Operations
Blaine Yatabe, Director of Planning
Wayne Koethe, Municipal Planner

ORDER: Reeve Kevin Eberle called the meeting to order at 5:40 p.m.

180/12 AGENDA

COUNCILLOR WELLINGS: THAT the agenda be adopted as presented.
CARRIED UNANIMOUSLY

Lois Kerr entered Chambers at 5:40 p.m.

*Lois Kerr met with Council to present her concerns to DU 02/12 Application,
proposing a mosque.*

Lois Kerr left Chambers at 6:15 p.m.

181/12 DELEGATION RESPONSE TO DU 02/12

COUNCILLOR PROBE: THAT the delegation of Lois Kerr with respect to her concerns with Discretionary Use (DU/02/12), be accepted as presented.
CARRIED UNANIMOUSLY

182/12 REGULAR MEETING MINUTES

COUNCILLOR WILTON: THAT the minutes of the March 14, 2012 Regular Meeting of Council be adopted as presented. CARRIED UNANIMOUSLY

183/12 SPECIAL MEETING MINUTES

COUNCILLOR WILTON: THAT the minutes of the April 3, 2012 Special Meeting of Council be adopted as presented. CARRIED UNANIMOUSLY

184/12 BANK RECONCILIATION

COUNCILLOR PROBE: THAT the Bank Reconciliation for the month of March, 2012, attached and forming a part of these minutes, be accepted as presented.
CARRIED UNANIMOUSLY

185/12 FINANCIAL STATEMENT

COUNCILLOR WILTON: THAT the Statement of Financial Activities for the period ending March 31, 2012, attached and forming a part of these minutes, be accepted as presented. CARRIED UNANIMOUSLY

186/12 2011 DRAFT AUDITED FINANCIAL STATEMENT

COUNCILLOR WELLINGS: THAT all members of R.M of Sherwood No. 159 Council hereby acknowledge, review and sign the "Acknowledgment of Council Members' Responsibilities" and "Risk of Fraud" Appendix, and approve the Draft 2011 audited Financial Statement submitted by Dudley & Company.
CARRIED UNANIMOUSLY

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187/12 ACCOUNTS

COUNCILLOR PROBE: THAT Cheque Numbers 8725 to 8777 totaling \$369,650.58, and Cheque Numbers 8778 to 8793 totaling \$39,646.32, attached and forming a part of these minutes, Payroll Deposits totaling \$31,212.68, MasterCard totaling \$779.30 and Utility Direct Payments totaling \$16,955.14 for the month of March, 2012, be approved for payment. CARRIED UNANIMOUSLY

188/12 MOVE AGENDA ITEM

COUNCILLOR PROBE: THAT Agenda Item 7.b.iv be moved to Agenda Item 7.a.i. CARRIED UNANIMOUSLY

189/12 TABLE ISLAMIC ASSOCIATION OF SASKTCHEWAN – DU 02/12

COUNCILLOR PROBE: THAT Discretionary Use Development Permit Application DU 02/12, for The Islamic Association of Saskatchewan Regina Inc., proposing a mosque and community center, on LLD: Pt. NE-2-17-19-W2, (Parcel A) Plan 101401669 Ext 46, Surface Parcel Number: 161865401, be tabled to allow delegations of all parties to appear before Council;

AND FURTHERMORE THAT Councillor Joe Repetski have the opportunity to review this application;

AND FURTHERMORE THAT Director of Planning, Blaine Yatabe work with all parties to ensure that all problems are resolved. CARRIED UNANIMOUSLY

190/12 COMMITTEE OF THE WHOLE IN PRIVATE SESSION

COUNCILLOR PROBE: THAT this meeting recess to go into Committee of the Whole In Private Session at 6:18 p.m. to discuss Development Levies.

CARRIED UNANIMOUSLY

191/12 RECONVENE

COUNCILLOR PROBE: THAT this meeting reconvene into regular session at 8:50 p.m.

CARRIED UNANIMOUSLY

192/12 REPORT ON DEVELOPMENT LEVIES

COUNCILLOR PROBE: THAT Manager of Engineering Operations, Rod Benroth's written report on Development Levies be accepted as information and filed.

CARRIED UNANIMOUSLY

Director of Planning, Blaine Yatabe left Chambers at 8:52 p.m.

Director of Planning, Blaine Yatabe re-entered Chambers at 8:56 p.m.

193/12 MANAGER OF ENGINEERING OPERATIONS REPORT

COUNCILLOR PROBE: THAT Manager of Engineering Operations Rod Benroth's April, 2012 written report, be accepted as information and filed.

CARRIED UNANIMOUSLY

194/12 CULVERT PROJECT-NORTH AMERICAN ROCK & DIRT

COUNCILLOR WILTON: THAT Manager of Engineering Operations, Rod Benroth draft a letter expressing concerns with the present contract to North American Rock & Dirt for culvert installation on West Grand Coulee Road, and requesting a deadline for this work to be completed.

AND FURTHERMORE THAT if the deadline is not met, the R.M. of Sherwood No.159 seek legal action to terminate the contract and seek compensation for damages.

AND FURTHERMORE THAT North American Rock & Dirt be responsible for all costs incurred with respect to this matter. CARRIED UNANIMOUSLY

195/12 APPROACH APPLICATIONS

COUNCILLOR PROBE: THAT Manager of Engineering Operations, Rod Benroth draft a new Policy with respect to Construction of New Approaches within the R.M. of Sherwood No. 159. CARRIED UNANIMOUSLY

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196/12 SPRING ROAD BANS

COUNCILLOR PROBE: THAT Spring Road Bans for the R.M. of Sherwood No. 159 be lifted, effective April 18, 2012. CARRIED UNANIMOUSLY

197/12 FLEET STREET SOUTH – RAINBOW BRIDGE

COUNCILLOR PROBE: THAT Acting Administrator, Sharon Pope and Manager of Engineering Operations, Rod Benroth forward a letter to Glen Davies, City Manager of the City of Regina, expressing concerns and seeking a solution with respect to the closure of Rainbow Bridge on Fleet Street South. CARRIED UNANIMOUSLY

198/12 INLAND DRIVE – CTP FUNDING

COUNCILLOR WILTON: THAT Manager of Engineering Operations, Rod Benroth investigate the expropriation values for land, used by the Saskatchewan Ministry of Highways and Infrastructure, to use as a guideline for acquisition of lands with respect to the construction of Inland Drive and the Clearing the Path Grant Application. CARRIED UNANIMOUSLY

199/12 101049700 SASKATCHEWAN LTD. (W. STERANKA)

COUNCILLOR PROBE: THAT payment of 101049700 Saskatchewan Ltd. Invoice #2012-001 in the amount of \$7550.28 with respect to costs associated with upgrading a portion of Gottselig Road, is hereby denied due to this cost not being included in the Servicing Agreement between the R.M. of Sherwood No. 159 and 101049700 Saskatchewan Ltd. CARRIED UNANIMOUSLY

200/12 SASKENERGY PIPELINE EXTENSION

COUNCILLOR WELLINGS: THAT Manager of Engineering Operations, Rod Benroth is hereby authorized to sign SaskEnergy's request to extend the pipeline under that portion of Armour Road situated at SE-15-18-20-W2. CARRIED UNANIMOUSLY

201/12 WHEAT CITY METALS – LOCKED HYDRANT

COUNCILLOR PROBE: THAT the March 19, 2012 written request of Mr. Mike Van Vliet of Wheat City Metals, to have the locking devices removed from the hydrants situated near their property is hereby denied;
AND FURTHERMORE THAT in order for Wheat City Metals to acquire water from this hydrant, a heated vault approved by R.M. of Sherwood No. 159 Manager of Engineering Operations Rod Benroth, must be constructed around said hydrant complete with meters, with all costs pertaining to the construction of said vault, being the responsibility of Wheat City Metals. CARRIED UNANIMOUSLY

202/12 TABLE NE-34-16-20-W2 – SERVICE ROAD

COUNCILLOR WILTON: THAT the Request for Proposed Engineering Services from AECOM for the Service Road along NE-34-16-20-W2, be tabled to the May, 2012 Regular Meeting of Council, subject to negotiations with KKTLE for land settlement. CARRIED UNANIMOUSLY

203/12 OLD SCHOOL SITE – SE-33-16-20-W2

COUNCILLOR WELLINGS: THAT Director of Planning, Blaine Yatabe investigate the current zoning on Pt- SE-33-16-20-W2, Parcel A, Plan 101357456, Ext 24 and propose a Site Plan for recommended use of this parcel to be R.M. of Sherwood No. 159 Public Works storage. CARRIED UNANIMOUSLY

204/12 WELLINGS SUBDIVISION – KEARNS CRESCENT

COUNCILLOR WILTON: THAT Manager of Engineering Operations, Rod Benroth notify all ratepayers within the Wellings Industrial Park, that the R.M. of Sherwood No. 159 is responsible for all road maintenance within the park. CARRIED UNANIMOUSLY

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205/12 OVER WEIGHT RESTRICTIONS – SASKCAN PULSE

COUNCILLOR WELLINGS: THAT Manager of Engineering Operations, Rod Benroth prepare a report for Council approval, of values of Over Weight Permits for SaskCan Pulse. CARRIED UNANIMOUSLY

206/12 DIRECTOR OF PLANNING REPORT

COUNCILLOR WILTON: THAT Director of Planning, Blaine Yatabe's April, 2012 written report be accepted as information and filed. CARRIED UNANIMOUSLY

207/12 CITY OF REGINA – APRIL 10, 2012 LETTER

COUNCILLOR WELLINGS: THAT Acting Administrator, Sharon Pope reply to the April 10, 2012 written correspondence received from City of Regina, City Manager Glen Davies, clarifying the R.M. of Sherwood No. 159 current position with respect to dissolution of the District Planning Commission. CARRIED UNANIMOUSLY

208/12 DAN KWOCKKA re: BILL 20 SUBMISSION

COUNCILLOR WELLINGS: THAT R.M. of Sherwood No. 159 Solicitor, Dan Kwochka and Acting Administrator, Sharon Pope be authorized to send to all RM's abutting Cities, a letter and copy of the draft submission to the Minister of Municipal Affairs in relation to Bill 20 which is to amend *The Planning and Development Act, 2007*. CARRIED UNANIMOUSLY

209/12 BILL 20-COVER LETTER TO MINISTER

COUNCILLOR WELLINGS: THAT R.M. of Sherwood No. 159 Solicitor, Dan Kwochka be authorized to forward, on behalf of the R.M. of Sherwood No. 159, a cover letter and submission regarding Bill 20, to the Standing Committee on Intergovernmental Affairs and Justice, for consideration.

CARRIED UNANIMOUSLY

210/12 TABLE DRAFT DESIGN GUIDELINES FOR FUTURE DEVELOPMENT

COUNCILLOR PROBE: THAT Director of Planning Blaine Yatabe's written report regarding the Draft Design Guidelines for Future Development be tabled to a Special meeting of Council, to be called by Administration. CARRIED UNANIMOUSLY

211/12 PROPOSED BYLAW re: NE-24-18-20-W2

COUNCILLOR WELLINGS: THAT Director of Planning, Blaine Yatabe draft a bylaw to be site specific to Pt-NE-24-18-20-W2, which will allow Garry & Noreen Hubick to subdivide a single dwelling and therefore be similar to other Bylaw amendments in Section 4.6 of the Sherwood-Regina Planning District Zoning Bylaw No. 10/91.

AND FURTHERMORE THAT this proposed bylaw be brought forward to the May 2012 Regular Meeting.

AND FURTHERMORE THAT Director of Planning, Blaine Yatabe advise Mr. and Mrs. Garry Hubick of this decision of Council. CARRIED UNANIMOUSLY

212/12 K&R LEASING LTD. re: ANNEXATION REQUEST

COUNCILLOR WILTON: THAT Director of Planning, Blaine Yatabe submit to the Saskatchewan Municipal Board, the application for Re-annexation back to the R.M. of Sherwood No. 159 from the City of Regina, of Block W, Plan No. 101942322, Extension 0, (2151 Pinkie Road).

AND FURTHERMORE THAT Director of Planning, Blaine Yatabe advise Mr. Adam Aislby, in writing of this decision of Council. CARRIED UNANIMOUSLY

213/12 RECESS

COUNCILLOR WILTON: THAT this meeting recess at 9:11 p.m.

CARRIED UNANIMOUSLY

214/12 RECONVENE

COUNCILLOR WILTON: THAT this meeting reconvene at 9:24 p.m.

CARRIED UNANIMOUSLY

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215/12 KAL TIRE-REZONE – NE-08-17-20-W2

COUNCILLOR WELLINGS: THAT subject to Circulation, Director of Planning, Blaine Yatabe proceed with the creation of a bylaw to facilitate the rezoning of the property of N&T Properties Ltd., at NE-8-17-20-W2, Ext 1, for rezoning of land from Agricultural to Industrial for a proposed tire storage and distribution centre and also a retread plant.

AND FURTHERMORE THAT if the development does not proceed within two years of the approval, the R.M. of Sherwood No. 159 will begin the process to rezone back to Agricultural. CARRIED UNANIMOUSLY

216/12 FIRST WEST PROPERTIES-REZONE-SE-16-18-19-W2

COUNCILLOR PROBE: THAT subject to circulation, Director of Planning, Blaine Yatabe proceed with the public notification process for First West Properties, for the amendment of the Sherwood-Regina Planning District Development Plan No. 9/91 and the Sherwood-Regina Planning District Zoning Bylaw No. 10/91 for rezoning of SE-16-18-19-W2, Ext 0 from Agricultural to Industrial.

CARRIED UNANIMOUSLY

217/12 BRANDT PROPERTIES-NE-17-17-20-W2

COUNCILLOR WELLINGS: THAT the proposed Industrial Subdivision Concept Plan submitted by Brandt Properties Ltd. to enable Mr. Carmen Liem to forward the proposal to the Ministry of Municipal Affairs for the subdivision process of 31 ha. in the NE-17-17-20-W2 be accepted as information and filed.

AND FURTHERMORE THAT Director of Planning, Blaine Yatabe request Mr. Carmen Liem to respond back to the R.M. of Sherwood No. 159 of the direction Brandt Properties is proceeding with the remainder of this parcel.

CARRIED UNANIMOUSLY

218/12 MUIR BARBER(SPOGER HOLDINGS)

COUNCILLOR PROBE: THAT subject to circulation, Director of Planning, Blaine Yatabe proceed with public notification of the application from Muir Barber(Spoger Holdings), for the amendment to the Sherwood-Regina Planning District Development Plan No. 9/91 and the Sherwood-Regina Planning District Zoning Bylaw No. 10/91 for Rezoning of Parcel 2, Block J, Plan 10188190, from Agricultural to Commercial.

CARRIED UNANIMOUSLY

219/12 101196187 SASKATCHEWAN LTD-ABTEC CONSTRUCTION-REZONE

COUNCILLOR WILTON: THAT subject to circulation, Director of Planning, Blaine Yatabe proceed with public notification of the application from 101196187

Saskatchewan Ltd., for amendment to the Sherwood-Regina Planning District Zoning Bylaw No. 10/91 and the Sherwood-Regina Planning District Development Plan Bylaw No. 9/91, for rezoning of LLD: 18-18-19-W2, LSD 2, Ext 6 from Agricultural to Industrial.

CARRIED UNANIMOUSLY

Councillor Dave Wellings declared pecuniary interest for the following at 9:36 p.m.

220/12 DBR DEVELOPMENTS LTD-REZONE

COUNCILLOR WILTON: THAT subject to circulation, Director of Planning, Blaine Yatabe proceed with public notification of the application from DBR Developments Ltd., for amendment to the Sherwood-Regina Planning District Zoning Bylaw No. 10/91 and the Sherwood-Regina Planning District Development Plan Bylaw No. 9/91 for rezoning of LLD: 18-18-19-W2, LSD 1, Ext 7, LLD: 18-18-19-W2, LSD 7, EXT 9 and LLD: 18-18-19-W2, LSD 8, Ext 9, from Agricultural to Industrial .

CARRIED UNANIMOUSLY

Councillor Dave Wellings returned to his chair at 9:39 p.m.

221/12 ACTING ADMINISTRATOR REPORT

COUNCILLOR PROBE: THAT Acting Administrator, Sharon Pope's April, 2012 written report be accepted as information and filed. CARRIED UNANIMOUSLY

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222/12 OUT OF SCOPE PERSONNEL

COUNCILLOR WELLINGS: THAT the out of scope payroll records be adjusted to reflect the recommendations of the March 28, 2012 Committee of the Whole Meeting.
CARRIED UNANIMOUSLY

Director of Planning, Blaine Yatabe left Chambers at 9:50 p.m.

223/12 RELEASE OF CLAIM – RON HILTON

COUNCILLOR WELLINGS: THAT as per recommendation of R.M. of Sherwood No. 159 Solicitor Dan Kwochka, the April 3, 2012 Release of Claim received from Miller Thomson with respect to Mr. Ron Hilton, be paid.

CARRIED UNANIMOUSLY

224/12 AECOM – CODE OF CONDUCT POLICY

COUNCILLOR WILTON: THAT in accordance with R.M. of Sherwood No. 159 Code of Conduct Policy No. 162/01, a promotional item of “nominal value” is considered as any gift, favour or benefit that is not greater than \$200.00 in retail value.

CARRIED UNANIMOUSLY

225/12 SMHI – 2012 WITHDRAWAL LIST

COUNCILLOR PROBE: THAT the following lands be withdrawn from the Saskatchewan Municipal Hail Insurance Program:

<i>SE 18-18-19 W2</i>	<i>NE 21-16-19 W2</i>	<i>NW 21-16-19 W2</i>
<i>SW 27-16-19 W2</i>	<i>SE 28-16-19 W2</i>	<i>NE 21-18-19 W2</i>
<i>SE 21-18-19 W2</i>		

CARRIED UNANIMOUSLY

226/12 CORRESPONDENCE

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

- a. Minister of Municipal Affairs re:
 - i. 2012 Confirmed Education Mill Rates
 - ii. The Gas Tax Gazette
- b. Saskatchewan Crime Stoppers
- c. SARM March 2012 Update
- d. Moose Jaw-Regina Industrial Corridor Committee Meeting
- e. Police Advocates Journal-Advertising Request
- f. Mike Selinger-Dangerous Intersection

CARRIED UNANIMOUSLY

227/12 PROPOSAL FOR LAND PURCHASE

COUNCILLOR PROBE: THAT Reeve Kevin Eberle further negotiate the land purchase from KKTLE for a future office site on NE-34-16-20-W2, by means of a formal proposal through R.M. of Sherwood No. 159 Solicitor, Dan Kwochka. AND FURTHERMORE THAT this proposal be brought back to Council for approval.

CARRIED UNANIMOUSLY

228/12 BYLAW NO. 01/12 – A BYLAW TO REGULATE WEIGHTS AND ROAD RESTRICTIONS FOR VEHICLES

COUNCILLOR WILTON: THAT Bylaw No. 01/12, a Bylaw to regulate Weights and Road Restrictions for Vehicles operating within the Rural Municipality of Sherwood No. 159, be introduced and read a first time.

CARRIED UNANIMOUSLY

229/12 BYLAW NO. 04/12 – A BYLAW TO AMEND ZONING BYLAW NO. 10/91

COUNCILLOR PROBE: THAT Bylaw No. 04/12, a Bylaw to Amend zoning Bylaw No. 10/91, to allow for small lot agricultural subdivisions, be introduced and read a first time.

CARRIED UNANIMOUSLY

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230/12 BYLAW NO. 07/12 – A BYLAW TO ESTABLISH A DEVELOPMENT LEVY
COUNCILLOR PROBE: THAT Bylaw No. 07/12, a Bylaw for the purpose of
establishing a Development Levy for lands that are to be developed or redeveloped, be
introduced and read a first time. CARRIED UNANIMOUSLY

**231/12 BYLAW NO. 08/12 – A BYLAW TO ESTABLISH A FEE FOR PLANNING
RELATED SERVICES**
COUNCILLOR WILTON: THAT Bylaw No. 08/12, a Bylaw to Establish a Fee for
Planning Related Services, be introduced and read a first time.
CARRIED UNANIMOUSLY

232/12 ADJOURNMENT
COUNCILLOR PROBE: THAT this meeting be adjourned at 10:05 p.m.
CARRIED UNANIMOUSLY

Reeve

Acting Administrator