

MINUTES OF THE REGULAR COUNCIL MEETING OF
THE RURAL MUNICIPALITY OF SHERWOOD NO. 159 HELD IN COUNCIL CHAMBERS
AT 4400 CAMPBELL STREET, REGINA, SASKATCHEWAN
Wednesday, November 18, 2020

PRESENT: Susan Oakley-Paul, Reeve
Brad Crassweller, Councillor Division 1
John Wilke, Councillor Division 3
Carl Husum, Councillor Division 4
Rod Culbert, Councillor Division 5
Grant Paul, Councillor Division 6

ABSENT: Vacant, Councillor Division 2

STAFF: Pam Malach, Chief Administrative Officer (*via online*)
Mike Mamona, Director of Operations
Erin Halliday, Director of Finance & Administration
Brad Wiebe, Manager of Planning & Development
Barry Wiebe, Manager of Public Works
Angela Bottcher, Manager of Administration
Christine Trithardt, Assistant Administrator

ORDER: Reeve Oakley-Paul called the meeting to order at 5:35 p.m.

412/2020 AGENDA

COUNCILLOR CULBERT: THAT the agenda be adopted as amended.

Add: 9.2.7 Discretionary Use Application – Cemetery Development

Add: 13.2 Long Range Planning in Closed Session

CARRIED UNANIMOUSLY

413/2020 REGULAR COUNCIL MEETING DATE AND TIME

COUNCILLOR CULBERT: THAT the Regular Meetings of Council take place on the 2nd Wednesday of every month starting at 5:30 p.m.

CARRIED UNANIMOUSLY

414/2020 OCTOBER 14, 2020 REGULAR COUNCIL MEETING MINUTES

COUNCILLOR CULBERT: THAT the October 14, 2020 Regular Council Meeting minutes be approved as presented.

CARRIED UNANIMOUSLY

415/2020 MONTHLY FINANCIAL REPORTS – SEPTEMBER 2020

COUNCILLOR WILKE: THAT the Monthly Financial Reports for September 2020 be accepted as information and filed.

CARRIED UNANIMOUSLY

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416/2020 MONTHLY RESERVE FUND SUMMARY

COUNCILLOR CULBERT: THAT the Monthly Reserve Fund Summary for September 2020 be accepted as information and filed.

CARRIED UNANIMOUSLY

417/2020 LIST OF ACCOUNTS FOR REVIEW

COUNCILLOR WILKE: THAT cheque numbers 18838 to 18929 totaling \$384,505.83 for October 2020, as outlined in the List of Accounts for Review attached to and forming part of these minutes be approved; and,

THAT the Payroll and Electronic Funds Transfer for September 2020 totaling \$558,316.43 be ratified.

CARRIED UNANIMOUSLY

418/2020 OPERATIONS PROJECT UPDATE – OCTOBER 2020

COUNCILLOR WILKE: THAT the October 2020 Operations Project Update report be accepted as information and filed.

CARRIED UNANIMOUSLY

419/2020 PUBLIC WORKS OPERATIONS UPDATE – OCTOBER 2020

COUNCILLOR HUSUM: THAT the October Public Works Operations Update Report be accepted as information and filed.

CARRIED UNANIMOUSLY

420/2020 WINTER ROAD WEIGHT RESTRICTION

COUNCILLOR HUSUM: THAT the RM of Sherwood opt out of the Ministry of Highways Winter Weight Restriction by notice submitted to the Ministry of Highways and Infrastructure.

CARRIED UNANIMOUSLY

421/2020 REVIEW VEHICLE PERMIT BYLAW 01/20 FEES

COUNCILLOR CULBERT: THAT Council accepts the vehicle permit fees outlined in Bylaw 01/20 with review on an annual basis in January of each year.

CARRIED UNANIMOUSLY

422/2020 CLUB ROOT 2020

COUNCILLOR HUSUM: THAT the Club Root 2020 Report be accepted as information and filed.

CARRIED UNANIMOUSLY

423/2020 PLANNING AND DEVELOPMENT UPDATE

COUNCILLOR CULBERT: THAT the Planning and Development Update Report be accepted as information and filed.

CARRIED UNANIMOUSLY

424/2020 SASKATCHEWAN SAFETY COUNCIL (SSC) – SMB DECISION

COUNCILLOR CULBERT: THAT the Saskatchewan Safety Council (SSC) – SMB Decision Report be accepted as information and filed.

CARRIED UNANIMOUSLY

**425/2020 DISCRETIONARY USE APPLICATION DPA 20-025 FOR A RECYCLING,
AND SALVAGE YARD (C & D WASTE PRODUCTS RECYCLING) AT
BLK/PAR D-PLAN 90R01770 EXT. 1, NW-18-18-19-W2M (1046
KEARNS CRESCENT)**

COUNCILLOR HUSUM: **THAT** Discretionary Use Application DPA-20-025, for **recycling**, and **salvage yard** for:

Construction and Demolition Waste and recycling of salvaged concrete, asphalt and wood products at Blk/Par D-Plan 90R01770 Ext. 1, NW-18-18-19-W2M (1046 Kearns Crescent) be approved with the following conditions:

1. The Intended use for a Construction and Demolition waste and recycling operation and grinding and recycling construction and demolition waste products including salvaged concrete, asphalt/wood products and shipping product to various buyers. Any other use **will** require a separate development permit or discretionary use approval from council.
2. That this site shall be developed in accordance with the site plan and letter of intent attached to the development permit.
3. The lot is to be kept free from refuse and not cause a nuisance at all times (Bylaw 07/15).
4. The applicant must submit an approach construction application prior to construction of any new approaches.
5. Prior to operations commencing, the applicant is required to implement measures for screening and aesthetic improvements in accordance with the attached letter of intent and site plan. These measures may include solid fencing, berming, vegetative planting, or landscape material, or any combination of the above at least 2m in height.
6. The applicant is required to submit for approval a site grading and drainage plan. Drainage shall be maintained on-site and not negatively affect adjacent properties. Natural drainage shall not be affected by stockpiled materials. Any revisions to existing grading and drainage shall require a professional engineered grading and drainage plan.
7. This permit is subject to the standards and requirements of Provincial Regulations, and all other applicable bylaws and requirements.
8. Stockpiled materials shall not exceed the height of perimeter fencing or be viewable from public roadways.
9. The Facility is required to monitor leachate and address, if necessary. Any change in operations will require approval from the Ministry of Environment as per the October 2, 2020 correspondence from the Ministry.
10. Site operations shall follow the Ministry of Environment Construction and Demolition Waste Management and Disposal guidelines attached to the development permit approval.

CARRIED UNANIMOUSLY

**426/2020 PROFESSIONAL BUILDING INSPECTIONS CERTIFICATE OF
APPOINTMENT ADDENDUM**

COUNCILLOR CRASSWELLER: THAT in accordance with the service agreement with Professional Building Inspections, Inc., the RM of Sherwood hereby resolves to issue a Certificate of Appointment for Ken Pasiachnyk, a Licensed Building Official, class 1 inspector; who is a resident of the Province of Saskatchewan.

CARRIED UNANIMOUSLY

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427/2020 RZ 20-002 REZONING FROM RR TO AG FOR PARCEL B, PLAN NO. 102265422 WITHIN NE ¼ SEC. 35-18-21-W2

COUNCILLOR CULBERT: THAT Bylaw No. 21/20, A Bylaw to amend the RM of Sherwood Zoning Bylaw No. 18/17, be read a first time.

CARRIED UNANIMOUSLY

428/2020 BYLAW NO. 17/20 – A BYLAW FOR THE PURPOSE OF ASSIGNING CIVIC ADDRESSES

COUNCILLOR WILKE: THAT Bylaw No. 17/20 – A Bylaw for the Purpose of Assigning Civic Addresses, be read a second time.

CARRIED UNANIMOUSLY

429/2020 BYLAW NO. 17/20 – A BYLAW FOR THE PURPOSE OF ASSIGNING CIVIC ADDRESSES

COUNCILLOR CULBERT: THAT Bylaw No. 17/20 – A Bylaw for the Purpose of Assigning Civic Addresses, be read a third time and hereby adopted.

CARRIED UNANIMOUSLY

430/2020 DISCRETIONARY USE APPLICATION – CEMETERY DEVELOPMENT

COUNCILLOR CRASSWELLER: **THAT** Discretionary Use DPA 20-001 for a Cemetery at Blk/Par A SW 22-16-19-W2 Ext. 2 be approved with the following conditions:

1. As there is a risk that the burial plots may be inundated from groundwater. A site assessment is required to investigate the geological conditions at the site and determine the risk of the development to underlying groundwater resources and users, if any.
2. Landscaping/Screening Measures shall be implemented prior to operation of proposed development.
3. A site assessment is required to investigate the geological conditions at the site and determine the risk of the development to underlying groundwater resources and users. Borehole data shall be provided to the Water Security Agency for review and comment.
4. Any future buildings to be located on topographical highs and may require additional development and building permits.
5. Applicant shall provide the RM with a letter from the Financial and Consumer Affairs Authority (FCAA) once all licensing requirements have been met.
6. Prior to construction of new approach, that an Approach Construction Permit is obtained and developed in accordance with the conditions specified within the Approach Construction Permit General Conditions.
7. All development applications that intend to utilize a Public Sewage Works facility shall provide confirmation of their conformance to the requirements of the applicable municipal receiving station.
8. That this site shall be developed in accordance with the site plan attached to the development permit.
9. Drainage shall be maintained on-site and not negatively affect adjacent properties. Any changes to the grading or drainage shall be submitted for review prior to construction.
10. The lot be kept free of refuse, and activities on-site shall not be a nuisance as per Bylaw 07-15.
11. This permit is subject to the standards and requirements of Provincial Regulations, and all other applicable bylaws and requirements.
12. While the location of underground utilities and mains shown on the plan are approximate, the land owner must locate all existing underground utilities and mains and protect the utilities from any damage and shall return all such utilities to their original condition upon completion of the work.
13. Applicant must develop site in accordance with the attached standards from Enbridge Pipeline Inc.

Resolution No. 430/2020 continued

14. Cemetery operations, maintenance, and repairs shall be completed in accordance with the attached FCAA guide 'Operating your small cemetery- A Primer for Saskatchewan Cemeterians'
15. The RM shall not be responsible for any future operational or maintenance issues.
16. Enbridge comments forthcoming and will be attached as a condition to development permit approval

CARRIED UNANIMOUSLY

431/2020 OCTOBER 2020 UPDATE – ADMINISTRATION & FINANCE

COUNCILLOR HUSUM: THAT the October 2020 Administration & Finance Update report be accepted as information and filed.

CARRIED UNANIMOUSLY

432/2020 TAX INCENTIVE APPLICATION 19-012

COUNCILLOR CULBERT: **WHEREAS** all conditions of the tax incentive policy no. 2017-03 have been met;

WHEREAS the estimated municipal tax exemption is **\$57,523.06** and the estimated education tax exemption is **\$79,962.21** based on the 2020 tax rates;

WHEREAS the estimated education tax exemption is greater than \$25,000 provincial approval is required annually;

THEREFORE BE IT RESOLVED that the tax incentive application no. 19-012 for PT SW 16-18-19-W2, Parcel A, Plan 102286065, 900 Inland Drive be applied to the assessment in accordance to Tax Incentive Policy no. 2017-03 for the three-year term of 2021-2023 conditional to approval by the minister in accordance to section 9(2)(b) of *The Education Property Tax Regulations* for the abatement of school taxes.

CARRIED UNANIMOUSLY

433/2020 SET DATE FOR BY-ELECTION FOR COUNCILLOR FOR DIVISION NO. 2

COUNCILLOR HUSUM: **WHEREAS** the Councillor for Division 2 has resigned effective November 8, 2020 and Section 11 of *The Local Government Election Act, 2015* states that if a vacancy occurs on a council, that council shall, at its next meeting, set a date for the holding of a by-election within six months after the date on which the vacancy occurred;

THEREFORE BE IT RESOLVED THAT a by-election be held on March 29, 2021 for Councillor for Division No. 2 for the RM of Sherwood No. 159.

CARRIED UNANIMOUSLY

434/2020 SCOPE OF WORK REVIEW OF COUNCIL CODE OF CONDUCT BYLAW

COUNCILLOR CULBERT: THAT the Scope of Work Review of Council Code of Conduct Bylaw be tabled until the January 2021 Council Meeting.

CARRIED UNANIMOUSLY

435/2020 RATEPAYER COMMUNICATION AUTOMATION

COUNCILLOR CULBERT: THAT the Ratepayer Communication Automation report be tabled until the January 2021 Council Meeting.

CARRIED UNANIMOUSLY

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436/2020 ABATEMENT OF TAXES – NW 21-16-20-W2

COUNCILLOR WILKE: WHEREAS the temporary buildings located on NW 21-16-20-W2 have been removed;

BE IT RESOLVED that a tax abatement of the 2020 municipal taxes in the amount of \$221.93 and a tax abatement of the 2020 school taxes in the amount of \$305.35 be granted on Roll No. 4149.

CARRIED UNANIMOUSLY

437/2020 2020 MUNICIPAL ELECTION RESULTS

COUNCILLOR CULBERT: THAT the R.M. of Sherwood No. 159 acknowledge receipt of the Declaration of Results for each office from the 2020 Municipal Election provided by Pam Malach, Returning Officer.

CARRIED UNANIMOUSLY

438/2020 FIRE DISPATCH INVOICE 2020-0056, 2020-0099 & 2020-00110

COUNCILLOR HUSUM: **THAT** Accounts Receivable Invoice # 2020-0056 in the amount of \$7,294.10, Accounts Receivable Invoice # 2020-0099 in the amount of \$7,120.43 and Accounts Receivable Invoice # 2020-00110 in the amount of \$1,695.61 for fire dispatch calls on Accounts Receivable Account No. 102002 be transferred to Tax Roll No. 345 000.

CARRIED UNANIMOUSLY

439/2020 FIRE DISPATCH INVOICE 2020-0060 & 2020-0071

COUNCILLOR WILKE: **THAT** Accounts Receivable Invoice # 2020-0060 in the amount of \$2,315.59 and Accounts Receivable Invoice # 2020-0071 in the amount of \$2,605.03 for fire dispatch calls on Accounts Receivable Account No. BRA001 be transferred to Tax Roll No. 776 000.

CARRIED UNANIMOUSLY

440/2020 FIRE DISPATCH INVOICE 2020-00105

COUNCILLOR WILKE: **THAT** Accounts Receivable Invoice # 2020-0105 in the amount of \$1,695.61 for fire dispatch calls on Accounts Receivable Account No. PWL001 be transferred to Tax Roll No. 347 000.

CARRIED UNANIMOUSLY

441/2020 FIRE CALL OUT INVOICE NO. 2020-00176

COUNCILLOR CRASSWELLER: THAT if this ratepayer is in good standing, that the RM of Sherwood split the Fire Call Out Invoice No. 2020-00176 50/50 with the ratepayer.

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442/2020 SIGNING AUTHORITIES

COUNCILLOR HUSUM: **WHEREAS** Susan Oakley-Paul was elected Reeve of the RM of Sherwood on November 9th, 2020 and will take office from Reeve Jeff Poissant on November 18, 2020;

AND WHEREAS Carl Husum was appointed Deputy Reeve of the RM of Sherwood by Council Resolution No. 366/2018;

THEREFORE BE IT RESOLVED THAT signing authorities for the RM of Sherwood be hereby amended to include only the following:

Reeve Susan Oakley-Paul or Deputy Reeve Carl Husum **and** Chief Administrative Officer Pam Malach or Director of Finance & Administration Erin Halliday.

CARRIED UNANIMOUSLY

443/2020 BORROWING RESOLUTION – CONEXUS FINANCING FOR WELLINGS LOCAL IMPROVEMENT

COUNCILLOR CULBERT: **THAT** the Company do borrow from CONEXUS CREDIT UNION 2006 (hereinafter called the "Credit Union") the sum of **\$1,118,504.68** Dollars, with interest at the rate of **PRIME + 0.50** per centum per annum, and that for the purpose of securing payment of the said sum and all interest, do execute and deliver to the credit union the following:

- (a) Quick Loan Agreement
- (b) General Security Agreement
- (c) Amendment Agreement

containing such terms and conditions as the credit union may require.

THAT Carl Husum, as Deputy Reeve and Erin Halliday, as Director of Finance & Administration be and they are hereby authorized to sign and execute the said documents and affix the seal of the Company thereto on behalf of the Company.

THAT the said officers are empowered to do such things and execute and deliver such other documents as the said credit union may require for the purpose of securing payment of the said sum and all interest, and otherwise making effective the provisions of this resolution including any additional or substitutional securities.

THAT a certified copy of this resolution be delivered to the credit union and constitute the authority of the said credit union to act thereon, and shall be deemed to continue in force and effect until notice of any amendment, alteration or revocation shall have been given the said credit union.

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444/2020 COMMUNICATIONS

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

1. October 28, 2020 Prairie Central District for Sport, Culture and Recreation E-News
2. October 27, 2020 SARM Media Release: SARM Reacts to Provincial Election
3. October 28, 2020 HELP International Shelterbelt Program – 2021 Subsidized Shelterbelt Program Launch
4. October 14, 2020 Agricultural Producers Association of Saskatchewan – Important APAS Project Updates
5. November 12, 2020 Saskatchewan Crop Insurance (SCIC) Survey

CARRIED UNANIMOUSLY

445/2020 RECESS

COUNCILLOR HUSUM: THAT this meeting recess at 7:51 p.m.

CARRIED UNANIMOUSLY

RECONVENE

REEVE OAKLEY-PAUL: THAT this meeting reconvene into regular session at 8:00 p.m.

446/2020 CLOSED SESSION

COUNCILLOR HUSUM: THAT this meeting go into closed session at 8:05 p.m.

CARRIED UNANIMOUSLY

447/2020 RECONVENE

COUNCILLOR HUSUM: THAT this meeting go into regular session at 9:00 p.m.

CARRIED UNANIMOUSLY

448/2020 TERMINATION OF CHIEF ADMINISTRATIVE OFFICER

COUNCILLOR HUSUM: THAT Pam Malach's employment as Chief Administrative Officer of the RM of Sherwood be terminated with cause effective immediately.

CARRIED UNANIMOUSLY

449/2020 ACTING CHIEF ADMINISTRATIVE OFFICER

COUNCILLOR CULBERT: THAT Bradley Wiebe be appointed Acting Chief Administrative Officer for a period of 3 months commencing November 18th, 2020.

CARRIED UNANIMOUSLY

450/2020 LEGAL ADVICE

COUNCILLOR WILKE: THAT the RM of Sherwood contact the appointed lawyer for the RM of Sherwood and the SARM legal advisory services for advice pertaining to the employee termination.

CARRIED UNANIMOUSLY

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451/2020 IT SUPPORT

COUNCILLOR CRASSWELLER: THAT the RM contact our IT Support to ensure the integrity and security of the RM files.

CARRIED UNANIMOUSLY

452/2020 RMAA PERMITS

COUNCILLOR CULBERT: THAT Brad Wiebe, Acting CAO be in contact with RMAA to obtain copies of the permits issued to Ms. Malach since July 2017.

CARRIED UNANIMOUSLY

453/2020 ORGANIZATION STRUCTURE AND ADMINISTRATIVE BYLAW

COUNCILLOR PAUL: THAT Administration bring forth to Council the organizational structure and Administrative Bylaw 16/14 for review within the next 3 months.

CARRIED UNANIMOUSLY

454/2020 SIGNING AUTHORITIES

COUNCILLOR HUSUM: **WHEREAS** There has been a change in CAO of the RM of Sherwood;

THEREFORE BE IT RESOLVED THAT signing authorities for the RM of Sherwood be hereby amended to include only the following:

Reeve Susan Oakley-Paul or Deputy Reeve Carl Husum **and** Acting Chief Administrative Officer Bradley Wiebe or Director of Finance & Administration Erin Halliday.

CARRIED UNANIMOUSLY

455/2020 ADJOURNMENT

COUNCILLOR PAUL: THAT this meeting be adjourned at 9:23 p.m.

CARRIED UNANIMOUSLY

Reeve

Administrator