

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE
RURAL MUNICIPALITY OF CORMAN PARK NO. 344
HELD MONDAY, JULY 25, 2011 AT 9:00 A.M.**

- Present** 1. Reeve Mel Henry, Councillors Perry Ulrich, Craig Riddell, Lynne Samson, John Germs, John Rempel, Bill Dyck, Irene Pilka, Joanne Janzen, Wendy Trask, Joseph Kasahoff and Len Kasahoff.
- Staff present: Tammy Knuttila, Administrator; Darryl Altman, Director of Operations; Bill Delainey, Planner; Shawn Dukart, Planner; Elizabeth Hill, EMO Co-ordinator and Barb Zelinski, Assessor.
- Call to Order** 2. Reeve Henry called the meeting to order at 9:00 a.m.
- Agenda** 3. Pilka: That the agenda be approved with the addition of the following items:
- 10.a) Discussion Regarding Finance (Germs)
 - 11.i) Discussion Regarding Planning (Germs)
 - 17.a) Change in Meeting Date (Samson)
 - 21.d) Valley People Meeting (Samson)
 - 23.a) Update on Legal Matters – In Camera (Knuttila) CARRIED.
- Delegation/Derenoski** 4. Garry Derenoski, Chairman of the Committee of ratepayers assembled to gather a petition to require Council to conduct a referendum regarding the realignment of division boundaries in conjunction with a reduction in the number of divisions from 11 divisions to 8 divisions addressed Council.
- The purpose of his presentation was to request that Council ask the Minister of Municipal Affairs to approve the realignment of boundaries in order to conduct an election for the new 8 divisions in the Fall 2011 Municipal Elections. He noted that The Municipalities Act allows Council to complete the action requested by the petition and avoid conducting a referendum.
- Acknowledge Petition** 5. Germs: That the petition requiring Council to conduct a referendum on the following question be received and acknowledged as sufficient in accordance with the report of the Administrator:
- That the Council of the Rural Municipality of Corman Park No. 344 request the Minister of Municipal Affairs of the Government of Saskatchewan to alter the divisional boundaries of the R.M. of Corman Park No. 344 in accordance with the divisional boundaries drawn on the map as shown in the petition?* CARRIED.
- Request Minister to Realign Divisions** 6. Ulrich: That as per the petition requesting a referendum to change the boundaries within the R.M. of Corman Park, as outlined in the petition presented to our administrator, the Council of the R.M. of Corman Park authorize the Administrator of the R.M. of Corman Park to submit to the Minister of Municipal Affairs the request for the eight new boundary changes at the earliest opportunity in order that an election can be held in October 2011 for Councillors in all eight new divisions.
- MOTION LOST.

RECORDED VOTE:

For the Motion: Councillors Ulrich, Riddell, Samson and Germs.

Against the Motion: Reeve Henry, Councillors Rempel, Pilka, Janzen, Trask, J. Kasahoff and L. Kasahoff.

**Refer Petition to
SARM Legal Counsel**

7. Trask: That the petition received and deemed sufficient by the Administrator be referred to SARM legal counsel with a request to provide an outline of next steps needed to meet the requirements of The Municipalities Act. CARRIED.

Referendum Date

8. Samson: That the referendum required as a result of the petition received be conducted in conjunction with the Fall, 2011 Municipal Election. MOTION LOST.

RECORDED VOTE:

For the Motion: Councillors Ulrich, Riddell, Samson and Germs.

Against the Motion: Reeve Henry, Councillors Rempel, Pilka, Janzen, Trask, J. Kasahoff and L. Kasahoff.

Recess Meeting

9. Germs: That the meeting recess in order to meet In Camera as a Committee of the Whole Council with legal counsel at 9:40 a.m. CARRIED.

Reconvene Meeting

10. Trask: That the meeting now reconvene at 9:55 a.m. CARRIED.

**Receive Investigation
Report**

11. Samson: That Council follow legal counsel advice to have McDougall Gauley receive the report of the investigation on behalf of Council and then make recommendations to Council for future steps. MOTION LOST.

RECORDED VOTE:

For the Motion: Councillors Ulrich, Riddell, Samson, Germs and Janzen.

Against the Motion: Reeve Henry, Councillors Rempel, Pilka, Trask, J. Kasahoff and L. Kasahoff.

Receive Report

12. Trask: That Council follow legal counsel advice and receive a verbal or written report of the investigation during an in camera session. CARRIED.

Written Report

13. Riddell: That Council insist that the report of the investigation be in written form. CARRIED.

Recess Meeting

14. Trask: That the meeting recess in order to meet In Camera with Dale Linn, R.M. legal counsel, Marilyn Mackenzie and James Smith. CARRIED.

(Councillor Dyck arrived at this point in the meeting at 10:35 a.m. during the In Camera session after the point where the report had been read to Council.)

Ms. MacKenzie and Mr. Smith left the meeting during the In Camera Session at 10:40 a.m.)

Reconvene Meeting

15. Pilka: That the Council meeting now reconvene at 10:55 a.m. CARRIED.

Receive Investigation Report 16. Trask: That the MacKenzie Report be received and referred to legal counsel for recommendation. CARRIED.

Pay Interim Invoice 17. Trask: That payment be made for the interim billings received from MacKenzie Consultants based on summary invoices received. CARRIED.

RECORDED VOTE:

For the Motion: Reeve Henry, Councillors Riddell, Rempel, Dyck, Pilka, Janzen, Trask, J. Kasahoff and L. Kasahoff.

Against the Motion: Councillors Ulrich, Samson and Germs.

June 20, 2011 Council Meeting Minutes 18. Janzen: That the Minutes of the Council Meeting held June 20, 2011 be APPROVED. CARRIED.

Reeve Legal Fees/ Notice of Motion 19. Germs: That fees for the Reeve to have his legal counsel present during interviews as part of the investigation into the complaint under the Anti Harassment Policy of the Municipality be borne by the Reeve and not by the Municipality as indicated in Resolution #61 of the May 9, 2011 Council meeting since results of the complaint have not been determined and it is inappropriate for taxpayers to bear the cost of representation for only the subject of the complaint and not the alleged victims. MOTION LOST.

RECORDED VOTE:

For the Motion: Councillors Ulrich, Riddell, Samson and Germs.

Against the Motion: Reeve Henry, Councillors Rempel, Dyck, Pilka, Janzen, Trask, J. Kasahoff and L. Kasahoff.

Credit Card Statements 20. Trask: That copies of all monthly Mastercard statements be included in Council packages. CARRIED.

Payroll Summary 21. Janzen: That the Payroll Summary for the month of June, 2011 be approved. CARRIED.

Flood Elevation Meetings 22. Janzen: That Councillors Riddell and Samson be remunerated for attending an information meeting hosted by The Valley People. CARRIED.

Council Remuneration 23. Pilka: That the Council Remuneration Summary, for various meetings attended, be APPROVED. CARRIED.

Accounts for Payment 24. Pilka: That the accounts for payment as listed on the "Cheque Register Summary – Bank" statements dated July 7, 2011 and July 20, 2011 be APPROVED for payment. CARRIED.

**Discretionary Use/
Prairie Waste**

25. In reviewing this application for discretionary use Council considered the concerns that were raised in the consultation process and the nature of the proposed development as presented in the Planning Report. There was no new information presented. Lawrence Pinter was present on behalf of Prairie Waste Management Ltd. to respond to any questions posed by members of Council.

Ulrich: That the application of Prairie Waste Management Ltd. to establish a Land Farm on the NE 26-35-4-W3 as a discretionary use be APPROVED for a two year period subject to the applicant:

- i. being solely responsible for upgrading approximately 3 km of the summer access road (Range Road 3041) to a standard sufficient to safely accommodate proposed hauling activities;
- ii. entering into a development agreement to secure the objectives of the Zoning Bylaw; and
- iii. entering into a road maintenance agreement to clearly define the haul route, hauling speeds and provisions for the application of dust control where deemed necessary.

CARRIED.

**Discretionary Use/
Echo Properties Inc.
and Overpass Farms Inc.**

26. In reviewing this application for discretionary use Council considered the concerns that were raised in the consultation process and the nature of the proposed development as presented in the Planning Report. There was no new information presented.

Rempel: That the application of Echo Properties Inc. and Overpass Farms Inc. to establish a Type I Clean Fill Operation on a portion of SE 33-37-5-W3 as a discretionary use be APPROVED for a two year period subject to the applicant:

- i. submitting an engineered site grading plan to guide fill placement;
- ii. consulting with the Saskatchewan Watershed Authority to confirm whether a permit from their office is required;
- iii. entering into a development and reclamation agreement; and
- iv. entering into a road maintenance agreement to define the haul route and the conditions associated with hauling activities.

CARRIED.

(Councillor Samson declared a pecuniary interest in the above application and left the meeting during discussion and voting thereon.)

**Rezoning and Subdivision/
627199 Saskatchewan Ltd.**

27. Janzen: That the application of 627199 Saskatchewan Ltd. to rezone a portion of LSD 15 NE 2-38-5-W3 from D-Agricultural 1 District to D-Country Residential 2 District and to subdivide a 1.478 ha (3.65 acre) parcel that is physically severed by Highway 16 to create a residential parcel be APPROVED subject to the applicant entering into a servicing agreement to provide for the remission of the required subdivision servicing fee for the new country residential parcel and to address the construction of an extension of Range Road 381 to provide legal and physical access to the proposed parcel at the applicant's sole expense.

CARRIED.

**Rezoning and
Subdivision/Fehr**

28. Dyck: That the application of P. & N. Fehr to rezone a portion of the NW 13-39-4-W3 from Agricultural District to Agricultural Residential 1 District and to subdivide a 2.02 ha (5 acre) parcel for the purpose of creating separate title for a residential parcel as shown on the Plan of Proposed Subdivision submitted by Webb Surveys dated June 17, 2011 be APPROVED subject to:
- i) the applicant entering into an agreement with the owner of the ILO on this quarter section allowing the setbacks required from an ILO as set out in the R.M. of Corman Park Official Community Plan to be relaxed; and
 - ii) the applicant entering into an easement agreement to provide for future road widening.

CARRIED.

**Subdivision/
City of Saskatoon**

29. Rempel: That the application of the City of Saskatoon to subdivide a 9.9 ha (24.5 acre) parcel from the SE and SW of 12-37-6-W3 for the construction of a public roadway as shown on the Plan of Proposed Subdivision prepared by Saskatoon Land Surveyors Digital Mapping Systems dated May 24, 2011 be APPROVED.

CARRIED.

Discretionary Use/Huebert

30. In reviewing this application for discretionary use Council considered the concerns that were raised in the consultation process and the nature of the proposed development as presented in the Planning Report. There was no new information presented.

Rempel: That the application of G. & S. Huebert to undertake the sale, repair and (re)distribution of pallets as a home based business from Parcel A, SW 33-37-6-W3 be APPROVED as a discretionary use subject to;

- i) entering into a development agreement to secure the objectives of the Zoning Bylaw; and
- ii) obtaining a development/building permit for the proposed shop.

CARRIED.

**Discretionary Use/
White Feather Poultry Ltd.
and Avam Ventures Ltd.**

31. In reviewing this application for discretionary use Council considered the concerns that were raised in the consultation process and the nature of the proposed development as presented in the Planning Report. There was no new information presented.

Dyck: That the application of White Feather Poultry Ltd and Avam Ventures Ltd. to establish an 301-600 animal unit intensive livestock operation as an intensive agricultural operation on LSD 1 SE 6-40-3-W3 be APPROVED subject to:

- i) the applicant entering into an agreement with the owners of all single family dwellings that fall within the setback required from an ILO as set out in the R.M. of Corman Park Official Community Plan, allowing this setback to be relaxed.

CARRIED.

Bylaw No. 20/11

32. Janzen: That Bylaw No. 20/11 being a bylaw to rezone LSD 15 NE 2-38-5-W3 from D-Agricultural 1 District (DAG1) to D-Country Residential 2 District (DCR2) be now read a first time.

CARRIED.

- Bylaw No. 21/11** 33. Pilka: That Bylaw No. 21/11 being a bylaw to rezone NW 13-39-4-W3 from Agricultural District (AG) to Agricultural Residential 1 District (AR1) be now read a first time. CARRIED.
- Development Report Summary** 34. Janzen: That the Development Report Summary as contained in Item H of the Planning Report be received. CARRIED.
- Receive Planning Report** 35. Janzen: That the Planning Report be received. CARRIED.
- Signs** 36. Pilka: That the request of Moosomin First Nation to establish a signing corridor consisting of two to four billboards on its property north of the City of Saskatoon be DENIED. CARRIED.
- Delegation/Buirds** 37. Robert Buirds, property owner in the Hamlet of Grasswood, addressed Council to reiterate his concerns regarding the noise generated from Buena Vista Kennels, the property adjacent to his residence.
- Delegation/Laplante** 38. Gary Laplante, representing the Moosomin First Nation, addressed Council in support of the request of the First Nation to establish a sign corridor consisting of two to four billboards. He indicated that the billboards would be utilized to advertise activity on the First Nation's properties.
- Mr. Laplante was advised that council was not prepared to make amendments to the land use bylaws that currently prohibit sign corridors. He was advised that a request could be resubmitted after Council has completed its bylaw review over the course of the next year.
- Delegation/Emigh** 39. Robert Emigh, legal counsel for Applewood Estates, was present to respond to questions posed by members of Council regarding the request of Applewood Estates for the Municipality to contribute to upgrading the access road to the Applewood Estates project. He indicated that the road also provides access to the Hidden Ridge subdivision.
- Refer to Public Works Committee** 40. Janzen: That the request of Applewood Estates for the Municipality to contribute to upgrading the municipal road that accesses the Applewood Estates project be referred to the Public Works Committee for review and recommendation. CARRIED.
- Meet In Camera** 41. Germs: That the meeting recess in order to meet In Camera as a Committee of the Whole Council at 2:35 p.m. CARRIED.
- Reconvene Meeting** 42. Trask: That the Council meeting now reconvene at 2:50 p.m. CARRIED.
- Terminate Administrator** 43. Pilka: That the Administrator be terminated with cause. MOTION LOST.

RECORDED VOTE:

For the Motion: Reeve Henry, Councillors Rempel, Dyck, Pilka, Trask and L. Kasahoff.

Against the Motion: Councillors Ulrich, Riddell, Samson, Germs, Janzen and J. Kasahoff.

(The Administrator left the meeting during the discussion of the above In Camera session and Barb Zelinski, Assessor acted as Administrator during the balance of the meeting.)

(Councillor Germs left the meeting at this point in the meeting at 3:00 p.m.)

**Terminating
Administrator without
Proof of Cause**

44. Samson: That the Administrator not be fired without proof of just cause.
MOTION LOST.

RECORDED VOTE:

For the Motion: Councillors Ulrich, Riddell and Samson.

Against the Motion: Reeve Henry, Councillors Rempel, Dyck, Pilka, Trask and L. Kasahoff. Janzen and J. Kasahoff.

**Hutterian Brethan
Pumping Costs**

45. L. Kasahoff: That the Municipality reimburse the Riverview Hutterian Brethren \$4,900.00 being the cost of renting a pump to remove water from a municipal road utilized by the colony.
CARRIED.

**Intervalley Water Inc.
Pumphouse Connections**

46. L. Kasahoff: That additional information be obtained from Intervalley Water and its contracted engineering firm regarding their potential to allow fire trucks to access water. Information will also be sourced as to what kind of connectors the fire departments need to access the water for their trucks and if any payments have been made in the past to Intervalley Water as passed previously by Council in the amount of \$10,000/pump house.
CARRIED.

**Request for Culvert
Installation**

47. L. Kasahoff: That the owner of LSD 15-11-38-6 be advised that the Municipality will install a new culvert at his location subject to payment of the cost of materials.
CARRIED.

**Gravel Royalty
Prepayment**

48. L. Kasahoff: That the Municipality pay a gravel royalty prepayment of \$25,000 to the owner of NE 35-39-4-3.
CARRIED.

Road Haul Agreements

49. L. Kasahoff: That R.M. administration send out a letter to all gravel haulers using the R.M. road network to remind them that as stated in the Road Haul agreements, all trucks must be licensed and have visible numbers so they can be identified.
CARRIED.

Road Ban Hauling

50. L. Kasahoff: That the Public Works Committee review if all commercial hauling should be banned on the municipality roads during spring road bans and should some roads be shut down completely during that time of year.
TABLED.

Dust Control

51. L. Kasahoff: That dust control be completed on the ½ mile portion of the road, east of NE 7-39-8-W3 and the cost charged to the contractor hauling on that road.
CARRIED.

**Road Upgrade Request/
Ross**

52. L. Kasahoff: That in response to his inquiry, Ron Ross be advised to send a letter to Council requesting permission to upgrade the road to R.M. standards subject to the Municipality completing the engineering at the Municipality's expense.
CARRIED.

- Receive Public Works Committee Minutes** 53. Ulrich: That the minutes of the Public Works Committee meeting held July 5, 2011 be received. CARRIED.
- Water Quality Report** 54. Riddell: That the Water Quality Report dated June, 2011 regarding the water distribution systems in the Organized Hamlet of Grasswood, the Organized Hamlet of Casa Rio and the North Corman Industrial Park be received. CARRIED.
- Receive Public Works Report** 55. Trask: That the Public Works Report for the month of June, 2011 be received. CARRIED.
- Receive Administration Report** 56. Janzen: That the Administration Report be received. CARRIED.
(Councillor L. Kasahoff left the meeting at this point in the agenda at 4:30 p.m.)
- Water Management Assistance Issues** 57. Pilka:
Whereas the Province of Saskatchewan has received record rainfalls in many areas in 2004, 2007, 2010 and again this year (it appears it can no longer be considered a 1 in 50 or 1 in 100 event);

And Whereas municipalities and individuals do not have sufficient funding to handle the expenses incurred due to this unusual and severe weather;

And Whereas this was acknowledged by the Province of Saskatchewan when the Emergency Flood Damage Reduction Program was announced this year, a program that deals only with emergency expenses and does not address any permanent solutions for individual municipal or joint municipal flood mitigation projects;

And whereas there are existing programs, Urban Flood control Assistance and rural Water Control Assistance, that could be resurrected and reworked to assist in permanent capital projects (and ongoing maintenance) with respect to flood and water control projects in both urban and rural centers;

And whereas it is imperative that permanent flood mitigation work be commenced as quickly as possible to ensure similar flooding issues do not occur in the spring of 2012;

Now therefore be it resolved that the R.M. of Corman Park Council requests that SARM immediately begin to lobby the provincial government in an effort to resurrect or rework those programs to provide assistance to municipalities for permanent solutions to flood and water control concerns.

CARRIED.
- Receive Minutes** 58. Pilka: That the minutes of the Flood Mitigation Committee meeting held July 6, 2011 be received. CARRIED.
- Reeve's Report** 59. Pilka: That the verbal report provided by the Reeve be acknowledged. CARRIED.

- Receive Correspondence/
Information Items** 60. Janzen: That the following correspondence be received:
a) SARM – re: June, 2011 Update
b) Jake Buhler – re: Copy of Letter to Reeve Henry
c) SREDA – re: The Regional Newsletter
d) Sask. Crime Stoppers Inc. – re: Crime Stoppers Statistics
e) Ranch Ehrlo Society President/CEO Report
CARRIED.
- Receive Correspondence/
Action Items** 61. Trask: That the following correspondence be received:
a) Town of Langham – re: Water Samples from North Sask. River
b) Town of Langham – re: Fire Truck Repairs
c) Mitch Ozeroff – re: Road Concern
d) Ministry of Corrections, Public Safety and Policing – re: RCMP Cost Redistribution
e) Ministry of Labour Relations & Workplace Safety – re: Review of the Administration of Sask. Occupational Health and Safety Act
f) AECOM – re: Request by Brandt Tractor Ltd. to Purchase Road Allowance
g) Aaron Krahn – re: Road Concerns
h) Applewood Estates – re: Servicing Agreement
CARRIED.
- Town of Langham
Request** 62. Ulrich: That the request of the Town of Langham for the Municipality to pay for repairs to the Langham fire truck be referred to the Administration Committee for review and recommendation.
CARRIED.
- R.C.M. Police Cost
Redistribution** 63. Henry: That the Municipality lobby the Provincial Government for a discount in the R.C.M. Police Cost Redistribution charged to the R.M. of Corman Park to recognize that the Municipality funds its own police service.
CARRIED.
- Updates** 64. Janzen: That the updates provided regarding the proceedings of the following meetings attended be acknowledged:
a) Reeve Henry – SREDA
b) Councillor J. Kasahoff – Borden Care Home
c) Councillor J. Kasahoff – SARM District Meeting
CARRIED.
- Valley People Assoc.** 65. Samson: That the Municipality contribute \$2,500.00 to the Valley People organization in order to provide start-up costs for the group to complete information gathering and technical assistance in determining a solution.
CARRIED.
- Recess Meeting** 66. Trask: That the meeting recess in order to meet In Camera as a Committee of the Whole Council at 4:50 p.m.
CARRIED.
- Reconvene Meeting** 67. Pilka: That the Council meeting now reconvene at 5:00 p.m.
CARRIED.
- MacKenzie Report
Follow-up** 68. Trask: That following the completion of the Occupational Health and Safety investigation, Marilyn MacKenzie be invited to meet with Council in person to expand on her report.
MOTION LOST.

RECORDED VOTE:

For the Motion: Reeve Henry, Councillors Rempel, Dyck, Pilka and Trask.

Against the Motion: Councillors Ulrich, Riddell, Samson, Janzen and J. Kasahoff.

Scheduled Meetings

69. The following meetings were scheduled:
- Wednesday, August 3, 2011 – 9:00 a.m. – Flood Mitigation Committee
 - Friday, August 5, 2011 – 8:45 a.m. – Public Works Committee
 - Monday, August 8, 2011 – 8:45 a.m. – Council Meeting
 - Tuesday, August 9, 2011 – 11:00 a.m.– Weed/Pest Control Committee
 - Tuesday, August 9, 2011 – 3:00 p.m. – Police Commission

Adjourn

70. J. Kasahoff: That this meeting now adjourn at 5:05 p.m. CARRIED.

Reeve

Administrator