

**RURAL MUNICIPALITY OF ROSTHERN NO. 403:
REGULAR COUNCIL MEETING OF AUGUST 13TH 2019**

The regular meeting of the Council of the Rural Municipality of Rosthern No. 403 was held in the R.M Council Chambers on Tuesday, August 13th 2019, commencing at 8:31AM.

ATTENDANCE

PRESENT:

REEVE: MARTIN PENNER
COUNCILLORS: RICK POCHIPINSKI - DIVISION 1, PETER UNGER – DIVISION 2, GLENN BRAUN – DIVISION 3, LEO PERRIN – DIVISION 4, VICTOR JANZEN – DIVISION 5, ROBERT BAYNTON – DIVISION 6, TOM MADDEN – DIVISION 7
ACTING ADMINISTRATOR: AMANDA MCCORMICK
NO GALLERY MEMBERS

AGENDA

- 335.2019** **MADDEN/BAYNTON:**
That the following be added to the agenda:
Valley Regional Park – Fire Ban Letter
Deanta Invoice for Landfill Construction
Council Indemnity
- 336.2019** **BRAUN/POCHIPINSKI:** **CARRIED**
That Council approve the agenda with the amendments.
- MINUTES** **CARRIED**
337.2019 **BAYNTON/PERRIN:**
That the minutes from the July 9th 2019 Regular Council meeting be approved as presented.
- MOVE TO ITEM ON AGENDA** **CARRIED**
338.2019 **BRAUN/POCHIPINSKI:**
That Council move to item 5 on the agenda.
- MUNICIPAL TAX ABATEMENT REQUEST** **CARRIED**
339.2019 **MADDEN/PERRIN:**
That Council deny the request for municipal tax abatement as it is the owner's responsibility to check the assessment notices for proper assessment.
- 340.2019** **BRAUN/POCHIPINSKI:** **DEFEATED**
That Council credit the tax account for the over assessment amount from 2018 municipal taxes for L.P.
- SPECIAL OCCASION PERMIT REQUEST** **CARRIED**
341.2019 **BRAUN/UNGER:**
That Council approve the request from S.J located at SE 06-41-02-W3 for a Special Occasion Permit for August 17th 2019.
- CORRESPONDENCE** **CARRIED**
342.2019 **POCHIPINSKI/BAYNTON:**
That the correspondence be filed.
- ACTING ADMINISTRATOR HOLIDAY'S** **CARRIED**
343.2019 **MADDEN/BRAUN:**
That Council approve the holiday request from Acting Administrator McCormick for November 18-22, 2019 and January 17-27, 2020.
- OFFICE CARETAKING** **CARRIED**
344.2019 **JANZEN/BRAUN:**
That Council appoint Cathy Lehmann for the office caretaking in the amount of \$125/month.
- PLANNER SERVICES** **CARRIED**
345.2019 **POCHIPINSKI/UNGER:**
That Council search for external planning services prices to be brought to the next meeting.
- GWL ADDITIONAL COVERAGE FOR LIFE, ADD, STD, LTD** **CARRIED**
346.2019 **UNGER/MADDEN:**
That Council support the RM staff should they decide to take the additional coverage option from GWL for Life Insurance, ADD, STD, LTD.
- CARRIED**

**RURAL MUNICIPALITY OF ROSTHERN NO. 403:
REGULAR COUNCIL MEETING OF AUGUST 13TH 2019**

SHOP YARD CLEANUP

347.2019 JANZEN/MADDEN:
That Council appoint for the Public Works Committee to assist the Foreman in the clean-up of the Shop yard.

CARRIED

BREAK FOR RECESS – 10:04AM – 10:11AM

MOVE TO ITEM ON AGENDA

348.2019 POCHIPINSKI/BRAUN:
That Council move to item 4 on the agenda.

CARRIED

PUBLIC HEARING FOR DISCRETIONARY USES – WINGEIER MOBILE HOME / JOHNSON HOME-BASED BUSINESS

349.2019 BAYNTON/MADDEN:
That Council move to public hearing for the discretionary uses of Wingeier Mobile Home and Johnson Home-based Business – 10:13AM

CARRIED

- 0- WRITTEN SUBMISSIONS FOR EITHER APPLICATION
- 0- VERBAL SUBMISSIONS FOR EITHER APPLICATION
- 0- ATTENDANCE FOR EITHER APPLICATION

BACK TO REGULAR MEETING – 10:24AM

350.2019 BAYNTON/UNGER:
That Council resume regular meeting – 10:24AM

CARRIED

WINGEIER MOBILE HOME DISCRETIONARY USE

351.2019 MADDEN/UNGER:
That Council approve the proposed discretionary use application by C. Wingeier for a Mobil Home on the property located at NW 29-41-03-W3 with the following conditions:

- That the owner take building / development permits for the mobile home;
- That the owner have the mobile home to code and inspected for living;
- That the mobile home be approved as a temporary placement
- That the discretionary use be reviewed in 5 years' time.

CARRIED

JOHNSON HOME-BASED BUSINESS DISCRETIONARY USE

352.2019 UNGER/PERRIN:
That Council approve the proposed discretionary use application by C. Johnson for a Home-based Business on the property located at NW 28-40-03-W3 (#1 Venice Road – Blumenthal) with the following conditions:

- That the owner take building / development permits;
- That the owner have the office site to code and inspected;
- That this office site will be assessed as commercial;
- That the discretionary use be reviewed in 5 years' time.

CARRIED

DEBIT MACHINE FOR THE OFFICE

353.2019 UNGER:
That Council approve to go with the debit machine estimate from the Affinity Credit Union accepting Debit, Visa and MasterCard charging 2% for the credit cards.

MOTION WAS RESCINDED BY COUNCILLOR UNGER

354.2019 UNGER/POCHIPINSKI:
That Council approve to go with the debit machine estimate from the Affinity Credit Union accepting Debit only no extra charge to ratepayers, should the Sask Valley Rural Water Utility be interested as well that the Multi –Merchant Terminal be purchased.

CARRIED

ACTING ADMINISTRATOR REPORT

355.2019 BAYNTON/JANZEN:
That Council file the Acting Administrators verbal report.

CARRIED

MOVE TO ITEM ON AGENDA

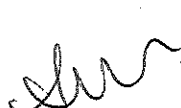
356.2019 BRAUN/UNGER:
That Council move to item 7 on the agenda.

CARRIED

MOWER TIRES

357.2019 MADDEN/UNGER:
That Council approve to purchase 4 foam filled tires for the mower.

CARRIED



**RURAL MUNICIPALITY OF ROSTHERN NO. 403:
REGULAR COUNCIL MEETING OF AUGUST 13TH 2019**

UNIT 1 REPAIR

358.2019 UNGER/BAYNTON:
That Council approve the repair to unit 1 being a high pressure pump.

CARRIED

TOWN HAGUE GRAVEL REQUEST

359.2019 BRAUN/MADDEN:
That Council approve to add 100/yds. gravel to the ½ mile road out of the Town of Hague.

CARRIED

DIVISION REPORTS

360.2019 UNGER/BAYNTON:
That the verbal Division reports be filed as presented.

CARRIED

FOREMAN REPORT

361.2019 UNGER/MADDEN:
That the verbal Foreman report be filed as presented.

CARRIED

BREAK FOR LUNCH – 12:05PM – 1:08PM

CARRIED

MOVE TO ITEM ON AGENDA

362.2019 BRAUN/BAYNTON:
That Council move to item 6 on the agenda.

CARRIED

363.2019 MADDEN/UNGER:

In Camera Session – Per Section 12.1(a) of the Council Procedures Bylaw 1.2016 – Discussion on Human Resources – 1:09PM

CARRIED

ACTING ADMINISTRATOR ASKED TO LEAVE THE SESSION – 1:27PM – 2:11PM

OUT OF IN CAMERA – 2:13PM

364.2019 POCHIPINSKI/MADDEN:
That Regular Council Meeting resume – 2:13PM

CARRIED

OFFICE ASSISTANT POSITION

365.2019 POCHIPINSKI/MADDEN:
That Council accept the request from Courtney Fraser for taking the Temporary Part-Time Position when returning to work September 3rd 2019 with the wage of \$17.50 as was before the Maternity Leave. That she send in a signed letter of acknowledgement of resigning from the Permanent Full Time Position. That Kerri Fahl be appointed the Permanent Full Time Position.

CARRIED

PERFORMANCE BOND REVOKE

366.2019 UNGER/PERRIN:
That Council revoke performance bond for permit 3.2013EXT, that a new bond and minimum fees for building permit be invoiced to renew the permit.

CARRIED

DIRECT DEPOSIT PAYROLL

367.2019 UNGER/PERRIN:
That Council approve the Direct Deposit payroll for the month of July as verbally presented.

CARRIED

PERFORMANCE BONDS RELEASED

368.2019 BRAUN/BAYNTON:
That Council release the performance bonds for permits 13.2019 & 15.2019 that the file has been closed from the building officials.

CARRIED

ACCOUNTS FOR APPROVAL

369.2019 POCHIPINSKI/UNGER:
That Council approve the list of accounts presented cheque number 14353 - 14443 and the manual online payment numbers 420MAN – 442MAN in the amount of \$292,697.84

CARRIED

FINANCIAL STATEMENT

370.2019 BAYNTON/JANZEN:
That Council approve the presented Financial Statement Summary as presented.

CARRIED

5K HOLDINGS SUBDIVISION – BOND NOTICE

371.2019 UNGER/MADDEN:
That Council accept the letter of credit from the Affinity Bank until the Bond can be registered on title so 5K Holdings can move forward with construction.

CARRIED

**RURAL MUNICIPALITY OF ROSTHERN NO. 403:
REGULAR COUNCIL MEETING OF AUGUST 13TH 2019**

**HYLJON DISCRETIONARY USE APPROVAL
372.2019 UNGER/POCHIPINSKI:
WHEREAS:**

- A. On March 8th 2019, Hyljon Holsteins Ltd. ("Hyljon") made application (the "Application") for a Discretionary Use for expansion of its existing dairy operation on the land referenced in Schedule A hereto (the "Land");
- B. The Proposed expansion has included the construction of 2 new barns and manure lagoon noted on Schedule B hereto.
- C. The proposed development is an Intensive Livestock Operation ("ILO") as defined in Bylaw 5.2008 of the Municipality (the "Zoning Bylaw");
- D. Pursuant to Schedule A, section 1.1 of the Zoning Bylaw, an ILO is a discretionary use;
- E. Council had no representations of which being written, verbal, or in attendance at the public meeting held on June 11th 2019;
- F. Council has considered the nature of the application, the Zoning Bylaw, nature of the site of the proposed development, the accessibility and traffic patterns for vehicles, and the type and volume of that traffic, the safeguards afforded to minimize noxious or offensive emissions including;
- G. Pursuant to Section 4 of the Zoning Bylaw, and pursuant to s. 56 of *The Planning and Development Act, 2007*, Council may determine and impose development standards relating to the granting of a discretionary use;

COUNCIL OF THE RURAL MUNICIPALITY OF ROSTHERN No. 403 hereby resolves as follows:

A. DISCRETIONARY USE APPROVAL

- 1.1 The Application is approved, subject to the limitations, standards and requirements set forth in this Discretionary Use Approval.

B. APPROVAL OF INTENSITY AND DEVELOPMENT

- 1.2 The Application is approved to permit an increase in the intensity of use of the Land to a maximum of 1220 animal units (inclusive of the existing use). For the purposes of this resolution the resulting operation (existing together with proposed expansion) shall be referred to as the ("ILO").
- 1.3 The Application is approved for the construction of the excavations, alterations, structures, enclosures and improvements (the "Improvements") as set forth in Schedule C hereto.

C. CONDITIONS AND STANDARDS

1. General

- 1.1 Hyljon will at all times comply with the conditions and requirements set out herein.

2. Compliance Conditions

- 2.1 At all times from and after the issuance of this approval Hyljon shall maintain records sufficient to permit the calculation of the number of animal units at any time housed at the ILO. Hyljon shall, upon reasonable advance notice from the RM, certify to the RM that the number of animal units housed at the ILO does not exceed those provided for in this Discretionary Use Approval.
- 2.2 Nothing in this approval shall be taken as meaning that Hyljon shall be excused from or need not comply with any applicable statute, regulation or bylaw.

3. Development Timing Conditions

- 3.1 Unless otherwise agreed in writing by the Municipality, development and construction of the Improvements shall be completed prior to any increase in the intensity of use of the ILO shall occur.

4. Transportation Conditions

- 4.1 By reason of the anticipated increase in the usage of roadways servicing the ILO, the following conditions are imposed:



**RURAL MUNICIPALITY OF ROSTHERN NO. 403:
REGULAR COUNCIL MEETING OF AUGUST 13TH 2019**

4.2 Hyljon shall endeavour to meet the concerns of those persons residing in farmsteads located within 1 mile of the operation (the "Dust Control Area") respecting dust arising from hauling to the ILO and appropriate dust control measures. In the event that Hyljon should be unable to meet those concerns, Hyljon will reimburse the Municipality's costs associated with any dust control measures that the Municipality should reasonably consider appropriate from time to time in the Dust Control Area.

5. Other Conditions

5.1 Any work performed by the Municipality in furtherance of this discretionary use approval and the terms and conditions thereof is and shall be work and services performed secured by the provisions of s. 405 of *The Municipalities Act*. The Development Officer shall grant a development permit incorporating the terms and conditions of this approval upon execution of the agreement contained in Schedule C upon execution thereof by Hyljon.

LANDFILL WELL TESTING SITE

373.2019 UNGER/MADDEN:

That Council send a second letter to offer Mr. Wolf \$20,000 in response to the sale amount for the 2 acres located at SW 03-42-03-W3 (landfill well testing site) as the presented price of \$35,000 by Mr. Wolf was not an option, after the first offer from the RM of \$4,000 was rejected (motion 272.2019).

G.B entered the meeting as gallery member (2:38), Reeve Penner asked the member to leave the meeting per the motion made at the February 2019 meeting. G.B removed himself from the meeting (2:38).

Motion 373.2019 was voted on

CARRIED

LANDFILL TANK ESTIMATE

374.2019 MADDEN/BRAUN:

That Council accept the estimates from Tetra Tech regarding the fittings, hose and tank required at the landfill.

CARRIED

COUNCILLOR UNGER STEPPED AWAY – 2:43PM – 2:44PM

SGT. SPENCE FROM THE ROSTHERN RCMP ENTERED MEETING – 2:45PM – 2:57PM

ADJORNMENT

375.2019 POCHIPINSKI/UNGER:

That the Regular Council Meeting adjourn – 2:58PM, That a Special Council meeting be set for Thursday August 15th 2019 @ 6:00PM to discuss the Neuanlage Hamlet Minutes, Deanta Invoice for Landfill Construction, awarding the tender for Division 4 Culvert Replacement Projects and Council Indemnity due to disruption at the regular meeting today.

CARRIED



REEVE, MARTIN PENNER



ACTING ADMINISTRATOR, AMANDA MCCORMICK