

THE MINUTES OF A REGULAR MEETING OF THE COUNCIL OF THE RURAL MUNICIPALITY OF BIG RIVER NO. 555 HELD ON MARCH 8th, 2021, AT THE BIG RIVER COMMUNITY CENTRE, LOCATED AT 606 FIRST STREET NORTH, IN BIG RIVER, SASKATCHEWAN.

CALL TO ORDER

The meeting was called to order by Reeve Dana Pettigrew at 8:55 a.m.

PRESENT

Division 1 – Doug Panter
Division 2 – Ron Miller
Reeve – Dana Pettigrew
Administrator - Donna Tymiak

Division 3 – Jeff Wiebe
Division 4 – Richard Crashley (Electronically)

APPROVAL OF AGENDA

112/21

PANTER: That, the March 8th, 2021, agenda be approved as presented.

Carried.

MINUTES

113/21

CRASHLEY: That, the minutes of the Regular Meeting of Council held on February 8th, 2021, be approved as presented.

Carried.

STATEMENT OF FINANCIAL ACTIVITIES

114/21

WIEBE: That, the Statement of Financial Activities for the month of February, be accepted as presented.

Carried.

LIST OF ACCOUNTS

115/21

MILLER: That, the List of Accounts as listed on the attached schedule, totaling \$ 82,233.59 reflecting cheques 11637 to 11680 be passed for payment.

Carried.

Handwritten initials and a checkmark in blue ink.

COUNCIL INDEMNITY AND OTHER BILLS

116/21

PANTER: That, the following accounts be approved for payment at this meeting and added to the next list of accounts presented to Council:

Richard Crashley	Council Indemnity	\$ 337.50
Ron Miller	Council Indemnity/Mileage	\$ 319.50
Doug Panter	Council Indemnity/Mileage	\$ 662.80
Dana Pettigrew	Council Indemnity/Mileage	\$ 474.90
Jeff Wiebe	Council Indemnity/Mileage	\$ 451.50
		Carried.

PWC YEAR END REPORT AND DRAFT 2020 AUDITED FINANCIAL STATEMENT

117/21

CRASHLEY: That, the PWC year-end report to Council and the 2020 draft audited financial statement be accepted as presented and the Management’s Responsibilities 2020 document that forms part of the financial statement be signed.

Carried.

PERMANENT SEASONAL OFFICE ASSISTANT

118/21

CRASHLEY: That, Dana Kennedy be offered the position of Permanent Seasonal Office Assistant for the RM of Big River No. 555, terms of employment as follows:

- Starting date to be March 16th, 2021;
- Wages set at \$22.50/hr;
- SARM Benefit Package after the 3 month probation period.

Carried

GO IN CAMERA – 9:45 A.M.

119/21

WIEBE: That, the time being 9:45 a.m., Council close a portion of this meeting to the public to go in camera under the authority of Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*, to discuss legal matters, the public gallery be vacated and those present for this closed session be Administrator Donna Tymiak, Reeve Dana Pettigrew and Councillors Doug Panter, Ron Miller, Jeff Wiebe and by electronic means, Richard Crashley

Carried.

GO OUT OF CAMERA - 10:08 A.M.

120/21

MILLER: That, the time being 10:08 a.m., Council go out of camera and invite the public back into the Council Meeting.

Carried.

PROVIDING PHONE NUMBERS TO COUNCIL

121/21

CRASHLEY: That, administration be instructed to provide council members with ratepayer's phone numbers, to be utilized by council members, only for the purpose the personal information was gathered for by the municipality, such as municipal business pertaining to a problem with a ratepayer's property.

Carried.

EXTENSION OF TIME FOR PAYMENT – PT-NW-07-58-07-W3

122/21

CRASHLEY: That, in response to an email request dated March 4th, 2021, Council has no objection to waiting to make application to the Registrar for registration of the transfer of title of PT-NW-07-58-07-W3, until May 31st, 2021, to give the landowner a final opportunity to pay the arrears and penalty in full.

Carried.

TAX ENFORCEMENT - MAKE APPLICATION FOR TITLE

123/21

PANTER: That, in accordance with Section 26.1 of *The Tax Enforcement Act*, the Rural Municipality of Big River, No. 555 request Zatlyn Law Office to prepare the required documents to make application to the Registrar, for registration of the transfer of titles of Block A, Plan 101448457, Ext 33, title number 144484825 and SE-06-55-06-W3, Ext 134, title number 144484836 both parcels located in the SE-06-55-06-W3, into the name of the said municipality.

Carried.

LIFESTYLE BREAK – 10:23 a.m.

124/21

CRASHLEY: That, Council recess for a 5 minute lifestyle break.

Carried.

RECONVENE DELIBERATIONS – 10:26 a.m.

125/21

WIEBE: That, Council reconvene their deliberations.

Carried.

MOVE AGENDA ITEM 12 “COURT OF APPEAL”

126/21

PETTIGREW: That, agenda items 12. a), b), c), d) and e), Court of Appeal, be moved to the final agenda items of this meeting.

Carried.

LANDFILL BUDGET

127/21

MILLER: That, the 2021 Landfill Committee Budget be accepted as presented.

Carried.

HIGHWAY 55 WASTE MANAGEMENT RATE INCREASE

128/21

PANTER: That, Council acknowledge the February 18th, 2021, correspondence from Highway 55 Waste Management Corporation that will come into effect May 1st, 2021, whereby their rates for Non-Ratepayers for Construction Materials will be \$146.00/tonne and for Household/Commercial Materials will be \$146.00/tonne.

Carried.

BIG RIVER AND DISTRICT RECREATION AND CULTURAL BOARD BUDGET

129/21

CRASHLEY: That, the 2021 Big River and District Recreation and Cultural Board Budget be accepted as presented.

Carried.

BIG RIVER AND DISTRICT FIRE DEPARTMENT BUDGET

130/21

WIEBE: That, the 2021 Big River and District Fire Committee Budget be accepted as presented with a provision whereby the elected members of the fire committee meet to discuss the operations and how regular expenses may be authorized, prior to an expense being incurred.

Carried.

OUTSTANDING FIRE CALL OUT

131/21

MILLER: That, the Town of Big River having exhausted its efforts in collecting an unpaid charge for a fire call out November 23rd, 2020, in the RM of Big River, and the RM Administrator having spoken with the landowner March 4th, 2021, in accordance with Clause 369(1)(d) of *The Municipalities Act*, Council direct the Administrator to add the unpaid invoice in the amount of \$840.00 to tax roll number 1414 000, if the invoice remains unpaid with the Town of Big River after March 31, 2021.

Carried.

SARM GROUP COVERAGE - ADDITIONAL VOLUNTEER FIRE FIGHTERS

132/21

PANTER: That, Joel McKenzie and Calvin Thiessen be added as Volunteer Fire Fighters and enrolled in the 2021 Coverage for Elected Officials and Volunteer Fire Fighters/First Responders.

Carried.

ORGANIZED HAMLET OF PHILLIPS GROVE BUDGET

133/21

PANTER: That, the Organized Hamlet of Phillips Grove 2021 Budget be accepted as presented.
Carried.

2021 CALCIUM PROJECT

134/21

CRASHLEY: That, the RM Council respond to Triple S Transport's price quotes dated, February 13th, 2021, the RM intends to order more MG30 this year and the volumes of both the Calcium Chloride and MG30 will be determined after the spring road tour, and further, the RM will require the application of both the MG30 and the Calcium Chloride to be applied on municipal roads between mid-June and July 1st, 2021 and that Triple S Transport be advised the RM shall be notified in advance of their delivery date, to ensure the roads are prepared.

Carried.

ROAD TOUR

135/21

WIEBE: That, in lieu of the 2021 road tour, each Councillor shall assess the roads in their division and the foreman shall assess all of the roads in the RM, and each shall provide a report to be reviewed by Council and the foreman collectively, at a council committee of a whole meeting, the date to be determined by the Reeve, so gravel maps, MG30 application maps and a calcium chloride application maps can be produced and budget figures derived.

Carried.

VOLVO ONLINE PROGRAMMING

136/21

MILLER: That, the RM have Truck and Trailer utilize the information received from Akzo Diesel, shown as Option #2 on in an email dated February 8th, 2021, and order the necessary components and install the programming for the DPF (Diesel Particulate Filter) and EGR (Exhaust Gas Recirculation) on the Volvo Grader and make the necessary modifications to the said grader for the programing to work as designed.

Carried.

RECESS FOR LUNCH – 12:02 PM

137/21

PANTER: That, Council recess for lunch for one hour.

Carried.

RECONVENE DELIBERATIONS – 12:56 PM

138/21

WIEBE: That, Council reconvene its deliberations.

Carried.



ADDITIONAL INVOICES

139/21

MILLER: That, the following invoices be paid and added to the next list of accounts presented to Council:

Receiver General for Canada	Radio Licence Renewal	\$ 348.51
Dana Pettigrew	Council Meeting Meals	\$ 40.85

Carried.

Councillor Richard Crashley rejoined the Council meeting via conference phone 12:58 p.m.

TRADE IN MOWER AND SIDE ARM

140/21

PANTER: That, council, accept a quote dated February 24th, 2021, from Triod Supply, to trade a 2015 Bush Hog 3815 RR2 Mower and 2007 Schulte FLX 15 Flex Arm onto a new Bush Hog 4815 Series Mower price \$29,650.00 less Trade-in value of mower \$13,500.00; and new Mandako Reddi Arm price \$28,300.00 less trade-in value of flex arm \$3,500.00, plus applicable taxes.

Carried.

SHARQEDGE BLADE SYSTEM

141/21

CRASHLEY: That, council accept a quote from Brant Tractor Ltd., dated March 2nd, 2021, and purchase the mounting board, a set of P300 Sharqedge Blades and mounting hardware for a 16' moldboard for the quoted price of \$1,664.43, plus applicable taxes.

Carried.

SCHOOL BUS AHEAD SIGNAGE

142/21

WIEBE: That, as soon as conditions allow, school bus ahead signs be placed along the South Stoney Road for the school bus that stops for the children on SE-28 and NE-21-56-07-W3.

Carried.

BYLAW ENFORCEMENT

143/21

CRASHLEY: That, in accordance with Section 373 of *The Municipalities Act*, S.S., 2005, c. M-36.1, Council appoint the Canadian Corps of Commissionaires as Bylaw Enforcement Services provider and the Bylaw Enforcement Officers under their employ as the Bylaw Enforcement Officers of the RM of Big River, No. 555.

Carried.



SECURTEK

144/21

MILLER: That, in cooperation with the Town of Big River, the Administrator make application to SecurTek to add the weekly open/close with a report feature to the office monitoring station for a cost of \$10.00 per month.

Carried.

SECURITY STANDARD PROGRAM

145/21

PANTER: That, Council authorize the administrator to have MuniSoft install and setup the Security Standard Program at a cost of \$50.00 installation and \$50.00 annually on the Software Support Agreement.

Carried.

REQUEST FOR CONSOLIDATION

146/21

CRASHLEY: That, the Council of the RM of Big River has no objection to the current landowner of Lot 24, Block 101, Plan 101926728 making application to Information Services Corporation, within 90 days of this permission, to consolidate residential Lots 24 and 23, Block 101, Plan 101926728, Shores on Cowan, once the said Lot 23 is in their names, and the new lot number created be 24A.

Carried.

PLAN OF PROPOSED SUBDIVISION – NW-35-56-07-W3

147/21

WIEBE: That, in response to The Ministry of Government Relations regarding proposed lots 7 to 10 in NW-35-56-07-W3 as prepared by Matthew J. Rustad, S.L.S Meridian Surveys Ltd., and dated February 16, 2021:

1. The land is zoned – LR1 – Low Density Lakeshore Residential District and the proposed use complies with the development standards of Table 6-6 (1) in Zoning Bylaw 1/19;
2. Council is not aware of any land uses in the vicinity that would be incompatible with the intended use of the proposed sites, or any site conditions that make the land unsuitable for the intended use;
3. The RM has no facilities that could be affected by the proposed development;
4. Section 14 of *The Public Health Act, 1994* outlines the responsibilities of municipalities as it pertains to a system for sewage disposal which the Town of Big River and the RM of Big River, No. 555 have addressed collectively by virtue of an agreement dated November 10th, 2008, which also provides that the agreement will be readdressed if capacity becomes an issue;
5. Council has no information about the ground water supply in the area;
6. Potable water is available at a cost at the Town of Big River fill station;
7. The RM of Big River has a transfer station to accommodate garbage disposal;
8. Cash in Lieu of Municipal Reserve will be required in the amount of \$3,998.17 (0.1618 ha = 0.39981651 acres x \$10,000 per acre = \$3,998.17);
9. A service agreement will be required for, among other things, offsite fees to be deposited with the municipality in the amount of \$2,000.00 per lot.

Carried.

Foreman George Hildebrand joined the Council Meeting to discuss the outside operations 2:00 p.m. – 2:26 p.m.

NCTPC ANNUAL MEETING

148/21

MILLER: That, Councillor Doug Panter be authorized to attend the Annual North Central Transportation Planning Committee Meeting to be held at the Shellbrook Community Hall, April 8th, 2021, at 3:00 p.m., and associated expenses be paid.

Carried.

SAMA ANNUAL MEETING

149/21

MILLER: That, Reeve Dana Pettigrew and Administrator Donna Tymiak be authorized to attend the SAMA Annual Meeting, being held virtually April 8th, 2021, and that they also be appointed as voting delegates at the said meeting.

Carried.

SAMA ADMINISTRATOR TRAINING

150/21

PANTER: That, Administrator Donna Tymiak be authorized to attend the SAMA Administrator Training Seminar being held April 7th, 2021.

Carried.

TOWN OF SHELLBROOK

151/21

CRASHLEY: That, Council bring forward a February 24th, 2021, request of the Town of Shellbrook regarding Parkland Physician Recruitment and Retention to see if there is any interest from the Big River Health Improvement Committee to discuss.

Carried.

REPORTS

152/21

CRASHLEY: That, the following reports be acknowledged and filed:

Maintenance

Committee Reports and Financial Statements

Carried.

CORRESPONDENCE

153/21

WIEBE: That, the correspondence having been read now be filed and that a list of the correspondence having been read be added to and form part of these minutes.

Carried.



Reeve Dana Pettigrew requested a special meeting be held after the SARM Convention Wednesday March 10th, 2021, to bring forward information that is not included on the next item on the agenda and then declared a conflict of interest and left the council chambers 3:19 p.m.

Deputy Reeve Ron Miller chaired the meeting in the Reeve's absence.

COURT OF APPEAL DECISION – Big River v Pettigrew, 2021 SKCA 30
154/21

PANTER: That, Council acknowledge the 2021-02-26 decision of the Court of Appeal for Saskatchewan, Docket CACV3558 for the Rural Municipality of Big River versus Pettigrew, 2021 SKCA 30 whereby the conclusion in relation to all questions in part read: “[126] Since I have found that the Committee committed the errors of law identified by the RM, this means that the Committee Decision must be set aside and the RM Board Decision restored. The Pettigrews’ additional information is not accepted in this Court” and “[130] The fresh evidence application is dismissed. The appeal is allowed. The RM is entitled to its costs in this Court in the usual way”.

Carried.

COSTS FOR COURT OF APPEAL - Big River v Pettigrew, 2021 SKCA 30
155/21

CRASHLEY: That, Council acknowledge the Court of Appeal allowed the appeal of the RM, with costs for both the appeal proper and the application made by the respondents, Dana and Barbara Pettigrew, to introduce new evidence, and the costs were calculated pursuant to Schedule I of the Court of Appeal Rules and the Court of Appeal Fees Regulations, 2019, and that the respondents have been sent a ‘bill of costs’ by the RM’s Solicitor, Christopher Boychuk, Q.C., McDougall Gauley LLP, March 2nd, 2021, for \$6,520.00, a sum calculated without taxation; and further, if payment is not received promptly by the RM, the solicitor will have the ‘bill of costs’ taxed, making the sum payable to the RM \$6,785.00.

Carried.

DEVELOPMENT APPEALS BOARD DECISION Pettigrew v Big River
156/21

CRASHLEY: That, Council acknowledge the Development Appeals Board Decision, dated September 14th, 2019, has been restored by the Court of Appeal Decision Docket CACV3558 for the Rural Municipality of Big River versus Pettigrew, 2021 SKCA 30, whereby providing Dana and Barbara Pettigrew 60 days to comply with the order issued by the Development Officer July 10th, 2019, whereby the Pettigrew’s remove all above foundation construction and flood proof the foundation up to the safe building elevation of 495.5 meters above sea level in accordance with the development permit issued May 27th, 2019.

Carried.

ESTIMATED PEAK WATER LEVEL – MICHEL’S BEACH

157/21

PANTER: That, Council acknowledge an email from Spencer McNie, Water Security Agency (WSA) dated September 10th, 2019, for Michel’s Beach in SW-15-57-07-W3, stating an email dated May 31st, 2019, from Kerstin Jensen, WSA, is considered the Basin Operations summary response for Michel’s Beach on Delaronde Lake where it was determined that for Crone’s Beach, Michel’s Beach and Doucette Development Inc.’s property on Delaronde Lake, the estimated peak water level (EPWL) is 494.5 meters, and that when establishing estimated Safe Building Elevations (SBE), the Statements of Provincial Interest under *The Planning and Development Act*, requires a freeboard/factor of safety of at least 0.5 meters be added to the EPWL, making the estimated SBE for the above lands 495.0 meters; subsequently Council inform the landowner of Lot 18A, Block 4, Plan 102208070, Michel’s Beach, the estimated SBE for the development permit issued May 27th, 2019, for foundation only, is 495.0 meters rather than the 495.5 meters indicated on Schedule “A” of the said permit, at the time of issuance.

Carried.

COUNCIL MEMBERS ADDRESSING COUNCIL

158/21

CRASHLEY: That, Council recommend to Dana Pettigrew that if he wishes to address Council regarding a personal matter that he schedule in as a delegation to a regular meeting.

Carried.

Reeve Dana Pettigrew returned to the Council Chambers and resumed chairing the meeting 4:13 p.m.

ADJOURNMENT – 4:15 PM


159/21

WIEBE: That this meeting be adjourned.

Carried.



Reeve – Dana Pettigrew



Administrator – Donna Tymiak