

THE MINUTES OF A REGULAR MEETING OF THE COUNCIL OF THE RURAL MUNICIPALITY OF BIG RIVER NO. 555 HELD ON MAY 10<sup>TH</sup>, 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 9:00 a.m.

PRESENT

Division 1 – Doug Panter

Division 2 – Ron Miller

Reeve – Dana Pettigrew

Administrator - Donna Tymiak

Assistant Administrator – Wendy Hartnett

Division 3 – Jeff Wiebe

Division 4 – Richard Crashley

ITEM ADDED TO AGENDA

244/21

CRASHLEY: That, road tours be added to the agenda.

Carried.

ITEM ADDED TO AGENDA

245/21

PANTER: That, authorized contact for Natural Resources Canada be added to the agenda.

Carried.

ITEM ADDED TO AGENDA

246/21

CRASHLEY: That, harassment policy be added to the agenda.

Carried.

ITEM ADDED TO AGENDA

247/21

PANTER: That, the fire chief be added to the agenda.

Carried.

APPROVAL OF AGENDA

248/21

CRASHLEY: That, the May 10<sup>th</sup>, 2021, agenda be approved as amended.

Carried.

When Council was reviewing the minutes of the April 12<sup>th</sup>, 2021, regular council meeting, Reeve Dana Pettigrew said he wanted the portion of the minutes describing his appearance as a delegation at the April 12<sup>th</sup>, 2021, council meeting amended to include the scripted summation he prepared for insertion into the minutes. Dana Pettigrew started reading to Council his scripted summation of his April 12<sup>th</sup>, 2021, presentation. Councillor Ron Miller objected and told him he was in conflict of interest. Reeve Pettigrew denied being in conflict and told Councillors Ron Miller and Doug Panter, Administrator Donna Tymiak and Assistant Administrator Wendy Hartnett to leave the Council Chambers so he could have a private session with Councillors Jeff Wiebe and Richard Crashley. No one left the Council Chambers.

DISQUALIFICATION OF REEVE

249/21

PANTER: That, in accordance with Sections 147(1) (e) and 148 of *The Municipalities Act*, Dana Pettigrew be immediately disqualified from Council for being in conflict of interest and Council hereby declares the reeve's office vacant.

Carried.

Before Mr. Pettigrew left the Council Chambers the Administrator told him to re-read Section 148 of *The Municipalities Act* regarding the Disqualification of Members of Council, as it, along with legislation surrounding Conflict of Interest, was provided with the nomination form packages and again prior to members swearing their Oath of Office and that it is every Councillor's responsibility to understand Conflict of Interest, their conduct when in conflict, and the consequences of being in conflict.

Deputy Reeve Ron Miller took the Chair 9:49 a.m.

Dana Pettigrew left the Council Chambers 9:49 a.m.

LIFESTYLE BREAK – 9:49 a.m.

250/21

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

Carried.

RECONVENE DELIBERATIONS – 9:57 a.m.

251/21

PANTER: That, Council reconvene their deliberations.

Carried.

REMOVAL OF SIGNING AUTHORITY

252/21

CRASHLEY: That, the Administrator contact CIBC to have the signing authority of Dana Pettigrew revoked and the credit card he holds for the RM cancelled.

Carried.

ALTERNATE SIGNING AUTHORITY

253/21

WIEBE: That, in the absence of Deputy Reeve, Ron Miller, Councillor Doug Panter be appointed as an alternate signing authority and be authorized to sign agreements, cheques and other negotiable instruments on behalf of the RM of Big River, No. 555.

Carried.

MINUTES

254/21

PANTER: That, the minutes of the Regular Meeting of Council held on April 12<sup>th</sup>, 2021, be approved as presented.

Carried.

RESCIND MOTION 185/21

255/21

CRASHLEY: That, motion 185/21 be rescinded.

Carried.

MINUTES – SPECIAL MEETING

256/21

WIEBE: That, the minutes of the Special Meeting of Council held on April 29<sup>th</sup>, 2021, be approved as presented.

Carried.

MINUTES – SPECIAL MEETING

257/21

PANTER: That, the minutes of the Special Meeting of Council held on May 5<sup>th</sup>, 2021, be approved as presented.

Carried.

STATEMENT OF FINANCIAL ACTIVITIES

258/21

CRASHLEY: That, the Statement of Financial Activities for the month of April, be accepted as presented.

Carried.

LIST OF ACCOUNTS

259/21

WIEBE: That, the List of Accounts as listed on the attached schedule, totaling \$ 98,855.50 reflecting cheques 11729 to 11781 be passed for payment.

Carried.

INVOICE – GORD KRISMER & ASSOCIATES

260/21

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

Gord Krismer & Associates – Pettigrew Development Appeal \$ 54.31

Carried.

COUNCIL INDEMNITY AND OTHER BILLS

261/21

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

Richard Crashley	Council Indemnity/Mileage	\$ 822.75
Ron Miller	Council Indemnity/Mileage	\$ 865.50
Doug Panter	Council Indemnity/Mileage	\$ 695.10
Dana Pettigrew	Council Indemnity/Mileage	\$1,629.35
Jeff Wiebe	Council Indemnity/Mileage	\$ 996.25

Carried.

DONATION TO BIG RIVER PUBLIC HIGH SCHOOL

262/21

CRASHLEY: That, the RM of Big River No. 555 advertise in the 2020-2021 yearbook of the Big River Public High School and at a cost of \$60.00.

Carried.

FILE REQUEST WITH COURT OF QUEENS BENCH – PETTIGREW GARAGE

263/21

WIEBE: That, as the Development Appeals Board Decision, dated September 14<sup>th</sup>, 2019, was restored by the Court of Appeal Decision Docket CACV3558 for the Rural Municipality of Big River versus Pettigrew, 2021 SKCA 30, and the landowners have not complied, Council request Christopher Boychuk, Q.C., McDougall Gauley LLP make application to the Court of Queen’s Bench to enforce the order issued by the Development Officer July 10<sup>th</sup>, 2019, whereby the landowner 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 27<sup>th</sup>, 2019, for Lot 18A, Block 04, Plan 102208070.

Carried.

GO IN CAMERA – 10:35 A.M.

264/21

PANTER: That, the time being 10:35 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, Deputy Reeve Ron Miller, Councillors Doug Panter, Jeff Wiebe and Richard Crashley and Assistant Administrator Wendy Hartnett.

Carried.

GO OUT OF CAMERA – 10:48 A.M.

265/21

CRASHLEY: That, the time being 10:48 a.m., Council go out of camera and invite the public back into the Council Meeting.

Carried.

LEGAL REPRESENTATION

266/21

WIEBE: That, Michael Morris, Q.C., Director of SARM Legal Services represent the RM of Big River on the statement of claim issued March 12<sup>th</sup>, 2021, by Brenda Bradley, Ryan Pister and Gayton Christiansen.

Carried.

ACTING ADMINISTRATOR

267/21

PANTER: That, Wendy Hartnett be appointed as Acting Administrator in accordance with Section 110.1(1) of *The Municipalities Act*.

Carried.

SPECIAL MEETING

268/21

CRASHLEY: That, a special meeting be set to review applications for the position of Administrator, Monday May 17<sup>th</sup>, 2021, commencing at 9:00 a.m., to be held in the Small Hall of the Big River Community Centre at 606 First Street North, Big River, Saskatchewan.

Carried.

DISCRETIONARY USE DEVELOPMENT PERMIT – Outfitting Camp

269/21

WIEBE: That, notice having been provided in accordance with Section 3.7 of Zoning Bylaw 1/19 and no concerns having been raised, Council approve the discretionary use development permit to allow for an operation of Outfitter Base Camp on NW-32-57-08-W3, for 8 weeks per year, subject to approval of the Municipality’s Building Official, BuildTECH Consulting and Inspections Inc., in accordance with Bylaw 17/19 and a sewage permit, if necessary, being issued by the Regional Health Authority.

Carried.

DRAINAGE PLAN - PHASE VII - PLAN OF PROPOSED SUBDIVISION – NE-36-56-07-W3

270/21

PANTER: That, Council submit the drainage plan as provided by the developer for Parcel D, Plan 101911148 Ext 3, in NE-36-56-07-W3, dated July 24<sup>th</sup>, 2019, as prepared by Catterall & Wright to AECOM for review and comment and be followed up with an onsite inspection after construction is completed by the developer, and the costs associated be the responsibility of the developer.

Carried.

BYLAW NO. 1/21 FIRST READING

271/21

CRASHLEY: That, Bylaw No. 1/21, being a bylaw to amend Zoning Bylaw 1/19, be read a first time.

Carried.

BYLAW NO. 1/21 SECOND READING

272/21

WIEBE: That, Bylaw No. 1/21, being a bylaw to amend Zoning Bylaw 1/19, be read a second time.

Carried.

APPROVAL FOR 3 READINGS AT THIS MEETING

273/21

PANTER: That, Bylaw No. 1/21, being a bylaw to amend Zoning Bylaw 1/19 be given three readings at this meeting.

Carried Unanimously.

BYLAW NO. 1/21 THIRD READING

274/21

CRASHLEY: That, Bylaw No. 1/21, being a bylaw to amend Zoning Bylaw 1/19, be read a third time.

Carried.

SERVICE AGREEMENT - PHASE VII - PLAN OF PROPOSED SUBDIVISION – NE-36-56-07-W3  
275/21

WIEBE: That, the service agreement for proposed lots and road in Parcel D, Plan 101911148 Ext 3, in NE-36-56-07-W3 Plan of Survey, prepared by Calvin W.A. Bourassa, S.L.S., GeoVerra Inc., dated, March 30<sup>th</sup>, 2021, be approved and the Deputy Reeve and Administrator authorized to sign the same.  
Carried.

PROPOSED PHASE VIII – LAKESHORE RV DISTRICT  
276/21

PANTER: That, Council offer the following comments to Community Planning regarding proposed lots 13 to 24 in Block 6, in SE-01-57-07-W3, Ext 11 as prepared by Mathieu M. Bourgeois, S.L.S. GeoVerra, and dated April 27<sup>th</sup>, 2021:

1. Council is not aware of any land uses in the vicinity that would be incompatible with the intended use of the proposed sites; and
2. Council is not aware of any site conditions that make the land unsuitable for the intended use; and
3. The RM has no facilities that could be affected by the proposed development; and
4. The area within the proposed subdivision will require the ‘H’ Hold Symbol be removed from the RPM – Park Model Residential District to conform to Section 6.9 of Zoning Bylaw 1/19;
5. 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;
6. 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 10<sup>th</sup>, 2008, which also provides that the agreement will be readdressed if capacity becomes an issue;
7. Council has no information about the ground water supply in the area;
8. Potable water is available, at a cost, at the Town of Big River fill station; and
9. The RM of Big River has a transfer station to accommodate garbage disposal.

Carried.

BYLAW NO. 2/21 FIRST READING  
277/21

CRASHLEY: That, Bylaw No. 2/21, being a bylaw to amend Zoning Bylaw 1/19, be read a first time.  
Carried.

BYLAW NO. 2/21 SECOND READING  
278/21

WIEBE: That, Bylaw No. 2/21, being a bylaw to amend Zoning Bylaw 1/19, be read a second time.  
Carried.

APPROVAL FOR 3 READINGS AT THIS MEETING

279/21

PANTER: That, Bylaw No. 2/21, being a bylaw to amend Zoning Bylaw 1/19 be given three readings at this meeting.

Carried Unanimously.

BYLAW NO. 2/21 THIRD READING

280/21

CRASHLEY: That, Bylaw No. 2/21, being a bylaw to amend Zoning Bylaw 1/19, be read a third time.

Carried.

SERVICE AGREEMENT - PHASE VIII - PLAN OF PROPOSED SUBDIVISION – SE-01-57-07-W3

281/21

WIEBE: That, the service agreement for proposed lots 13 to 24 in Block 6, in SE-01-57-07-W3, Ext 11 as prepared by Mathieu M. Bourgeois, S.L.S. GeoVerra, and dated April 27<sup>th</sup>, 2021, be approved and the Deputy Reeve and Administrator authorized to sign the same.

Carried.

BYLAW NO. 3/21 FIRST READING

282/21

PANTER: That, Bylaw No. 3/21, being a bylaw to amend Zoning Bylaw 1/19, be read a first time.

Carried.

ADVERTISE FOR PUBLIC HEARING – Zoning

283/21

CRASHLEY: That, the Administrator advertise Council's intention to amend Zoning Bylaw 1/19 to accommodate proposed Parcel "B" in NW-03-55-07-W3 in the May 20<sup>th</sup> and May 27<sup>th</sup>, 2021, issues of the Shellbrook Chronicle.

Carried.

CASH IN LIEU OF MUNICIPAL RESERVE

284/21

WIEBE: That, in accordance with Section 187 of *The Planning and Development Act, 2007*, and following the public hearing being held June 14<sup>th</sup>, 2021, Council request the applicant wishing to subdivide proposed Parcel "B" in NW-03-55-07-W3 to pay cash in lieu of municipal reserve a sum of \$373.58.

Carried.

HYLLESTAD SUBDIVISION – NW-20-57-8-W3

285/21

PANTER: That, Council offer the following comments to the Ministry of Government Relations regarding proposed lots in NW-20-57-08-W3, all of proposed Lots 4 to 6, Block 2 Lots 7 and 8, Block 3 as shown within the bold dashed line on the attached Plan of Survey, prepared by K.P. Headrick, S.L.S., Caltech Surveys Ltd., dated April 16<sup>th</sup>, 2021:

1. The area within the proposed subdivision will require rezoning from A – Agriculture District to LR1 – Low Density Lakeshore Residential District;
2. Portions of the north south road allowance and Cowan Lake Drive are not developed to an all-weather municipal standard, and as such, the developer will be required to provide a drainage plan and road design and profiles from a professional engineer, taking into consideration the topography and sandy conditions of the land to connect the north south road allowance and Cowan Lake Drive that will not have a negative effect on the adjacent proposed parcels and provide developed access to the frontage of all the proposed parcels prior to the municipality entering into a service agreement;
3. A service agreement will be required for the construction of the connector road to meet municipal standards and will include, among other things, a requirement for the developer to deposit a letter of credit with the municipality in an amount equal to the estimated cost of construction to be determined in consultation with the RM's engineer, offsite fees in the amount of \$2,000.00 per lot and proof of liability insurance in the amount of \$3,000,000;
4. 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;
5. The RM has no facilities that could be affected by the proposed development;
6. 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 10<sup>th</sup>, 2008, which also provides the agreement will be readdressed if capacity becomes an issue;
7. Council has no information about the ground water supply in the area;
8. Potable water is available, at a cost, at the Town of Big River fill station;
9. The RM of Big River has a transfer station to accommodate garbage disposal; and
10. Cash in Lieu of Municipal Reserve in the amount of \$5,129.00 will be required.

Carried.

DRAFT BYLAW

286/21

CRASHLEY: That, Administration draft a bylaw to accommodate proposed lots in NW-20-57-08-W3 all of proposed Lots 4 to 6, Block 2, Lots 7 and 8, Block 3 as shown within the bold dashed line on the attached Plan of Survey, prepared by K.P. Headrick, S.L.S., Caltech Surveys Ltd., dated April 16<sup>th</sup>, 2021.

Carried.

CASH IN LIEU OF MUNICIPAL RESERVE

287/21

WIEBE: That, in accordance with Section 187 of *The Planning and Development Act, 2007*, and following the public hearing being held June 14<sup>th</sup>, 2021, Council request the applicant wishing to subdivide in NW-20-57-08-W3 all of proposed Lots 4 to 6, Block 2, Lots 7 and 8, Block 3 as shown within the bold dashed line on the attached Plan of Survey, prepared by K.P. Headrick, S.L.S., Caltech Surveys Ltd., dated April 16<sup>th</sup>, 2021, to pay cash in lieu of municipal reserve a sum of \$5,129.00.

Carried.

DUST CONTROL

288/21

PANTER: That, Council order from Triple S. Transport 4 loads (28,000 liters/load) of MG30 at a cost of \$0.45/liter and 4 loads (28,000 liters/load) of Calcium Chloride, at a cost of \$0.31/liter.

Carried.

ORGANIZED HAMLET ALLOTMENT OF TAXES COLLECTED

289/21

CRASHLEY: That, the following percentages of 2021 taxes collected for municipal purposes from within the organized hamlets, be allotted to the appropriate hamlet reserve account as follows:

- Hamlet of Phillips Grove - 55%
- Hamlet of Nesslin Lake - 55%

Carried.

CONFIRMED EDUCATION PROPERTY TAX MILL RATES

290/21

CRASHLEY: That, Council acknowledge the 2021 Confirmed Education Property Tax Mill Rates as follows:

Agricultural Property	1.36 mills
Residential Property	4.46 mills
Commercial/Industrial	6.75 mills
Resource (oil and gas, mines and pipelines)	9.79 mills

Carried.

RECESS FOR LUNCH – 12:00 PM

291/21

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

Carried.

RECONVENE DELIBERATIONS – 12:55 PM

292/21

CRASHLEY: That, Council reconvene deliberations.

Carried.

ADDITIONAL INVOICES

293/21

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

Third and Main	Council Meeting Meals	\$ \$107.69
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Carried.

SHORELINE STABILIZATION – Northwood Shores

294/21

PANTER: That, Council has no objection to Water Security Agency issuing an Aquatic Habitat Protection Permit to the landowner of Lot 03, Block 01, Plan 101962874, to allow the landowner to stabilize the shoreline of Delaronde Lake on ER1, Plan 101962874, in front of the landowner’s said property.

Carried.

HEALTH COMMITTEE MEMBERS AT LARGE

295/21

CRASHLEY: That, upon recommendation of the Big River Health Improvement Committee, Carolyn Dancey and Sherry Cowan be appointed as members at large for the Big River Health Improvement Committee for 2021.

Carried.

BIG RIVER HEALTH IMPROVEMENT COMMITTEE PURCHASE

296/21

WIEBE: That, the RM Council has no objection to the Big River Health Improvement Committee purchasing a Podiatry Rotary Dremel device with 10 packs of the Grit Attachments and the Welch Allyn Spot Vital Signs Monitor 4400 Device utilizing funds from the Health Care Fund.

Carried.

PAPERLESS MEETINGS

297/21

MILLER: That, paperless meetings be tabled until the Administrator’s position has been filled.

Carried.

Councillor Doug Panter left the Council Chambers 1:55 p.m.

ADDITIONAL INVOICES

298/21

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

Big River Truck & Trailer	Volvo Grader Repair	\$5,929.34
CIBC Credit Card	Road Tour Meals	\$ 80.42
Konica Minolta	Copies	\$ 851.21
SARM	Administrator Ad	\$ 131.25
SaskPower	Utility/Street Light Bills	\$1,153.52
SaskTel	Office and Shop Phone	\$ 517.61

Carried.

Councillor Doug Panter returned to the Council Chambers 1:58 p.m.

NATURAL RESOURCES CANADA- AUTHORIZED CONTACT

299/21

WIEBE: That, Foreman George Hildebrand replace Administrator Donna Tymiak as the authorized contact for the RM of Big River with Natural Resources Canada and the RM’s magazine licence.

Carried.

Foreman George Hildebrand joined the Council Meeting to discuss the outside operations 1:58 p.m. – 2:23 p.m.

Delegation Ryan Herbert, Western Infrastructure made a presentation to Council as to the service they provide for bridge rehabilitation and replacement. 2:23 p.m. – 2:45 p.m.

Delegation Vern Hyllestad addressed Council to request Council to consider changes to existing bylaws that would allow landowners to purchase a residential lot and put a camper on it for a specified period of time, as construction costs have increased dramatically, and to discuss his proposed subdivision in NW-20-57-08-W3 - 2:45 p.m. – 3:33 p.m.

Councillor Doug Panter left the Council Chambers 3:52 p.m.

REPORTS

300/21

WIEBE: That, the following reports be acknowledged and filed:  
Maintenance  
Committee Reports and Financial Statements

Carried.

CORRESPONDENCE

301/21

CRASHLEY: 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.

ADJOURNMENT – 3:54 PM

302/21

WIEBE: That this meeting be adjourned.

Carried.

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Deputy Reeve - Ron Miller

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Acting Administrator – Wendy Hartnett