

Rural Municipality of Lumsden No.189

Meeting Minutes

Regular Council Meeting September 7, 2023 - 1:00 PM

Call to Order

The Council of the Rural Municipality of Lumsden No. 189 convened their Regular Meeting at the Dew Drop In (in Lumsden), on Thursday, September 7, 2023 at 1:00 pm.

Present:

Reeve: Kent Farago

Councillors:

Division 2: Glenda Schlosser

Division 3: Cody Garbutt

Division 4: Marlise Nordstrom

Division 5: John Langford

Division 6: Cody Jordison

Chief Administrative Officer: Monica M. Merkosky

Assistant Administrator: Krystal Strong (Left at 5:44 pm)

Director of Planning and Development: Aimee Bryck (Left at 5:32 pm)

Planner: Denise Donahue (1:00 pm - 2:47 pm, 3:34 pm - 5:32 pm)

Absent:

Councillor: Division 1: (Vacant)

Invited Guests:

Lumsden & District Heritage Home, RM of Lumsden Representative: Gail Russell

Resolution No.

2023-389

Additions to Agenda

Moved by: Councillor Division No. 5 Langford

"That we agree to add the following item to the agenda under New Business:

- 14.5 Office Service Clerk - Accounting I."

CARRIED

Resolution No.

2023-390

Approval of Agenda

Moved by: Councillor Division No. 4 Nordstrom

"That we approve the agenda as amended."

CARRIED

Declaration of Conflict of Interest

Councillor Glenda Schlosser declared a conflict of interest with respect to item 7.1, being an invoice payment to Big Rock Trucking, a company which she co-owns. Councillor Schlosser also declared a conflict of interest with respect to item 20, being discussions in Closed Session related to communication received from legal counsel representing Norman Colhoun and Laura Colhoun, owners of Skynorth Sand & Gravel. The conflict of interest pertains to potential business dealings Councillor Schlosser's company, Last Mountain Concrete Products Ltd., may have with Skynorth Sand & Gravel.

Resolution No.

2023-391

Public Works Reports

Moved by: Councillor Division No. 5 Langford

"That we approve the Public Works report, as presented."

CARRIED

Crack Sealing

Moved by: Councillor Division No. 6 Jordison

"That Administration obtain a quote for applying crack sealing product on Grid 734."

CARRIED

Financial Reports

Resolution No. **SARM/CIBC High Interest Savings Account Information**
2023-392 **Moved by:** Councillor Division No. 2 Schlosser

"That we agree with the recommendation of Administration to enrol in SARM/CIBC High Interest Savings Account to take advantage of the interest rate; and That the Chief Administrative Officer and Director of Finance have authority to manage funds in this account to the benefit of the R.M. of Lumsden No. 189."

CARRIED

Accounts for Approval

Conflict Declared

Councillor Schlosser declared a conflict of interest with respect to the invoice payment to Big Rock Trucking, a company which she co-owns. Councillor Schlosser abstained from discussion and voting on the matter and left the council chambers at 1:13 pm.

Resolution No. **List of Accounts Conflict - September 7, 2023**
2023-393 **Moved by:** Councillor Division No. 3 Garbutt

"That the invoice from Big Rock Trucking Ltd. in the amount of \$5,103.19 be approved for payment."

CARRIED

Conflict - Returned to Chambers

At the conclusion of voting on the matter, Councillor Schlosser returned to the council chambers at 1:16 pm.

Planning and Development Applications and Reports

Resolution No. **Development Application No. 2013-018 - Over the Hill Orchard**
2023-394 **Moved by:** Councillor Division No. 6 Jordison

"That we table Development Application 2013-018 until later in this meeting."

CARRIED

Adoption of Minutes

Resolution No. **August 17, 2023 - Regular Council Meeting**
2023-395 **Moved by:** Councillor Division No. 2 Schlosser

"That the minutes of the August 17, 2023 - Regular Council Meeting be approved, as circulated."

CARRIED

Resolution No. **August 23, 2023 - JADM Committee Meeting**
2023-396 **Moved by:** Councillor Division No. 3 Garbutt

"That the minutes of the August 23, 2023 - Joint Administration Committee Meeting be approved, as circulated."

CARRIED

Resolution No. **August 21, 2023 - Inter-Municipal Utilities Committee**
2023-397 **Moved by:** Councillor Division No. 6 Jordison

"That the minutes of the August 21, 2023, Inter-Municipal Utilities Committee meeting be approved, as circulated."

CARRIED

Committee Reports

Resolution No. **Closed Session - Strategic Planning**
2023-398 **Moved by:** Councillor Division No. 6 Jordison

"That we move into Closed Session at 1:27 pm for the purpose of discussing strategic planning as allowed pursuant to Section 120 of *The Municipalities Act*, with staff to be included in the session, as well as the RM's appointed Lumsden & District Heritage Home Board Representative, Gail Russell."

CARRIED

Rise from Closed Session

At 1:56 pm, Council left the Closed Session and returned to the open meeting.



Delegations

Ryan & Jayleen Fitzsimmons - 2:00 pm - 2:20 pm

Ryan and Jayleen Fitzsimmons appeared before Council to make known their concerns about the impact of the commercial venture known as 'Happy Hollow', which neighbours their property, and request that the RM take enforcement action.

Conflict Declared

Councillor John Langford declared a conflict of interest with respect to the scheduled delegation of Jaspreet Mander, as he also operates a trucking business. Councillor Langford abstained from discussion and voting on the matter and left the council chambers at 2:26 pm.

Jaspreet Mander & Nathan Kelln - 2:26 pm - 2:40 pm

Jaspreet Mander and Nathan Kelln appeared before Council to request approval of additional accesses to their subdivisions located on Foxleight Road, just east of Highway 6 (Parcel C, Plan 102307418 and Parcel F, Plan 102363410), due to the inadequate size of the access road built by the subdivision developer.

Conflict - Returned to Chambers

At the conclusion of the delegation presentation, Councillor Langford returned to the council chambers at 2:43 pm

Planner, Denise Donahue, left the meeting at 2:47 pm.

Accounts for Approval Continued

Resolution No.
2023-399

List of Accounts - September 7, 2023

Moved by: Councillor Division No. 6 Jordison

"That the list of accounts attached as Schedule "A" is approved for payment."

CARRIED

Committee Reports Continued

Resolution No.
2023-400

Joint Administration Committee Report - Councillor Garbutt

Moved by: Councillor Division No. 5 Langford

"That the Joint Administration Committee Report be accepted as presented verbally by Councillor Garbutt."

CARRIED

Resolution No.
2023-401

Lumsden and District Heritage Home Report - Gail Russell

Moved by: Councillor Division No. 4 Nordstrom

"That the Lumsden & District Heritage Home Report be accepted as presented verbally by appointed representative, Gail Russell."

CARRIED

Resolution No.
2023-402

Inter-Municipal Utilities Committee (IMUC) - Councillor Jordison

Moved by: Councillor Division No. 4 Nordstrom

"That the Inter-Municipal Utilities Committee Report be accepted as presented verbally by Councillor Jordison."

CARRIED

New Business

Resolution No.
2023-403

Exemption Request - SE 23 20 19 W2

Moved by: Councillor Division No. 4 Nordstrom

"That we grant a request from Adam Zitta to increase the 293 exemption on his residence at Parcel A, Plan 102070280 in SE 23-20-19-W2, by 96,965, and; That we deny the request of Mr. Zitta to appeal his quonset assessment as the 2023 appeal period is closed."

CARRIED



Resolution No. **Town of Lumsden Scarecrow Festival - Request to Sponsor Horse-Drawn Wagon Rides**
2023-404
Moved by: Councillor Division No. 6 Jordison
"That we sponsor the horse-drawn hayrides at the Town of Lumsden's Scarecrow Festival on September 23, 2023, at a cost of \$1,500."
CARRIED

Resolution No. **Royal Canadian Legion - Poppy Campaign 2023**
2023-405
Moved by: Councillor Division No. 3 Garbutt
"That we authorize the purchase of a wreath from the Royal Canadian Legion - Lumsden Branch, for display at the annual Remembrance Day ceremony, at a cost of \$55.00; and, that we authorize Councillor Langford and/or Councillor Nordstrom to lay the wreath at the Remembrance Day ceremony."
CARRIED

Resolution No. **Office Service Clerk - Accounting I**
2023-406
Moved by: Councillor Division No. 2 Schlosser
"That we acknowledge the Chief Administrative Officer's hiring of Crystal Lovelace, to fill a vacancy, as a permanent, full-time Office Services Clerk - Accounting 1, effective September 11, 2023 with a probationary period of 13 weeks; and That we approve a wage at Step 3 of the 2023 Joint Administration Wage Grid, being \$25.35."
CARRIED

Reports of Administration

Resolution No. **Council Update**
2023-407
Moved by: Councillor Division No. 5 Langford
"That the report of the Chief Administrative Officer be accepted as presented verbally."
CARRIED

Appointments

Resolution No. **Weed Inspector - R. Coleman**
2023-408
Moved by: Councillor Division No. 6 Jordison
"That we appoint Rocky Coleman as a Weed Inspector for the RM of Lumsden No. 189."
CARRIED

Communications

Resolution No. **RM of The Gap No. 39 - Co-Sponsor SARM Resolution**
2023-409
Moved by: Councillor Division No. 5 Langford
"That we agree to co-sponsor the SARM Resolution proposed by the RM of The Gap No. 39 requesting additional insurance coverage for damages caused to farm equipment by wildlife."
CARRIED

Resolution No. **Approve Communications**
2023-410
Moved by: Councillor Division No. 5 Langford
"That the following communications and reports have been reviewed and the Chief Administrative Officer is authorized to file the same accordingly:
a. Lumsden and District Heritage Home - June 26, 2023 Minutes
b. Lumsden and District Heritage Home - Charitable Status Information
c. Southeast Regional Library - Budget Information
d. Covenant Construction - Paving Information
e. Village of Craven - Bylaw to Recover Protective Services Costs
f. RM of the Gap No. 39 - SARM Resolution, Insurance Coverage for Wildlife Damage
g. Response from Ministry of Highways - SARM Resolution, 17-23A Interactive Road Mapping
h. Miscellaneous."
CARRIED



Bylaws

Resolution No. 2023-411 **Bylaw 2023-12 Tax Incentive Agreement - 2nd Reading**
Moved by: Councillor Division No. 2 Schlosser
"That Bylaw No. 2023-12, being a bylaw to enter into a Tax Incentive Agreement, be read a second time." **CARRIED**

Resolution No. 2023-412 **Bylaw 2023-12 Tax Incentive Agreement - 3rd Reading**
Moved by: Councillor Division No. 5 Langford
"That Bylaw No. 2023-12, being a bylaw to enter into a Tax Incentive Agreement, be read a third time, adopted, signed, and sealed." **CARRIED**

Resolution No. 2023-413 **Bylaw 2023-14 Establish District Emergency Management Organization - 1st Reading**
Moved by: Councillor Division No. 3 Garbutt
"That Bylaw No. 2023-14, being a bylaw to establish a District Emergency Management Organization, be read a first time." **CARRIED**

Planner, Denise Donahue, returned to the meeting at 3:34 pm

Resolution No. 2023-414 **Closed Session**
Moved by: Councillor Division No. 5 Langford
"That we move into Closed Session at 3:53 pm for the purpose of discussing strategic planning as allowed pursuant to Section 120 of *The Municipalities Act*, with staff to be included in the session." **CARRIED**

Rise from Closed Session

At 5:00 pm, Council left the Closed Session and returned to the open meeting.

Resolution No. 2023-415 **Extension of Time**
Moved by: Councillor Division No. 3 Garbutt
"That, in accordance with Section 30 of the Council Procedure Bylaw No. 2023-02, we agree to extend the council meeting beyond the commencement of the fifth (5th) hour." **CARRIED**

Resolution No. 2023-416 **Closed Session - Strategic Planning**
Moved by: Councillor Division No. 3 Garbutt
"That we move into Closed Session at 5:01 pm for the purpose of discussing strategic planning as allowed pursuant to Section 120 of *The Municipalities Act*, with staff to be included in the session." **CARRIED**

Director of Planning & Development, Aimee Bryck and Planner, Denise Donahue, left for the remainder of the meeting at 5:32 pm.

Conflict Declared

Councillor Glenda Schlosser declared a conflict of interest with respect to communication received from legal counsel representing Norman Colhoun and Laura Colhoun, owners of Skynorth Sand & Gravel. The conflict of interest pertains to potential business dealings Councillor Schlosser's company, Last Mountain Concrete Products Ltd., may have with Skynorth Sand & Gravel. Councillor Schlosser abstained from discussion and voting on the matter and left the council chambers at 5:32 pm.

Rise from Closed Session

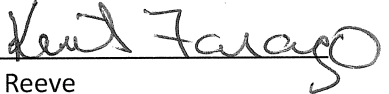
At 5:41 pm, Council left the Closed Session and returned to the open meeting.

Conflict - Returned to Chambers

At the conclusion of discussing the matter, Councillor Glenda Schlosser returned to the council chambers at 5:41 pm.



- Resolution No.** **Development Application No. 2013-018 - Over The Hill Orchard**
2023-417 **Moved by:** Councillor Division No. 6 Jordison
- "That we table Development Application No. 2013-018 until the September 21, 2023 meeting." **CARRIED**
- Resolution No.** **Development Application 2023-024 - Mander Access Approach Request**
2023-418 **Moved by:** Councillor Division No. 3 Garbutt
- "That we deny Development Application 2023-024 for an additional approach to Parcel C, Plan 102307418 Ext 1." **CARRIED**
- Resolution No.** **Bylaw No. 2023-13 Zoning Bylaw Map Amendment - 1st Reading**
2023-419 **Moved by:** Councillor Division No. 2 Schlosser
- "That Bylaw No.2023-13, being a Zoning Bylaw Map Amendment, be read a first time." **CARRIED**
- Resolution No.** **QBG 1157 of 2019**
2023-420 **Moved by:** Councillor Division No. 6 Jordison
- "That we proceed with the preparation of a contempt application for submission to the Provincial Court regarding QBG 1157 of 2019." **CARRIED**
- Resolution No.** **Closed Session - LAFOIP S. 16(1)(b) Employee-Related Matters**
2023-421 **Moved by:** Councillor Division No. 3 Garbutt
- "That we move into Closed Session at 5:44 pm for the purpose of discussing employee-related matters as allowed pursuant to Section 120 of *The Municipalities Act* (LAFOIP S. 6(1)(b)), with the Chief Administrative Officer to be included in the session." **CARRIED**
- Krystal Strong, Assistant Administrator, left for the remainder of the meeting at 5:44 pm.**
- At Council's request, Monica Merkosky, Chief Administrative Office left the Closed Session from 5:49 pm- 6:08 pm.**
- Rise from Closed Session**
- At 6:08 pm, Council left the Closed Session and returned to the open meeting.
- Resolution No.** **Adjournment**
2023-422 **Moved by:** Councillor Division No. 4 Nordstrom
- "That we adjourn the meeting at 6:09 pm." **CARRIED**



Reeve



Chief Administrative Officer