

**Minutes of the special meeting of the council of the R.M. of Arm River, No. 252 held in The RM Office in Davidson, SK on Wednesday, May 4, 2022 commencing at 1:00 p.m.**

**PRESENT:** Reeve Wayne Obrigewitsch, Councillors Blaine Smith, Brian Vibert, David Gregor, Allan McNabb, Brian Schmidt, CAO Yvonne Goodsmann and Assistant Administrator Michelle Bublish  
**REGRETS:** Councillor Kris Williams

**170/22 Call to Order:** Wayne Obrigewitsch: That as a quorum is present the meeting is called to order.  
**CARRIED UNANIMOUSLY**

**171/22 Authorization:** Allan McNabb: That the waiver notice for this meeting is signed by all councillors and is attached to and forms part of these minutes and further that council authorizes discussion of agenda items and other items as authorized.  
**CARRIED UNANIMOUSLY**

**172/22** Allan McNabb: That this meeting in all aspects replaces the regular council meeting that was to be held on Tuesday, May 10, 2022 at 1:00 pm.  
**CARRIED UNANIMOUSLY**

**Councillor Allan McNabb declared a Conflict of Interest regarding agenda item 7 under Reports of Public Works and item 1 and 2 under New Business as the discussion and/or decision may impact his and/ or family members' operations and income (per section 141.1 and 143 of *The Municipalities Act*).**

**173/22 Agenda:** Blaine Smith: That the agenda be adopted as presented.  
**CARRIED UNANIMOUSLY**

**174/22 Minutes:** Blaine Smith: That the minutes from the Regular Council Meeting held on April 12, 2022 be hereby accepted as presented.  
**CARRIED UNANIMOUSLY**

**Mr. Brady Kristinson attended the meeting at 1:07 pm and left the meeting at 1:20 pm.**

**Reeve, Wayne Obrigewitsch rescinded chair and left the meeting at 1:21pm.**

**Deputy Reeve, Allan McNabb assumed chair at 1:21 pm.**

**175/22 Correspond:** Blaine Smith: That correspondence be acknowledged as received and accepted as presented and be filed:  
1) Government of Saskatchewan – 2022 Education Property Tax Mill Rate  
2) Dave Chatterson – Crack Sealant  
3) New Effective Tax Rate Limit 7:1 on mill rate factor  
4) Municipal Essentials  
**CARRIED UNANIMOUSLY**

**176/22 Financials:** Blaine Smith: That the Accounts Paid, Statement of Financial Activities, Employee Payroll Report for the month of April 2022 be hereby approved as presented and are attached to and form a part of these minutes.  
**CARRIED UNANIMOUSLY**

**177/22 A/P:** Brian Vibert: That the Accounts Payable for the month of May 2022 be approved for payment and are attached to and form part of these minutes.  
**CARRIED UNANIMOUSLY**

**Michelle Bublish presented the Joint Municipal Meeting Report.**

**178/22 Report:** Blaine Smith: That council accepts Joint Municipal Meeting Report as presented by the Assistant Administrator.  
**CARRIED UNANIMOUSLY**

**Reeve Obrigewitsch returned to the meeting at 1:37p.m.**

**Deputy Reeve McNabb rescinded chair at 1:37p.m.**

**Reeve Obrigewitsch assumed the chair at 1:37 p.m.**

**Foreman Bryon Domotor attended the meeting at 1:38pm and presented the**

**Foreman's Report.**

**Blaine Smith left the meeting at 1:47pm and returned at 1:49pm.**

**Councillor Allan McNabb declared a Conflict of Interest regarding agenda item 7 under Reports of Public Works as the decision may impact his and/or family members' operations and income (per section 141.1 and 143 of The Muncipalities Act) and left council chambers at 2:43 pm.**

**180/22 Girvin:** **Allan McNabb:** That council acknowledges receipt of information on back alley complaint by ratepayer in Girvin, Sask. Administration is to notify the concerned ratepayer that the site has been inspected by Councillor McNabb and the foreman and found to exhibit no apparent causes for concern or issues regarding dangerous debris on the roadway.  
**CARRIED UNANIMOUSLY**

**181/22 Auger:** **Brian Vibert:** That council authorizes use of the tractor and a tractor mounted post hole auger for installation of sign posts. Further, no consideration will be given to the purchase of a handheld post hole auger at this time. **CARRIED UNANIMOUSLY**

**182/22 Tire Tender:** **Blaine Smith:** That council authorizes the following tires be ordered and installed from the following dealers per their tenders:  
Highway Brothers Automotive Inc:  
6 - 17.5R25 Alliance snow tread grader tires for \$1695.00/tire installed and grader tire rim if they will match the price of \$1870.00  
McNabb Farms Ltd:  
4 - Lt 245 /70R17 Sailun Terramax 10 ply truck tires for \$187.00/tire installed  
8 - 11R 22.5 Drive Semi Tractor Tire for \$345.00/tire installed  
Auto Express Tire Services and Towing Ltd:  
2 - 20.8-38 Firestone tractor tires for 1863.00/tire installed **CARRIED UNANIMOUSLY**

**Councillor Allan McNabb reattended the meeting at 3:06pm and assumed his chair.**

**183/22 Capital I:** **Blaine Smith:** That council authorizes investigating compatibility of a Capital I Lift Group with the existing Brandt Speed plow. Discussion on results will be reviewed at the next meeting of council. **CARRIED UNANIMOUSLY**

**Councillor David Gregor left the meeting at 3:27pm and returned at 3:29pm.**

**184/22 Trailer:** **Allan McNabb:** That council authorizes offering \$42,500.00 and up to \$46,000.00 (plus applicable taxes) on a 24 foot 2020 Cross Country Tandem Trailer End Dump currently located at Fort Garry Industries Saskatoon. **CARRIED UNANIMOUSLY**

**Councillor Blaine Smith left the meeting at 3:31pm.**

**Foreman Bryon Domotor left the meeting at 3:45pm.**

**185/22 Cell Data:** **David Gregor:** That Data on the foreman's cell phone to be reviewed, if overage Costs exist and/or occur, then the foreman is to be charged for any such overage. **CARRIED UNANIMOUSLY**

**186/22 Report:** **Brian Vibert:** That Foreman's Report be accepted as presented. **CARRIED UNANIMOUSLY**

**Reeve, Wayne Obrigewitsch presented an update on gravel crush.**

**187/22 Report:** **Brian Vibert:** That Gravel Crush Update Report be accepted as presented. **CARRIED UNANIMOUSLY**

**188/22 RIRG:** **Brian Vibert:** That council authorizes proceeding with RIRG Project along North ½ 22,23,24-25-27 W2. Further, Reeve and CAO are authorized to sign RIRG Agreement. **CARRIED UNANIMOUSLY**

**Councillor Blaine Smith returned to the meeting at 3:47 pm.**

**189/22 RIRG:** **Blaine Smith:** That council authorizes contracting Wood Engineering Ltd to

Provide all required Engineering Services for the RIRG Project – Clay capping of TWP Road 254 along N ½ of 22, 23, 24-25-27 W2. **CARRIED UNANIMOUSLY**

**Councillor Allan McNabb left the meeting at 4:14pm.**

**190/22 Grid747:** David Gregor: That council approves building up shoulders along the paved portion of Grid 747 in the 2022 season. **CARRIED UNANIMOUSLY**

**191/22 Wages:** Brian Schmit: That council authorizes a 2% wage increase for seasonal staff (D Cote and K Cote) and R Wall, effective April 25, 2022. See attached Schedule A. **CARRIED UNANIMOUSLY**

**192/22 Rd Lease:** Brian Vibert: That council defers discussion on rate payer’s road lease request pending background information presentation by Councillor Kris Williams. **CARRIED UNANIMOUSLY**

**193/22 Office:** Blaine Smith: That council authorizes advertising for part-time office staff, pending approval from RM of Willner, No. 253. **CARRIED UNANIMOUSLY**

**CAO Yvonne Goodsman presented a report on RM Office Progress**

**194/22 Report:** Blaine Smith: That RM Office Progress Report be accepted as presented by the CAO. **CARRIED UNANIMOUSLY**

**195/22 Development:** Blaine Smith: That council approves Development Application DP-252-01-2022 with the following stipulations:

This application to subdivide 14.32 acres from the NW 27-26-29 W2 for the purpose of establishing a non-farm residential yard site including construction of a new residence on site has been reviewed in context with the Official Community Plan (OCP), Zoning Bylaw, *the Planning and Development Act, 2007* and evaluated concerning the suitability of land for the intended use.

In accordance with Section 56 of the Planning and Development Act, 2007 and the requirements of the Zoning Bylaw and OCP, **the application be accepted subject to conditions/standards:**

That the above request for a development permit is approved as a “Permitted Use requiring an application” under Section 5.2 (a). Further, the new residence is to be the primary residence on the quarter and so conforms.

The proposed development, as attached, is in compliance with the municipalities zoning regulations for the Agriculture District and is a “conforming building.” The residence is allowed under the Agricultural District.

Under section 5.4 (e) (i) The minimum setback of buildings, including a residence, from the centerline of a developed road, municipal road allowance, or provincial highway shall be 46 m

Under Section 5.4 (e) (ii) The minimum set back of buildings, including a residence, from the intersection of the centerlines of two or more municipal road right-of-ways shall be 92m

Under Section 5.4 (e) (iii) Trees, shrubs, or other objects such as wells, dugouts, or reservoirs on private property shall also adhere to the regulations in 5.4(e)(i) an 5.4(e)(ii). Exempt from this requirement are windbreaks and such that existed at the time of the coming into force of the Zoning Bylaw.

**Further, CN Railroad approval and conditions form part of this permit and must be adhered to at all times.**

**CN conditions of approval:**

The proposed house would be located more than 70 meters from the railway corridor. CN’s habitual criteria for development of sensitive uses in proximity to the railway corridor requires a 30 meters setback in conjunction with a safety berm. Given the 70 metre setback for the proposed development, CN would not require a safety berm.

- The following clause is to be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or lease of each dwelling unit within 300 metres of the railway right-of-way "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
- Registration of an environmental easement for operational noise and vibration emissions must be registered on title by the property owner, in favor of CN
- A chain link fence of minimum 1.83 metre height to be installed and maintained along the mutual property line;
- Implementation of certain basic mitigation measures in the dwelling design and construction in order to limit potential impacts, including:
  - Provision for air-conditioning, allowing occupants to close windows during the warmer months;
  - Exterior cladding facing the railway achieving a minimum STC rating of 54 or equivalent, e.g. masonry;
  - Acoustically upgraded windows facing the railway with appropriate specifications;
  - Locating noise sensitive rooms away from the railway side;

**Further, Ministry of Highways approval and conditions is attached to and forms a part of this permit and must be adhered to at all times.**

**Please note that this permit expires on May 1, 2023 whereupon a substantial (greater than 80%) amount of the construction should be complete and is given under the provisions that, if required, a Plumbing Permit is obtained and all other Federal and Provincial Government Agencies' regulations, requirements and approval have been acquired, and satisfied and under the additional provision that the individuals are aware that the placement of any and all buildings and development on site is at their sole responsibility and risk as far as flooding, accessibility and liability are concerned.**

**CARRIED UNANIMOUSLY**

- 196/22 Clay:**                    **Blaine Smith:**                    That council authorizes purchasing clay for \$1.00 per cubic yard from stockpile on Lots 4,5,14,15,16, Block 18 in Girvin.                    **CARRIED UNANIMOUSLY**
- 197/22 Fencing:**                    **Brian Schmidt:**                    That council acknowledges receipt of information from property owner of Lots 4,5,14,15,16, Block 18 in Girvin regarding fencing and acknowledges that the property owner stipulates that the fencing will be constructed. Further council directs administration to write the property owner and clarify that the fence will be constructed and fully enclose the existing excavation by no later than June 30, 2022.                    **CARRIED UNANIMOUSLY**
- 198/22 Bylaw:**                    **Blaine Smith:**                    That Bylaw No. 05/2022 being a bylaw to enter into a fire service agreement with the Town of Davidson, RM of Willner, No. 253 and RM of Wood Creek, No. 281 be read a first time.                    **CARRIED UNANIMOUSLY**
- 199/22**                    **David Gregor:**                    That Bylaw No. 05/2022 being a bylaw to enter into a fire service agreement with the Town of Davidson, RM of Willner, No. 253 and RM of Wood Creek, No. 281 be read a second time.                    **CARRIED UNANIMOUSLY**
- 200/22**                    **Brian Schmidt:**                    That Bylaw No. 05/2022 being a bylaw to enter into a fire service agreement with the Town of Davidson, RM of Willner, No. 253 and RM of Wood Creek, No. 281 be given a third reading at this meeting.                    **CARRIED UNANIMOUSLY**
- 201/22**                    **Brian Vibert:**                    That Bylaw No. 05/2022 being a bylaw to enter into a fire service agreement with the Town of Davidson, RM of Willner, No. 253 and RM of Wood Creek, No. 281 be read a third time and adopted.                    **CARRIED UNANIMOUSLY**
- 202/22 Bylaw:**                    **Blaine Smith:**                    That council defers discussion on Bylaw No. 06/2022 until the June 2022 Council Meeting.                    **CARRIED UNANIMOUSLY**

- 203/22 DVFD:** **Brian Schmidt:** That council acknowledges information and documentation from Levi Yakimchuk of the Davidson Volunteer Fire Department under Bylaw No. 02/2021. Further, council approves and seals said documentation. **CARRIED UNANIMOUSLY**
- 204/22 RMAA:** **Brian Vibert:** That council approves administration attendance at the RMAAS Convention with all associated costs to be paid and office is to be closed for the period of time involved, providing RM 253 approves same. **CARRIED UNANIMOUSLY**
- 205/22 Repeal:** **Brian Schmidt:** That Resolution 184/22 be hereby repealed. **CARRIED UNANIMOUSLY**
- 206/22 Trailer:** **Brian Schmidt:** That council authorizes purchasing a 2020 Cross Country Tandem End Dump Trailer for \$44,000.00 plus applicable taxes and purchase is to include a fresh safety and replacement of back bumper under existing SGI claim. **CARRIED UNANIMOUSLY**
- 207/22 Adjourn:** **Wayne Obrigewitsch:** That the meeting be adjourned at 5:18 p.m. and the next regular meeting of council will be at the call of the Reeve and will take place in the RM Office in Davidson, Sask. **CARRIED UNANIMOUSLY**

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Reeve

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Administrator

**Schedule A Attachment:**

Denise Cote .....\$28.87 per hour  
Kevin Cote.....\$28.87 per hour  
Rob Wall.....\$25.50 per hour