

MUNICIPAL COUNCIL CONFLICT OF INTEREST ACT
[Subsection 5(1)]

Rural Municipality of Pipestone

With reference to a discussion regarding a Zoning Amendment arising at a meeting of Council April 28, 2016, Sean Kirkpatrick and Gary Nicholson, members of council, disclosed a personal interest in the matter before council.

Certificate of Designated Officer

Upon declaring an interest in a discussion regarding a Zoning Amendment, said council members withdrew from the council chamber, without further participation in the matter under discussion.

Date

Signature of designated officer



RURAL MUNICIPALITY OF PIPESTONE
Public Works Meeting
April 28, 2016

Present: Reeve Archie McPherson Deputy Reeve Randy Henuset
 Councillor James Watt Councillor Garnet Williamson
 Councillor Gary Nicholson Councillor Sheila Kuntz Kotylak
 Councillor Sean Kirkpatrick CAO Michelle Halls

Called To Order

The meeting was called to order at 6:30 p.m. Larry Atchison attended to update Council on PW activities.

Adoption Agenda

Resolution No: 2016 04 25

Moved by: James Watt
Seconded by: Sean Kirkpatrick

“Now Therefore Be It Resolved that the agenda be adopted with the following amendments:

- 1) Garbage and Recycling
- 2) Heavy trucks parked in Reston LUD.”

Carried

Resolution No: 2016 04 26

Moved by: Sean Kirkpatrick
Seconded by: James Watt

“Now Therefore Be It Resolved that the Public Works reports be adopted.”

Carried

Report

Resolution No: 2016 04 27

Moved by: Sean Kirkpatrick
Seconded by: Gary Nicholson

“Now Therefore Be It Resolved that the Rural Municipality of Pipestone accept the following reports as filed:

- 1) Public Works Plan May
- 2) Road Report March 18-April 21
- 3) Work Plan Bob Tingey May 2016.”

Carried

By-Law

Resolution No: 2016 04 28

Moved by: Garnet Williamson

Seconded by: James Watt

“Whereas Section 142(1) & (2) of *The Municipal Act* L.M. 1996 c.58 provides:

1. Every proposed by-law must be given three separate readings at meetings of the Council, and each reading must be put to a vote,
2. A Council may not give a proposed by-law more than two readings at the same Council meeting.

And Whereas By-Law No. 2016/01, being a by-law of the Rural Municipality of Pipestone for the collection of garbage in the Townsites of Cromer, Pipestone, Sinclair and the Local Urban District of Reston within the Rural Municipality of Pipestone for 2016 to 2017, inclusive has received second reading;

Now Therefore Be It Resolved that By-Law No. 2016/01 be referred for third reading.”

Carried

Resolution No: 2016 04 29

Moved by: Sean Kirkpatrick

Seconded by: Randy Henuset

“Whereas By-Law No. 2016/01 has received Municipal Board approval;

Now Therefore Be It Resolved that By-Law No. 2016/01 having been given third and final reading be now declared passed.”

Carried 7/0
For: McPherson
Watt
Williamson
Nicholson
Henuset
Kuntz Kotylak
Kirkpatrick

Resolution No: 2016 04 30

Moved by: Sheila Kuntz Kotylak

Seconded by: Gary Nicholson

“Whereas Section 142(1) & (2) of *The Municipal Act* L.M. 1996 c.58 provides:

1. Every proposed by-law must be given three separate readings at meetings of the Council, and each reading must be put to a vote,

2. A Council may not give a proposed by-law more than two readings at the same Council meeting.

And Whereas By-Law No. 2016/02, being a by-law of the Rural Municipality of Pipestone for the operation of recreation services for the community of Cromer for 2016 to 2017, inclusive has received second reading;

Now Therefore Be It Resolved that By-Law No. 2016/02 be referred for third reading.”

Carried

Resolution No: 2016 04 31

Moved by: Randy Henuset

Seconded by: Gary Nicholson

“Whereas By-Law No. 2016/02 has received Municipal Board approval;

Now Therefore Be It Resolved that By-Law No. 2016/02 having been given third and final reading be now declared passed.”

Carried 7/0
For: McPherson
Watt
Williamson
Nicholson
Henuset
Kuntz Kotylak
Kirkpatrick

Resolution No: 2016 04 32

Moved by: Gary Nicholson

Seconded by: Sean Kirkpatrick

“Whereas Section 142(1) & (2) of *The Municipal Act* L.M. 1996 c.58 provides:

1. Every proposed by-law must be given three separate readings at meetings of the Council, and each reading must be put to a vote,

2. A Council may not give a proposed by-law more than two readings at the same Council meeting.

And Whereas By-Law No. 2016/03, being a by-law of the Rural Municipality of Pipestone for grass cutting services and maintenance of Sinclair Park within the community of Sinclair for 2016 to 2017, inclusive has received second reading;

Now Therefore Be It Resolved that By-Law No. 2016/03 be referred for third reading.”

Carried

Resolution No: 2016 04 33

Moved by: James Watt

Seconded by: Sheila Kuntz Kotylak

“Whereas By-Law No. 2016/03 has received Municipal Board approval;

Now Therefore Be It Resolved that By-Law No. 2016/03 having been given third and final reading be now declared passed.”

Carried 7/0
For: McPherson
Watt
Williamson
Nicholson
Henuset
Kuntz Kotylak
Kirkpatrick

Resolution No: 2016 04 34

Moved by: Randy Henuset

Seconded by: Garnet Williamson

“Whereas Section 142(1) & (2) of *The Municipal Act* L.M. 1996 c.58 provides:

- 1. Every proposed by-law must be given three separate readings at meetings of the Council, and each reading must be put to a vote,
- 2. A Council may not give a proposed by-law more than two readings at the same Council meeting.

And Whereas By-Law No. 2016/04, being a by-law of the Rural Municipality of Pipestone for well, park, sidewalk and asphalt street maintenance within the community of Pipestone for the years 2016 and 2017 has received second reading;

Now Therefore Be It Resolved that By-Law No. 2016/04 be referred for third reading.”

Carried

Resolution No: 2016 04 35

Moved by: Randy Henuset

Seconded by: Gary Nicholson

“Whereas By-Law No. 2016/04 has received Municipal Board approval;

Now Therefore Be It Resolved that By-Law No. 2016/04 having been given third and final reading be now declared passed.”

Carried 7/0
For: McPherson
Watt
Williamson
Nicholson
Henuset
Kuntz Kotylak
Kirkpatrick

Resolution No: 2016 04 36

Moved by: James Watt

Seconded by: Sheila Kuntz Kotylak

“Whereas Section 142(1) & (2) of *The Municipal Act* L.M. 1996 c.58 provides:

1. Every proposed by-law must be given three separate readings at meetings of the Council, and each reading must be put to a vote,

2. A Council may not give a proposed by-law more than two readings at the same Council meeting.

And Whereas By-Law No. 2016/05, being a by-law of the Rural Municipality of Pipestone to amend its By-Law 2014/06 authorizing expenditure and borrowing of money for paving of streets in the Community of Pipestone has received second reading;

Now Therefore Be It Resolved that By-Law No. 2016/05 be referred for third reading.”

Carried

Resolution No: 2016 04 37

Moved by: Randy Henuset

Seconded by: James Watt

“Whereas By-Law No. 2016/05 has received Municipal Board approval;

Now Therefore Be It Resolved that By-Law No. 2016/05 having been given third and final reading be now declared passed.”

Carried 7/0
For: McPherson
Watt
Williamson
Nicholson
Henuset
Kuntz Kotylak
Kirkpatrick

Infrastructure

Resolution No: 2016 04 38

Moved by: Sheila Kuntz Kotylak

Seconded by: Gary Nicholson

“Now Therefore Be It Resolved that the Reeve and CAO be authorized to enter into an offer to purchase agreement with North American Lumber subject to a signed lease agreement by May 12, 2016 for the following properties:

- Lots 30/31 Block 5 Plan 68
- Lots 7/10 Block 5 Plan 68
- Lot 1 Plan 27006
- Lots 28/29 Block 5 Plan 68
- Lot 1 Block 5 Plan 68.”

Carried

Resolution No: 2016 04 39

Moved by: Garnet Williamson

Seconded by: James Watt

“Now Therefore Be It Resolved that the Reeve and CAO be authorized to enter into a lease agreement for the following properties:

- Lots 30/31 Block 5 Plan 68
- Lots 7/10 Block 5 Plan 68
- Lot 1 Plan 27006
- Lots 28/29 Block 5 Plan 68
- Lot 1 Block 5 Plan.”

Carried

Resolution No: 2016 04 40

Moved by: James Watt

Seconded by: Garnet Williamson

“Now Therefore Be It Resolved that the Rural Municipality of Pipestone approve the request from the Reston Golf Course to use municipal equipment and a municipal operator for their annual work bee without charge;

And Further Be It Resolved that the Rural Municipality of Pipestone approve the request from the Reston Gold Course to pay for time of one of our Green Team students for up to one day per week (four per month) to do grass mowing, trimming etc. and to assist with operations at the discretion of the Parks Supervisor.”

Carried

Resolution No: 2016 04 41

Moved by: Gary Nicholson

Seconded by: Sheila Kuntz Kotylak

“Now Therefore Be It Resolved that the Rural Municipality of Pipestone approve the purchase of Text2Car for two Mowers, two Graders and three trucks in the amount of \$6,156.15.”

Carried

Resolution No: 2016 04 42

Moved by: James Watt

Seconded by: Garnet Williamson

“Now Therefore Be It Resolved that the Rural Municipality of Pipestone enter into a Road Maintenance Agreement with Rural Municipality of Storthoaks.”

Carried

Resolution No: 2016 04 43

Moved by: Sheila Kuntz Kotylak

Seconded by: Gary Nicholson

“Now Therefore Be It Resolved that Rural Municipality of Pipestone has no objection to the installation of a 10 foot culvert on road 55N.”

Carried

Infrastructure New Business

Resolution No: 2016 04 44

Moved by: Gary Nicholson

Seconded by: Randy Henuset

“Now Therefore Be It Resolved that the Rural Municipality of Pipestone accept recommendation from Public Works to hire Bonneville Transport for the Municipality's gravelling.”

Carried

In Camera

Resolution No: 2016 04 45

Moved by: James Watt

Seconded by: Sean Kirkpatrick

“Now Therefore Be It Resolved the regular meeting be adjourned and reconvene In Camera.”

Carried

General Business

Councillors Kirkpatrick and Nicholson declared an interest in the matter and left the meeting at 10:30 p.m.

Resolution No: 2016 04 47

Moved by: James Watt

Seconded by: Sheila Kuntz Kotylak

“Whereas Lot A Plan 24727 is currently zoned Urban Residential and the current use of the property is Non-Residential;

And Whereas to facilitate continued development of the property, a zoning amendment is required;

Now Therefore Be It Resolved that the Rural Municipality of Pipestone request the assistance of Community Planning in amending the zoning on Lot A Plan 24727 from Urban Residential to Urban Non-Residential;

And Further Be It Resolved that the Municipality pay for the costs of re-zoning on this property.”

Carried

Resolution No: 2016 04 48

Moved by: James Watt

Seconded by: Randy Henuset

“Whereas Section 250(2)(e) of *The Municipal Act* provides a Municipality may use Municipal equipment, materials and labour to carry out private works on private property’;

And Whereas Section 251(1)(a) of *The Municipal Act* provides 'a Municipality exercising powers in the nature of those referred to in clause 250(2)(e) may set terms and conditions in respect of users, including;

(a) setting rates or amounts of deposits, fees and other charges, and charging and collecting them’;

And Whereas Section 252(2) of *The Municipal Act* provides 'a charge referred to in Section 251 clause (1)(a) may be collected by the Municipality in the same manner as a tax may be collected or enforced under this act’;

Now Therefore Be It Resolved that the following unpaid Machine Work Accounts be added to taxes on the appropriate land.”

| Invoice | Amount | Roll No. | Legal |
|----------------|---------------|-----------------|--------------|
| 1958 | \$525.00 | 201150 | NE 35-9-26 |

Carried

Resolution No: 2016 04 49

Moved by: James Watt

Seconded by: Sheila Kuntz Kotylak

“Now Therefore Be It Resolved that the Rural Municipality of Pipestone waive interest charges on utility account number 40046830 for a period of 12 months.”

Carried

Resolution No: 2016 04 50

Moved by: Randy Henuset

Seconded by: Sean Kirkpatrick

“Now Therefore Be It Resolved that the Rural Municipality of Pipestone approve the Allocation Agreement with Crescent Point.”

Carried

Resolution No: 2016 04 51

Moved by: James Watt

Seconded by: Garnet Williamson

“**WHEREAS** it is in the interest of the Corporation to enter into arrangements for the provision of a borrowing relationship with the Toronto-Dominion Bank, operating a division as CUETS Financial ("**CUETS Financial**") and, if required, to provide security and agreements therefore;

BE IT RESOLVED THAT:

1. The Corporation is authorized to:

(a) open, maintain and operate one or more credit card accounts with CUETS and to do all things in relation thereto;

(b) enter into credit agreements from time to time with CUETS Financial using CUETS Financial's standard forms and to borrow money from CUETS Financial pursuant to the credit facilities described in such agreements; and

(c) enter into further arrangements for the provision of other financial services with CUETS Financial.

2. The Corporation is authorized and directed to create, execute and deliver in favour of CUETS Financial:

(a) CUETS Financial's standard documentation for the opening and operation of one or more credit card accounts;

(b) the credit agreements referred to above and any additional agreements described in such credit agreements; and

(c) such further instruments and agreements as may be reasonably required to carry out the agreements described herein; and by doing so, to bind the Corporation and create the security set out in such agreements.

3. Any one individual listed below as an "**Account Administrator**" is authorized for and on behalf of the Corporation from time to time to:

(a) execute and deliver all of the documents and instruments described in paragraph 2 above;

(b) execute and deliver any other documents and instruments that may be reasonably required from time to time to carry out the transactions contemplated by this Resolution, subject to such amendments as the Account Administrator may approve, such approval to be conclusively

evidenced by the execution of the said documents or instruments;

(c) give CUETS Financial instructions and perform transactions on behalf of the Corporation in connection with the ongoing operation of the credit card account(s), credit facilities and/or other financial services contemplated by this Resolution;

(d) authorize any person or persons (each, an "**Authorized User**") to access, from time to time, credit available under the credit card account(s) established by CUETS Financial for the Corporation;

(e) establish and, from time to time, change the amount of credit that each individual Authorized User may access the credit card account(s) established by CUETS Financial for the Corporation; and

(f) settle the Corporation's credit card account(s) with CUETS Financial and receive from CUETS Financial, and provide receipt of, statements and any other items or correspondence from and to CUETS Financial in connection with the Corporation's credit card account(s).

4. CUETS Financial is entitled to rely on such documents, instruments, instructions, and transactions as duly and validly authorized and binding on the Corporation. CUETS Financial does not need to make any further inquire into the authority of any Account Administrator to bind the Corporation.

5. CUETS Financial be provided with a copy of this Resolution together with a certified list of names of the current officers and directors of the Corporation and, from time to time, be provided with any changes to such list.”

Carried

Adjournment

Resolution No: 2016 04 52

Moved by: James Watt

Seconded by: Garnet Williamson

“Now Therefore Be It Resolved that the meeting be adjourned.”

Time: 10:45 p.m.

Reeve

Chief Administrative Officer