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MINUTES OF THE REGULAR COUNCIL MEETING OF AUGUST 8, 2023

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Held in the Council Chambers of the RM of Mervin #499 at 211 Main St., Turtleford, SK.

**PRESENT:** Reeve: Gerry Ritz  
Councillors:  
Division 1 – Jim Range  
Division 2 – vacant  
Division 3 – Gordon Spencer  
Division 4 – Ken Hergott  
Division 5 – Dave Krywchuk  
Division 6 – Victor Hamm  
CAO – Brenda Ottenbreit  
Deputy CAO – Janessa Macnab

Delegations: 9:15 a.m. Taylar Roberts, Maintenance Supervisor  
1:30 p.m. Andrea Carroll and Jared Stephenson, NBP  
1:30 p.m. Paige Hundt, Municipal Planner  
2:30 p.m. Larry Baker, Director of Protective Services

**CALL TO ORDER:** Reeve Gerry Ritz called the meeting to order at 9:00 a.m.

**AGENDA:** 672-23 **HERGOTT:** That the agenda be amended and accepted for reference. **CARRIED**

**MINUTES:** 673-23 **HAMM:** That the July 25, 2023 regular meeting minutes be accepted as presented. **CARRIED**

Division 6 Councillor, Victor Hamm declared a conflict of interest for agenda items 6.14 and 7.5; resolution #'s 702-23 and 734-23.

**BUSINESS:**

**LL Special Levy Request** 674-23 **RANGE:** That we approve the request from the Hamlet Board of Livelong to have a special levy of 6.0 mills for 2023. **CARRIED**



**SPLK Special Levy Request** 675-23 **HAMM:** That we approve the request from the Hamlet Board of Spruce Lake to have a special levy of 3.0 mills for 2023. **CARRIED**

**Comm. Mun.** 676-23 **RANGE:** That we cancel 100% of the base tax on commercial properties that are not

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Administrator

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<b>Tax Cancellation Policy</b>		oil industrial and that the Administrator use a mill rate factor of 0.85 for calculating the commercial municipal tax cancellations for these types of properties, which is the same as 2022.	<b>CARRIED</b>
<b>Hamlet AGM Minutes</b>	<b>677-23</b>	<b>SPENCER:</b> That we acknowledge the Annual General Meeting Minutes for the Hamlets of: Powm Beach – May 6, 2023 Sunny Acres – May 21, 2023	<b>CARRIED</b>
<b>Site Line Mulching</b>	<b>678-23</b>	<b>KRYWCHUK:</b> That the RM of Mervin Council approve Administration to negotiate with the landowners of LSD 2-26-53-19-W3 Ext 5 and NE 23-53-19-W3 Ext 99 to mulch the intersection of TWP 534 and Grid 795 to clear the sight line.	<b>CARRIED</b>
<b>Industrial Landfill Agreement</b>	<b>679-23</b>	<b>KRYWCHUK:</b> That the RM of Mervin Council amend motion #589-23 to include an additional clause requiring copies of incoming weight scale tickets as well as a cleanup clause. Further, that we authorize the Reeve and the Administrator to sign the amended agreement with Secure Energy on behalf of the Municipality.	<b>CARRIED</b>
<b>Salt Quote</b>	<b>680-23</b>	<b>HAMM:</b> That the RM of Mervin Council approve the purchase of 24 totes of road salt from NSC Minerals at the quoted price of \$191.30 per tote and authorize the Administrator to sign the agreement on behalf of the RM.	<b>CARRIED</b>
<b>In-Camera</b>	<b>681-23</b>	<b>RANGE:</b> That the RM of Mervin #499 Council recess the public meeting to move into an in-camera session as authorized by Part III of <i>The Local Authority Freedom of Information and Protection of Privacy Act</i> , at 9:35 a.m.	<b>CARRIED</b>
<b>Reconvene</b>	<b>682-23</b>	<b>RANGE:</b> That the RM of Mervin Council reconvene the regular meeting at 9:45 a.m.	<b>CARRIED</b>
<b>Job Descriptions</b>	<b>683-23</b>	<b>HAMM:</b> That the RM of Mervin Council approve and adopt the Lead Maintenance Technician and Seasonal Maintenance/Cemetery Technician job descriptions as presented.	<b>CARRIED</b>
<b>Salary Schedule</b>	<b>684-23</b>	<b>KRYWCHUK:</b> That the RM of Mervin Council approve and adopt the Salary Schedule as presented by Administration with the inclusion of Step 9, effective December 12, 2023.	<b>CARRIED</b>
<b>MR Land Request</b>	<b>685-23</b>	<b>HERGOTT:</b> That the RM of Mervin Council authorize the application of gravel and signage along the walking trails on the Municipal Reserve adjacent to Pelican	

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Landing, PCL A Plan 85B06234, with the following conditions: line locates are required for the installation of all posts, a map showing the exact location of where the work will be completed, and written notice outlining who will be covering the costs of the project. **CARRIED**

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| <b>5<sup>th</sup> Wheel Plate</b> | <b>686-23</b> | <b>HAMM:</b> That the RM of Mervin #499 Council approve the purchase of a 5 <sup>th</sup> Wheel plate to be installed on the Freightliner to a maximum cost of \$5,000.00. <span style="float: right;"><b>CARRIED</b></span>                                     |
| <b>Belly Dump Trailer</b>         | <b>687-23</b> | <b>HAMM:</b> That the RM of Mervin #499 Council authorize the inspection and purchase of a Castleton belly-dump trailer from Hammerstrap Industries for \$33,000.00 plus applicable taxes. <span style="float: right;"><b>CARRIED</b></span>                     |
| <b>SAMA Confirmation</b>          | <b>688-23</b> | <b>SPENCER:</b> That the RM of Mervin #499 Council acknowledge the Certificate of Confirmation of the SAMA 2023 Assessment Roll. <span style="float: right;"><b>CARRIED</b></span>   |
| <b>SAMA Primary Audit</b>         | <b>689-23</b> | <b>HERGOTT:</b> That the RM of Mervin #499 Council acknowledge the SAMA 2023 Primary Audit Report. <span style="float: right;"><b>CARRIED</b></span>   |
| <b>Bylaw 2023-33</b>              | <b>690-23</b> | <b>HAMM:</b> That Bylaw 2023-33, being a bylaw to enter into an Agreement for the Disposal of Human Effluent with the R.V. of Kivimaa-Moonlight Bay, be introduced and given first reading. <span style="float: right;"><b>CARRIED</b></span>                    |
|                                   | <b>691-23</b> | <b>KRYWCHUK:</b> That Bylaw 2023-33, being a bylaw to enter into an Agreement for the Disposal of Human Effluent with the R.V. of Kivimaa-Moonlight Bay, be given second reading. <span style="float: right;"><b>CARRIED</b></span>                              |
|                                   | <b>692-23</b> | <b>HERGOTT:</b> That Bylaw 2023-33, being a bylaw to enter into an Agreement for the Disposal of Human Effluent with the R.V. of Kivimaa-Moonlight Bay, be given three readings at this meeting. <span style="float: right;"><b>UNANIMOUSLY CARRIED</b></span>   |
|                                   | <b>693-23</b> | <b>SPENCER:</b> That Bylaw 2023-33, being a bylaw to enter into an Agreement for the Disposal of Human Effluent with the R.V. of Kivimaa-Moonlight Bay, be given third reading, approved, signed and sealed. <span style="float: right;"><b>CARRIED</b></span>   |
| <b>KMB Effluent Agreement</b>     | <b>694-23</b> | <b>HERGOTT:</b> That Council approve and accept the agreement with the R.V. of Kivimaa-Moonlight Bay for the Disposal of Human Effluent and authorize the Reeve and CAO to sign on behalf of the Municipality. <span style="float: right;"><b>CARRIED</b></span> |

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 Administrator

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<b>Bylaw 2023-34</b>	<b>695-23</b>	<b>RANGE:</b> That Bylaw 2023-34, being a bylaw to enter into an Agreement for Fire Protection with the R.V. of Kivimaa-Moonlight Bay, be introduced and given first reading. <b>CARRIED</b>
	<b>696-23</b>	<b>HERGOTT:</b> That Bylaw 2023-34, being a bylaw to enter into an Agreement for Fire Protection with the R.V. of Kivimaa-Moonlight Bay, be given second reading. <b>CARRIED</b>
	<b>697-23</b>	<b>HAMM:</b> That Bylaw 2023-34, being a bylaw to enter into an Agreement for Fire Protection with the R.V. of Kivimaa-Moonlight Bay, be given three readings at this meeting. <b>UNANIMOUSLY CARRIED</b>
	<b>698-23</b>	<b>KRYWCHUK:</b> That Bylaw 2023-34, being a bylaw to enter into an Agreement for Fire Protection with the R.V. of Kivimaa-Moonlight Bay, be given third reading, approved, signed and sealed. <b>CARRIED</b>
<b>KMB Fire Agreement</b>	<b>699-23</b>	<b>SPENCER:</b> That Council approve and accept the agreement with the R.V. of Kivimaa-Moonlight Bay for Fire Protection and authorize the Reeve and CAO to sign on behalf of the Municipality. <b>CARRIED</b>
<b>Amend Motion</b>	<b>700-23</b>	<b>SPENCER:</b> That RM of Mervin #499 Council amend motion 322-23 to rescind only the Dust Control Policy. <b>CARRIED</b>
<b>SSVB Request</b>	<b>701-23</b>	<b>RITZ:</b> That the RM of Mervin Council deny the request from the SSVB Hamlet board for a credit card for the hamlet with a limit of \$1,000.00. <b>CARRIED</b>
<b>BSRP Request</b>	<b>702-23</b>	<b>HERGOTT:</b> That the RM of Mervin #499 Council acknowledge the letter from the Bright Sand Regional Park Authority removing Ron Gramlich as Chairman of the Board. Further, that the RM Council remove Mr. Gramlich as the municipal appointed representative of the Board and advertise for a one-year term in the fall of 2023. <b>CARRIED</b>
<b>Local Police Board</b>	<b>703-23</b>	<b>HAMM:</b> That the RM of Mervin #499 Council accept the minutes of the Local Police Board meeting held on August 4, 2023 at 211 Main St, Turtleford, SK. <b>CARRIED</b>
<b>Appointment Police Chief</b>	<b>704-23</b>	<b>KRYWCHUK:</b> That the RM of Mervin #499 Council appoint Rhonda Allen to the Local Police Board as the Police Chief. <b>CARRIED</b>

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| <b>Cemetery Requests</b>      | <b>705-23</b> | <b>HAMM:</b> That the RM of Mervin #499 Council approve the requests from the Forest Home and Livelong Cemeteries and authorize a payment of \$1,500.00 to each group to help fund the mowing of the cemeteries for the 2023 year. <b>CARRIED</b>          |
| <b>Water &amp; Sewer Logs</b> | <b>706-23</b> | <b>SPENCER:</b> That we acknowledge the July water operator logs and lagoon inspection reports for the Hamlets of Spruce Lake, Livelong and Evergreen Acres, Turtle Lake as presented. <b>CARRIED</b>  |
| <b>In-Camera</b>              | <b>707-23</b> | <b>HERGOTT:</b> That the RM of Mervin #499 Council recess the public meeting to move into an in-camera session as authorized by Part III of <i>The Local Authority Freedom of Information and Protection of Privacy Act</i> , at 10:40 a.m. <b>CARRIED</b> |
| <b>Reconvene</b>              | <b>708-23</b> | <b>HERGOTT:</b> That Council reconvene the regular meeting at 10:45 a.m. <b>CARRIED</b>  |

That Reeve, Gerry Ritz, Division 1 Councillor, Jim Range, Division 3 Councillor Gordon Spencer, Division 4 Councillor Ken Hergott, Division 5 Councillor Dave Krywchuk and Division 6 Councillor Victor Hamm declare a conflict of interest in regards to agenda item 6.19.



The result of all Council members declaring a conflict-of-interest is that quorum will not be met.

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| <b>Court Application</b>            | <b>709-23</b> | <b>RITZ:</b> That the RM of Mervin #499 Council apply to the Court for an order pursuant to section 146(4) of <i>The Municipalities Act</i> , authorizing council to discuss and vote on the Code of Ethics complaint received July 21, 2023. <b>CARRIED</b>   |
| <b>September Stat. Holiday</b>      | <b>710-23</b> | <b>HAMM:</b> That the RM of Mervin #499 office will be closed October 2, 2023 to acknowledge the National Day for Truth and Reconciliation. <b>CARRIED</b>   |
| <b>Meeting Cancellation</b>         | <b>711-23</b> | <b>SPENCER:</b> That the second regular meeting of the RM of Mervin Council in August be cancelled. <b>CARRIED</b>   |
| <b>RCMP Report</b>                  | <b>712-23</b> | <b>SPENCER:</b> That the RM of Mervin #499 Council accept the Quarterly report submitted by S. Sgt. Ken Burnouf, as presented. <b>CARRIED</b>  |
| <b>Protective Services Policies</b> | <b>713-23</b> | <b>HERGOTT:</b> That the RM of Mervin #499 Council accept and adopt the following Protective Services Policies: Local Police Board, Police Chief Responsibilities, Supervisor of Protective Services, Dispatch and Chain of Command Procedures and Municipal Evidence Clerk/Prosecution Specialist, as amended and add to form part of the policy manual. <b>CARRIED</b> |

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<b>Job Description</b>	<b>714-23</b>	<b>KRYWCHUK:</b> That the RM of Mervin #499 Council accept and adopt the job description for the Director of Protective Services, as amended.	<b>CARRIED</b>
<b>BSRP Audited Financial Stmt</b>	<b>715-23</b>	<b>HERGOTT:</b> That the RM of Mervin #499 acknowledge the 2022 Audited Financial Statement for Bright Sand Lake Regional Park Authority.	<b>CARRIED</b>
<b>BSRP Mill Rate</b>	<b>716-23</b>	<b>KRYWCHUK:</b> That the RM of Mervin #499 acknowledge the 2023 mill rate as set by the Bright Sand Regional Park Authority of 3.4 mills, and that the RM will receive 75% of all taxes collected as per their letter dated August 3, 2023 and the 2022 Agreement.	<b>CARRIED</b>
<b>Correspondence</b>	<b>717-23</b>	<b>HERGOTT:</b> That the list of correspondence as attached be acknowledged and filed.	<b>CARRIED</b>
<b>Recess</b>	<b>718-23</b>	<b>RANGE:</b> That Council recess at 11:55 a.m. for lunch.	<b>CARRIED</b>
<b>Reconvene</b>	<b>719-23</b>	<b>KRYWCHUK:</b> That we reconvene the regular meeting of Council at 12:25 p.m.	<b>CARRIED</b>
<b>Financial Statement</b>	<b>720-23</b>	<b>HERGOTT:</b> That Council accept the Statement of Financial Activity for the month of July 2023, as presented.	<b>CARRIED</b>
<b>Bank Reconciliation</b>	<b>721-23</b>	<b>SPENCER:</b> That we accept the Bank Reconciliation for the month of July 2023, as presented.	<b>CARRIED</b>
<b>Ratepayer Request</b>	<b>722-23</b>	<b>HERGOTT:</b> That the RM of Mervin Council approve the request from the ratepayer to complete the work as proposed within the path and marked by the Municipal Planner on Blk/Par R2 Plan 83B11636.	<b>CARRIED</b>
<b>Ratepayer ZBA Request</b>	<b>723-23</b>	<b>RANGE:</b> That the RM of Mervin Council deny the request from the ratepayer to have Northbound Planning initiate a zoning bylaw amendment to change the setback requirements for buildings under 100 sq ft.	<b>CARRIED</b>
<b>Technology Quote</b>	<b>724-23</b>	<b>HAMM:</b> That the RM of Mervin Council accept the quote from GL Mobile and approve the purchase of a Motorola V300 body cam and accessories, Video Manager EL software and training at a total cost of \$11,032.41 taxes included. This cost also includes an annual license and support fee of \$703.56 for the body cam and software.	<b>CARRIED</b>

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Recess	725-23	HAMM: That Council recess the meeting to move into a public hearing at 1:30 p.m. as per <i>The Planning and Development Act</i> . <b>CARRIED</b>
Reconvene	726-23	RANGE: That the RM of Mervin Council reconvene the regular meeting at 1:55 p.m. <b>CARRIED</b>
Bylaw 2023-02	727-23	HERGOTT: That Bylaw 2023-02, being a bylaw to provide for the sale and parcel class change of dedicated lands, known as Kopp's Road, be given second reading. <b>CARRIED</b>
	728-23	SPENCER: That Bylaw 2023-02, being a bylaw to provide for the sale and parcel class change of dedicated lands, known as Kopp's Road, be given third reading, approved, signed and sealed. <b>CARRIED</b>
Division 6 Councillor Victor Hamm declared a conflict of interest and left the meeting at 1:58 p.m.		
Bylaw 2023-03	729-23	RANGE: That Bylaw 2023-03, being a bylaw to provide for the exchange of land in the Hamlet of Horseshoe Bay, be given second reading. <b>CARRIED</b>
	730-23	KRYWCHUK: That Bylaw 2023-03, being a bylaw to provide for the exchange of land in the Hamlet of Horseshoe Bay, be given third reading, approved, signed and sealed. <b>CARRIED</b>
Government Relations	731-23	RITZ: That the RM of Mervin Council approve Northbound Planning to make the submissions to the Ministry of Government Relations on the zoning bylaw amendments. <b>CARRIED</b>
D-Use NB211187	732-23	HERGOTT: That Council approve discretionary use permit NB211187 for MR1 Plan 94B14755, LSD 4-32-53-18 in the Hamlet of Horseshoe Bay. <b>CARRIED</b>
R0801-17S Request	733-23	KRYWCHUK: That the RM of Mervin #499 Council deny the request of the developer to refund the line of credit as the land has been titled. <b>CARRIED</b>
Ratepayer Request	734-23	KRYWCHUK: That the RM of Mervin Council approve the request from the ratepayer to have Northbound Planning initiate a zoning bylaw amendment to allow Council to grant reduced setbacks in the Agriculture district. <b>CARRIED</b>

Division 6 Councillor, Victor Hamm returned to council chambers at 2:03 p.m.


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220006-046 ZBA Request	735-23	<b>SPENCER:</b> That we deny the request for an amendment to the Zoning Bylaw to reduce the front yard setbacks in LD1 – Lakeshore Development District 1.	<b>CARRIED</b>
DOPS Report	736-23	<b>HAMM:</b> That the RM of Mervin #499 Council accept the Director of Protective Services report as presented.	<b>CARRIED</b>
Accounts Payable	737-23	<b>HERGOTT:</b> That the Accounts Payable List being cheque #24970 to cheque #25030 and manual cheque #883 to cheque #895 in the amount of \$483,429.14 be approved and paid.	<b>CARRIED</b>
Adjourn	738-23	<b>RANGE:</b> That the meeting be adjourned at 3:00 p.m.	<b>CARRIED</b>

  
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ADMINISTRATOR

  
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REEVE

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