

MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE VILLAGE OF BEISEKER HELD THURSDAY, JANUARY 18, 1979 AT 3:00 P.M. IN THE COUNCIL CHAMBERS.

PRESENT: MAYOR: John L. Richter
COUNCILLOR: Con Carter
COUNCILLOR: Ron Rice
COUNCILLOR: Roy Whitnack
MUNICIPAL ADMINISTRATOR: Pam Whitnack

CALL TO ORDER:

The meeting was called to order by Mayor Richter at 3:00 p.m.

BUSINESS:

Pam Whitnack outlined the recent problems encountered with Cangas Ltd. with regard to the Water Main Replacement Phase II project. The recent problems were as follows:

January 17, 1979

- (a) G. Olson & G. McCue of Cangas Ltd. came to the Village Office at approximately 9:30 a.m., requesting permission to remove materials from the Village garage and informing us that they would be removing some water pipe from the site. No permission to remove materials was granted.
- (b) At approximately 10:00 a.m., Mayor Richter went to the site where the pipe was stored and verbally informed the Cangas employees that they should not be removing the pipe until the dispute between the Village and themselves had been settled, and that they may be facing legal charges if the material was removed.
- (c) At approximately 12:00 noon, P. Whitnack visited the site where the pipe was stored and obtained the licence plate number of the vehicle onto which the pipe was being loaded, the name of the trucking firm and other particulars of the vehicle.
- (d) At approximately 12:50 p.m. the truck loaded with water pipe left town.
- (e) At approximately 1:20 p.m. a letter from Cangas Ltd. indicating their wish to terminate the contract and indicating their demand for payment was delivered to the Village Office by a person not identified.
- (f) Some time after 3:00 p.m. Lorne Konelsky, President of Cangas telephoned the Village Office requesting permission to remove other materials within the Village garage. Mrs. Whitnack informed Mr. Konelsky that these materials had been moved into the garage, on the advice of the Village lawyer, for safekeeping until the dispute between Cangas Ltd. and the Village was settled and that these materials would not be allowed to leave the site. Mr. Konelsky requested a letter to that effect.

JSK

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BUSINESS:

January 18, 1979 - 9:00 a.m.

Mrs. Whitnack subsequently met with Mr. Al Bloomenthal, Village lawyer; Mr. Bob Butler, Mr. Peter Mulyk, Mr. Oscar Regier, and Mr. Jim Wyenberg of Stanley/SLN Consulting to discuss recent developments and recommend the course of action.

All aspects of the problem were discussed by Council and the following decisions were made:

Councillor Rice moved that Cangas Ltd. be given formal notice of termination of the contract with the Village of Beiseker. Carried Unanimously.

Councillor Carter moved that Mr. A. Bloomenthal be authorized to proceed with necessary legal action against Cangas Ltd. with regard to the removal of materials from the site. Carried Unanimously.

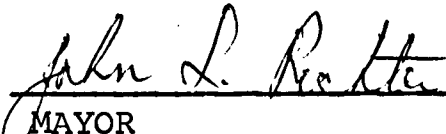
Councillor Whitnack moved that Cangas Ltd. be notified in writing that we are rescinding any authorization previously given to Cangas Ltd. for the use of Village property for storage purposes. Carried Unanimously.

Mayor Richter moved that Mr. Bloomenthal be authorized to obtain an injunction against Cangas Ltd. to protect the Village from further removal of materials from the site. Carried Unanimously.

Councillor Rice moved that Mayor Richter and Pam Whitnack be authorized to sign affidavits being prepared by Mr. Bloomenthal concerning the events which occurred January 17, 1979. Carried Unanimously.

ADJOURNMENT:

The meeting was adjourned by a motion of Mayor Richter at 3:35 p.m.


MAYOR


MUNICIPAL ADMINISTRATOR

SPECIAL MEETING

WAIVER OF NOTICE

We, the undersigned, hereby waive notice of the special meeting to be held in the Council Chambers, Thursday, January 18, 1979 at 3:00 p.m. for the purpose of:

- a) discuss problems with water replacement phase II

MAYOR: John L. Rechte

DEPUTY MAYOR: _____

COUNCILLOR: James Whitcomb

COUNCILLOR: Donald J. Bunn

COUNCILLOR: C. Carter

MUNICIPAL ADMINISTRATOR: Pamela Whitcomb