

MINUTES OF THE REGULAR MEETING OF THE RURAL MUNICIPALITY OF LA BROQUERIE HELD IN THE COUNCIL CHAMBERS IN THE VILLAGE OF LA BROQUERIE, MANITOBA ON WEDNESDAY, NOVEMBER 13TH, 2013.

Present: Claude Lussier Reeve
Cornie Goertzen Councillor Ward 1
Ron Hamilton Councillor Ward 1
Darrell Unger Councillor Ward 1 (absent with notification)
Wilfred Chabot Councillor Ward 2
Ron Vielfaure Councillor Ward 2
Ken Tallaire Councillor Ward 2 (absent with notification)

Also Present: Roger A. Bouvier Chief Administrative Officer

CALL TO ORDER:

With a quorum present Reeve Claude Lussier called the meeting to order at 8:00 a.m. followed by The Lord's Prayer.

ADOPTION OF AGENDA:

Res. No. 377-13 MOTION: Ron Hamilton – Wilfred Chabot

BE IT RESOLVED THAT the agenda for the regular meeting of November 13th, 2013 be accepted as presented.

CARRIED

ADOPTION OF MINUTES:

Res. No. 378-13 MOTION: Cornie Goertzen – Ron Vielfaure

BE IT RESOLVED THAT the minutes of the regular meeting of October 23rd, 2013 be accepted as amended.

CARRIED

COUNCIL / COMMITTEE / STAFF REPORTS:

Reeve Claude Lussier reported on his attendance to: October 28, Meeting with Gordon Daman; October 29, Seine River School Division meeting at Arborgate School; October 30, RHA meeting; November 4, Zoning meeting with Bill Sawka; November 5, Meeting with Gordon Daman and CDC meetings; November 6, KRV meeting; November 7, RHA Annual meeting; November 12, Finance meeting.

Councillor Cornie Goertzen reported on his attendance to: November 12, Finance meeting; and provided a written report on the operation of the Seine-Rat River Conservation District.

Councillor Ron Hamilton reported on his attendance to: November 12, Finance meeting.

Councillor Wilfred Chabot reported on his attendance to: November 5, CDC meeting; November 12, Finance and Marchand Community Club meetings.

Councillor Ron Vielfaure reported on his attendance to: November 12, Finance meeting.

DELEGATIONS:

- 9:00 a.m. Conditional Hearing regarding application by Allen and Darlene Penner to locate a second home (house trailer) on Pt. NW 27-5-7E and continue to use as a rental. The applicants were in attendance. (See Resolution No. 383-384-385-13)
- 10:00 a.m. Stephen Walker, Krysti Horton and Allison Driedger of Community and Regional Planning Branch, Steinbach met with Council to discuss long term planning issues, and the idea of creating conceptual plans for rural residential neighbourhoods to address supply and demand of lots, future transportation, needs and other infrastructure issues. Council showed interest in having a consultant with the financial assistance of the Department. Matter to be discussed further at next regular meeting of Council.
- 10:20 a.m. Dave Prud'homme and Carol Martin with Prairie By-Law Enforcement met with Council to discuss by-law enforcement issues. Bill 38 is presently before the Legislature, which will provide necessary authority to municipalities to enforce municipal by-laws. Municipal by-law will require updating upon final adoption of the Provincial legislation.
- 11:30 a.m. Ron Kowalchuk, Public Works Supervisor, met with Council regarding public works issues and reported on various projects including drainage works, road projects, and staffing.

COMMUNICATIONS:

<u>From:</u>	<u>Subject:</u>	<u>Disposition:</u>
Manitoba Hydro	Transmission line project	H-7-13
Crime Stoppers	Donation	Res. No. 386-13 D-2-13
Westcon	Open House – AMM	A-2-13
Operation Red Nose	Fund raiser – Volunteers	D-3-13
Board of Reference	Public Hearing	S-11-13
Eastman Mutual Aid	Minutes – June 19 th , 2013 meeting	E-2-13
Seine River School Division	Budget meeting – November 18 th , 2013	S-11-13
RCMP	3 rd Quarter report	R-6-13
Canadian Union of Postal Workers	Future of Canada Post	M-14-13
City of Steinbach	Meet and Greet – December 5, 2013	S-10-13
R.M. of Hanover	Meet and Greet – December 3, 2013	H-2-13
Bert Suss	Release of letter of credit	Res. 387-13
AMBM / Brandt Tractor	Meet and Greet – AMM	A-2-13

ACCOUNTS / FINANCE:

Res. No. 388-13 MOTION: Wilfred Chabot – Ron Vielfaure

BE IT RESOLVED THAT the attached Council & Staff Payroll cheques No. 20131352 to 20131373 and 20131378 to 20131390 in the amount of \$44,063.39 be approved by the Council of the Rural Municipality of La Broquerie.

CARRIED

Res. No. 389-13 MOTION: Wilfred Chabot – Ron Vielfaure

BE IT RESOLVED THAT the Financial Report to October 31st, 2013 be accepted as presented.

CARRIED

BY-LAW:

Res. No. 390-13 MOTION: Ron Vielfaure – Ron Hamilton

BE IT RESOLVED THAT By-Law No. 8-2013 (Borrowing By-Law/Normandeau project) be read a second time.

CARRIED

Res. No. 391-13 MOTION: Cornie Goertzen – Wilfred Chabot

BE IT RESOLVED THAT By-Law No 8-2013 (Normandeau project) be read a third time.

Recorded Vote:

IN FAVOUR

OPPOSED

ABSTAINED

Reeve Claude Lussier	√		
Councillor Cornie Goertzen	√		
Councillor Ron Hamilton	√		
Councillor Wilfred Chabot	√		
Councillor Ron Vielfaure	√		

CARRIED

NEW / GENERAL BUSINESS:

Res. No. 379-13 MOTION: Ron Hamilton – Ron Vielfaure

BE IT RESOLVED THAT the By-Law Enforcement Report for October 2013 be accepted as presented.

CARRIED

Res. No. 380-13 MOTION: Wilfred Chabot – Cornie Goertzen

BE IT RESOLVED THAT the October 2013 Building Permit Report be accepted as presented.

CARRIED

Res. No. 381-13 MOTION: Wilfred Chabot – Claude Lussier

BE IT RESOLVED THAT the attached Employee's Sick Days, Vacation, Banked time and Overtime Report to November 2, 2013 be accepted as reported to Council.

CARRIED

Res. No. 382-13 MOTION: Wilfred Chabot – Claude Lussier

BE IT RESOLVED THAT the attached Council Indemnity's and Expenses Report to October 31, 2013 be accepted as reported to Council.

CARRIED

Res. No. 383-13 MOTION: Ron Hamilton – Ron Vielfaure

BE IT RESOLVED THAT a Public Hearing is now called to order at 9:00 a.m. for Conditional Use Application No. DCU 10-2013 to leave the house trailer on the property for the use of a residential dwelling at NW 27-5-7EPM, Roll No. 41350.000, 28143 Kokomo Road / Road 39E, Agricultural General Zone, applicant Allen Penner.

CARRIED

Res. No. 384-13 MOTION: Wilfred Chabot – Ron Vielfaure

BE IT RESOLVED THAT the Public Hearing for Conditional Use Application No. DCU 10-2013 to leave the house trailer on the property for the use of a residential dwelling at NW 27-5-7EPM, Roll No. 41350.000, 28143 Kokomo Road / Road 39E, Agricultural General Zone, applicant Allen Penner be adjourned at 9:16 a.m.

CARRIED

Res. No. 385-13 MOTION: Wilfred Chabot – Ron Hamilton

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 5-96*, Allen Penner from Steinbach, MB, made application for a conditional use, File No.: DCU 13-2013, and after proper notice according to the Planning Act, the application was heard on November 13, 2013;

AND WHEREAS no objections were received;

AND WHEREAS upon consideration of the evidence provided and submissions made Council is of the opinion the conditional use application:

- A) is not in keeping with provisions of the *Rural Municipality of La Broquerie Development Plan and Zoning By-Law 5-96*;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of La Broquerie hereby allow leaving the house trailer on the property with the condition:

THAT the house trailer be decommissioned and must only be used as an accessory building on this property.

CARRIED

Res. No. 386-13 MOTION: Ron Vielfaure – Ron Hamilton

BE IT RESOLVED THAT a donation of .10 per capita (\$519.80) be paid to Manitoba Crime Stoppers for 2013.

CARRIED

Res. No. 387-13 MOTION: Cornie Goertzen – Ron Hamilton

BE IT RESOLVED THAT Council approve the request by Bert Suss to have his letter of credit for the Cherry Lane Development in the amount of \$5,000.00 cancelled;

AND FURTHER BE IT RESOLVED THAT the Steinbach Credit Union be advised of the cancellation.

CARRIED

Res. No. 392-13 MOTION: Claude Lussier – Wilfred Chabot

WHEREAS the Rural Municipality of La Broquerie is in the process of applying for a sewer rate review with the Public Utilities Board;

AND WHEREAS a deficit has occurred in the sewer utility for the years 2008 and 2009;

AND WHEREAS approval is required from the Public Utilities Board for deficits incurred by a utility;

THEREFORE BE IT RESOLVED THAT Council approve the application for a deficit for the 2008 and 2009 utility in the amounts of \$36,617.00 and \$91,332.00 respectively;

AND FURTHER BE IT RESOLVED THAT the deficit be recovered from funds drawn-down from the accumulated cash surplus account of the utility.

CARRIED

Res. No. 393-13 MOTION: Cornie Goertzen – Wilfred Chabot

BE IT RESOLVED THAT the municipal office be closed for the following days during the Christmas Holiday period: December 23rd to December 27th inclusive;

AND FURTHER BE IT RESOLVED THAT office staff use unused holidays/banked time or unpaid leave for those days which are not statutory holidays during this period of time.

CARRIED

Res. No. 394-13 MOTION: Cornie Goertzen – Ron Hamilton

WHEREAS upon approval of Subdivision File No. 4138-2010-5146 in October 2011, Council has established that the driveway to Lot 1 Plan 52387 at NE 22-6-7E be exclusively off of Carriere Drive;

AND WHEREAS the property owners have their main driveway off of Carriere Drive, and are requesting a second driveway off of St. Joseph Road/Road 34N;

THEREFORE BE IT RESOLVED THAT Council approve the request to allow a second driveway off of Carriere Drive onto Lot 1 Plan 52387 at NE 22-6-7E.

CARRIED

Res. No. 395-13 MOTION: Cornie Goertzen – Ron Hamilton

WHEREAS Community Planning Services has submitted to the Municipality a completed Application for Approval of Subdivision for Proposed Subdivision File No. 4138-2013-7234 at NW 32-6-7EPM , Roll No.: 78905.000, for Developer and Owner Lisa Martens;

AND WHEREAS the \$250.00 administration fee has been received for this application;

AND WHEREAS the application has been circulated to all properties within 500m of the subject property;

THEREFORE BE IT RESOLVED THAT this subdivision be approved with the following conditions:

- 1) That the Subdivision Deposit in the amount of \$1000.00 be paid to the R.M. of La Broquerie to be applied toward future costs associated with this subdivision;
- 2) That the applicant obtains a Building Location Certificate prepared by a Manitoba Land Surveyor illustrating all buildings and/or structures and onsite wastewater management systems on the affected lands in relation to the proposed property lines;
- 3) That an electronic and a hard copy of the Plan of Subdivision be provided;
- 4) That verification of proposed site areas and widths for all proposed lots be provided;
- 5) That the applicant obtains any and all variations deemed necessary in order to comply with our Zoning By-Law 5-96;
- 6) That the final plan show all lots at a site area of at least 2.0 acres and 200 feet frontage;
- 7) That the applicant obtains an Engineered Drainage Plan for this area;
- 8) That development dedication fees be submitted to the municipality in the amount of \$1,500.00 for each newly created building lot;
- 9) That the applicant enters into a Development Agreement with the municipality;
- 10) That monument restoration costs, for monuments that were found to be restored within this subdivision, will be borne by the Developer;
- 11) That any and all costs associated with this Subdivision will be borne by the Developer.

CARRIED

Res. No. 396-13 MOTION: Cornie Goertzen – Ron Hamilton

WHEREAS developers Ray-Mo Holdings Inc. have completed the drainage works of the 12-lot subdivision at SW 28-6-7E (File No.: 4138-2012-7033) following the approved engineered drainage plans;

AND WHEREAS the municipal engineer has inspected the drainage work and found that the swale highpoint was not constructed as per the plans but changed to match the existing ground;

THEREFORE BE IT RESOLVED THAT the drainage work be approved accepting the variations from the approved engineered plans executed during construction of the drainage;

AND FURTHER BE IT RESOLVED THAT the development agreement requirement be waived for this subdivision.

CARRIED

ADJOURNMENT:

Res. No. 397-13 MOTION: Ron Vielfaure – Wilfred Chabot

BE IT RESOLVED THAT the regular meeting of November 13th, 2013 be adjourned.

CARRIED

NEXT MEETING:

The next regular Council meeting will be held on Wednesday, December 11th, 2013 at 8:00 a.m.

**Claude Lussier,
Reeve**

**Roger A. Bouvier,
Chief Administrative Officer**