

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, JANUARY 23, 2013.

Present:

Claude Lussier	Reeve
Ron Hamilton	Councillor Ward 1
Darrell Unger	Councillor Ward 1
Wilfred Chabot	Councillor Ward 2
Ken Tallaire	Councillor Ward 2

Also Present: Roger Bouvier, Chief Administrative Officer

Absent: Cornie Goertzen Councillor Ward 1 (with notification)
Ron Vielfaure Councillor Ward 2 (with notification)

CALL TO ORDER:

With a quorum present Reeve Claude Lussier called the meeting to order at 6:00 p.m. followed by The Lord's Prayer.

ADOPTION OF AGENDA:

Res. No. 30-13 MOTION: Darrell Unger – Wilfred Chabot

BE IT RESOLVED THAT the agenda for the regular meeting of January 23, 2013 be accepted as presented.

CARRIED

ADOPTION OF MINUTES:

Res. No. 31-13 MOTION: Wilfred Chabot – Claude Lussier

BE IT RESOLVED THAT Council accept the minutes of the last regular meeting of January 9th, 2013 as presented.

CARRIED

COUNCIL / COMMITTEE / STAFF REPORTS:

Reeve Claude Lussier reported on his attendance to: December 18, 2012 Rural Municipality of La Broquerie Meet and Greet; January 7, Finance meeting; January 10, Vita Cell Service Committee meeting; January 14, AMBM meeting; January 15, Forestry/Conservation/Crown Land/Marchand Wilderness Park meeting and CDEM/AMBM meetings; January 17, meeting with KRV, January 21, Louis Balcaen and Finance meetings.

Councillor Wilfred Chabot reported on his attendance to: January 7, Finance meeting; January 9, MCC meeting; January 15, Conservation meeting; January 21, Finance meeting.

Councillor Ron Hamilton reported on his attendance to: January 21, Finance and Arena Board meetings.

Councillor Ken Tallaire reported on his attendance to: January 21, Finance and Arena meetings.

Councillor Darrell Unger reported on his attendance to: January 21, Finance meeting.

DELEGATIONS:

- 6:30 p.m. Public Hearing was held in respect of Road Closing By-Law 12-2012 for 20 lot subdivision at SE 36-6-7E (KRV Development). No objections were received. (See Resolutions No. 38-39-40-41-42-2013)
- 6:45 p.m. Public Hearing was held in respect of Road Opening File No. RD 01-13 to create a new road at S½ 3-6-8E by applicant Peter and Maria Gerzen. Mr. Gerzen was in attendance. No objections were received. (See Resolutions No. 43-44-45-46-2013)
- 7:00 p.m. Public Hearing was held in respect of a proposal by the LUD of La Broquerie to form a Local Improvement District for the purpose of a borrowing per By-Law No. 2-2012 (Re-construction of Baie Normandeau). The Chief Administrative Officer presented the proposal and finance information to the public. Twelve persons were in attendance. Comments were received and discussed with Council. One written objection was received. (See Resolutions No. 47-48-49-2013)

COMMUNICATIONS:

<u>From:</u>	<u>Subject:</u>	<u>Disposition:</u>
Eastman Mutual Fire District	Minutes of December 5, 2012	E-2-13
Marchand Community Club	Letter of appreciation/public works	M-1-13
Saint-Joachim Library	Minutes of October 30 th , 2012 meeting	L-3-13
AMM (2)	Member Advisory re: amalgamation	A-2-13
Prairie By-Law Enforcement	Schedule for February, 2013	B-4-13
City of Steinbach	Notice of public hearing	S-10-13
R. M. of Grey	Amalgamation	A-2-13

ACCOUNTS / FINANCE:

Res. No. 50-13 MOTION: Ron Hamilton – Darrell Unger

BE IT RESOLVED THAT the attached Council, Staff, and Fire Dept. Payroll cheques No. 20121559 to 20121610 and cheques No. 20130065 to 20130075 in the amount of \$76,963.24 be approved by the Council of the Rural Municipality of La Broquerie.

CARRIED

BY-LAWS:

Res. No. 40-13 MOTION: Ron Hamilton – Wilfred Chabot

WHEREAS pursuant to the provisions of the *Planning Act*, KRV Development Inc. of Steinbach, Manitoba, made application for a multiple lot subdivision at SE 36-6-7EPM including a portion of road to be closed within the subdivision;

AND WHEREAS after proper public notice according to the *Municipal Act*, the Public Hearing for Road Closing By-Law 12-2012 to close a portion of municipal road known as Rue Des Pignons as described in By-law 12-2012 was held;

AND WHEREAS no objections were received;

THEREFORE BE IT RESOLVED THAT By-Law 12-2012 be read a second time.

CARRIED

Res. No. 41-13 MOTION: Claude Lussier – Ken Tallaire

BE IT RESOLVED THAT By-Law No. 12-2012 (Road Closing of part of Rue Des Pignons for KRV Development's 20-lot subdivision) be read a third time.

Recorded Vote:	<u>IN FAVOUR</u>	<u>OPPOSED</u>	<u>ABSTAINED</u>
<i>Reeve Claude Lussier</i>	x		
<i>Councillor Ron Hamilton</i>	x		
<i>Councillor Darrell Unger</i>	x		
<i>Councillor Wilfred Chabot</i>	x		
<i>Councillor Ken Tallaire</i>	x		

CARRIED

Res. No. 51-13 MOTION: Wilfred Chabot – Ken Tallaire

BE IT RESOLVED THAT By-Law No. 01-2013 (to rescind Code of Conduct) be read a third time.

Recorded Vote:	<u>IN FAVOUR</u>	<u>OPPOSED</u>	<u>ABSTAINED</u>
<i>Reeve Claude Lussier</i>	x		
<i>Councillor Ron Hamilton</i>	x		
<i>Councillor Darrell Unger</i>	x		
<i>Councillor Ken Tallaire</i>	x		
<i>Councillor Wilfred Chabot</i>	x		

CARRIED

Res. No. 52-13 MOTION: Ron Hamilton – Claude Lussier

BE IT RESOLVED THAT By-Law No. 2-2013 (to establish capital development reserve for LUD) be read a third time.

Recorded Vote:	<u>IN FAVOUR</u>	<u>OPPOSED</u>	<u>ABSTAINED</u>
<i>Reeve Claude Lussier</i>	x		
<i>Councillor Ron Hamilton</i>	x		
<i>Councillor Darrell Unger</i>	x		
<i>Councillor Ken Tallaire</i>	x		
<i>Councillor Wilfred Chabot</i>	x		

CARRIED

NEW / GENERAL BUSINESS:

Res. No. 32-13 MOTION: Ken Tallaire – Darrell Unger

BE IT RESOLVED THAT the 2012 Conditional Use Applications report and the 2012 Variation Applications report be received as presented.

CARRIED

- Res. No. 33-13 MOTION: Ken Tallaire – Ron Hamilton
- BE IT RESOLVED THAT** the By-Law Enforcement summary report to December 31st, 2012 be accepted as presented.
- CARRIED**
- Res. No. 34-13 MOTION: Darrell Unger – Wilfred Chabot
- BE IT RESOLVED THAT** the 2012 Subdivision report be received as presented.
- CARRIED**
- Res. No. 35-13 MOTION: Ken Tallaire – Darrell Unger
- BE IT RESOLVED THAT** the Building and Demolition Permit Report to December 31st, 2012 be accepted as presented.
- CARRIED**
- Res. No. 36-13 MOTION: Ken Tallaire – Claude Lussier
- BE IT RESOLVED THAT** the attached Employee's Sick Days, Vacation, Banked time and Overtime Report to January 12, 2013 be accepted as reported to Council.
- CARRIED**
- Res. No. 37-13 MOTION: Ken Tallaire – Darrell Unger
- BE IT RESOLVED THAT** the attached Council indemnity's and expenses report to December 31, 2012 be accepted as reported to Council.
- CARRIED**
- Res. No. 38-13 MOTION: Darrell Unger – Ken Tallaire
- BE IT RESOLVED THAT** a Public Hearing is now called to order at 6:30 p.m. for Road Closing By-Law 12-2012 to close a portion of Rue Des Pignons as described in By-law 12-2012.
- CARRIED**
- Res. No. 39-13 MOTION: Claude Lussier – Darrell Unger
- BE IT RESOLVED THAT** the Public Hearing for Road Closing By-Law 12-2012 to close a portion of Rue Des Pignons as described in By-Law 12-2012 be adjourned at 6:35 p.m.
- CARRIED**

Res. No. 42-13 MOTION: Darrell Unger – Ken Tallaire

WHEREAS: the Municipality proposes to pass a by-law closing a portion of municipal road described as follows:

All that portion of Public Road Plan 40636 WLTO to be closed, contained within the limits of a Plan of Subdivision prepared by Gilbert J. Landreville, Manitoba Land Surveyor, on file in Winnipeg Land Titles Office as Deposit 1343/2012 in the SE ¼ 36-6-7 EPM;

THEREFORE BE IT RESOLVED THAT following the closing this portion of the municipal road it will be sold and transferred, subject to the approval of the Minister responsible for the Municipal Act, as follows:

1. Upon the closing of the portion of Public Road Plan 40636 described above by virtue of the receipt of the necessary ministerial approval and the registration of Deposit No. 1343/2012 in the WLTO, this closed portion, excluding mines and minerals and other matters as set forth in the Crown Lands Act, shall be transferred for \$1.00 and other consideration, to KRV Developments Inc. for consolidation with the adjacent land owned by it described as follows:

Lot 25 Plan 49839 WLTO
In SE ¼ 36-6-7 EPM

2. The Reeve and Chief Administrative Officer are hereby authorized to execute, under the corporate seal of the Municipality, any and all documents necessary to carry out the provisions of this Resolution.

CARRIED

Res. No. 43-13 MOTION: Ken Tallaire – Darrell Unger

BE IT RESOLVED THAT a Public Hearing is now called to order at 6:45 p.m. for Road Hearing File No. RD 01-13 to create a new road as part of Subdivision File No. 4138-2012-7084 at S ½ 3-6-8EPM, Roll 89450.000, registered owners Peter & Maria Gerzen.

CARRIED

Res. No. 44-13 MOTION: Darrell Unger – Wilfred Chabot

BE IT RESOLVED THAT the Public Hearing for Road Hearing File No. RD 01-13 to create a new road as part of Subdivision File No. 4138-2012-7084 at S ½ 3-6-8EPM, Roll 89450.000, registered owners Peter & Maria Gerzen be adjourned at 6:55 p.m.

CARRIED

Res. No. 45-13 MOTION: Ken Tallaire – Wilfred Chabot

WHEREAS a Public Hearing was held in respect to a new road as part of Subdivision File No. 4138-2012-7084 at S½ 3-6-8EPM, Roll 89450.000 registered owners Peter and Maria Gerzen;

AND WHEREAS no objections were received;

THEREFORE BE IT RESOLVED THAT Council approve these proposed roads.

CARRIED

Res. No. 46-13

MOTION: Wilfred Chabot – Ron Hamilton

WHEREAS Community Planning Services has submitted to the Municipality a completed Application for Approval of Subdivision for Proposed Subdivision File #4138-2012-7084 at S½ 3-6-8EPM, Roll 89450.000 for Applicants and Owners Peter and Maria Gerzen;

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

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

- 1) That the portion of the property designated as *Principal Centre Policy Area* in the RM of La Broquerie Development Plan be rezoned as “GD” General Development Zone;
- 2) 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;
- 3) 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;
- 4) That a copy of the plan of subdivision as well as 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 applicant obtains an Engineered Road Plan;
- 7) That the road names for the newly created roads be reflected on the plan of subdivision;
- 8) That the applicant obtains an Engineered Drainage Plan for this area;
- 9) That development dedication fees be submitted to the municipality in the amount of \$1000.00 for each newly created building lot;
- 10) That the applicant enters into a Development Agreement with the municipality;
- 11) That any and all costs associated with this Subdivision will be borne by the Developer.

CARRIED

Res. No. 47-13

MOTION: Ken Tallaire – Ron Hamilton

BE IT RESOLVED THAT a Public Hearing be called to order at 7:00 p.m. regarding the formation of a local improvement Plan for the purpose of a borrowing per By-Law No. 2-2012 (Re-construction of Baie Normandeau) for the Local Urban District of La Broquerie.

CARRIED

Res. No. 48-13

MOTION: Wilfred Chabot – Darrell Unger

BE IT RESOLVED THAT the Public Hearing regarding the formation of a Local Improvement District for the purpose of a borrowing per By-Law No. 2-2012 be adjourned at 7:28 p.m.

CARRIED

Res. No. 49-12

MOTION: Claude Lussier – Ken Tallaire

BE IT RESOLVED THAT By-Law No. 2-2012 (Local Improvement Plan No. 1-2012) be read a second time.

CARRIED

Res. No. 53-13

MOTION: Ken Tallaire – Darrell Unger

WHEREAS Community Planning Services has submitted to the Municipality a completed Application for Approval of Subdivision for Proposed Subdivision File #4138-2012-7071 at NE 30-6-7EPM, Roll 76905.000 for Applicants and Owners Peter and Jane Buller;

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

AND WHEREAS all property owners within 500 metres of the development were notified of this subdivision application as per Resolution 536-12;

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

- 1) 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;
- 2) That a copy of the plan of subdivision as well as verification of proposed site areas and widths for all proposed lots be provided;
- 3) That the applicant obtains any and all variations deemed necessary in order to comply with our Zoning By-Law 5-96;
- 4) That development dedication fees be submitted to the municipality in the amount of \$1000.00 for each newly created building lot;
- 5) That the applicant enters into a Development Agreement with the municipality;
- 6) That any and all costs associated with this Subdivision will be borne by the Developer.

CARRIED

Res. No. 54-13

MOTION: Ken Tallaire – Darrell Unger

WHEREAS Dan Cady has requested a resolution from Council to operate a Handi Transit to transport aged and wheelchair people to appointments or shopping within the Municipality of La Broquerie and area;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of La Broquerie support the proposed application with the condition that a conditional use permit be obtained before commencement of this operation if necessary as per the Rural Municipality of La Broquerie Zoning By-Law.

CARRIED

Res. No. 55-13

MOTION: Ken Tallaire – Wilfred Chabot

BE IT RESOLVED THAT Council dissolve into a committee of the whole committee of council in camera to discuss personnel issues in a closed in-camera session at 8:15 p.m.

AND FURTHER BE IT RESOLVED THAT the committee agree to keep in confidence all matters discussed at this closed session until the matter is discussed at an open meeting of Council or a Committee of Council conducted in public.

CARRIED

Res. No. 56-13 MOTION: Ron Hamilton – Darrell Unger

BE IT RESOLVED THAT the committee of the Whole Council revert back to the regular open meeting of council at 8:50 p.m.

CARRIED

ADJOURNMENT:

Res. No. 57-13 MOTION: Ken Tallaire – Darrell Unger

BE IT RESOLVED THAT the regular meeting of January 23rd, 2013 be adjourned.

CARRIED

NEXT MEETING:

The next regular Council meeting will be held on Wednesday, February 13th, 2013 at 8:00 a.m.

Claude Lussier,
Reeve

Roger A. Bouvier,
Chief Administrative Officer