

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, DECEMBER 9, 2015.

Present: Lewis Weiss Reeve
Darrell Unger Councillor Ward 1
Alvin Derksen Councillor Ward 1
Cameron Peters Councillor Ward 1
Ivan Normandeau Councillor Ward 2
Wilfred Chabot Councillor Ward 2
Laurent Tétrault Councillor Ward 2

Also Present: Ginette Tétrault Interim Chief Administrative Officer

CALL TO ORDER:

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

ADOPTION OF AGENDA:

Res. No. 548-15 MOTION: Darrell Unger – Ivan Normandeau

BE IT RESOLVED THAT the agenda for the regular meeting of December 9, 2015 be accepted as presented with the following additions:

- 11. (k) CAO Position
- 11. (l) Personnel Committee

CARRIED

ADOPTION OF MINUTES:

Res. No. 549-15 MOTION: Wilfred Chabot – Alvin Derksen

BE IT RESOLVED THAT the minutes of the regular meeting of November 18, 2015 be accepted as presented.

CARRIED

COUNCIL / COMMITTEE / STAFF REPORTS:

Reeve Lewis Weiss reported on his attendance to: November 23, 24, 25, AMM convention; November 26, arena meeting; December 1, personnel meeting with Alvin Derksen and Cameron Peters; December 3, R.M. of Hanover meet and greet; December 3, personnel meeting with Arena Board President & Arena Board member; December 5, R.M. Christmas dinner; December 7, finance meeting; December 8, meeting with Elmer Toews in regards to green space and park; December 8, meeting with Kelly Ritchie, Environment Officer, in regards to the lagoon regulations and compliance; December 9, Council meeting.

Councillor Darrell Unger reported on his attendance to: November 23, 24, 25, AMM convention; December 3, personnel meeting with Arena Board President & Arena Board member; December 7, finance meeting.

Councillor Ivan Normandeau reported on his attendance to: November 23, 24, 25, AMM convention; November 26, volleyball opening ceremonies at École St-Joachim; December 1, Library board meeting; December 1, LUD meeting; December 3, personnel meeting with Arena Board President & Arena Board member; December 7, finance meeting.

Councillor Alvin Derksen reported on his attendance to: November 23, 24, 25, AMM convention; December 1, Special meeting with Lewis Weiss and Cameron Peters; December 3, R.M. of Hanover meet and greet; December 3, personnel meeting with Arena Board President & Arena Board member; December 5, R.M. Christmas dinner; December 7, finance meeting; December 7, CDC meeting.

Councillor Cameron Peters reported on his attendance to: November 23, 24, 25, AMM convention; December 1, personnel meeting; December 3, personnel meeting with Arena Board President & Arena Board member; December 3, R.M. of Hanover meet and greet; December 5, R.M. Christmas dinner; December 7, finance meeting.

Councillor Wilfred Chabot reported on his attendance to: November 23, 24, 25, AMM convention; December 3, personnel meeting with Arena Board President & Arena Board member; December 7, CDC meeting; December 7, finance meeting.

Councillor Laurent Tétrault reported on his attendance to: November 23, 24, 25, AMM convention; November 24, Arena Board meeting; December 3, personnel meeting with Arena Board President & Arena Board member; December 3, R.M. of Hanover meet and greet; December 7, finance meeting.

Res. No. 550-15 MOTION: Ivan Normandeau – Darrell Unger

BE IT RESOLVED THAT the Building and Demolition Report to November 30th, 2015 be accepted as presented.

CARRIED

Res. No. 551-15 MOTION: Alvin Derksen – Laurent Tétrault

BE IT RESOLVED THAT the attached Council indemnities and expenses Report to November 30th, 2015 be accepted as reported to Council.

CARRIED

Res. No. 552-15 MOTION: Laurent Tétrault – Darrell Unger

BE IT RESOLVED THAT the attached Employee's Sick Days, Vacation, Banked time and Overtime Report to December 2nd, 2015 be accepted as reported to Council.

CARRIED

Res. No. 553-15 MOTION: Cameron Peters – Ivan Normandeau

BE IT RESOLVED THAT the Fuel/Diesel summary report for the month of November 2015 be received as presented.

CARRIED

Res. No. 554-15 MOTION: Laurent Tétrault – Alvin Derksen

BE IT RESOLVED THAT the By-Law Enforcement summary report for the month of November 2015 be received as presented.

CARRIED

Res. No. 555-15 MOTION: Wilfred Chabot – Cameron Peters

BE IT RESOLVED THAT the La Broquerie Fire Department monthly report for November 2015 be accepted as presented.

CARRIED

Res. No. 556-15 MOTION: Darrell Unger – Wilfred Chabot

BE IT RESOLVED THAT the Public Works report for the month of November 2015 be received as presented.

CARRIED

DELEGATIONS:

7:30 p.m. A public hearing was held in regards to Conditional Use Application No. DCU 17-15 to allow to move a 1975, 1064 sq ft home with single attached garage currently located in Blumenort to 41107 Road 19N, Zhoda, SE 12-4-7EPM, Roll No. 4799.960, “GD” General Development Zone, applicant 5 Brothers Investment Inc.

12:30 p.m. Municipal Lawyer Greg Tramley and Municipal Consultant Roger Bouvier met with Council to discuss legal matters.

COMMUNICATIONS:

<u>From:</u>	<u>Subject:</u>	<u>Disposition:</u>
JR Cousin Consultants Ltd.	Minutes of November 18 th Lagoon Expansion Meeting	File No. E-8-15
Comité Scolaire ESJ	Receipt of Operation Red Nose Sponsorship Kit	File No. D-2-15
CPEF St-Joachim	Thank you for Donation	File No. D-2-15
MB Infrastructure & Transportation	Non-Permitted On-Premises Advertising Sign, Anger Fitness	File No. H-4-15
RM of Piney	Notice of Development Plan Public Hearing	File No. P-6-15
Scatliff + Miller + Murray	Conceptual Master Plan Proposal Accepted by LUD	File No. B-2-2015
Joseph & Lindsay Giesbrecht	Drainage issues	CAO File No. 90
John & Margarita Martens	Building Permit (BP 137-13) Request for deposit refund	Res. No. 565-15
Mennonite Heritage Village	Request for donation	Res. No. 566-15
HyLife	HyLife Fun Days request for donation	Res. No. 567-15
Manitoba Planning Conference	2016 Manitoba Planning Conference May 18-20, 2016 – Brandon	Res. No. 568-15

NEW / GENERAL BUSINESS:

Res. No. 557-15 MOTION: Cameron Peters – Alvin Derksen

BE IT RESOLVED THAT Council dissolve into a committee of the Whole Council in camera to discuss personnel issues in a closed in-camera session at 8:05 a.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. 558-15 MOTION: Alvin Derksen – Darrell Unger

BE IT RESOLVED THAT the Committee of the Whole Council revert back to the regular open meeting of Council at 8:15 a.m.

CARRIED

Res. No. 559-15 MOTION: Lewis Weiss – Darrell Unger

BE IT RESOLVED THAT Council terminate the employment of Rachel Fournier, Chief Administrative Officer for the R.M. of La Broquerie, effective December 7, 2015.

Recorded Vote:	For	Opposed	Abstained
Reeve Lewis Weiss	√		
Councillor Darrell Unger	√		
Councillor Alvin Derksen	√		
Councillor Cameron Peters	√		
Councillor Ivan Normandeau	√		
Councillor Wilfred Chabot	√		
Councillor Laurent Tétrault	√		

CARRIED

Res. No. 560-15 MOTION: Cameron Peters – Wilfred Chabot

BE IT RESOLVED THAT Ginette Tétrault, Assistant CAO be appointed as Interim CAO effective immediately, and remunerated as per negotiated, effective November 1, 2015.

CARRIED

Res. No. 561-15 MOTION: Alvin Derksen – Ivan Normandeau

BE IT RESOLVED THAT Council authorize administration to advertise for the position of Chief Administrative Officer.

CARRIED

Res. No. 562-15 MOTION: Laurent Tétrault – Wilfred Chabot

BE IT RESOLVED THAT a Public Hearing is now called to order at 9:00 a.m. for Conditional Use Application No. DCU 17-15 to allow to move a 1975, 1064 sq ft home with single attached garage currently located in Blumenort to 41107 Road 19N, Zhoda, SE 12-4-7EPM, Roll No. 4799.960, “GD” General Development Zone, applicant 5 Brothers Investment Inc.

CARRIED

Res. No. 563-15 MOTION: Alvin Derksen – Darrell Unger

BE IT RESOLVED THAT the Public Hearing for Conditional Use Application No. DCU 17-15 to allow to move a 1975, 1064 sq ft home with single attached garage currently located in Blumenort to 41107 Road 19N, Zhoda, SE 12-4-7EPM, Roll No. 4799.960, “GD” General Development Zone, applicant 5 Brothers Investment Inc. be adjourned at 9:04 a.m.

CARRIED

Res. No. 564-15 MOTION: Alvin Derksen – Wilfred Chabot

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 10-13*, Norm Funk on behalf of 5 Brothers Investment from Mitchell, Manitoba, made application for a conditional use, File No.: DCU 17-15, and after proper notice according to the Planning Act, the application was heard on December 9, 2015;

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 compatible with the general nature of the surrounding area;
- (B) is not detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area; and
- (C) is in keeping with provisions of the *Rural Municipality of La Broquerie Development Plan and Zoning By-Law 10-13*;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of La Broquerie allow to move 1975, 1064 sq ft home with single attached garage currently located in Blumenort to 41107 Road 19N, Zhoda, SE 12-4-7EPM, Roll No. 4799.960, “GD” General Development Zone.

CARRIED

Res. No. 565-15 MOTION: Darrell Unger – Ivan Normandeau

WHEREAS John and Margarita Martens, applicant of BP 137-13 have requested that the \$5,000.00 deposit be refunded to them;

AND WHEREAS the conditions imposed on the applicants were partly completed;

THEREFORE BE IT RESOLVED THAT Council authorize administration to refund \$2,500.00 and that the remaining \$2,500.00 be refunded upon completion of the project;

AND FURTHER BE IT RESOLVED THAT the project be completed by September 1, 2016.

CARRIED

Res. No. 566-15 MOTION: Alvin Derksen – Wilfred Chabot

WHEREAS Council has received a request for a donation from the Mennonite Heritage Village to support their development initiative, Foundations for a Strong Future: Faith, Family and Community;

THEREFORE BE IT RESOLVED THAT Council deny request.

CARRIED

Res. No. 567-15 MOTION: Ivan Normandeau – Alvin Derksen

WHEREAS the 7th annual HyLife Fun Days will be taking place on March 18 & 19, 2016;

AND WHEREAS the Rural Municipality of La Broquerie has participated annually in this community fundraiser;

AND WHEREAS the funds raised in 2016 will be shared between ROC Eastman (Recreation Opportunities for Children Inc.), Eden Health Care Services and The Bethesda Foundation;

THEREFORE BE IT RESOLVED THAT Council authorize the participation in this worthwhile community fundraiser by purchasing a \$2000.00 sponsor level donation.

CARRIED

Res. No. 568-15 MOTION: Cameron Peters – Darrell Unger

WHEREAS the Manitoba Planning Conference will be taking place May 18-20, 2016 at the Victoria Inn Hotel & Conference Centre in Brandon;

THEREFORE BE IT RESOLVED THAT Council authorize Irina Poplavski, Development Officer for the Rural Municipality of La Broquerie to attend this conference;

AND FURTHER BE IT RESOLVED THAT her registration and travelling expenses be paid.

CARRIED

Res. No. 569-15 MOTION: Darrell Unger – Laurent Tétrault

WHEREAS Community Planning Services has submitted to the Municipality a completed Application for Approval of Subdivision for Proposed Subdivision File #4138-15-7627 at NW 33-5-7EPM for Applicant Tom Leppelmann, Owner Teunis Penning;

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 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 an electronic and a hard copy of the Plan of Subdivision or the legal description as required by TPR be provided;
- (3) That verification of proposed site areas and widths for all proposed lots be provided;
- (4) That the applicant provide a report addressing the gravel conditions of the subject property (Roll: 43800.000);
- (5) That the applicant obtains any and all variations deemed necessary in order to comply with our Zoning By-Law 10-2013;
- (6) That development dedication fees be submitted to the municipality in the amount of \$2500.00 for each newly created building lot;

- (7) That monument restoration costs, for monuments that were found to be restored within this subdivision, will be borne by the Developer;
- (8) That any and all costs associated with this Subdivision will be borne by the Developer.

CARRIED

Res. No. 570-15 MOTION: Laurent Tétrault – Wilfred Chabot

WHEREAS the conditional approval resolution passed on November 18th, 2015 approving subdivision application 4138-15-7583, applicant Pierre Nadeau, contained the condition to provide a plan of subdivision;

AND WHEREAS Winnipeg Land Titles Office only requires a land description;

THEREFORE BE IT RESOLVED THAT condition 2) of Resolution 535-2015 be amended to state “That a copy of the land description prepared by a Manitoba land Surveyor or a Lawyer be provided”;

FURTHER BE IT RESOLVED THAT condition 6) “That the applicant enters into a Development Agreement with the municipality” be waived as a development agreement is not required for this subdivision;

FURTHER BE IT RESOLVED THAT development dedication fees be not required for this subdivision as no new roll will be created as a result of this subdivision.

CARRIED

Res. No. 571-15 MOTION: Cameron Peters – Alvin Derksen

WHEREAS the Rural Municipalities of La Broquerie and Ste Anne cost shared the upgrading of Loewen Boulevard in 2015;

AND WHEREAS the project is completed;

AND WHEREAS both municipalities had agreed to cost share the project on a 50-50% basis;

AND WHEREAS the Rural Municipality of Ste Anne has been invoiced for 50% of their share of the costs;

AND WHEREAS full payment has not been received at this time due to a misunderstanding in the total cost of the project to be cost shared;

THEREFORE BE IT RESOLVED THAT representatives of the two municipalities meet to resolve this issue.

CARRIED

Res. No. 572-15 MOTION: Laurent Tétrault – Cameron Peters

WHEREAS the Rural Municipality of La Broquerie has an agreement with Municipal Information Systems Inc. (MuniWare) for the provision of software and technical assistance for the financial services of the municipality;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of La Broquerie enter into an agreement with Municipal Information Systems Inc. (MuniWare) for continued support in 2016 as per attached agreement;

FURTHER BE IT RESOLVED THAT Council authorize the Reeve and Chief Administrative Officer to sign and execute the 2016 Software Support Agreement as well as the Software License Agreement.

CARRIED

Res. No. 573-15 MOTION: Ivan Normandeau – Alvin Derksen

BE IT RESOLVED THAT the SDC La Broquerie CDC be permitted to occupy the vacant office at the Centre HyLife Center.

CARRIED

Res. No. 574-15 MOTION: Laurent Tétrault – Wilfred Chabot

WHEREAS Section 163 of The Municipal Act provides that a Council may adopt an interim operating budget to have effect until the Council adopts the operating budget for the fiscal year;

THEREFORE BE IT RESOLVED THAT Council adopt the 2016 Interim Operating Budget as follows:

	Municipality	LUD
General Government Services	750,000.00	20,000.00
Protective Services	300,000.00	
Transportation Services	1,100,000.00	300,000.00
Environmental Health Services	150,000.00	45,000.00
Public Health & Welfare Services	12,000.00	
Environmental Development Services	15,000.00	1,000.00
Recreation and Cultural Services	200,000.00	15,000.00
Fiscal Services	1,300,000.00	
Utility Operating requirements	60,000.00	
Total	3,887,000.00	381,000.00

CARRIED

Res. No. 575-15 MOTION: Ivan Normandeau – Laurent Tétrault

BE IT RESOLVED THAT Councillor Cameron Peters be appointed to the Personnel Committee.

CARRIED

Res. No. 576-15 MOTION: Darrell Unger – Wilfred Chabot

BE IT RESOLVED THAT the Council of the Rural Municipality of La Broquerie renew its landfill agreement extension with the City of Steinbach for a three-year period (January 1, 2016 to December 31, 2018).

FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to sign and execute the agreement.

CARRIED

Res. No. 577-15 MOTION: Cameron Peters – Alvin Derksen

WHEREAS Administration has prepared a road maintenance contract for 2016-2017;

AND WHEREAS Council has reviewed said document;

THEREFORE BE IT RESOLVED THAT Administration proceed with the tendering process.

CARRIED

Res. No. 578-15 MOTION: Alvin Derksen – Wilfred Chabot

BE IT RESOLVED THAT Council dissolve into a committee of the Whole Council in camera to discuss legal issues in a closed in-camera session at 12:30 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. 579-15 MOTION: Ivan Normandeau – Darrell Unger

BE IT RESOLVED THAT the Committee of the Whole Council revert back to the regular open meeting of Council at 1:24 p.m.

CARRIED

ACCOUNTS / FINANCE:

Res. No. 580-15 MOTION: Darrell Unger – Ivan Normandeau

BE IT RESOLVED THAT the Financial Statement to November 30th, 2015 be accepted as presented.

CARRIED

Res. No. 581-15 MOTION: Ivan Normandeau – Cameron Peters

BE IT RESOLVED THAT the attached Council and Staff Payroll cheques No. 20151594 to 20151672 in the amount of \$43,805.95 be approved by the Council of the Rural Municipality of La Broquerie.

CARRIED

ADJOURNMENT:

Res. No. 582-15 MOTION: Alvin Derksen – Cameron Peters

BE IT RESOLVED THAT the meeting of December 9, 2015 be adjourned.

CARRIED

NEXT MEETING:

The next regular Council meeting will be held on Wednesday, January 13, 2016 at 8:00 a.m.

Lewis Weiss
Reeve

Ginette Tétrault
Interim Chief Administrative Officer