

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, APRIL 20th, 2016.

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

Also Present: Anne Burns Chief Administrative Officer

CALL TO ORDER:

With a quorum present Reeve Lewis Weiss called the meeting to order at 7:00 p.m. followed by The Lord's Prayer.

ADOPTION OF AGENDA:

Res. No. 189-16 MOTION: Ivan Normandeau – Cameron Peters

BE IT RESOLVED THAT the agenda for the regular meeting of April 20, 2016 be accepted with the following addition:
9. n) 2014 draft audited financial statement

CARRIED

ADOPTION OF MINUTES:

Res. No. 190-16 MOTION: Alvin Derksen – Laurent Tétrault

BE IT RESOLVED THAT the minutes of the regular meeting of April 6, 2016 be accepted as amended.

CARRIED

COUNCIL / COMMITTEE / STAFF REPORTS:

Reeve Lewis Weiss reported on his attendance to: April 12-14, Municipal Official Seminar and Manitoba Good Roads Association; April 18, finance meeting; April 19, meeting with Anne Burns, Ron Kowalchuk, John and Ruth Giesbrecht.

Councillor Darrell Unger reported on his attendance to: March 30, budget meeting; April 4, finance meeting; April 18, finance meeting.

Councillor Alvin Derksen reported on his attendance to: April 11, CDC meeting, April 12-14, Municipal Official Seminar and Manitoba Good Roads Association; April 18, finance meeting.

Councillor Cameron Peters reported on his attendance to: April 18, finance meeting; April 20, Council meeting.

Councillor Wilfred Chabot reported on his attendance to: March 30, budget meeting; April 4, finance and CDC meeting; April 18, finance and public works meeting.

Councillor Ivan Normandeau reported on his attendance to: April 18, finance meeting; April 20, budget meeting.

Councillor Laurent Tétrault reported on his attendance to: April 7, LUD and Trails meeting; April 12 - 14, Municipal Official Seminar and Manitoba Good Roads Association; April 18, finance meeting; April 20, Budget meeting.

Res. No. 191-16 MOTION: Laurent Tétrault – Wilfred Chabot

BE IT RESOLVED THAT the minutes of the LUD meeting of March 22, 2016 be accepted as presented.

CARRIED

Res. No. 192-16 MOTION: Wilfred Chabot – Cameron Peters

BE IT RESOLVED THAT a Public Hearing is now called to order at 7:15 p.m. for Conditional Use Application No. DCU 04-16 to allow to move a 1959, 1,070 sq.ft. older home onto Lot 6, Block 3, Plan 29505 at SE 1-6-8E, Roll: 82195.360, “GD” General Development Zone, applicant Viktor Pankraz.

CARRIED

PUBLIC HEARING:

IN THE MATTER OF: Conditional use # DCU 04-16 to move an older home

APPLICANT: Viktor Pankraz

OWNER: Viktor and Henry Pankraz

The Hearing opened at 7:15 p.m.

Reeve Lewis Weiss called the Hearing to Order.

The CAO explained the purpose of the hearing, how it will be conducted and what kind of outcome will result.

The CAO read the Notice.

Persons in attendance: Viktor and Henry Pankraz

There were no other persons in attendance at the Hearing to make representation for, against or for information. No letters were received.

Res. No. 193-16 MOTION: Alvin Derksen – Ivan Normandeau

BE IT RESOLVED THAT the Public Hearing for Conditional Use Application No. DCU 04-16 to allow to move a 1959, 1,070 sq.ft. older home onto Lot 6, Block 3, Plan 29505 at SE 1-6-8E, Roll 82195.360, “GD” General Development Zone, applicant Viktor Pankraz, be adjourned at 7:24 p.m.

CARRIED

Res. No. 194-16 MOTION: Darrell Unger – Laurent Tétrault

BE IT RESOLVED THAT the Communication be received as information.

CARRIED

NEW GENERAL BUSINESS:

Res. No. 195-16 MOTION: Laurent Tétrault – Wilfred Chabot

BE IT RESOLVED THAT the 2014 Arena Audited Financial report from BDO be accepted as presented.

CARRIED

Res. No. 196-16 MOTION: Ivan Normandeau – Laurent Tétrault

BE IT RESOLVED THAT the 2016 LUD Service Plan be accepted as presented.

CARRIED

Res. No. 197-16 MOTION: Cameron Peters – Alvin Derksen

BE IT RESOLVED THAT all of Council be authorized to attend the Steinbach Branch 190 special award presentation on Sunday May 8, 2016 at 2:00 p.m.

CARRIED

Res. No. 198-16 MOTION: Ivan Normandeau – Alvin Derksen

BE IT RESOLVED THAT Public Works Supervisor, Ron Kowalchuk, attend a Grade Crossing Regulation Workshop on May 5, 2016 in East St-Paul;

BE IT FURTHER RESOLVED THAT fees to register for the workshop and travel expenses be reimbursed as per set schedule.

CARRIED

Res. No. 199-16 MOTION: Wilfred Chabot – Alvin Derksen

WHEREAS La Broquerie CDC is coordinating a community garbage pick-up day on May 7th, 2016, being their 2nd Annual La Broquerie Clean-Up Day;

THEREFORE BE IT RESOLVED THAT Council support the La Broquerie CDC sponsored spring clean-up event for the R.M. of La Broquerie, and authorize the Chief Administrative Officer to contribute reasonable in kind and monetary compensation as per the procurement policy.

CARRIED

Res. No. 200-16 MOTION: Alvin Derksen – Wilfred Chabot

BE IT RESOLVED THAT a Public Hearing is now called to order at 7:31 p.m. for Variation Application DAV 05-16 to allow the minimum site area requirement to be reduced from 80 acres to 39.18 acres at SW 29-6-7EPM for Lot 2 of Subdivision File: 4138-15-7595.

CARRIED

PUBLIC HEARING:

IN THE MATTER OF: Variation Application #DAV 05-16
To vary site area requirements

APPLICANT: Mona Jodoin

OWNER: Walter and Marlene Hiebert

The Hearing opened at 7:31 p.m.

Reeve Lewis Weiss called the Hearing to Order.

The CAO explained the purpose of the hearing, how it will be conducted and what kind of outcome will result.

The CAO read the Notice.

Persons in attendance: Lara Nicholson

There were no other persons in attendance at the Hearing to make representation for, against or for information. No letters were received.

Res. No. 201-16 MOTION: Ivan Normandeau – Alvin Derksen

BE IT RESOLVED THAT the Public Hearing for Variation Application DAV 05-16 to allow the minimum site area requirement to be reduced from 80 acres to 39.18 acres at SW 29-6-7EPM for Lot 2 of Subdivision File: 4138-15-7595, be adjourned at 7:36 p.m.

CARRIED

Res. No. 202-16 MOTION: Wilfred Chabot – Alvin Derksen

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 10-13*, Mona Jodoin Law Corporation of Steinbach, MB, made application for a variation, File No: DAV 05-16 and after proper notice according to the Planning Act, the application was heard on April 20, 2016;

AND WHEREAS one representation(s) for or against was received;

THEREFORE BE IT RESOLVED THAT Council grant the minimum site area requirement be reduced from 80 acres to 39.18 acres at SW 29-6-7EPM, for Lot 2 of Subdivision File: 4138-15-7595.

CARRIED

Res. No. 203-16 MOTION: Wilfred Chabot – Alvin Derksen

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 10-13*, Viktor Pankraz from La Broquerie West, Manitoba, made application for a conditional use, File No.: DCU 04-16, and after proper notice according to the Planning Act, the application was heard on April 20, 2016;

AND WHEREAS one representation(s) for or against was 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 proposed 1959, 1,070 sq.ft. older home onto Lot 6, Block 3, Plan 29505 at SE 1-6-8EPM, Roll No. 82195.360, “GD” General Development Zone, with the following conditions:

THAT a building permit be obtained for this proposed project; and

THAT a letter of credit in the amount of \$10,000.00 be provided to the Municipality to be used in case of damage of a municipal road or that the applicant provide certificate of insurance evidencing that a bonded mover who has comprehensive general liability insurance for bodily injury (including death) and property damage in the amount of not less \$2,000,000.00 inclusive limit for any one occurrence, be awarded the moving of the house under conditional use permit 04-16.

CARRIED

Res. No. 204-16 MOTION: Cameron Peters – Darrell Unger

BE IT RESOLVED THAT a Public Hearing is now called to order at 7:45 p.m. for Conditional Use Application No. DCU 05-16 to allow a residential related farm at 33093 RD 40E, NW 23-6-7E, Lot 1 Plan 47427, Roll 72705.000, “RR” Rural Residential Zone, applicants Dietrich and Dina Piunov.

CARRIED

PUBLIC HEARING:

IN THE MATTER OF: Conditional use # DCU 05-16 to allow a residential farm

APPLICANT: Dietrich and Dina Piunov

OWNER: Dina Piunov

The Hearing opened at 7:45 p.m.

Reeve Lewis Weiss called the Hearing to Order.

The CAO explained the purpose of the hearing, how it will be conducted and what kind of outcome will result.

The CAO read the Notice.

Persons in attendance: Dietrich and Dina Piunov

There were no other persons in attendance at the Hearing to make representation for, against or for information. No letters were received.

Res. No. 205-16 MOTION: Darrell Unger – Ivan Normandeau

BE IT RESOLVED THAT the Public Hearing for Conditional Use Application No. DCU 05-16 to allow a residential related farm at 33093 RD 40E, NW 23-6-7E, Lot 1 Plan 47427, Roll 72705.000, “RR” Rural Residential Zone, applicants Dietrich and Dina Piunov, be adjourned at 7:53 p.m.

CARRIED

Res. No. 206 -16 MOTION: Alvin Derksen – Darrell Unger

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 10-13*, Dietrich and Dina Piunov from La Broquerie West, Manitoba, made application for a conditional use, File No: DCU 05-16, and after proper notice according to the Planning Act, the application was heard on April 20, 2016;

AND WHEREAS two representation(s) for or against was 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 a residential related farm at 33093 RD 40E, NW 23-6-7E, Lot 1 Plan 47427, Roll 72705.000, “RR” Rural Residential Zone with the following condition:

THAT a maximum of 4.73 animal poultry units be allowed; and

THAT no other farming animals than poultry animals be permitted.

CARRIED

Res. No. 207-16 MOTION: Laurent Tétrault – Wilfred Chabot

WHEREAS Community Planning Services has provided conditional approval subject to the applicant obtaining municipal approval for minor subdivision application at SW 31-6-8EPM, File No: 4138-16-7684, Roll: 109765.000 for Applicant Claude Vielfaure, Owner Barbara-Rae Vielfaure;

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 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 be provided;
- 2) That a copy of the Plan of Subdivision be provided;
 - 3) That verification of proposed site areas and widths for all proposed lots be provided;
 - 4) That the applicant obtains any and all variations deemed necessary in order to comply with our Zoning By-Law 10-2013 and amendments thereto;
 - 5) That monument restoration costs, for monuments that were found to be restored within this subdivision, will be borne by the Developer;
 - 6) That any and all costs associated with this Subdivision will be borne by the Developer;
 - 7) That the developer must obtain a report from a municipal Engineer indicating the location for sewer connections and that all costs associated with said connections be the responsibility of the developer.

CARRIED

Res. No. 208-16 MOTION: Darrell Unger – Alvin Derksen

WHEREAS conditional approval was given on December 9, 2015 to subdivision application No. 4138-15-7627, at NE 33-5-7EPM;

AND WHEREAS Council understood the original gravel conditions were a requirement of the Province;

AND WHEREAS this condition is no longer a Provincial requirement;

AND WHEREAS consultant Bill Sawka has requested that the following condition be waived:

- 4) That the applicant provide a report addressing the gravel conditions of the subject property (Roll: 43800.000);

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of La Broquerie waive condition 4) of resolution 569-15.

CARRIED

Res. No. 209-16 MOTION: Ivan Normandeau – Alvin Derksen

WHEREAS conditional approval was given on February 24, 2016 to Subdivision File No. 4138-15-7609, at SE 34-6-7EPM;

AND WHEREAS applicant Alphonse Lambert requested that the development agreement requirement be waived;

AND WHEREAS a development agreement is not required for this subdivision;

THEREFORE BE IT RESOLVED THAT Council waive the requirement for a development agreement for Subdivision File No. 4138-15-7609.

CARRIED

Res. No. 210-16 MOTION: Laurent Tétrault – Lewis Weiss

WHEREAS Cornelius Goertzen has been a long time Councillor with the RM of La Broquerie and also served as Chair for the Seine Rat River Conservation District for many years;

BE IT RESOLVED THAT Council of the RM of La Broquerie support his nomination as a life time member of the AMM in appreciation of his dedication in building a better community.

CARRIED

Res. No. 211-16 MOTION: Wilfred Chabot – Darrell Unger

BE IT RESOLVED THAT Luc Poiron be appointed as Weed Inspector for the Rural Municipality of La Broquerie for the year 2016.

CARRIED

Res. No. 212-16 Ivan Normandeau – Alvin Derksen

WHEREAS council has received the draft 2014 audited financial statement for review from its auditors, BDO Canada LLP;

AND WHEREAS council has reviewed said draft report;

THEREFORE BE IT RESOLVED THAT council authorize the Reeve and CAO to sign draft documents as required and return to BDO Canada LLP for preparation of final documents.

CARRIED

BY-LAWS:

Res. No. 213-16 MOTION: Ivan Normandeau – Cameron Peters

BE IT RESOLVED THAT By-law No. 04-16 being a By-law to levy taxes for the year 2016 be read a first time.

CARRIED

ACCOUNTS/FINANCE

Res. No. 214-16 MOTION: Wilfred Chabot – Darrell Unger

BE IT RESOLVED THAT the attached Council and Staff Payroll cheques No. 20160411 to 20160423 in the amount of \$17,385.15 be approved by the Council of the Rural Municipality of La Broquerie.

CARRIED

Councillor Normandeau and Unger moved the meeting to be adjourned at 8:05 p.m.

Lewis Weiss
Reeve

Anne Burns
Chief Administrative Officer