



Rural Municipality of La Broquerie
Meeting Minutes
Regular Meeting of Council October 26, 2016 - 6:30 PM

Present: Reeve Weiss, Deputy Reeve Unger, Councillors Peters, Derksen, Chabot, Normandeau, Tétrault, ACAO Ginette Tétrault.

1. MEETING CALLED TO ORDER

With a quorum present Reeve Lewis Weiss called the meeting to order at 6:30 PM.

CARRIED

2. ADOPTION OF COUNCIL MEETING AGENDA

Resolution No: 2016-530

Moved By: Darrell Unger
Seconded By: Cameron Peters

BE IT RESOLVED THAT the agenda for the regular meeting of October 26, 2016 be accepted as presented.

CARRIED

3. ADOPTION OF PREVIOUS COUNCIL MINUTES

Resolution No: 2016-531

Moved By: Wilfred Chabot
Seconded By: Alvin Derksen

BE IT RESOLVED THAT the minutes of the regular meeting of October 12, 2016 be accepted as presented.

CARRIED

4. COUNCIL / COMMITTEE / STAFF REPORTS

4.1 Reeve Lewis Weiss

Reeve Weiss reported on his attendance at Seine Rat River Conservation District meeting on October 14, 2016, meeting with Minister of Infrastructure on October 17, 2016, Ste. Anne Hospital lobster dinner fundraiser on October 22, 2016, finance meeting on October 24, 2016.

4.2 Deputy Reeve Darrell Unger

No report.

4.3 Councillor Alvin Derksen

Councillor Derksen reported on his attendance at meeting with Minister of Infrastructure on October 17, 2016, meeting with Seine Rat River Conservation District on October 20, 2016, finance and arena board meeting on October 24, 2016.

4.4 Councillor Cameron Peters

Councillor Peters reported on his attendance at meeting with Minister of Infrastructure on October 17, 2016, Ste. Anne Hospital lobster dinner fundraiser on October 22, 2016, finance meeting on October 24, 2016.

4.5 Councillor Wilfred Chabot

Councillor Chabot reported on his attendance at meeting with Minister of Infrastructure on October 17, 2016, Ste. Anne Hospital lobster dinner fundraiser on October 22, 2016, Seine Rat River Conservation, public works and finance meeting on October 24, 2016.

4.6 Councillor Ivan Normandeau

Councillor Normandeau reported on his attendance at meeting with Minister of Infrastructure, October 17, 2016, finance meeting on October 24, 2016.

4.7 Councillor Laurent Tétrault

Councillor Tétrault reported on his attendance at meeting with Minister of Infrastructure on October 17, 2016, CBC Radio Canada Interview on October 20, 2016, finance and arena board meeting on October 24, 2016.

4.8 Subdivision Report

Resolution No: 2016-532

Moved By: Ivan Normandeau
Seconded By: Wilfred Chabot

BE IT RESOLVED THAT the Subdivision Status Report be received as presented.

CARRIED

5. RECEPTION OF PETITIONS – NIL

6. RECEPTION OF DELAGATONS/PUBLIC HEARINGS

6.1 Public Hearing Opening

Resolution No: 2016-533

Moved By: Alvin Derksen
Seconded By: Cameron Peters

BE IT RESOLVED THAT a Public Hearing is now called to order at 6:45 PM for the following application:

Variation Application DAV 12-16.

CARRIED

6.1.1 6:45 PM – Variation Application DAV 12-16 – 149 prom. Dacor Dr.

6.1.2 Public Hearing Minutes

IN THE MATTER OF: Variation Application DAV 12-16, application to allow the minimum site width requirement to be reduced from the required 200 ft to 130 ft for proposed Lot 2 of Subdivision File 4138-16-7715 at 149 prom Dacor Dr, NW 13-6-7E, in the "RR" Rural Residential Zone.

The Reeve called to order the Public Hearing at 6:45 PM.

The ACAO read the notice.

APPLICANT: Dave Sobering

OWNER: Dave Sobering

REPRESENTATION:

- Against:
- Jake Giesbrecht
- Rudolph Neufeld
- Mark Jackson
- Amber Bonnteau
- Peter Falk
- Ryan Heroux
- Ken Madison
- William Dyck
- Johann Falk
- Chantal Brindle-Barkman
- Guy Ouellet
- Martha Funk
- Allison Giesbrecht

Information:
David Dawson

6.1.3 Public Hearing Closing

Resolution No: 2016-534

Moved By: Ivan Normandeau
Seconded By: Wilfred Chabot

BE IT RESOLVED THAT the Public Hearing for Variation Application DAV 12-16 be adjourned at 6:53 PM.

CARRIED

6.2 Public Hearing Opening

Resolution No: 2016-536

Moved By: Cameron Peters
Seconded By: Darrell Unger

BE IT RESOLVED THAT a Public Hearing is now called to order at 7:00 PM for the following application:

Variation Application DAV 13-16.

CARRIED

6.2.1 7:00 PM - Variation Application DAV 13-16 - 34095 chem. RD 38E

6.2.2 Public Hearing Minutes

IN THE MATTER OF: Variation Application DAV 13-16, to allow the minimum mutual setback requirement to the nearest single family dwelling to be reduced from the required 738 ft to 570 ft feet for a new poultry barn at 34095 chem / Road 38E (Borland), NW 28-6-7E, Roll 75800.000, "RA2" Rural Area 2 Zone.

The Reeve called to order the Public Hearing at 7:00 PM.

The ACAO read the notice.

APPLICANT: Borland Poultry Inc.

OWNER: Borland Poultry Inc.

REPRESENTATION:

For:
Gilbert Therrien
Brock Campbell (Borland Poultry Inc.)

6.2.3 Public Hearing Closing

Resolution No: 2016-537

Moved By: Alvin Derksen
Seconded By: Darrell Unger

BE IT RESOLVED THAT the Public Hearing for Variation Application DAV 13-16 be adjourned at 7:06 PM.

CARRIED

6.3 Public Hearing Opening

Resolution No: 2016-545

Moved By: Darrell Unger
Seconded By: Cameron Peters

BE IT RESOLVED THAT a Public Hearing is now called to order at 7:30 PM for the following applications:

Conditional Use Application DCU 19-16 and Variation Application DAV 14-16.

CARRIED

6.3.1 7:30 PM - Conditional Use Application DCU 19-16 and Variation Application DAV 14-16 - 38 prom. Dacor Dr.

6.3.2 Public Hearing Minutes

IN THE MATTER OF: Conditional Use Application DCU 19-16 and Variation Application DAV 14-16, to allow to keep one shipping container and to vary the minimum side yard requirement from 25 ft to 12 ft at 38 prom Dacor Dr, SW 13-6-7E, Roll 67945.000, "RR" Rural Residential Zone.

The Reeve called to order the Public Hearing at 7:30 PM.

The ACAO read the notice.

APPLICANT: Heinrich and Anna Falk

OWNERS: Heinrich and Anna Falk

REPRESENTATION:

For:
Dave Crockatt
Mike Marksfield
Anna Falk
Peter Falk
Nettie Weiss
Information:
David Dawson

6.3.3 Public Hearing Closing

Resolution No: 2016-546

Moved By: Alvin Derksen
Seconded By: Darrell Unger

BE IT RESOLVED THAT the Public Hearing for Conditional Use Application DCU 19-16 and Variation Application DAV 14-16 be adjourned at 7:40 PM.

CARRIED

6.4 Delegations

6.4.1 7:45 PM - Franz Felnhofer - Subdivision 4138-16-7688-NW 34-5-8E

Franz Felnhofer attended the Council meeting to answer questions Council had about his subdivision application at NW 34-5-8E, File No. 4138-16-7688.

7. COMMUNICATIONS

Resolution No: 2016-539

Moved By: Ivan Normandeau
Seconded By: Wilfred Chabot

BE IT RESOLVED THAT the correspondence be received as presented.

CARRIED

8. ACCOUNTS / FINANCE

8.1 Payroll Approval

Resolution No: 2016-540

Moved By: Alvin Derksen
Seconded By: Cameron Peters

BE IT RESOLVED THAT the Staff Payroll cheques No. 20161604 to 20161618 in the amount of \$19,048.74 be approved by the Council of the Rural Municipality of La Broquerie.

CARRIED

10. NEW / GENERAL BUSINESS

10.1 Lagoon funding

Resolution No: 2016-541

Moved By: Laurent Tetrault
Seconded By: Wilfred Chabot

WHEREAS The Rural Municipality of La Broquerie has applied for cost-shared funding under the Clean Water and Wastewater Fund (CWWF) for Tertiary Treatment System - Project Number 35152.

WHEREAS the Rural Municipality of La Broquerie deems this project having the highest priority.

WHEREAS this Project meets the incrementality requirements of CWWF, meaning the project would not otherwise have been undertaken between April 1, 2016 and March 31, 2018 and the Project would not have been undertaken without federal funding.

WHEREAS the Rural Municipality of La Broquerie attests that this Project can be completed by March 31, 2018.

THEREFORE BE IT RESOLVED THAT the Rural Municipality of La Broquerie will proceed with this Project upon approval and a signed agreement is in place with Manitoba.

CARRIED

10.2 2017 Muniware Agreement

Resolution No: 2016-542

Moved By: Cameron Peters
Seconded By: Darrell Unger

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 2017 as per attached agreements at a monthly cost of \$858.69;

BE IT FURTHER RESOLVED THAT Council authorize the Reeve and Chief Administrative Officer to sign and execute the 2017 Software Support Agreement as well as the Software License Agreement.

CARRIED

10.3 DAV 12-16 - Variation Order Decision

Resolution No: 2016-535

Moved By: Alvin Derksen
Seconded By: Ivan Normandeau

WHEREAS pursuant to the provisions of the Rural Municipality of La Broquerie Zoning By-Law 10-13 and amendments thereto, Dave Sobering of Kleefeld, Manitoba, made application for a variation, File

No. DAV 12-16, and after proper notice according to the Planning Act, the application was heard on October 26, 2016;

AND WHEREAS thirteen representations against were received;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of La Broquerie deny this application.

CARRIED

10.4 DAV 13-16 - Variation Order Decision

Resolution No: 2016-538

Moved By: Laurent Tétrault

Seconded By: Alvin Derksen

WHEREAS pursuant to the provisions of the Rural Municipality of La Broquerie Zoning By-Law 10-13 and amendments thereto, Borland Poultry Inc. of Landmark, Manitoba, made application for a variation, File No. DAV 13-16, and after proper notice according to the Planning Act, the application was heard on October 26, 2016;

AND WHEREAS two representations for were received;

THEREFORE BE IT RESOLVED THAT Council grant the minimum mutual setback requirement to be reduced from the required 738 feet to 570 feet for a new poultry barn at 34095 chem / Road 38E (Borland), NW 28-6-7E, Roll 75800.000, "RA2" Rural Area 2 Zone.

CARRIED

10.5 DCU 19-16 - Conditional Use Order Decision

Resolution No: 2016-547

Moved By: Darrell Unger

Seconded By: Alvin Derksen

WHEREAS pursuant to the provisions of the Rural Municipality of La Broquerie Zoning By-Law 10-13 and amendments thereto, and Inter-modal Freight Containers By-Law 9-2016, Heinrich and Anna Falk from La Broquerie, Manitoba, made application for a conditional use, File No. DCU 19-16, and after proper notice according to the Planning Act, the application was heard on October 26, 2016;

AND WHEREAS five representations for were received;

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

1. is compatible with the general nature of the surrounding area;
2. 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
3. is in keeping with provisions of the Rural Municipality of La Broquerie Development Plan and Zoning By-Law 10-13 and amendments thereto and Inter-modal Freight Containers By-Law 9-2016;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of La Broquerie allow to keep one shipping container at 38 promenade Dacor Drive at SW 13-6-7E, Roll 67945.000, zoned "RR" Rural Residential with the following condition:

1. **THAT** all conditions established in By-Law 9-2016 be complied with.

CARRIED

10.5.1 DAV 14-16 - Variation Order Decision

Resolution No: 2016-548

Moved By: Darrell Unger

Seconded By: Alvin Derksen

WHEREAS pursuant to the provisions of the Rural Municipality of La Broquerie Zoning By-Law 10-13 and amendments thereto, Heinrich and Anna Falk from La Broquerie, Manitoba, made application for a variation, File No. DAV 14-16 and after proper notice according to the Planning Act, the application was heard on October 26th, 2016;

AND WHEREAS five representations for were received;

THEREFORE BE IT RESOLVED THAT Council grant the minimum side yard requirement to be reduced from the required 25 feet to 12 feet for the shipping container at 38 prom. Dacor Dr. at SW 13-6-7E, Roll 67945.000, zoned "RR" Rural Residential.

CARRIED

10.6 2016/2017 Supply of Snow Clearing Sanding/Salting

Resolution No: 2016-543

Moved By: Ivan Normandeau
Seconded By: Wilfred Chabot

BE IT RESOLVED THAT the quotation for the Snow Removal and Sanding/Salting in the LUD and RM of La Broquerie for the 2016-2017 season be awarded to Unger Excavating at a cost of \$160.00 per hour for grader, \$117.00 per hour for loader and \$110.00 per hour for Ford truck snow plow and;

BE IT FURTHER RESOLVED THAT the ice control quotation by Unger Excavating be accepted for Eco-Sand at a cost of \$78.00 per cubic yard for the rural area and Liquid Fusion at a cost of \$1.30 per litre for the Village of La Broquerie and;

BE IT FURTHER RESOLVED THAT the quotation for driveway clearing in the Village of La Broquerie be awarded to CRS Landscaping at a cost of \$85.00 per hour.

CARRIED

10.7 Marquis Event - MMAA Session

Resolution No: 2016-544

Moved By: Alvin Derksen
Seconded By: Cameron Peters

WHEREAS the MMAA is presenting the Marquis Event - MMAA Session;

BE IT RESOLVED THAT all members of Council and the CAO be authorized to attend the MMAA Marquis Event Session on November 3rd and 4th, 2016 in Winnipeg at the holiday Inn Polo Park;

FURTHER BE IT RESOLVED THAT all registration, rooms and travel costs be paid per Indemnity By-Law.

CARRIED

10.8 Reduced School Speed Infractions Data

Received as information.

11. UNFINISHED BUSINESS

11.1 Application to Subdivide at NW 34-5-8E - File No. 4138-16-7688

Resolution No: 2016-549

Moved By: Ivan Normandeau
Seconded By: Laurent Tétrault

WHEREAS Community Planning Services has submitted to the Municipality a completed Subdivision Application for Proposed Subdivision File No. 4138-16-7688 at NW 34-5-8E, Roll 59500.000 for applicant Franz Felhofer owner 3997953 MB Ltd.;

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

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

1. That the Subdivision Retainer Fee in the amount of \$1,000.00 be paid to the R.M. of La Broquerie;
2. That the claim holder provides written confirmation that this subdivision does not impact future extraction and exploration of mineral resources;
3. 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;
4. That a copy of the Plan of Subdivision be provided;
5. That verification of proposed site areas and widths for all proposed lots be provided;
6. That any and all variations deemed necessary in order to comply with the Zoning By-Law 10-2013 are obtained;
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 \$2,500.00 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

11.2 Andreas Klassen - Proposal of Future Subdivision

This item was discussed In Camera.

13. IN CAMERA

Resolution No: 2016-550

Moved By: Cameron Peters
Seconded By: Wilfred Chabot

BE IT RESOLVED THAT Council dissolve into a committee of the Whole Council in a closed in-camera session at 8:01 PM to discuss:

1. legal issues
2. 2. Personnel

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

13.1 Out of Camera

Resolution No: 2016-551

Moved By: Cameron Peters
Seconded By: Darrell Unger

BE IT RESOLVED THAT the Committee of the Whole Council revert back to the regular open meeting of council at 8:40 PM.

CARRIED

15. ADJOURNMENT

Councillor Ivan Normandeau and Councillor Alvin Derksen moved the meeting be adjourned at 8:41 PM.

Lewis Weiss
Reeve

Ginette Tétrault
Assistant Chief Administrative Officer