

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 11, 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

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. 398-13 MOTION: Wilfred Chabot – Ken Tallaire

BE IT RESOLVED THAT the agenda for the regular meeting of December 11th, 2013 be accepted as presented.

CARRIED

ADOPTION OF MINUTES:

Res. No. 399-13 MOTION: Ken Tallaire – Cornie Goertzen

BE IT RESOLVED THAT the minutes of the regular meeting and Board of Revision meeting of November 13th, 2013 be accepted as presented.

CARRIED

COUNCIL / COMMITTEE / STAFF REPORTS:

Reeve Claude Lussier reported on his attendance to: November 18, Arbogate School meeting; November 20, Operation Red Nose Press Conference; November 21, CDEM meeting; November 26, 27, and 28, AMM Convention; November 29, Southern Health meeting; December 3, R. M. of Hanover Meet and Greet; December 4, J.R. Cousin Consultants meeting; December 5, City of Steinbach Meet and Greet and Zoning By-Law Public Hearing; December 9, Finance meeting; December 10, CDC meeting.

Councillor Cornie Goertzen reported on his attendance to: November 15, Bethesda Health Care; November 20, R.M. of Ste Anne; November 25, 26, 27 and 28, AMM Convention; December 5, City of Steinbach Meet and Greet; December 9, Finance meeting.

Councillor Ron Hamilton reported on his attendance to: December 5, Zoning By-Law Public Hearing; December 9, Finance meeting.

Councillor Wilfred Chabot reported on his attendance to: November 25, 26, 27, and 28, AMM Convention; December 3, Marchand Community Club meeting; December 5, Zoning By-Law Public Hearing; December 9, Finance meeting; December 10, CDC meeting.

Councillor Ron Vielfaure reported on his attendance to: November 25, 26, 27 and 28, Convention; December 3, R.M. of Hanover Meet and Greet; December 5, Zoning By-Law Public Hearing; December 9, Finance meeting.

Councillor Ken Tallaire reported on his attendance to: November 26, Arena Expansion Committee meeting; December 2, Arena Board meeting; December 5, Zoning By-Law Public Hearing; December 9, Finance meeting.

DELEGATIONS:

9:00 a.m.

1. Conditional Hearing regarding application for a variation to request that the minimum site requirement for agriculture activities in the Agricultural Conservation Zone be reduced from the required 80 acres to 48 acres for Lot 2. (See Resolution No. 407-13)
2. Public Hearing regarding an application for a variation to request that minimum site area requirement for agriculture activities in the Agriculture Conservation Zone be reduced from the required 80 acres to approximately 70 acres for the residual parcel. (See Resolution No. 408-13)
3. Public Hearing regarding an application for a variation to request that the minimum site width requirement in the General Development Zone be reduced from the required 200 feet to 66 feet for newly created Lot 1. (See Resolution No. 409-13)
4. Public Hearing regarding an application for a variation to request that the minimum site width requirement in the Rural Residential Zone be reduced from the required 200 feet to 91 feet for Lots 2 and 3. (See Resolution No. 410-13)

9:30 a.m.

Public Hearing regarding an application for a Conditional Use to allow a lumber processing yard at 17 Pine Lane in Marchand. Applicant was in attendance. Mr. Ken Mantie objected to the application. (See Resolutions No. 411-412-413-13)

COMMUNICATIONS:

<u>From:</u>	<u>Subject:</u>	<u>Disposition:</u>
Hylife	Fun Days – March 7 and 8, 2014	Res. No. 416-13 D-2-13
Minister Municipal Government	2013 Gas Tax Payment	L-9-13
CN	Dangerous Goods	C-15-13
R.M. of Ste Anne	Variation Order – Mireault	S-8-13
E911 Communications	2014 Rates	E-5-13
Gail Anderson – Tourism	Charities Act	R-1-13
R.M. of Reynolds	Fire Agreement	Permanent Files
Seine-Rat River Conservation District	Minutes	S-1-13
Eastman Mutual Aid	Minutes	E-2-13
Canadian Food Agency	Anaplasmosis	M-14-13

ACCOUNTS / FINANCE:

Res. No. 417-13 MOTION: Ron Vielfaure – Ken Tallaire

BE IT RESOLVED THAT the Financial Report to November 30th, 2013 be accepted as presented.

CARRIED

Res. No. 418-13 MOTION: Claude Lussier – Ron Vielfaure

BE IT RESOLVED THAT the attached Council & Staff Payroll cheques No. 20131466 to 20131478, 20131480 to 20131486 and 20131554 to 20131567 in the amount of \$44,908.45 be approved by the Council of the Rural Municipality of La Broquerie.

CARRIED

BY-LAW:

Res. No. 419-13 MOTION: Ken Tallaire – Claude Lussier

BE IT RESOLVED THAT By-law No. 17-2012 (Utilities rates) be read a second time as amended.

CARRIED

Res. No. 420-13 MOTION: Ken Tallaire – Wilfred Chabot

BE IT RESOLVED THAT By-law No. 17-2012 (Utilities rates) be read a third time.

<u>Recorded Vote:</u>	<u>IN FAVOUR</u>	<u>OPPOSED</u>	<u>ABSTAINED</u>
Reeve Claude Lussier	√		
Councillor Cornie Goertzen	√		
Councillor Ron Hamilton	√		
Councillor Wilfred Chabot	√		
Councillor Ron Vielfaure	√		
Councillor Ken Tallaire	√		

CARRIED

NEW / GENERAL BUSINESS:

Res. No. 400-13 MOTION: Ron Hamilton – Ron Vielfaure

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

CARRIED

Res. No. 401-13 MOTION: Wilfred Chabot – Ken Tallaire

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

CARRIED

Res. No. 402-13 MOTION: Wilfred Chabot – Cornie Goertzen

BE IT RESOLVED THAT the attached Council Indemnity's and Expenses Report to November 30, 2013 be accepted as reported to Council.

CARRIED

Res. No. 403-13 MOTION: Claude Lussier – Ken Tallaire

BE IT RESOLVED THAT the attached Employee's Sick Days, Vacation, Banked time and Overtime Report to November 29, 2013 be accepted as reported to Council.

CARRIED

Res. No. 404-13 MOTION: Ken Tallaire – Claude Lussier

WHEREAS the Rural Municipality of La Broquerie is jointly working on a permanent health care facility in La Broquerie with Southern Health, formerly South East Health, and the Seine River Clinic in Ste. Anne;

AND WHEREAS Southern Health is committed to contributing financially to the new facility on a permanent basis;

AND WHEREAS the Seine River Clinic is interested in purchasing a property presently owned by Le Chalet Inc.;

AND WHEREAS the provincial government is committed to encouraging primary health care units in rural Manitoba;

AND WHEREAS Southern Health has accepted La Broquerie as a community that can house a primary health care unit in the future;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of La Broquerie contribute financially to the primary health care unit as follows:

1. Initial contribution 2014 for renovations, \$50,000.00
2. Annual payments of \$12,500.00 for the period 2015-2018 inclusively;

AND FURTHER BE IT RESOLVED THAT the total financial contribution of \$100,000.00 over a period 2014 to 2018 is non-recurring;

AND FUTHER BE IT RESOLVED THAT the financial contribution of the Rural Municipality of La Broquerie is conditional upon the financial commitments of both the Seine River Clinic and Southern Health as per report presented to Council.

CARRIED

Res. No. 405-13 MOTION: Ron Hamilton – Claude Lussier

BE IT RESOLVED THAT a Public Hearing is now called to order at 9:00 a.m. for the following Variation Applications:

DAV 13-2013 to reduce the minimum site area requirement for Lot 2 of Subdivision File No.: 4138-2012-5527 at NW 3-6-8E, owner Mildred Picklyk, from the required 80 acres to 48 acres within the Agriculture Conservation Zone;

DAV 14-2013 to reduce the minimum site area requirement for residual parcel of Subdivision File No.: 4138-2012-5541 at NW 15-6-8E, owners Raymond and Irene Vielfaure, from the required 80 acres to approximately 70 acres within the Agriculture Conservation Zone;

DAV 15-2013 to reduce the minimum site width requirement for Lot 1 of Subdivision File No.: 4138-2013-7160 at SE 1-6-8E, owner Angela Harel, from the required 200 feet to 66 feet within the General Development Zone; and

DAV 16-2013 to reduce the minimum site width requirement for Lots 2 and 3 of Subdivision File No.: 4138-2012-5490 at NE 33-6-7E, owners Wladyslaw and Valentina Tissen, and Wilhelm and Olga Friesen from the required 200 feet to 91 feet for both lots within the Rural Residential Zone.

CARRIED

Res. No. 406-13 MOTION: Ken Tallaire – Ron Hamilton

BE IT RESOLVED THAT the Public Hearing for Variation Applications DAV 13-2013, DAV 14-2013, DAV 15-2013 and DAV 16-2013 be adjourned at 9:10 a.m.

CARRIED

Res. No. 407-13 MOTION: Ron Vielfaure – Ron Hamilton

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 5-96*, Gerard Simard of Smith Neufeld Jodoin LLP of Steinbach, MB, made application for Mildred Picklyk for a Variation, File No.: DAV 13-2013 and after proper notice according to the Planning Act, the application was heard on December 11, 2013;

AND WHEREAS no objections were received;

THEREFORE BE IT RESOLVED THAT Council grant the minimum site area requirement for agricultural activities in the “AC” Agricultural Conservation Zone to be reduced from the required 80 acres to 48 acres for Lot 2 created under Subdivision File No.: 4138-2012-5527.

CARRIED

Res. No. 408-13 MOTION: Ron Hamilton – Cornie Goertzen

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 5-96*, Gerard Simard of Smith Neufeld Jodoin LLP of Steinbach, MB, made application for Raymond and Irene Vielfaure for a Variation, File No.: DAV 14-2013 and after proper notice according to the Planning Act, the application was heard on December 11, 2013;

AND WHEREAS no objections were received;

THEREFORE BE IT RESOLVED THAT Council grant the minimum site area requirement for agricultural activities in the “AC” Agricultural Conservation Zone to be reduced from the required 80 acres to approximately 70 acres for the residual parcel created under Subdivision File No.: 4138-2012-5541.

CARRIED

Res. No. 409-13 MOTION: Wilfred Chabot – Claude Lussier

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 5-96*, Angela Harel of Marchand, MB, made application for a Variation, File No.: DAV 15-2013 and after proper notice according to the Planning Act, the application was heard on December 11, 2013;

AND WHEREAS no objections were received;

THEREFORE BE IT RESOLVED THAT Council grant the minimum site width requirement in the “GD” General Development Zone to be reduced from the required 200 feet to 66 feet for newly created Lot 1 under Subdivision File No.: 4138-2013-7160.

CARRIED

Res. No. 410-13 MOTION: Cornie Goertzen – Ron Vielfaure

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 5-96*, Wladyslaw and Valentina Tissen, and Wilhelm and Olga Friesen of Blumenort, MB, made application for a Variation, File No.: DAV 16-2013 and after proper notice according to the Planning Act, the application was heard on December 11, 2013;

AND WHEREAS no objections were received;

THEREFORE BE IT RESOLVED THAT Council grant the minimum site width requirement in the “RR2” Rural Residential Zone to be reduced from the required 200 feet to 91 feet for Lots 2 and 3 of Subdivision File No.: 4138-2012-5490.

CARRIED

Res. No. 411-13 MOTION: Wilfred Chabot – Ron Vielfaure

BE IT RESOLVED THAT a Public Hearing is now called to order at 9:30 a.m. for Conditional Use Application No. DCU 11-2013 to allow a lumber processing yard at 17 Pine Lane, Roll No. 59990.000, NW 35-5-8EPM, applicant Werner Reimund.

CARRIED

Res. No. 412-13 MOTION: Wilfred Chabot – Ron Hamilton

BE IT RESOLVED THAT the Public Hearing for Conditional Use Application No. DCU 11-2013 to allow a lumber processing yard at 17 Pine Lane, NW 35-5-8EPM, Roll No. 59990.000, applicant Werner Reimund be adjourned at 9:45 a.m.

CARRIED

Res. No. 413-13 MOTION: Ken Tallaire – Wilfred Chabot

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 5-96*, Werner Reimund from Steinbach, MB, made application with the authorization of property owner Antonie Reimund for a conditional use, File No.: DCU 11-2013, and after proper notice according to the Planning Act, the application was heard on December 11, 2013;

AND WHEREAS one objection was received;

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

CARRIED

Res. No. 414-13 MOTION: Cornie Goertzen – Ron Hamilton

BE IT RESOLVED THAT Council revert into a Board of Revision at 10:30 a.m. to hear the 2013 Board of Revision Appeals.

CARRIED

Res. No. 415-13 MOTION: Wilfred Chabot – Ron Vielfaure

BE IT RESOLVED THAT Council resume its regular meeting.

CARRIED

Res. No. 416-13 MOTION: Claude Lussier – Wilfred Chabot

WHEREAS Hylife Ltd. will be holding its 5th annual Vendor-Sponsored Hockey Tournament , Hylife Fund Days on March 7th and 8th, 2014;

AND WHEREAS proceeds of this event will be gifted to Special Olympics of Manitoba; Children’s Hospital Foundation of Manitoba and Parkinson Society of Manitoba;

AND WHEREAS the Rural Municipality of La Broquerie has been a financial participant to this event in the past;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of La Broquerie provide a donation of \$2,000.00 towards this worthwhile community event.

CARRIED

Res. No. 421-13 MOTION: Ron Hamilton – Claude Lussier

BE IT RESOLVED THAT the cleaning contract for the municipal office with Olga Poplavski be increased from \$550.00 to \$600.00 per month, effective January 1st, 2014.

CARRIED

Res. No. 422-13 MOTION: Ron Hamilton – Ken Tallaire

WHEREAS Community Planning Services has submitted to the Municipality a completed Application for Approval of Subdivision for Proposed Subdivision File #4138-2013-7276 at NE 36-6-7EPM, Roll 118575.000 for Applicant and Owner Henry Fehr;

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

AND WHEREAS the \$1,500.00 development dedication 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 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 5-96;
- 5) That any and all costs associated with this Subdivision will be borne by the Developer.

CARRIED

Res. No. 423-13 MOTION: Claude Lussier – Wilfred Chabot

WHEREAS Community Planning Services has submitted to the Municipality a completed Application for Approval of Subdivision for Proposed 3-lot Subdivision at SE 23-6-7EPM, File #4138-2013-7246, Roll 72910.000 for Applicants and Owners Patrick and Jacqueline Letkeman;

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

AND WHEREAS a concept plan is required to address the development of the subject area;

THEREFORE BE IT RESOLVED THAT Council table this subdivision application until concept plans, which clearly outline the future development of the subject rural residential area, have been prepared.

CARRIED

Res. No. 424-13 MOTION: Wilfred Chabot – Claude Lussier

WHEREAS Community Planning Services has submitted to the Municipality a completed Application for Approval of Subdivision for Proposed 2-lot Subdivision at SW 34-6-7EPM, File #4138-2011-5404 Roll 79950.000 for Applicants and Owners Bert and Leonora Suss;

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

AND WHEREAS a concept plan is required to address the development of the subject area;

THEREFORE BE IT RESOLVED THAT Council table this subdivision application until concept plans, which clearly outline the future development of the subject rural residential area, have been prepared.

CARRIED

Res. No. 425-13 MOTION: Ken Tallaire – Ron Vielfaure

WHEREAS applicant Gerard Simard from Smith Neufeld Jodoin has received conditional approval for a 1-lot subdivision at NW 3-6-8E for owner Mildred Picklyk;

AND WHEREAS the applicant has 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. 4138-2012-5527.

CARRIED

Res. No. 426-13 MOTION: Ron Vielfaure – Ken Tallaire

WHEREAS the Letter of Credit for Leonard and Debra Broesky's 12-lot subdivision was set at \$106,725.00;

AND WHEREAS the majority of the construction has been completed;

AND WHEREAS the municipal engineer has provided a revised letter of credit in the amount of \$27,700.00;

THREREFORE BE IT RESOLVED THAT the Letter of Credit for Subdivision File No. 4138-2010-5191 be reduced from \$106,725.00 to \$25,000.00 as per the municipal engineer's recommendation.

CARRIED

Res. No. 427-13 MOTION: Ron Hamilton – Ken Tallaire

WHEREAS MTS has requested an emergency approval to an application to install services along the W/S of Lasko Road opposite the MTS office to the N/S of Davidson Road and another 30m West to the new MTS pedestal;

THEREFORE BE IT RESOLVED THAT the request for service be approved as provided.

CARRIED

ADJOURNMENT:

Res. No. 428-13 MOTION: Ken Tallaire – Claude Lussier

BE IT RESOLVED THAT the regular meeting of December 11th, 2013 be adjourned.

CARRIED

NEXT MEETING:

The next regular Council meeting will be held on Wednesday, January 15th, 2014 at 8:00 a.m.

Claude Lussier,
Reeve

Roger A. Bouvier,
Chief Administrative Officer