

**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, AUGUST 13<sup>TH</sup>, 2014.**

Present: Claude Lussier Reeve (absent with notification)  
Cornie Goertzen Councillor Ward 1  
Ron Hamilton Councillor Ward 1  
Darrell Unger Councillor Ward 1  
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 Deputy Reeve Cornie Goertzen called the meeting to order at 8:00 a.m. followed by The Lord's Prayer.

**ADOPTION OF AGENDA:**

Res. No. 266-14 MOTION: Darrell Unger – Wilfred Chabot

**BE IT RESOLVED THAT** the agenda for the regular meeting of August 13<sup>th</sup>, 2014 be accepted as presented.

**CARRIED**

**ADOPTION OF MINUTES:**

Res. No. 267-14 MOTION: Wilfred Chabot – Ken Tallaire

**BE IT RESOLVED THAT** the minutes of the regular meeting of July 9<sup>th</sup>, 2014 and the Special meeting of July 30<sup>th</sup>, 2014 be accepted as presented.

**CARRIED**

**COUNCIL / COMMITTEE / STAFF REPORTS:**

Councillor Cornie Goertzen reported on his attendance to: July 21, Finance Meeting; July 30, Special Meeting; August 11, Finance Meeting.

Councillor Ron Hamilton reported on his attendance to: August 11, Finance Meeting.

Councillor Darrell Unger reported on his attendance to: June 9, Finance Meeting; June 23, Finance Meeting; July 7, Finance Meeting; July 30, Special Meeting; August 11, Finance Meeting.

Councillor Wilfred Chabot reported on his attendance to: July 30, Special Meeting; August 11, Finance Meeting.

Councillor Ron Vielfaure reported on his attendance to: July 30, Special Meeting; August 11, Finance Meeting.

Councillor Ken Tallaire reported on his attendance to: July 21, Finance Meeting; July 30, Special Meeting; August 11, Finance Meeting.

**DELEGATIONS:**

- 9:00 a.m. A Public Hearing was held in regards to a Conditional Use Application by Leona Doerksen to allow a garden suite at 116 Kokomo Lane. Notice of the hearing was served to all property owners per Planning Act requirement. The applicant did not attend and no objections were received. (See Resolutions No. 273-274-275-14)
- 9:15 a.m. A Public Hearing was held in regards to a Variation Application by Cameron Peters to allow a 2400 sq.ft. accessory building addition and further to vary the minimum front yard setback from 75 feet to 35 feet at 38 Kokomo Lane. Notice of the hearing provided to all property owners per Planning Act requirement. Mr. & Mrs. Peters attended the hearing. No objections were received. (See Resolutions No. 276-277-278-14)
- 9:30 a.m. A Public Hearing was held in regards to Conditional Use Application by Pauline Hiebert to move an older home onto Lot 9, Plan 46444 (Mason Drive) and further to vary the minimum floor area requirement for a single family dwelling from the required 800 sq.ft. to 785 sq.ft. Notice of the hearing was served to all property owners per Planning Act requirement. The applicant, Pauline Hiebert was in attendance. One person objected to the size of the proposed building. (See Resolutions No. 279-280-281-14)

**COMMUNICATIONS:**

<b><u>From:</u></b>	<b><u>Subject:</u></b>	<b><u>Disposition:</u></b>
Mennonite Heritage Village	Acknowledge grant of \$1,000.00	D-2-14
Jos Giesbrecht	Request for drain	CAO File 46
MTS	Right of way application	Res. No. 282-14 M-8-14
Jacob Reimer	Road constructed off road allowance	CAO File 85
BDO – Auditors	Quote for audit service 2014-2016	Res. No. 283-14 A-3-14
Stan Struthers-Local Government	Planning & Land Dedication for school sites	L-9-14
National Wall of Remembrance	Request for advertisement	Res. No. 284-14 D-2-14
G. Tramley, Solicitor	Purchase of lagoon lands	CAO File 23
Stan Struthers-Local Government	Payment of 2014 Federal Gas Tax	L-9-14
MTS	Right of way application	Res. No. 285-14 M-8-14
R.M. of Ste Anne	Amendment to Zoning By-Law	S-8-14
Courtral Condo Corporation	Restructuring of condo	CAO File 86
Alexandra Broesky	Note of appreciation	D-2-14
Stan Struthers-Local Government	2014 Grant Funding	L-9-14

**ACCOUNTS / FINANCE:**

Res. No. 286-14 MOTION: Wilfred Chabot – Darrell Unger

**BE IT RESOLVED THAT** the attached Council and Staff Payroll cheques No. 20140902 to 20140913 and 20140950 to 20140969 in the amount of \$40,515.85 be approved by the Council of the Rural Municipality of La Broquerie.

**CARRIED**

Res. No. 287-14 MOTION: Ken Tallaire – Wilfred Chabot

**BE IT RESOLVED THAT** the Financial Report to July 31, 2014 be approved by the Council of the Rural Municipality of La Broquerie.

**CARRIED**

**BY-LAW:**

Res. No. 288-14 MOTION: Ron Hamilton – Ken Tallaire

**BE IT RESOLVED THAT** By-Law No. 08-2014 (Appointing a designated officer to approve minor subdivisions) be read a first time.

**CARRIED**

Res. No. 289-14 MOTION: Ken Tallaire – Ron Hamilton

**BE IT RESOLVED THAT** By-Law 09-2014 (Opening of road allowance Ekron-Oswald) be read a first time.

**CARRIED**

**NEW / GENERAL BUSINESS:**

Res. No. 268-14 MOTION: Ron Vielfaure – Ken Tallaire

**BE IT RESOLVED THAT** the attached Council Indemnity's and Expenses Report to July 31, 2014 be accepted as reported to Council.

**CARRIED**

Res. No. 269-14 MOTION: Wilfred Chabot – Ken Tallaire

**BE IT RESOLVED THAT** the attached Employee's Sick Days, Vacation, Banked Time and Overtime Report to July 30, 2014 be accepted as reported to Council.

**CARRIED**

Res. No. 270-14 MOTION: Darrell Unger – Ron Hamilton

**BE IT RESOLVED THAT** the Building and Demolition Report to July 31, 2014 be accepted as presented.

**CARRIED**

Res. No. 271-14 MOTION: Ken Tallaire – Ron Vielfaure

**BE IT RESOLVED THAT** the By-Law Enforcement Summary Report to July 31, 2014 be accepted as presented.

**CARRIED**

Res. No. 272-14 MOTION: Ron Hamilton – Darrell Unger

**BE IT RESOLVED THAT** the Fire Department Report to July 29<sup>th</sup>, 2014 be accepted as presented.

**CARRIED**

Res. No. 273-14 MOTION: Ken Tallaire – Darrell Unger

**BE IT RESOLVED THAT** a Public Hearing is now called to order at 9:00 a.m. for Conditional Use Application No. DCU 09-14 to allow a garden suite at 116 Kokomo Lane, NW 34-6-7EPM, Roll No. 80047.000, Rural Residential Zone, applicant Leona Doerksen.

**CARRIED**

Res. No. 274-14 MOTION: Ken Tallaire – Ron Vielfaure

**BE IT RESOLVED THAT** the Public Hearing for Conditional Use Application No. DCU 09-14 to allow a garden suite at 116 Kokomo Lane, NW 34-6-7EPM, Roll No. 80047.000, Rural Residential Zone, applicant Leona Doerksen be adjourned at 9:04 a.m.

**CARRIED**

Res. No. 275-14 MOTION: Darrell Unger – Ken Tallaire

**WHEREAS** pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 10-13*, Leona Doerksen from Steinbach, Manitoba, made application for a conditional use DCU 09-14 and after proper notice according to the Planning Act, the application was heard on August 13, 2014;

**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 hereby order:

**THAT** the Conditional Use is allowed under Zoning By-Law No. 10-13 to permit the garden suite at 116 Kokomo Lane, NW 34-6-7EPM, Roll No. 80047.000 in the Rural Residential Zone.

**CARRIED**

Res. No. 276-14 MOTION: Ron Hamilton – Darrell Unger

**BE IT RESOLVED THAT** a Public Hearing is now called to order at 9:15 a.m. for Variation Application DAV 04-14 to allow a 2400 sq.ft. accessory building addition and further to vary the minimum front yard setback from 75 feet to approximately 35 feet at 38 Kokomo Lane, NW 34-6-7E in the “RR” Rural Residential Zone, applicant Cameron Peters.

**CARRIED**

Res. No. 277-14 MOTION: Ken Tallaire – Ron Vielfaure

**BE IT RESOLVED THAT** the Public Hearing Variation Application DAV 04-14 to allow a 2400 sq.ft. accessory building addition and further to vary the minimum front yard setback from 75 feet to approximately 35 feet at 38 Kokomo Lane, NW 34-6-7E in the “RR” Rural Residential Zone, applicant Cameron Peters, be adjourned at 9:22 a.m.

**CARRIED**

Res. No. 278-14 MOTION: Darrell Unger – Wilfred Chabot

**WHEREAS** pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 10-13*, Cameron Peters of Steinbach, Manitoba, made application for a variation File No.: DAV 04-14, and after proper notice according to the Planning Act, the application was heard on August 13<sup>th</sup>, 2014;

**AND WHEREAS** no objections were received;

**THEREFORE BE IT RESOLVED THAT** Council grant a 2400 sq.ft. accessory building addition at 38 Kokomo Lane, NW 34-6-7E in the “RR” Rural Residential Zone, applicant Cameron Peters;

**AND FURTHER BE IT RESOLVED THAT** the minimum front yard setback for the proposed accessory building addition be reduced from the minimum 75 feet to approximately 35 feet.

**CARRIED**

Res. No. 279-14 MOTION: Ken Tallaire – 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 10-14 to allow to move the proposed old house onto Lot 9 Plan 46444 at NE 11-6-7EPM, Roll No. 66521.000, Rural Residential Zone, and further to vary the minimum floor area requirement for a single family dwelling from the required 800 sq.ft. to 785 sq.ft. for this property, applicant Pauline Hiebert.

**CARRIED**

Res. No. 280-14 MOTION: Ken Tallaire – Ron Vielfaure

**BE IT RESOLVED THAT** the Public Hearing for Conditional Use Application No. DCU 10-14 to allow to move the proposed old house onto Lot 9 Plan 46444 at NE 11-6-7EPM, Roll No. 66521.000, Rural Residential Zone, and further to vary the minimum floor area requirement for a single family dwelling from the required 800 sq.ft. to 785 sq.ft. for this property, applicant Pauline Hiebert, be adjourned at 9:50 a.m.

**CARRIED**

Res. No. 281-14 MOTION: Ken Tallaire – Darrell Unger

**WHEREAS** pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 10-13*, Pauline Hiebert from Steinbach, Manitoba, made application for a conditional use, File No.: DCU 10-14, and after proper notice according to the Planning Act, the application was heard on August 13<sup>th</sup>, 2014;

**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. 282-14 MOTION: Ron Hamilton – Darrell Unger

**BE IT RESOLVED THAT** the request by MTS to install facilities on municipal right-of-way from Andreas Drive to Courcelles Cove on the 2.0 m line be approved as per application.

**CARRIED**

Res. No. 283-14 MOTION: Ron Vielfaure – Ron Hamilton

**WHEREAS** Section 184 of *The Municipal Act* requires that the Council of a municipality must, not later than August 31<sup>st</sup> in each year, appoint an auditor to carry out the duties an auditor in respect of the municipality for the fiscal year;

**AND WHEREAS** BDO Canada has provided audit services to the Rural Municipality of La Broquerie since the 2008 fiscal year;

**AND WHEREAS** Council is very satisfied with the audit services provided to the municipality;

**THEREFORE BE IT RESOLVED THAT** Council accept the quote from the firm of BDO Canada to audit the records of the municipality for the years 2014, 2015 and 2016 as per attached schedule.

**CARRIED**

Res. No. 284-14 MOTION: Ken Tallaire – Wilfred Chabot

**BE IT RESOLVED THAT** Council support the National Wall of Remembrance Association with the purchase of an advertisement in the amount of \$289.00.

**CARRIED**

Res. No. 285-14 MOTION: Darrell Unger – Ron Hamilton

**BE IT RESOLVED THAT** the request by MTS to install facilities on municipal right-of-way to place buried cable under Road 19N (West of Zhoda) be approved as per submitted plans.

**CARRIED**

Res. No. 290-14 MOTION: Darrell Unger – Ron Hamilton

**WHEREAS** a portable generator owned by the Rural Municipality of La Broquerie was stolen in July 2014;

**AND WHEREAS** the municipality's insurers have advised the municipality to obtain quotes and replace the equipment;

**THEREFORE BE IT RESOLVED THAT** Council accept the quote of Nor-Tec Group Ltd. in the amount of \$38,750.00 for the supply of trailer, generator, cords and cord ends (plus applicable taxes).

**CARRIED**

Res. No. 291-14 MOTION: Ken Tallaire – Ron Vielfaure

**WHEREAS** St Joachim museum is located on municipal property within the Village of La Broquerie;

**AND WHEREAS** the museum is closed and the Board of Directors of St Joachim museum have exhausted all attempts to save, sell or salvage the building;

**AND WHEREAS** no one has shown any interest in purchasing and moving the building from the present location;

**THEREFORE BE IT RESOLVED THAT** Council authorize the demolition of the building;

**AND THEREFORE BE IT RESOLVED THAT** Council accept the quote of Unger Excavating Inc. for the amount of \$6,150.00 to demolish said building.

**CARRIED**

Res. No. 292-14 MOTION: Ron Hamilton – Ken Tallaire

**WHEREAS** Council had tendered, received and accepted quotes for upgrades to Kokomo Road (1/2 mile) and St Joseph Road (1/2 mile);

**AND WHEREAS** Provincial funding was received for upgrades to other municipal projects thus providing additional funding for the Kokomo and St Joseph projects;

**THEREFORE BE IT RESOLVED THAT** Council proceed with the following projects:

Kokomo Road – 1 mile – Borland Construction quote  
\$225,750.

St Joseph Road – ½ mile – Unger Excavating quote  
\$125,000.

**CARRIED**

Res. No. 293-14 MOTION: Wilfred Chabot – Ken Tallaire

**WHEREAS** Council approved an application to subdivide for Peter and Maria Gerzen on Pt. S1/2 3-6-8E subject to certain conditions;

**AND WHEREAS** all conditions have been met except the receipt of the final compaction test which proved slightly below municipal standards;

**AND WHEREAS** the developers have provided a letter of credit in the amount of \$17,000. to the municipality to expire July 31, 2016;

**THEREFORE BE IT RESOLVED THAT** in lieu of additional compaction tests, Council extend the period of warranty on the municipal roads and letter of credit by an additional 6 months to expire on December 31, 2016.

**CARRIED**

Res. No. 294-14 MOTION: Darrell Unger – Ron Vielfaure

**WHEREAS** Council approved an application to subdivide by Louis Vien on Pt. S.E. 14-6-7E comprising of 4 lots, with conditions;

**AND WHEREAS** Council has received a request from the developer to remove certain conditions;

**THEREFORE BE IT RESOLVED THAT** Council agree to remove the following conditions:

1. That the applicant obtain an Engineered Drainage Plan
2. That the applicant enter into a Development Agreement with the municipality.

**CARRIED**



Res. No. 295-14 MOTION: Ron Vielfaure – Wilfred Chabot

**WHEREAS** Community Planning Services has submitted to the municipality a completed Application for Approval of Subdivision for Proposed Subdivision File #4138-14-7385 at NE 31-6-8EPM, Roll 103100.000, Rural Residential Zone, for Applicants and Owners Luc, Jean-Guy, Francois, and Laurent Tétrault;

**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 Subdivision Deposit in the amount of \$1,000.00 be paid to the R.M. of La Broquerie to be applied toward future costs associated with this subdivision;
- 2) 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;
- 3) That an electronic and a hard copy of the Plan of Subdivision be provided;
- 4) That 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 10-2013;
- 6) That development dedication fees be submitted to the municipality in the amount of \$2,500.00 for the newly created building lot;
- 7) That the applicant enters into a Development Agreement with the municipality that addresses but is not limited to, restricting the placement of structures on land subject to flooding;
- 8) That monument restoration costs, for monuments that were found to be restored within this subdivision, will be borne by the Developer;
- 9) That any and all costs associated with this Subdivision will be borne by the Developer.

**CARRIED**

Res. No. 296-14 MOTION: Ken Tallaire – Wilfred Chabot

**WHEREAS** Council has requested quotes for construction management of the La Broquerie Arena Expansion project;

**THEREFORE BE IT RESOLVED THAT** Council accept the quote of Penn-Co Construction Canada for the proposed fee of \$159,000.00 subject to acceptance of final tenders or the construction of project.

**CARRIED**

Res. No. 297-14 MOTION: Ron Hamilton – Wilfred Chabot

**WHEREAS** Council has received quotes for the various 2014 Drainage projects;

**THEREFORE BE IT RESOLVED THAT** Council accept the following quotes:

**Ward 1 –**

- a) West ditch on Ekron Oswald Road for 1 mile from PTH 52 to Loewen Blvd. by Andre Grunthal Equipment - \$17,750.00
- b) Borland Road East ditch from PR 303 to PTH 52 for 3 miles by Unger Excavating Inc. - \$27,374.00
- c) Idawood Lane West ditch for 100 metres and culvert by Unger Excavating Inc. - \$3,110.00
- d) 32 Burgess to Kokomo Road N – clean swale – contractor to be determined – estimated at \$500.00

**Ward 2 –**

- a) East ditch on Lasko Road for 1 mile from 26North to 27North by Unger Excavating - \$19,146.00
- b) Marynoski Road from PR 302 to Chopik Road and .5 mile North by Unger Excavating Inc. - 56,040.00
- c) Gagnon Road – East ditch from Civic address 30065 to 30149 from 850 metres by Andre Grunthal Equipment - \$6,500.00.

**CARRIED**

Res. No. 298-14 MOTION: Darrell Unger – Ken Tallaire

**BE IT RESOLVED THAT** Council dissolve into a Committee of the Whole Council in camera to discuss possible legal matters in a closed in-camera session at 10:20 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. 299-14 MOTION: Ken Tallaire – Wilfred Chabot

**BE IT RESOLVED THAT** the Committee of the Whole Council revert back to the regular open meeting of Council at 10:40 a.m.

**CARRIED**

Res. No. 300-14 MOTION: Ron Hamilton – Darrell Unger

**WHEREAS** Council has received a request from Bert Suss for a refund for the construction in part of Wolfe Drive West and Black Bear Bend in October 2010 by the municipality under the funding of the Suss-Giesbrecht letter of credit;

**AND WHEREAS** the municipality has refunded all the unspent funds for this project back to the developer;

**AND WHEREAS** Council is not satisfied that the municipality is responsible for any further refund regarding the expenditures for work done in October 2010;

**THEREFORE BE IT RESOLVED THAT** Council deny the request for any further refund of the letter of credit.

**CARRIED**

Res. No. 301-14 MOTION: Ron Hamilton – Ken Tallaire

**BE IT RESOLVED THAT** Council provide a \$30.00 refund to any resident of the Rural Municipality of La Broquerie upon producing a receipt of full non-resident library membership payment to the City of Steinbach.

**CARRIED**

**ADJOURNMENT:**

Res. No. 302-14 MOTION: Darrell Unger – Wilfred Chabot

**BE IT RESOLVED THAT** the regular meeting of August 13<sup>th</sup>, 2014 be adjourned.

**CARRIED**

**NEXT MEETING:**

The next regular Council meeting will be held on Wednesday, September 10<sup>th</sup>, 2014 at 8:00 a.m.

Public Hearing and Special Meeting will be held August 27<sup>th</sup>, 2014 at 7:00 p.m.

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**Cornie Goertzen,  
Deputy Reeve**

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**Roger A. Bouvier,  
Chief Administrative Officer**