

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, SEPTEMBER 10TH, 2014.

Present: Claude Lussier Reeve
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
Ron Kowalchuk Public Works Supervisor

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. 308-14 MOTION: Cornie Goertzen – Darrell Unger

BE IT RESOLVED THAT the agenda for the regular meeting of September 10th, 2014 be accepted as presented.

CARRIED

ADOPTION OF MINUTES:

Res. No. 309-14 MOTION: Wilfred Chabot – Ken Tallaire

BE IT RESOLVED THAT the minutes of the regular meeting of September 10, 2014 and the Special meeting of August 27th, 2014 be accepted as presented.

CARRIED

COUNCIL / COMMITTEE / STAFF REPORTS:

Reeve Claude Lussier reported on his attendance to: August 27, Meeting with Water Stewardship regarding drainage; August 29, Meeting regarding Medical Clinic; September 5, CDEM Executive meeting; September 8, Lagoon Expansion and Finance meetings.

Councillor Cornie Goertzen reported on his attendance to: August 25, Finance meeting; August 27, Water Stewardship and Highways meetings and Special Meeting of Council; September 6, Meeting with ratepayer regarding Canada Post issues along Kokomo Road North; September 8, Finance meeting.

Councillor Ron Hamilton reported on his attendance to: August 25, Finance meeting; August 27, Special Meeting of Council; September 8, Finance and Arena Board meetings.

Councillor Darrell Unger reported on his attendance to: August 25, Finance meeting; August 27, Special Meeting of Council; September 8, Finance meeting.

Councillor Wilfred Chabot reported on his attendance to: August 25, Finance meeting; August 27, Special Meeting of Council; September 8, Finance meeting.

Councillor Ron Vielfaure reported on his attendance to: August 27, Special Meeting of Council; September 8, Finance meeting.

Councillor Ken Tallaire reported on his attendance to: August 28, Penn-Co/Stantec meeting; September 8, Finance and Arena Board meetings; September 9, Penn-Co/Stantec meeting.

COMMUNICATIONS:

<u>From:</u>	<u>Subject:</u>	<u>Disposition:</u>
Gregory Sim, MTS	Buried Cable	Res. No. 315-14 M-8-14
Tom Leppelmann	Request for culvert/approach	C-10-14
AMBM	Annual meeting	Res. No. 316-14 A-1-14
Gil Lemoine	Enforcement letter	CAO File No. 46
Heart and Stroke Association	AED Program	D-2-14
MB Ag Service Group	2014 Farmland School Tax Rebate	M-14-14
Margerita Martens	Request for extension on home repair	Res. No. 317-14
Greg Tramley, Solicitor	Notice of court application re: Taillefer	CAO File No. 23
Workers Compensation Board	Employee claim decision	W-4-14

ACCOUNTS / FINANCE:

Res. No. 318-14 MOTION: Wilfred Chabot – Ron Vielfaure

BE IT RESOLVED THAT the attached Council and Staff Payroll cheques No. 20141027 to 20141039; 20141041 to 20141047 and 20141105 to 20141118 in the amount of \$40,932.47 be approved by the Council of the Rural Municipality of La Broquerie.

CARRIED

Res. No. 319-14 MOTION: Darrell Unger – Claude Lussier

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

CARRIED

BY-LAW:

Res. No. 320-14 MOTION: Claude Lussier – Cornie Goertzen

BE IT RESOLVED THAT By-Law 14-2014 (to assign the name of Hope Creek Road to Public Road of Plan 55687) be read a first time.

CARRIED

Res. No. 321-14 MOTION: Ken Tallaire – Ron Vielfaure

BE IT RESOLVED THAT By-Law 13-2014 (to rename the portion of Simon Drive South of Andreas's Drive to Courcelles Cove) be read a first time.

CARRIED

Res. No. 322-14 MOTION: Cornie Goertzen – Ron Vielfaure

BE IT RESOLVED THAT By-Law 12-2014 (to assign the name of Nadeau Street to the North-South portion of Public Road Plans 43424 and 52739) be read a first time.

CARRIED

Res. No. 322A-14 MOTION: Claude Lussier – Wilfred Chabot

BE IT RESOLVED THAT By-Law 11-2014 (to rename East Street, Carpentier Avenue and Lambert Road to Park Lane and to rename Boily Avenue to Barthelette Road) be read a first time.

CARRIED

Res. No. 323-14 MOTION: Ron Hamilton – Darrell Unger

BE IT RESOLVED THAT By-Law 10-2014 (to rename Prairie View Lane to Grauer Road) be read a first time.

CARRIED

Res. No. 324-14 MOTION: Cornie Goertzen – Ron Hamilton

BE IT RESOLVED THAT By-Law No. 08-2014 be read a second time.

CARRIED

Res. No. 325-14 MOTION: Ken Tallaire – Claude Lussier

BE IT RESOLVED THAT By-Law No. 08-2014 (Appoint Designated Officer to approve minor subdivisions) be read a third time.

RECORDED VOTE:

IN FAVOUR

OPPOSED

ABSTAIN

Reeve Claude Lussier	√		
Councillor Cornie Goertzen	√		
Councillor Ron Hamilton	√		
Councillor Darrell Unger	√		
Councillor Wilfred Chabot	√		
Councillor Ron Vielfaure	√		
Councillor Ken Tallaire	√		

CARRIED

NEW / GENERAL BUSINESS:

Res. No. 310-14 MOTION: Ken Tallaire – Darrell Unger

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

CARRIED

Res. No. 311-14 MOTION: Claude Lussier – Ken Tallaire

BE IT RESOLVED THAT the attached Employee's Sick Days, Vacation, Banked Time and Overtime Report to August 23, 2014 be accepted as reported to Council.

CARRIED

- Res. No. 312-14 MOTION: Wilfred Chabot – Ron Vielfaure
- BE IT RESOLVED THAT** the Building and Demolition Report to August 31, 2014 be accepted as presented.
- CARRIED**
- Res. No. 313-14 MOTION: Ron Vielfaure – Darrell Unger
- BE IT RESOLVED THAT** the Fire Department Report to August 14th, 2014 be accepted as presented.
- CARRIED**
- Res. No. 314-14 MOTION: Ken Tallaire – Darrell Unger
- BE IT RESOLVED THAT** the By-Law Enforcement Summary Report to August 31st, 2014 be accepted as presented.
- CARRIED**
- Res. No. 315-14 MOTION: Ron Hamilton – Claude Lussier
- BE IT RESOLVED THAT** Council approve the application by MTS to install facilities on municipal right of way per file 9111213 and 9117607.
- CARRIED**
- Res. No. 316-14 MOTION: Ron Vielfaure – Wilfred Chabot
- BE IT RESOLVED THAT** the Reeve, members of Council and the Chief Administrative Officer be authorized to attend the Annual General meeting of the Association of Manitoba Bilingual Municipalities in Winnipeg on October 2nd, 2014;
- AND FURTHER BE IT RESOLVED THAT** their actual travelling expenses be paid.
- CARRIED**
- Res. No. 317-14 MOTION: Darrell Unger – Cornie Goertzen
- WHEREAS** Council has granted permission and an extension to John & Margarita Martens to complete the exterior of a house located at 107 Wolf Drive West until September 1, 2014;
- AND WHEREAS** the family has had difficulty with the Insurance Company regarding damage to the building during the moving stage;
- THEREFORE BE IT RESOLVED THAT** Council approve an extension to the completion of the exterior of the building until May 1, 2015.
- CARRIED**

Res. No. 326-14 MOTION: Wilfred Chabot – Ron Hamilton

WHEREAS the Harper Government announced *Connecting Canadians*, a new program that will bring high-speed internet to more Canadian households;

AND WHEREAS the Rural Municipality of La Broquerie presently does not have good cell and internet service;

AND WHEREAS the Member of Parliament for the Provencher riding is asking local municipality to support this proposal by the Federal Government;

THEREFORE BE IT RESOLVED THAT Council notify the Member of Parliament for Provencher of the lack of proper and adequate cell and internet service for the residents and businesses of the municipality and request his assistance with promoting and improving these services in Eastern Manitoba, specifically within the Rural Municipality of La Broquerie.

CARRIED

Res. No. 327-14 MOTION: Claude Lussier – Ken Tallaire

WHEREAS the October 22nd, 2014 meeting of Council occurs on the same day as the General Municipal Election;

THEREFORE BE IT RESOLVED THAT the regular meeting of Council scheduled for October 22nd, 2014 be cancelled.

CARRIED

Res. No. 328-14 MOTION: Ken Tallaire – Wilfred Chabot

BE IT RESOLVED that Council dissolve into a committee as a whole in camera to discuss legal issues in a closed session in-camera at 10:12 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. 329-14 MOTION: Wilfred Chabot – Ron Vielfaure

BE IT RESOLVED THAT the Committee of the Whole Council revert back to the regular open meeting of Council at 11:35 a.m.

CARRIED

WHEREAS the Rural Municipality of La Broquerie is proposing to expand the municipal sewage lagoon located in the community of La Broquerie through the construction of aerated lagoon cells;

AND WHEREAS JR Cousin Consultants Ltd., municipal engineers, have identified the land needed for the expansion works, which includes a portion of land located adjacent to the existing lagoon land to the west shown on the sketch attached to this Resolution (“lagoon expansion land”.);

AND WHEREAS the lagoon expansion land is located within larger parcels of lands owned by the adjacent owner (“owner’s lands”);

AND WHEREAS the municipality has been working for a number of months on reaching an agreement to purchase the lagoon expansion land from the owner, with no agreement to purchase the lagoon expansion land being reached to date;

AND WHEREAS the timing for the lagoon expansion works is progressing to the point where the Municipality must now move forward with the acquisition of the lagoon expansion land either through an agreement with the owner or through expropriation if necessary;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of La Broquerie made a final without prejudice offer to the owner to purchase the lagoon expansion land for \$160,000.00. This offer includes all of the owner’s interests in the lagoon expansion land and any claim or impact on the owner and the remaining owner’s lands arising from the acquiring of the lagoon expansion land and the proposed lagoon expansion. The offer shall be open for acceptance until September 26, 2014;

AND FURTHER BE IT RESOLVED THAT if the offer is accepted, the municipal solicitor is authorized to prepare a purchase agreement and the Reeve and the Chief Administrative Officer are authorized to execute the purchase agreement under the corporate seal of the Municipality, and any and all documents necessary to carry out the provisions of this resolution;

AND FURTHER BE IT RESOLVED THAT if the offer is not accepted, the Chief Administrative Officer is authorized to retain a Manitoba land surveyor to prepare the necessary expropriation plan and to have the necessary documents and material prepared under the Expropriation Act providing for the expropriation of the lagoon expansion land.

CARRIED

Res. No. 331-14 MOTION: Cornie Goertzen – Wilfred Chabot

WHEREAS Resolution No. 297-2014 authorized the acceptance of quotes for drainage within the Rural Municipality of La Broquerie;

AND WHEREAS Council has considered a change to the work to drainage works approved due to the urgency of the works;

THEREFORE BE IT RESOLVED THAT Council authorize the excavation of 1 mile of municipal road (North of Section 14-5-8E) by Unger Excavating as quoted, subject to the Public Works Supervisor obtaining the necessary license from Water Resources and survey;

AND THEREFORE BE IT RESOLVED THAT Council authorize the excavation of approximately ½ mile of ditch, including removal and installation of necessary culverts, along Road 28N (Lischynski) and Road 39E (Kokomo) per quote, subject to the Public Works Supervisor obtaining the necessary license from Water Resources;

AND FURTHER BE IT RESOLVED THAT Council authorize the excavation and clean out of approximately ¾ mile of ditch East of Section 19-6-8E along Gosselin Road (West ditch), subject to survey and license from Water Resources.

CARRIED

Res. No. 332-14 MOTION: Cornie Goertzen – Ron Hamilton

WHEREAS Community Planning Services has provided conditional approval subject to the applicant obtaining municipal approval for minor subdivision application at NW 26-6-7EPM, File No.: 4138-14-7432, Roll No.:74600.000 for Applicant and Owner Gary and Sharon Harder;

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

AND WHEREAS notice to owners within 100m of the affected property has been sent;

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 10-2013;
- 5) That development dedication fees be submitted to the municipality in the amount of \$2500.00 for each newly created building lot;
- 6) That monument restoration costs, for monuments that were found to be restored within this subdivision, will be borne by the Developer;
- 7) That any and all costs associated with this Subdivision will be borne by the Developer.

CARRIED

Res. No. 333-14 MOTION: Claude Lussier – Darrell Unger

BE IT RESOLVED THAT Subdivision application 4138-14-7411 at NE 32-5-7EPM be denied.

CARRIED

Res. No. 334-14 MOTION: Ron Hamilton – Cornie Goertzen

WHEREAS pursuant to Section 372 of the Municipal Act a municipality may set a reserve bid in the amount of the tax arrears and costs in respect of the property;

BE IT RESOLVED THAT the Rural Municipality of La Broquerie place a reserve bid on all properties in the amount of all arrears and costs in respect of each property.

CARRIED

Res. No. 335-14 MOTION: Darrell Unger – Claude Lussier

BE IT RESOLVED THAT Council agree to the application by the Rural Municipality of Hanover to install a 450 mm culvert with trap through Road 36E as recommended by Water Resources.

CARRIED

ADJOURNMENT:

Res. No. 336-14 MOTION: Ron Hamilton – Claude Lussier

BE IT RESOLVED THAT the regular meeting of September 10th, 2014 be adjourned.

CARRIED

NEXT MEETING:

The next regular Council meeting will be held on Wednesday, September 24th, 2014 at 7:00 p.m.

**Claude Lussier,
Reeve**

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