

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, MAY 14TH, 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 (absent with notification)

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. 150-14 MOTION: Wilfred Chabot – Darrell Unger

BE IT RESOLVED THAT the agenda for the regular meeting of May 14th, 2014 be accepted as presented.

CARRIED

ADOPTION OF MINUTES:

Res. No. 151-14 MOTION: Darrell Unger – Ron Vielfaure

BE IT RESOLVED THAT the minutes of the regular meeting of April 23rd, 2014 be accepted as corrected.

CARRIED

COUNCIL / COMMITTEE / STAFF REPORTS:

Reeve Claude Lussier reported on his attendance to: April 9, 10, 11, AMM Eastern meetings; April 15, 16, 17, AMM Convention; April 21, AMBM and Finance meetings; April 24, Manitoba Hydro meeting; April 28, CDC meeting; April 30, AMBM Executive meeting; May 1, Canada Post Office meeting; May 5, Lagoon Expansion Committee meeting; May 12, Finance meeting.

Councillor Cornie Goertzen reported on his attendance to: April 24, Manitoba Hydro meeting; May 12, Finance meeting.

Councillor Ron Hamilton reported on his attendance to: April 21, Finance and Public Works meetings; May 12, Finance meeting.

Councillor Darrell Unger reported on his attendance to: May 5, Lagoon Expansion Committee meeting; May 12, Finance meeting.

Councillor Wilfred Chabot reported on his attendance to: May 6, Marchand Community Club meeting; May 12, Finance meeting.

Councillor Ron Vielfaure reported on his attendance to: May 5, Lagoon Expansion Committee meeting.

DELEGATIONS:

9:00 a.m. Public Hearing was held in respect of a Conditional Use Application by Elmer Toews to allow a multi-family dwelling of 10 units at 170 rue Principale in La Broquerie. Applicant was present. No objections were received. Local Urban District committee supports the application. (See Resolution No. 156-157-158-14)

COMMUNICATIONS:

<u>From:</u>	<u>Subject:</u>	<u>Disposition:</u>
Richard Turenne, CDC	Request for letter of support-Business forum	Res. No. 159-14 C-2-14
Deborah Crawford	Canada Post – Civic addressing postal system	Res. No. 160-14 C-18-14
BSI Insurance	Additional Insurance coverage	I-2-14
Stan Struthers – Minister Local Government	2013 AMM Resolution decisions	A-2-14
AMM	June District meeting	Res. No. 161-14 A-2-14
Stephen Walker	Planning study – conceptual plans	L-9-14
Trans Canada	Pipeline project	M-14-14
Local Government	Federal Gas Tax agreement	Res. No. 162-14 Permanent Files
Seine-Rat River Conservation District	Q4 Report	S-1-14
Eric Gladish – Public Works	Letter of resignation	Res. No. 163-14 P-5-14
Luc Poiron	Offer to purchase	Res. No. 174-14 P-5-14
Stephen Walker	Delegation of approval re: minor subdivision	Res. No. 164-14 L-9-14
St Labre 200	Request for donation	Res. No. 165-14 D-2-14
Manitoba Good Roads Association	2014 Annual competition	G-3-14
St Joachim Library	Minutes of March 11, 2014	L-3-14

ACCOUNTS / FINANCE:

Res. No. 166-14 MOTION: Claude Lussier – Ron Vielfaure

BE IT RESOLVED THAT the month end Financial Statement to April 30th, 2014 be accepted as presented to Council.

CARRIED

Res. No. 167-14 MOTION: Wilfred Chabot – Claude Lussier

BE IT RESOLVED THAT the attached Council, Staff and Fire Department Payroll cheques No. 20140536 to 20140548, 20140551 to 20140557 and 20140560 to 20140598 in the amount of \$68,697.30 be approved by the Council of the Rural Municipality of La Broquerie.

CARRIED

BY-LAW:

Res. No. 180-14 MOTION: Ron Hamilton – Darrell Unger

BE IT RESOLVED THAT By-Law No. 04-2014 (Establishment of a Public Reserve in the LUD of La Broquerie) be read a second time.

CARRIED

Res. No. 181-14 MOTION: Cornie Goertzen – Claude Lussier

BE IT RESOLVED THAT By-Law No. 04-2014 (Establishment of a Public Reserve in the LUD of La Broquerie) be read a third time.

RECORDED VOTE:

IN FAVOUR

OPPOSED

ABSTAINED

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

CARRIED

Res. No. 182-14 MOTION: Wilfred Chabot – Ron Hamilton

BE IT RESOLVED THAT By-Law No. 05-2014 (Amending Zoning By-Law 10-2013 Golf View Electric) be read a first time.

CARRIED

NEW / GENERAL BUSINESS:

Res. No. 152-14 MOTION: Wilfred Chabot – Cornie Goertzen

BE IT RESOLVED THAT the attached Council Indemnity's and Expenses Report to April 30, 2014 be accepted as reported to Council.

CARRIED

Res. No. 153-14 MOTION: Darrell Unger – Claude Lussier

BE IT RESOLVED THAT the attached Employee's Sick Days, Vacation, Banked time and Overtime Report to May 3, 2014 be accepted as reported to Council.

CARRIED

Res. No. 154-14 MOTION: Ron Hamilton – Cornie Goertzen

BE IT RESOLVED THAT the Building and Demolition Report to April 30, 2014 be accepted as presented.

CARRIED

Res. No. 155-14 MOTION: Wilfred Chabot – Ron Hamilton

BE IT RESOLVED THAT the By-Law Enforcement Summary Report to April 30th, 2014 be accepted as presented.

CARRIED

Res. No. 156-14 MOTION: Wilfred Chabot – Ron Vielfaure

BE IT RESOLVED THAT a Public Hearing is now called to order at 9:00 a.m. for Conditional Use Application No. DCU 04-2014 to allow a multiple family dwelling of 10 units at 170 Principale Street, SE 36-6-7EPM, Roll No. 113300.000, Main Street Commercial/ Residential Zone, applicant TNT Ventures Inc.

CARRIED

Res. No. 157-14 MOTION: Cornie Goertzen – Ron Vielfaure

BE IT RESOLVED THAT the Public Hearing for Conditional Use Application No. DCU 04-2014 to allow a multiple family dwelling of 10 units at 170 Principale Street, SE 36-6-7EPM, Roll No. 113300.000, Main Street Commercial/ Residential Zone, applicant TNT Ventures Inc. be adjourned at 9:12 a.m.

CARRIED

Res. No. 158-14 MOTION: Darrell Unger – Ron Vielfaure

WHEREAS pursuant to the provisions of the *Rural Municipality of La Broquerie Zoning By-Law 10-13*, TNT Ventures Inc. from La Broquerie, Manitoba, made application for a conditional use, File No.: DCU 04-2014 and after proper notice according to the Planning Act, the application was heard on May 14, 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 permit the multiple family dwelling of 10 units at 170 Principale Street, SE 36-6-7EPM, Roll No. 113300.000, Main Street Commercial/ Residential Zone with the following conditions:

THAT the minimum front yard setback be 25 feet, the minimum side yard setback be 5 feet, and the minimum rear yard setback be 25 feet;

THAT the applicant subdivide the property so that the existing single family dwelling which will remain on the property obtains its own title;

THAT the area indicated as “Greenspace” on the attached site plan be registered as Public Reserve in the subdivision process.

CARRIED

Res. No. 159-14 MOTION: Ron Vielfaure - Wilfred Chabot

WHEREAS the La Broquerie CDC is applying for Provincial funding under the Manitoba Partner 4 Growth program to promote the services of the CDC to local trades, businesses and entrepreneurs;

AND WHEREAS the application requires a letter of support from the participating municipalities;

THEREFORE BE IT RESOLVED THAT Council provide a letter of support to the CDC to proceed with the program application and to proceed with this much worthwhile community project.

CARRIED

Res. No. 160-14 MOTION: Darrell Unger – Ron Vielfaure

WHEREAS Reeve Lussier and the Chief Administrative Officer met with representatives of Canada Post to discuss Canada Post proposal to implement a civic addressing system in the Rural Municipality of La Broquerie;

AND WHEREAS the proposal would include the establishment of rural postal mail boxes in parts of the municipality, mainly between the LUD of La Broquerie and the City of Steinbach;

AND WHEREAS Canada Post requested the assistance of the Rural Municipality of La Broquerie in establishing the area to be serviced by a civic addressing system;

THEREFORE BE IT RESOLVED THAT the area lying 1 mile East of the City of Steinbach, North of PR 303, South of Loewen Boulevard and 1 mile West of the LUD of La Broquerie be included in the civic addressing area and further be known as La Broquerie West.

CARRIED

Res. No. 161-14 MOTION: Wilfred Chabot – Cornie Goertzen

BE IT RESOLVED THAT the Reeve, Council and Chief Administrative Officer be authorized to attend the AMM June District meeting in Beausejour on June 16, 2014;

AND FURTHER BE IT RESOLVED THAT their registration and actual travelling expenses be paid per By-Law 18-2011.

CARRIED

Res. No. 162-14 MOTION: Ron Hamilton – Claude Lussier

WHEREAS the Province of Manitoba and the Government of Canada signed an Administrative Agreement for the transfer of federal gas tax dollars to Manitoba municipalities;

AND WHEREAS in order to receive funding under this program, municipalities are required to sign new Agreements with the Province of Manitoba;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of La Broquerie enter a Municipal Gas Tax Agreement with the Government of Manitoba;

AND FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to sign the necessary documentation in order to enter into said agreement with the Province of Manitoba.

CARRIED

Res. No. 163-14 MOTION: Claude Lussier – Ron Vielfaure

BE IT RESOLVED THAT Council accept with regret the resignation of Eric Gladish as a Public Works employee.

CARRIED

Res. No. 164-14 MOTION: Cornie Goertzen – Wilfred Chabot

WHEREAS Section 134(1) of The Planning Act provides for the process of approving minor subdivisions within municipalities;

AND WHEREAS Section 134(3) provides the necessary authority for council to delegate the approving authority for minor subdivisions to a designated employee or officer of the municipality;

AND WHEREAS delegating such authority to a designated employee or officer of the municipality would provide an ability for the municipality to provide a quicker response and approval process to such minor applications;

THEREFORE BE IT RESOLVED THAT Council delegate the authority to the Chief Administrative Officer of the Rural Municipality of La Broquerie to approve minor subdivision applications with or without conditions, but not the ability to reject such applications.

CARRIED

Res. No. 165-14 MOTION: Ron Hamilton – Darrell Unger

BE IT RESOLVED THAT Council provide a donation of \$200.00 to the St-Labre 200 Inc. fund raiser.

CARRIED

Res. No. 168-14 MOTION: Darrell Unger – Ron Hamilton

WHEREAS the plans for phase 2 of the KRV Development located within the LUD of La Broquerie are at the Winnipeg Land Titles Office for registration;

AND WHEREAS the development is in the process of installing the various services, i.e. sewer, streets, lighting, etc;

AND WHEREAS the Developer has provided the municipality with a letter of credit to ensure that all services are provided as per the development agreement signed between the Developer and the municipality;

AND WHEREAS Farrel Rempel, Developer has applied to construct one residential home on Lot 16 – Bedford Drive within phase 2 of said development;

THEREFORE BE IT RESOLVED THAT Council approve the issuance of one building permit for Lot 16 Bedford Drive in the KRV Development.

CARRIED

Res. No. 169-14 MOTION: Cornie Goertzen – Darrell Unger

WHEREAS the Rural Municipality of Hanover and La Broquerie share several miles of common boundary roads;

AND WHEREAS it is advantageous to both municipalities to cost share the maintenance of shared boundary roads;

AND WHEREAS the Rural Municipality of Hanover has provided a draft agreement for review by the Council of the Rural Municipality of La Broquerie;

AND WHEREAS Council is in agreement with the proposed cost sharing programs per attached schedule “A”;

THEREFORE BE IT RESOLVED THAT Council authorize the Reeve and CAO to sign said shared inter-municipal maintenance agreement.

CARRIED

Res. No. 170-14 MOTION: Ron Vielfaure – Darrell Unger

WHEREAS Section 341(1) of The Municipal Act provides “On request and payment of a fee, prescribed by by-law, a designated officer must issue a tax certificate showing, (a) the taxes for the year in respect of the property or business specified in the request, and any amount paid; (b) any tax arrears owing in respect of the property or business as of the date of the certificate; (c) whether the lands are assessed for farming purposes under section 17 of The Municipal Assessment Act”;

AND WHEREAS Section 341(2) provides “a tax certificate issued under subsection 341(1) is **binding on a municipality** but not prevent the municipality from imposing supplementary taxes after the date of the certificate for a period before that date”;

AND WHEREAS when listing outstanding taxes, administration should include tax sale costs, if any;

AND WHEREAS administration issued a tax certificate in error to a legal firm without including the tax sale costs;

AND WHEREAS the municipality is now responsible for the outstanding costs on this account;

THEREFORE BE IT RESOLVED THAT Council authorize the cancellation of the tax sale costs for Roll No.114200.000 in the amount of \$710.00 plus GST.

CARRIED

Res. No. 171-14 MOTION: Wilfred Chabot – Ron Vielfaure

WHEREAS a building permit was issued on September 30th, 2013 to authorize the applicant to move a used home on to Lot 17 Block 3 Plan 15186 (off PR 210 in Marchand);

AND WHEREAS a \$5,000 damage deposit was accepted until the house was completed to the building inspector’s satisfaction;

AND WHEREAS the applicant has applied for the return of the \$5,000 retainer;

AND WHEREAS the building inspector has completed the final inspection on the building;

THEREFORE BE IT RESOLVED THAT Council authorize the return of the \$5,000 deposit to the applicant.

CARRIED

Res. No. 172-14 MOTION: Claude Lussier – Darrell Unger

WHEREAS Manitoba Hydro is proposing the Manitoba-Minnesota Transmission project, which entails construction of a 500-kilovolt transmission line from Dorsey Station in Winnipeg to the Manitoba –Minnesota border;

WHEREAS Manitoba Hydro has refined alternative routes from Dorsey Station to a preferred border crossing;

AND WHEREAS Manitoba Hydro has held public open houses, meetings and workshops to gather information on routing criteria as well as feedback from all concerned parties;

AND WHEREAS Manitoba Hydro met with elected officials from the Rural Municipality of La Broquerie to hear their input;

AND WHEREAS two alternative routes were presented to the municipality and concerned citizens;

AND WHEREAS the Rural Municipality of La Broquerie have several major concerns and objections with the refined alternative Route #208;

AND WHEREAS the Council of the Rural Municipality of La Broquerie is of the opinion that Route #207 offers the least disruptive and economical route for the citizens and Manitoba Hydro;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of La Broquerie on behalf of its citizens, strongly urge Manitoba Hydro to consider alternative Route #207 as the logical alternative for this project.

CARRIED

Res. No. 173-14 MOTION: Wilfred Chabot – Ron Vielfaure

BE IT RESOLVED THAT Public Works be authorized to oversee the landscaping project for the La Broquerie sign along PR 52;

AND FURTHER BE IT RESOLVED THAT the La Broquerie CDC assume all costs for said works.

CARRIED

Res. No. 174-14 MOTION: Claude Lussier – Ron Hamilton

BE IT RESOLVED THAT Council accept the offer of \$100.00 from Luc Poiron for a used trailer which is no longer suitable for road use.

CARRIED

Res. No. 175-14 MOTION: Claude Lussier – Wilfred Chabot

WHEREAS Community Planning Services has provided conditional approval subject to the applicant obtaining municipal approval for minor subdivision application at S½ 12-4-7EPM, File No.: 4138-14-7375, Roll No.: 4800.020 for Applicant Kathy Wiebe, Owner Schinkel Properties Inc.;

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 an electronic and a hard copy of the Plan of Subdivision be provided;
- 2) That verification of proposed site areas and widths for all proposed lots be provided;
- 3) That the applicant obtains any and all variations deemed necessary in order to comply with our Zoning By-Law 10-2013;
- 4) That development dedication fees be submitted to the municipality in the amount of \$1500.00 for each newly created building lot;
- 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.

CARRIED

Res. No. 176-14 MOTION: Ron Hamilton – Darrell Unger

BE IT RESOLVED THAT final approval be given to 4-lot subdivision at S½ 3-6-8E applicant and owner Peter Gerzen;

FURTHER BE IT RESOLVED THAT the developer still be required to meet all municipal standards regarding the construction of the roads;

FURTHER BE IT RESOLVED THAT a letter of credit be provided for this development in the amount of \$17,000.00;

FURTHER BE IT RESOLVED THAT the following conditions which have been imposed when the subject application was conditionally approved be waived:

- That the applicant obtains an Engineered Road Plan;
- That the applicant obtains an Engineered Drainage Plan;
- That the applicant enters into a Development Agreement with the municipality.

CARRIED

Res. No. 177-14 MOTION: Ron Vielfaure – Wilfred Chabot

WHEREAS Council established a policy (Resolution 536-2012) on November 14th, 2012 establishing a requirement to notify all property owners within 100 metres of any development applications of pending development within the LUD of La Broquerie and 500 metres in the Rural area, giving them the opportunity to comment of such applications;

AND WHEREAS notifying property owners within 500 metres in the communities of Zhoda and Marchand can be cumbersome as in many cases, most of the property owners in those communities must be notified;

THEREFORE BE IT RESOLVED THAT all property owners within the communities of Marchand and Zhoda within 100 metres of any development applications be notified.

CARRIED

Res. No. 178-14 MOTION: Ron Vielfaure – Darrell Unger

WHEREAS the Municipality's Organizational By-Law calls for 2 regular meetings of council per month;

AND WHEREAS Council is of the opinion that 2 regular meetings of council are not necessary during the summer months;

THEREFORE BE IT RESOLVED THAT the two evening meetings scheduled for July 23rd and August 27th, 2014 be cancelled;

AND FURTHER BE IT RESOLVED THAT administration place the necessary notice in local papers and municipal website advertising the cancellation of said regular meetings.

CARRIED

Res. No. 179-14 MOTION: Ron Vielfaure – Ron Hamilton

WHEREAS the Rural Municipality of La Broquerie has a lease agreement with Beckett Investments Ltd. in the RHA facility located at 94 rue Principale;

AND WHEREAS the municipality no longer has a need for this office space;

THEREFORE BE IT RESOLVED THAT Council provide notice of termination of lease to Beckett Investments Ltd. for 6 months as per lease agreement effective June 1, 2014.

CARRIED

ADJOURNMENT:

Res. No. 183-14 MOTION: Cornie Goertzen – Wilfred Chabot

BE IT RESOLVED THAT the regular meeting of May 14th, 2014
be adjourned.

CARRIED

NEXT MEETING:

The next regular Council meeting will be held on Wednesday, May 28th, 2014 at
7:00 p.m.

**Claude Lussier,
Reeve**

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