

THE RURAL MUNICIPALITY OF STE. ANNE

Council Meeting

Wednesday, January 9, 2013 @ 9:00 am

\*\*\* Additions to Agenda

AGENDA

1. CALL TO ORDER

2. AGENDA

3. MINUTES

December 12, 2013

4. FINANCES

\*\*\* 4.1 Cheque Listing

4.2 Financial Statements for Dec. 31, 2012 (incomplete)

5. HEARING(s)

11:00 am	Rene Brule	RE: VO #09-12
	C. Leonard/H. Godard-Leonard	RE: VO #10-12
	A. & J. Allden	RE: VO #11-12
	Thomas C. Graham	RE: VO #12-12

6. DELEGATION(s)

7. CONSENT AGENDA

7.1	Long Term & Cont. Care	RE: News Release
7.2	Tree Canada	RE: Edible Trees 2013 Application Form
7.3	RRBC	RE: 2013 AGM
7.4	MIT	RE: Grant-in Aid Funding 2013/2014
7.5	MIT	RE: Hwy Traffic Board Hearing
7.6	MB Health	RE: Lyme Disease Brochure
7.7	Minister of Local Gov't	RE: RM Amalgamation News Letter
7.8	AMM	RE: Dec. 2012 News Bulletin/RM Amalgam.
7.9	MB Children & Youth Opport.	RE: Premier's Volunteer Service Award 2013
7.10	Hudson Bay Route Assoc.	RE: 2013 Membership Fee
7.11	AMM	RE: Mun. Officials Seminar Schedule
7.12	Community Futures	RE: Economic Development/Funding Request
7.13	Town of Plum Coulee	RE: Amalgamation

8. UNFINISHED BUSINESS

8.1	Grant Edel	RE: S/D F#4175-2012-7027 Decision
8.2	Grant Edel	RE: S/D F#4175-2012-7028 Decision
8.3	Guy Lash	RE: Prov. Service Road Development
8.4	H & L Proteau	RE: S/D F#4175-2012-7070 Decision

9. NEW BUSINESS

9.1	Permits	RE: Permit #123 to 124/12
9.2	RFD/GFD	RE: December 2012 Call Reports
9.3	MB Conservation	RE: 2012-2013 Beaver Program
9.4	Eastman Tourism	RE: 2013 Guide Advertisement
9.5	TSA Water Park	RE: Letter of Support
9.6	City of Steinbach	RE: 2013-2015 Fire Protection Agreement
9.7	City of Steinbach	RE: 2013-2015 Landfill Agreement Ext.
9.8	CLPA- Crown Lands	RE: Permit Application - SE 29-8-8E
9.9	TAXervice	RE: 2013 Tax Sale Agreement/Date
9.10	Paradise Village	RE: Map Amendment to CU #02-08
9.11	A & R Mireault	RE: Proposed S/D F#4175-2012-7051
9.12	J & Mary Brunner	RE: Proposed S/D F#4175-2012-7105
9.13	CDCCD	RE: Terms of Reference Agreement
9.14	Richer Volunteer Fire Fighter	RE: 2012 X'mas Banquet Grant Request
9.15	Steinbach Assessment Services	RE: 2013 Board of Revision
9.16	RM Auditor	RE: 2013-2015 Appointment
9.17	A & R Hupe	RE: Bldg P #101-11 Amendment
9.18	Country Charm Resorts Inc.	RE: Proposed S/D F#4175-2012-7099

10. BY-LAWS

10.1 Council Indemnity B/L No. 8-2012  
10.2 LUD of Richer Reserve B/L No. 9-2012

11. PUBLIC WORKS - CHAIR REPORT

12. COMMITTEE REPORTS

13. NOTICE OF MOTION / PETITION

14. IN CAMERA

14.1 \*\*\*\*  
14.2 \*\*\*\*  
14.3 \*\*\*\*  
14.4 \*\*\*\*

15. ADJOURNMENT

**THE RURAL MUNICIPALITY OF STE. ANNE**

**January 9, 2013**

Minutes of the regular meeting of The Rural Municipality of Ste. Anne held at the Municipal Office in the Town of Ste. Anne on January 9, 2013.

Reeve Art Bergmann called the meeting to order at 9:00 am with the following members of council present: Councillors Renald Courcelles, Jake Reimer, Paul Saindon, Daniel Brunel, Roger Massicotte, and Laurie Evans. Also present was the ACAO Jennifer Blatz and CAO, Loni Eskildsen.

Council opened the meeting with the Lord's Prayer.

**ADOPTION OF AGENDA**

**1-13 Courcelles - Saindon**

BE IT RESOLVED that the agenda for the regular meeting of January 9, 2013 be accepted as circulated and amended.

**Carried.**

**MINUTES**

**2-13 Courcelles - Reimer**

BE IT RESOLVED that the minutes of the meeting held December 12, 2012 be adopted as circulated.

**Carried.**

**FINANCE**

**Accounts**

**3-13 Massicotte - Saindon**

BE IT RESOLVED that the following **2012** cheques, in the amount of \$187,967.98 be approved for payment:

Cheque #'s: 20121236 - 20121292 (inclusive),  
20130001 - 20130015 (inclusive),  
20130029 - 20130042 (inclusive);

BE IT FURTHER RESOLVED that the following **2013** cheques, numbered 20130016-20130028 (inclusive), in the amount of \$13,515.91 be approved for payment.

**Carried.**

**Financials**

**4-13 Evans - Saindon**

BE IT RESOLVED that the **incomplete** Financial Statements for the period ending December 31, 2012 be accepted as presented to council.

**Carried.**

**2012 YE Surplus**

**5-13 Reimer - Evans**

BE IT RESOLVED that in the event of a 2012 year end surplus, the CAO is hereby authorized to retain \$40,000.00 in the General Operating Fund, increase the Nominal Surplus as per Regulation 49/97, and transfer any remaining balance of the year end surplus to the General Reserve.

**Carried.**

**CONSENT AGENDA**

**6-13 Brunel - Courcelles**

BE IT RESOLVED that the consent agenda consisting of 13 items be adopted as circulated.

**Carried.**

**UNFINISHED BUSINESS**

**S/D F#4175-2012-7027 (Edel)**

**7-13 Brunel - Saindon**

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-2012-7027 in the N½ of NE ¼ Sec. 35-8-7E, to create two (2) – 5 acre Residential lots;

BE IT RESOLVED that the application to subdivide, be approved.

**Defeated.**

**S/D F#4175-2012-7028 (Edel)**

**8-13 Brunel - Saindon**

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-2012-7028 in S½ of NE ¼ Sec. 35-8-7E, to create two (2) – 5 acre Residential lots;

BE IT RESOLVED that the application to subdivide be approved.

Councillor Dan Brunel requested a recorded vote.

In Favor: Councillors Saindon, Brunel and Massicotte

Opposed: Reeve Bergmann and Councillors Courcelles, Reimer and Evans

**Defeated.**

**Guy Lash** – Tabled until further info is available from MIT.

**S/D F#2012-7070 (Proteau) Decision** – Tabled until further notice, at owners request.

#### NEW BUSINESS

##### Permits

##### 9-13 Brunel - Saindon

BE IT RESOLVED that the 2012 Building Permit #123-12 be hereby approved as presented to council, as per amended Zoning By-Law No. 10-2010, subject to all municipal and provincial regulations, including the requirements of the Plan Review.

**Carried.**

##### 10-13 Saindon - Brunel

BE IT RESOLVED that the 2012 Building Permit #124-12 be hereby approved as presented to council, as per amended Zoning By-Law No. 10-2010, subject to all municipal and provincial regulations, including the requirements of the Plan Review, and on the following conditions:

- a) That all recommended remedial work detailed in the Structural Engineer's Report submitted to the municipality, dated December 10, 2012, be completed prior to occupation of the residence; and
- b) That after completion of the required remedial work, a re-inspection report by the Structural Engineer be submitted to the municipality.

**Carried.**

##### RFD/GFD Fire Calls

##### 11-13 Brunel - Reimer

BE IT RESOLVED that the Richer and Giroux Volunteer Fire Department fire call reports for the month of December 2012 be accepted as presented;

BE IT FURTHER RESOLVED that the December 2012 Richer Fire Chief's Report be accepted as presented.

**Carried.**

**Prov Beaver Program** – Received as information.

**Eastman Tourism** – Tabled until further notice.

**TS Water Park – Letter of Support** – CAO instructed to re-issue the letter from December 2011 with current date.

##### STBCH Fire Prot

##### 12-13 Courcelles - Reimer

WHEREAS the Fire Protection Agreement between the City of Steinbach and the RM of Ste. Anne did expire December 31, 2012;

BE IT RESOLVED that Council hereby authorizes the Reeve and CAO to sign the proposed Fire Protection Agreement, with a set fee for service of \$38,333.00 for a three (3) year contract, covering January 1, 2013 to December 31, 2015, to be paid in January of each contract year.

**Carried.**

##### STBCH Landfill

##### 13-13 Brunel - Evans

WHEREAS the Steinbach Landfill Agreement between the City of Steinbach and the RM of Ste. Anne did expire December 31, 2012;

BE IT RESOLVED that Council hereby authorizes the CAO to sign the proposed extension to the Agreement as per document dated December 11, 2012, agreeing to all the proposed increases and rates as set out in the Agreement, including the contract length from January 1, 2013 to December 31, 2015.

**Carried.**

##### CLPA Lease

##### 14-13 Saindon - Courcelles

BE IT RESOLVED that the Council of the RM of Ste. Anne has no concern regarding the proposed application by the Richer Community Club to lease part of Sec. 29-8-8E, from the Crown Land and Property Agency, Application No. GP 67027.

**Carried.**

## HEARING(s)

Reeve Bergmann declared that the meeting recess to go into Hearings at 11:00 am.

**VO #09-12 (Brule)**

A public hearing was held to vary the minimum set back requirement of an existing structure from 125 feet to 64.9 feet, a condition of sub-division approval, File #4175-2012-5519, located at SE ¼ Sec. 22-8-7E, in an area zoned as RM – Rural Mixed. No written or verbal representations were made for or against this proposal.

**VO #10-12 (G.-Leonard)**

A public hearing was held to vary the minimum required lot size from 5 acres to approximately 4.67 acres, as a condition of subdivision approval, File # 4175-2012-5431, located at SE ¼ Sec. 28-8-7E, in an area zoned as RM – Rural Mixed. The applicant, Charles Leonard was present. No written representations were made for or against this proposal.

**VO #11-12 (Allden)**

A public hearing was held to vary the minimum required side yard set-back requirement from 25 feet to 19.25 feet, for a constructed accessory building, approved by Building Permit #110-11, located on River Lot 74, Plan 3626 / 45042 Lilac Lane, in an area zoned as RM – Rural Mixed. No written or verbal representations were made for or against this proposal.

**VO #12-12 (Graham/Chaput)**

A public hearing was held to vary the minimum site area requirement for a residual parcel of land from the minimum required 80 Acres to 19.75 acres, as a condition of subdivision approval, File #4175-2012-5416, located at SE ¼ Sec. 3-8-7E / 39089 Rd 42N, in an area zoned as RM – Rural Mixed. No written or verbal representations were made for or against this proposal.

Reeve Bergmann declared the hearings closed, and the meeting reconvene into regular session at 11:09 am, with decisions to follow.

## HEARING DECISION(s)

**VO #09-12 (Brule)****15-13 Brunel - Courcelles**

WHEREAS a Public Hearing was held for Variation Order #09-12 to vary the minimum set back requirement of an existing structure from 125 feet to 64.9 feet, a condition of sub-division approval, File #4175-2012-5519, located at SE ¼ Sec. 22-8-7E/45028 Rd 40E, in an area zoned RM - Rural Mixed;

BE IT RESOLVED that VO #09-12 be hereby approved.

**Carried.**

**VO #10-12 (G.-Leonard)****16-13 Evans - Courcelles**

WHEREAS a public hearing was held to vary the minimum required lot size from 5 acres to approximately 4.67 acres, as a condition of subdivision approval, File # 4175-2012-5431, located at SE ¼ Sec. 28-8-7E, in an area zoned as RM – Rural Mixed;

BE IT RESOLVED that VO #10-12 be hereby approved.

**Carried.**

**VO #11-12 (Allden)****17-13 Brunel - Reimer**

WHEREAS a public hearing was held to vary the minimum required side yard set-back requirement from 25 feet to 19.25 feet, for a constructed accessory building, approved by Building Permit #110-11, located at River Lot 74, Plan 3626 / 45042 Lilac Lane, in an area zoned as RM – Rural Mixed;

BE IT RESOLVED that VO #11-12 be hereby approved.

**Carried.**

**VO #12-12 (Graham/Chaput)****18-13 Courcelles - Brunel**

WHEREAS an error was made in the application and hearing notice of the proposed application to subdivide, indicating that the minimum site area requirement was 80 acres, instead of the required 40 acres;

AND WHEREAS a public hearing was held to vary the minimum site area requirement for a residual parcel of land from the amended minimum required 40 Acres to 19.75 acres, as a condition of Subdivision approval File #4175-2012-5416, located at SE ¼ Sec. 3-8-7E / 39089 Rd 42N, in an area zoned as RM – Rural Mixed;

BE IT RESOLVED that VO #12-12 be hereby approved.

**Carried.**

**TAXervice Memorandum****19-13 Brunel - Saindon**

BE IT RESOLVED that the CAO be authorized to sign the 2013 Engagement Letter, dealing with municipal tax arrears collection and the 2013 tax sale.

**Carried.**

**2013 Tax Sale****20-13 Courcelles - Brunel**

WHEREAS Section 365(2) of The Municipal Act provides that Council may in any year designate the immediately preceding year, or any earlier year, as the year for which properties, the taxes in respect of which are in arrears for the year, must be offered for sale by auction to recover the tax arrears and costs;

BE IT RESOLVED that the Designated Year for which properties in arrears be offered for sale by auction, be **2012** (meaning all properties with outstanding taxes from the year 2011 or prior);

BE IT FURTHER RESOLVED that in accordance with Section 363 (1) of the Municipal Act, "costs" shall be the actual costs incurred for each parcel listed for the 2013 tax sale plus administration fees of \$50.00 as set forth in Manitoba Regulation 50/97; and

BE IT FURTHER RESOLVED that the 2013 tax sale be held on **Thursday, October 17<sup>th</sup>, 2013 at 9:00 am**, at the Rural Municipality of Ste. Anne council chambers.

**Carried.**

**PV Phase 3****21-13 Evans - Reimer**

WHEREAS a Conditional Use (CU) Order #02-2008 was approved by Resolution #384-08, regarding the placement of Bungalows with an attached garage in Paradise Village, filed by 2678919 Manitoba Ltd. c/o Justin Deschauer, in three (3) phases;

AND WHEREAS management of Paradise Village wishes to amend the conceptual plan presented in 2008 with 67 lots, amended to 53 lots as per Resolution #243-11 in 2011, to a total of 46 lots in 2013;

BE IT RESOLVED that Council approve the amended conceptual plan, reducing the total number of lots from the original 67 lots to 46 lots, resulting in 14 lots for final phase, Phase 3 of the approved development.

**Carried.**

**S/D Mailouts****22-13 Saindon - Reimer**

WHEREAS the Municipality has received requests to subdivide the following properties:

- a) File #4175-2012-7051, in Pt SE ¼ 1-7-7E (A & R Mireault)
- b) File #4175-2012-7105, in Pt SW ¼ 22-7-7E (J & M Brunner)
- c) File #4175-2012-7099, in Pt NE ¼ 22-8-7E (Country Charm Resorts Inc.)

BE IT RESOLVED that the mail-outs be prepared as per Resolution #263-08 and #320-12.

**Carried.**

**CDCCD****23-13 Saindon - Evans**

WHEREAS a newly created Conservation District identified as the Cooks-Devils Creek Conservation District (CDCCD), has been formed in 2012;

AND WHEREAS Council has been asked to support the Terms of Reference as outlined in the CDCCD Integrated Watershed Management Plan;

BE IT RESOLVED that Council hereby authorizes the Reeve to sign the Terms of Reference on behalf of the Municipality.

**Carried.**

**RFD X'mas Banquet****24-13 Brunel - Reimer**

BE IT RESOLVED that the municipality give a grant in the amount of \$500.00 towards the Richer Volunteer Fire Fighters' 2012 Christmas Party, to be held in 2013, with the expense to be recognized in 2012.

**Carried.**

**Appt B of R Members****25-13 Evans - Massicotte**

BE IT RESOLVED that all members of council be appointed as members of the Board of Revision for the year **2013**;

BE IT FURTHER RESOLVED that the Reeve be appointed as Chairman and the Chief Administrative Officer be appointed as secretary of the 2013 Board of Revision.

**Carried.**

**Date of B of R****26-13 Brunel - Reimer**

BE IT RESOLVED that the Board of Revision be held on **Tuesday, November 19, 2013 @ 6:30 pm**, with the last day of appeal being set for November 4, 2013 at 4:00 pm.

**Carried.**

**Appt Auditor****27-13 Brunel - Massicotte**

WHEREAS the Municipality is required to appoint an auditor, as per Section 184(1) of the Municipal Act;

BE IT RESOLVED that the CAO be instructed to contact the current, contracted Auditor firm for a three (3) year contract quote.

**Carried.**

**Permit #101-11****28-13 Brunel - Evans**

WHEREAS the owner of property identified by Roll #148800.000, did apply for Building Permit #101-11, allowing a semi-permanent residence to be placed on the property on the condition that the structure could not be sold as a permanent residence by entering into an Agreement with the Municipality;

AND WHEREAS the owner wishes to have the approving Resolution #442-11 amended, by submitting a detailed Structural Engineers Report, prepared by Baldwin Residential Inc., dated November 19, 2012;

BE IT RESOLVED that Council, having reviewed all the information, hereby removes the semi-permanent designation of the structure, and recognizes the structure as a Permanent Residence;

BE IT FURTHER RESOLVED that the detailed Structural Engineers Report be made available to future potential buyers of the residence.

**Carried.**

DELEGATION(s) - None

Council recessed for lunch at 11:55 am and reconvened at 1:00 pm.

BY-LAW(s)

**B/L 8-2012 – Council Indemnities****3<sup>rd</sup> Reading****29-13 Courcelles - Evans**

BE IT RESOLVED that By-Law No. 8-2012, fixing the indemnities and other remuneration of Reeve, Council and Public Work Chair, be given third and final reading.

FOR: Councillors Renald Courcelles, Jake Reimer, Paul Saindon, Daniel Brunel, Roger Massicotte, Laurie Evans and Reeve Art Bergmann.

Against: None

Abstain: None

**Carried.**

**B/L 9-2012 – LUD Res****1<sup>st</sup> Reading****30-13 Courcelles - Reimer**

BE IT RESOLVED that By-Law No. 9-2012, establishing a Reserve Fund for any expenditures related to the operation of the Local Urban District (LUD) of Richer, be given first reading.

**Carried.**

**2nd Reading****31-13 Courcelles - Reimer**

BE IT RESOLVED that By-Law No. 9-2012, be given second reading.

**Carried.**

IN CAMERA

**32-13 Brunel - Saindon**

BE IT RESOLVED that this meeting recess to go in camera to discuss matters in the preliminary stages of discussion, By-Law enforcement, legal and/or personnel issues, and that all matters shall remain confidential until a report is made public.

**Carried.**

OUT OF CAMERA

**33-13 Brunel - Courcelles**

BE IT RESOLVED that this meeting reconvene into regular session.

**Carried.**

**B/L Enf Report****34-13 Brunel - Courcelles**

BE IT RESOLVED that the detailed January 3, 2013 By-Law Enforcement report, for December 2012, be accepted as submitted by Steinbach Security Services Inc.;

BE IT FURTHER RESOLVED that the Protective Services Committee Chair be authorized to provide council's instructions to the By-Law Enforcement Officer based on the report.

**Carried.**

**Land Sale****35-13 Courcelles - Massicotte**

WHEREAS Council did received a request to purchase municipal owned property in the Hamlet of Giroux, identified by Roll #37900.000, Lot 5/6 Plan 3597 in SE Sec. 21-7-7E;

BE IT RESOLVED that the applicant be informed that the property is not for sale at this time.

**Carried.**

**COMMITTEE REPORTS**

New RM Building Representative Councillor Dan Brunel gave council an update on the following:

- Progress is being made on construction as expected
- Construction has begun on the foundation of the new building
- Security options which are available for the new building

Chairman of the Transportation Committee gave council an update on the following:

- Gravel crushing for 2013 has begun
- Intermunicipal Rd 36N maintenance meeting with the RM of La Broquerie PW has been held
- Winter/Spring rock removal from ditches is planned – interest in selling the very big rocks

Chairman of the Protective Services Committee had nothing to report.

Chairman of the Personnel and Policy Committee had nothing to report.

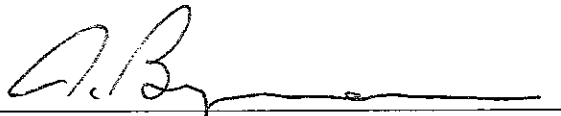
**ADJOURNMENT****36-13 Reimer - Massicotte**

BE IT RESOLVED that the regular meeting be adjourned at 2:55 pm.

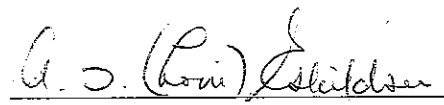
**Carried.**

**NEXT MEETING(s)**

Council Budget Meeting: January 16, 2013 @4:45 pm  
Evening Council Meeting: January 23, 2013 @ 6:30 pm  
Day Council Meeting: February 13, 2013 @ 9:00 am



Reeve Art Bergmann  
Reeve  
RM of Ste. Anne



A. T. (Loni) Eskildsen, CMMA  
CAO  
RM of Ste. Anne