

THE RURAL MUNICIPALITY OF STE ANNE
Special Council Meeting
Wednesday, December 8, 2010 at 7:00 pm
AGENDA

1. Call to order and Invocation
Approval of Agenda.
2. Adoption of Minutes – Nov. 2, 10, B of R Nov. 30, Spec. Mtg Nov. 30, 2010
3. Committee Reports
4. **HEARINGS**
7:00 pm Manova Ltd. c/o Peter Wieler RE: CU #02-2010
7:15 pm Manova Ltd. c/o Peter Wieler RE: VO #08-2010
5. **DELEGATIONS**
6. **FINANCE**
6.1 Accounts Payables, Indemnity & others
7. **UNFINISHED BUSINESS**
7.1
8. **CONSENT AGENDA**
8.1 EMTA RE: Travel Bug Magazine
8.2 AMM RE: Newly Elected Counc. Training
8.3 Waste Water Adv. Committee RE: Apprenticeship Program
8.4 Red River Basin RE: 2011 Conference
8.5 MB Conservation RE: Decom. Manure Storage Fac.
8.6 MIT RE: Traffic Board Permit
8.7 Dog Catcher RE: November 2010 Report
8.8 Manitoba Hydro RE: News release
8.9 RM of Tache RE: Subdiv Application
9. **BY-LAWS & Agreements**
9.1 By-Law 1-2011 RE: Reeve & Council Indemn.
10. **NEW BUSINESS**
10.1 RFD Fire Chief Report RE: November 2010 Month End
10.2 RFD / GFD Reports RE: November 2010
10.3 EMO Conference RE: March 9 – 11/11
10.4 Can. Red Cross RE: Letter of Understanding
10.5 Winnipeg Land Titles RE: License Agreement
10.6 Minister of Water Stewardship RE: Flood Mitigation Program
10.7 PBLE RE: November 2010 Report

Reeve, Councillors' and C.A.O.'s Report
12. **NOTICE OF MOTION**
13. **PETITION**
14. **IN CAMERA**
15. **ADJOURNMENT**

THE RURAL MUNICIPALITY OF STE ANNE

December 8, 2010

Minutes of the Special Meeting of The Rural Municipality of Ste Anne held in the Council Chambers in the Town of Ste Anne on December 8, 2010.

Reeve Art Bergmann called the meeting to order at 7:00 pm with the following members of council present: Councillors Renald Courcelles, Jake Reimer, Paul Saindon, Daniel Brunel, Roger Massicotte, Laurie Evans, Assistant CAO Nadine Vielfaure and CAO Loni Eskildsen.

ADOPTION OF AGENDA

604-10 Courcelles - Brunel

BE IT RESOLVED that the agenda for the regular meeting of December 8, 2010 be accepted as circulated and amended.

Carried.

HEARING

Reeve Bergmann declared the hearing for Conditional Use Order #02-2010 open at 7:05 pm. He welcomed all present and indicated that the TRC members would speak on the Technical Review for Manova Ltd. first; the applicant next; then those for the expansion; those against the expansion; and lastly, any questions from council and/or the public. He further indicated that the decision on CU #02-2010 would not be made at this meeting.

7:05 pm A Public Hearing was conducted in accordance with the Planning Act, Chapter P80, Division 2, Section 114(2)

CU# 02-10 Manova Ltd. c/o Peter Wieler
In Pt SW 9-8-6E

- Purpose:
1. The expansion of an existing poultry operation, currently consisting of 20,000 layers and 10,500 pullets producing approximately 200 AU (Animal Units of waste) to 48,000 layers producing 398 AU of waste;
 2. The construction of a 50 foot x 460 foot (23,300 sq.ft) barn to house the layers; 2 (two) of the existing barns to be destroyed and 1(one) of the existing barns to be decommissioned into a farm storage building.

Representation: Peter Wieler, Manager & Gord Bartel, President of Manova Ltd.

Mr. Gary Plohman (MAFRI) gave a preamble to the Technical Review of the regulatory requirements, including manure spread acreages and dead animal disposition.

Bill Sawka, Regional Manager from Manitoba Intergovernmental Affairs, spoke about the new Zoning By-law adopted by the RM of Ste. Anne in September 2010, which changed the zoning of the parcel of land from GD (General Development) to A (Agriculture), allowing consideration of the application for an expansion.

Geoffrey Stephens from Manitoba Conservation appeared before council and presented his report and recommendations for council consideration. A discrepancy between the proposed spreading acreage and total acreage (as per assessment roll) exists and therefore does not meet the MMP requirements at this time.

In Support:

Peter Wieler, Manager for Manova Ltd. spoke on the history of the operation, and that Manova Ltd. purchased the operation approx. 5 years ago. New regulations effective 2013 require the corporation to make changes to be compliant with the new regulations.

Bernie Brandt spoke in support of the operation and its future waste storage facility..

Irene Maendel, lives on the farm site and works the operation with her husband, was in support of the operation's expansion.

Oppose:

Ron Dueck, Greenland School Trustee, raised concerns about the impact of the operation to the future expansion of the area school and house of worship. He further raised concerns that the owner/manager does not live on site of the operation and therefore the community was unaware of the proposed expansion until notified by the RM of Ste. Anne. He further suggested that as this is a large corporation, the money invested into the expansion should include a relocation of the barn further away from the settlement centre.

Errol Dueck, a family poultry farm owner, expressed his concern about the owner not living on the property, and potential disease control issues that may affect his family operation due to the distance between the farms.

Les Dueck lives approx ½ mile from the settlement area and indicated that disease issues are also a great concern to him. He further indicated that, whether the poultry manure is wet (presently) or dry, smell is an issue. He further indicated that either manure type attracts flies.

Errol Dueck, spoke on behalf of his father, who's concern was the closeness of the proposed barns to the settlement centre and the view of residences near the huge barns.

Rennie Wiebe expressed concern about the set back requirements and the variation needed to allow it.

The Reeve read 2 (two) letters. One was received from Manitoba Infrastructure and Transportation and the other from the RM of Hanover. Both parties indicating that they had no objections to CU #02-2010.

Reeve Bergmann asked if there were any more questions or comments.

Ward 6 Councillor indicated to all that this was a precedent setting case for the RM of Ste. Anne, because the expansion and increase in animal waste units would ultimately lead to the decommissioning/removal of the old barns and be replaced by new buildings.

Peter Wieler expressed a wish to be a good neighbour and steward of the land. He indicated that he was open for discussion with council on options to address the concerns expressed. He further indicated that the corporation wished to use as much of the existing infrastructure as possible, and that was why the proposed new barns would be built east of the existing operation.

Reeve Bergmann closed the public hearing at 8:30 pm

VO #08-2010

Reeve Bergmann declared the hearing for Variation Order #08-2010 open at 8:30 pm.

8:30 pm A Public Hearing was conducted in accordance with the Municipal Zoning By-law 10-2010

VO #08-2010 Manova Ltd. c/o Peter Wieler
In Pt SW 9-8-6E

Proposal: To vary the minimum criteria for residential / GD areas mutual separation distances for siting livestock operations as per Table VI-6 of Zoning By-law 10-2010 affecting the approval of CU #02-2010 being an application to expand a poultry operation.

1. To vary the minimum separation distance for building/animal housing to the nearest residence from 738 feet to 425 feet;
2. To vary the minimum separation distance for non-earthen manure storage to the nearest designated residential area (Greenland from 3937 feet to 470 feet;
3. To vary the minimum separation distance for non-earthen manure storage to the nearest designated residential are (Greenland) from 3937 feet to 645 feet.

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VO #08-2010 con't:

Reeve Bergmann asked if there were any more questions.

In Support: None

Oppose: None

Reeve Art Bergmann indicated to all present, that the hearing for CU #02-2010 clearly indicated that no decision of council will be made on VO #08-2010, until concerns with the conditional use order have been addressed. He thanked everyone for coming to the hearings, and welcomed the public to stay for the remainder of the council meeting, if they wished.

Reeve Bergmann closed the public hearing at 8:37 pm

Council recessed for 10 minutes. Council reconvened at 8:50 pm.

MINUTES605-10 Courcelles - Evans

BE IT RESOLVED that the minutes of the meetings held November 2, and 10, 2010 and Spec. Meeting of November 30, 2010 as well as Board of Revision Minutes of November 30, 2010 be adopted as amended.

Carried.

FINANCEAccounts606-10 Courcelles - Saindon

BE IT RESOLVED that cheque numbers 20101186 to 20101234 (inclusive) totalling \$3,040,311.10 be approved for payment.

Carried.

UNFINISHED BUSINESS - noneCONSENT AGENDA607-10 Massicotte - Reimer

BE IT RESOLVED that the consent agenda consisting of 9 items be adopted as circulated.

Carried.

BY-LAW / AGREEMENTBy-Law 1-2010 2011 AE608-10 Courcelles - Reimer

BE IT RESOLVED that By-Law 1-2010 2011 AE being a By-Law to establish Council Indemnities for 2011 be hereby given 1st reading.

Carried.

Agreement #1-2010 2011 AE609-09 Brunel - Saindon

BE IT RESOLVED that Agreement #1-2010 2011 AE pertaining to the Richer and Giroux Fire Department Volunteer Fire Chief and Fire Fighters, outlining conditions of employment, duties, responsibilities, expectations and remuneration be approved.

Carried.

NEW BUSINESSRFD Fire Calls & Report610-10 Brunel - Saindon

BE IT RESOLVED that the Richer and Giroux Volunteer Fire Department fire call reports for the month of November 2010 be accepted as presented;

BE IT FURTHER RESOLVED that the Richer Fire Report by the Richer Fire Chief be accepted as presented.

Carried.

EMO / Disaster Management Conf. 2011 – Received as information.

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NGO Understanding**611-10 Brunel – Saindon**

BE IT RESOLVED that the CAO be authorized to sign a new Letter of Understanding with Canadian Red Cross, replacing any previous Red Cross agreements on file as part of the Municipal Emergency Plan.

Carried.

WLT Electronic Plans**612-10 Courcelles – Brunel**

WHEREAS the municipality wishes to access and use digital data from the Winnipeg Land Titles office;

BE IT RESOLVED that the CAO be authorized to sign a "License Agreements for the Property Registry Data" accepting the terms and conditions to access the information.

Carried.

Minister of Water Stewardship – Received as Information.

PBLE – Received as Information.

BDO Contract**613-10 Evans - Reimer**

BE IT RESOLVED that the Reeve and CAO be authorized to sign the "audit engagement letter" for the year ended December 31, 2010.

Carried.

X'mas Ad**614-10 Brunel – Courcelles**

BE IT RESOLVED that the CAO be authorized to advertise a color 2010 X'mas greeting in The Carillon.

Carried.

In Camera**615-10 Saindon - Brunel**

BE IT RESOLVED that this meeting recess to go in camera to discuss personnel and legal issues and that all matters shall remain confidential until a report is made public.

Carried.

616-10 Courclles - Reimer

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

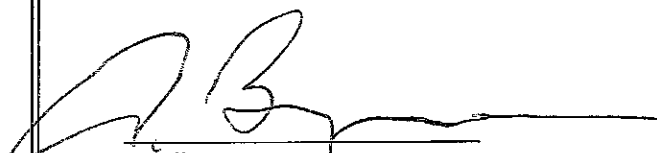
ADJOURNMENT**617-10 Saindon - Reimer**

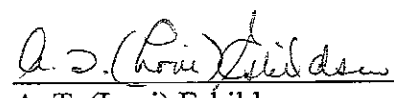
BE IT RESOLVED that the special meeting be adjourned at 10:05 pm

Carried.

NEXT MEETING

Regular meeting: December 15, 2010 at 9:00 am.


 Art Bergmann
 Reeve


 A. T. (Loni) Eskildsen
 CAO