

THE RURAL MUNICIPALITY OF STE. ANNE

Council Meeting

Wednesday, March 30, 2011, 7:00 am

AGENDA

1. CALL TO ORDER

2. AGENDA

3. MINUTES

4. FINANCES

- 4.1. Cheque Listing
- 4.2.

5. HEARINGS

- | | | |
|---------|-------------------------------|------------------------------|
| 7:05 pm | CU #02-2011 Manova Ltd. | RE: Technical Review |
| 8:00 pm | CU #03-2011 Dutkiewich/Bell | RE: Garden Suite |
| 8:10 pm | VO #03-2011 Deerfield Estates | RE: S/D File #4175-2008-4805 |

6. DELEGATION(S)

- | | | |
|---------|-------------|----------------------------------|
| 8:30 pm | Don Hiebert | RE: Tilstone Prairie Subdivision |
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7. CONSENT AGENDA

- | | | |
|-------|--------------------------------|-----------------------------------|
| 7.1. | AMM | RE: News Bulletin |
| 7.2. | MGRA | RE: AGM Agenda |
| 7.3. | Rural Public Use Airport | RE: Funding Report |
| 7.4. | SRRCD | RE: Feb. 15 Meeting Minutes |
| 7.5. | 2011 Canada Post Comm Literacy | RE: Award Nomination |
| 7.6. | Minister of Public Safety | RE: DFAA Program |
| 7.7. | CCCD | RE: Agenda & Feb. 28 Minutes |
| 7.8. | Southeastern Farm Equip | RE: Thank you |
| 7.9. | AMM | RE: Federal Budget 2011 |
| 7.10. | SRSD Transp. Dept. | RE: Thank you |
| 7.11. | RM of Hanover | RE: ERDI Rep Stan Toews |
| 7.12. | RM of Hanover | RE: RMSA Res.#443-10 support |
| 7.13. | MIT | RE: 2011 Flood Policy |
| 7.14. | MB Communities in Bloom | RE: 2011 Registration Form |
| 7.15. | TSA | RE: Thank you |
| 7.16. | AMM | RE: Resolutions |
| 7.17. | Volunteer Manitoba | RE: 2011 Flood |
| 7.18. | Minister of Public Safety | RE: 2011 Economic Action Plan |
| 7.19. | MB Comp. Training & Trade | RE: Waste Water Tech. Training |
| 7.20. | RM of LaBroquerie | RE: Dairy Operation Expansion |
| 7.21. | RM of Hanover | RE: Amendment to Development Plan |

8. UNFINISHED BUSINESS

- | | | |
|------|---------------------------|----------------------------------|
| 8.1. | Best Level Construction | RE: RFH Addition |
| 8.2. | RM of La Broquerie | RE: Council Meeting |
| 8.3. | Hudson Bay Route Assoc. | RE: Membership Request from 2010 |
| 8.4. | Wpg Condominium Corp #260 | RE: Info Request |

9. NEW BUSINESS

- | | | |
|-------|----------------------------------|---------------------------------|
| 9.1. | Building Permits | RE: Permit#10-14,2011 |
| 9.2. | MB Conservation | RE: RM Lagoon Expansion |
| 9.3. | FillmoreRiley | RE: Quarry Oaks Info Request |
| 9.4. | Enfant-Jésus Heritage Site Corp. | RE: Welcome Package Letter |
| 9.5. | Mr. Lanoie | RE: Library Refund Request |
| 9.6. | TSA | RE: 2011 shared cost request |
| 9.7. | Genivar | RE: Richer WWSP Geotech. Report |
| 9.8. | Mr. Buss | RE: Clearing of Municipal Roads |
| 9.9. | D. Miller | RE: S/D Preview |
| 9.10. | F & L Schulz | RE: S/D Preview |

10. BY-LAWS

- 10.1. Development Plan Amendment Review – Quarry Oaks

11. PUBLIC WORKS – CHAIR REPORT

12. COMMITTEE REPORTS

13. NOTICE OF MOTION / PETITION

14. IN-CAMERA

- 14.1 ****
- 14.2 ****

15. ADJOURNMENT

THE RURAL MUNICIPALITY OF STE. ANNE

March 30, 2011

Minutes of the regular meeting of The Rural Municipality of Ste Anne held in the Council Chambers in the Town of Ste. Anne on March 30, 2011.

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, and Roger Massicotte. Also present was the Assistant CAO Nadine Vielfaure and CAO Loni Eskildsen.

Councillor Laurie Evans was absent.

ADOPTION OF AGENDA

123-11 Courcelles - Brunel

BE IT RESOLVED that the agenda for the regular meeting of March 30, 2011 be accepted as circulated.

Carried.

FINANCE

Cheque Register

124-11 Courcelles - Reimer

BE IT RESOLVED that the following Cheques numbered 20110301 – 20110341 (inclusive) in the amount of \$76,896.73 be approved for payment.

Carried.

HEARINGS

Reeve Bergmann declared the hearing for Conditional Use #02-11 open at 7:05 pm. He welcomed all present and indicated that the applicant/owner would speak first; then the TRC members would speak on the Technical Review for Manova Ltd.; then persons for the expansion; persons against the expansion; and lastly, any questions from council and/or the public. He further indicated that all comments are to be addressed to the chair, and that the decision on CU #02-11 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 #02-11 Manova Ltd. c/o Peter Wieler
In Part River Lot 29/30, Plan 3625

Purpose: The expansion of an existing poultry operation, currently consisting of 33.62 4,000 layers producing 33.62 AU (Animal Units of waste) to 48,000 layers producing 398 AU;

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

Mr. Peter Wieler, Manager for Manova Ltd. spoke on the history of the operation, and proposed changes to the site. New provincial regulations, effective 2013, require the corporation to comply with the new regulations.

Mr. Gary Plohman (MAFRI) gave a preamble to the Technical Review of the technical and regulatory requirements, including site suitability and accepted farm practices standards regarding manure spread acreages and dead animal disposal.

Allison Driedger, representing Manitoba Local Government from the Steinbach Planning Branch, spoke about the municipality's Zoning By-law and Development Plan in relation to the proposed expansion and its legally existing non-compliance thereof.

Geoffrey Stephens, from Manitoba Conservation, appeared before council and presented his report regarding the decommissioning of old manure storage facilities and the requirements and standards of the Dept. of Conservation regarding construction of new manure storage facilities. Sufficient manure spread acreage currently required were noted.

Minutes**March 30, 2011**

HEARING con't:

In Support:

The CAO indicated, to all present, that the RM of Hanover and the RM of Tache had no objections to the proposed expansion.

Mr. Unrau, owner of the proposed future Manova Ltd. expansion site, spoke in favour, as did Irene Maendel, who lives and works the existing Manova Ltd farm site with her husband.

Opposed:

Hélène d'Auteuil, Deputy Mayor of the Town of Ste. Anne, read a letter prepared by the Town of Ste. Anne identifying the Town's future expansion; the effect of farm operations near waterways; and quality of life of residents in the Town of Ste. Anne.

The CAO stated that the Town of Ste. Anne forwarded, by fax, a letter written by a resident living in the Town, who opposed the expansion.

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

Mr. Don Vincent, Michael Buss and Claude Gagné, the Town of Ste. Anne Engineer expressed concerns and asked a number of questions which were answered by the applicant.

After the opposition and during the expressed concerns above, Reeve Art Bergmann recessed and reconvened the TRC Hearing twice, in order to deal with two (2) other scheduled hearings between 8:00 pm and 8:15 pm. (The minutes of those two (2) hearings are recorded following the TRC hearing close.)

Reeve Art Bergmann asked the applicant for his final words before closing the hearing.

Mr. Peter Wieler expressed a wish to be a good neighbour and steward of the land. He indicated that his operation will certainly meet, and hopes to exceed, the provincial regulations.

Reeve Bergmann closed the TRC public hearing at 8:23 pm

Reeve Bergmann called a ten (10) minute recess after closing the TRC Hearing. Council reconvened at 8:33 pm.

The following two (2) hearings were held during the TRC Hearing:

CU #03-2011 – Dutkiewich/Bell

Reeve Bergmann declared the hearing open at 8:00 pm

8:00 pm A Public Hearing was conducted in accordance with Section 94 of the Planning Act.

CU #03-2011 Barb Dutkiewich & Robert Bell
Lot 15, Plan 12918; NW 27-8-7E; Civic #46113E Mun Rd 39E

Purpose: To allow a Garden Suite on the property

Zoned: Rural Residential 5 (RR5)

Representation: The owners were present to answer questions from Council.
No written representation was received for or against this proposal.

Reeve Bergmann asked if there were any questions/comments. There were none.

Reeve Bergmann closed the Public Hearing at 8:05 pm

VO #03-2011 – Deerfield Estates Inc.

Reeve Bergmann declared the hearing open at 8:10 pm

8:10 pm A Public Hearing was conducted in accordance with Section 94 of the Planning Act.

VO #03-2011 Deerfield Estates Inc.; c/o Keith Taylor
NW 15-8-7E; Lot 14, Plan 46589

Purpose: To vary the minimum 200 feet Site Width requirement to approximately:
199.6 ft for Proposed Lot 1
92.9 ft for Proposed Lot 3
78.1 ft for Proposed Lot 4
164.0 ft for Proposed Lot 5
164.0 ft for Proposed Lot 9
78.0 ft for Proposed Lot 10
92.9 ft for Proposed Lot 11

Zoned: General Development (GD)

Representation: The owner/applicant was present to answer questions from council.
No written representation was received for or against this proposal.

Reeve Bergmann asked if there were any questions/comments. There were none.

Reeve Bergmann closed the public hearing at 8:14 pm.

CU #03-2011 – Dutkiewich/Bell**125-11 Brunel - Courcelles**

WHEREAS a Public Hearing was held for Conditional Use (CU) Order #03-2011 to allow a Garden Suite on the property identified as Lot 15, Plan 12918, NW 27-8-7E, Civic #46113E Mun Rd 39E, in an area zoned "Rural Residential 5" (RR5);

BE IT RESOLVED that CU #03-2011 be approved on the following condition(s):

- a) That the applicant enters into a Development Agreement with the Municipality as per Zoning By-Law 10-2010, Part IV-9, Section 8.1(g);
- b) That there is no temporary dwelling size limit;
- c) That the Development Agreement be registered as a caveat on the Title by the owner, at no cost to the municipality.

Carried.

VO #03-2011 – Deerfield Estates Inc.**126-11 Brunel – Saindon**

WHEREAS a Public Hearing was held for Variation Order (VO) #03-2011 to vary the minimum 200 feet site width requirement, a condition of subdivision File #4175-2008-4805, Lot 14, Plan 46589, NW 15-8-7E, in an area zoned General Development (GD), for the following lots to approximately:

199.6 ft for Proposed Lot 1
92.9 ft for Proposed Lot 3
78.1 ft for Proposed Lot 4
164.0 ft for Proposed Lot 5
164.0 ft for Proposed Lot 9
78.0 ft for Proposed Lot 10
92.9 ft for Proposed Lot 11

BE IT RESOLVED that VO #03-2011 be approved.

Carried.

CONSENT AGENDA**RMLB DCU 04-2010****127-11 Courcelles - Reimer**

BE IT RESOLVED that the RM of Ste. Anne Council has no concerns regarding the proposed expansion of an existing livestock operation in the RM of La Broquerie, identified by File #DCU 04-2010.

Carried.

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RMH Dev. Plan Amendment**128-11 Reimer - Massicotte**

BE IT RESOLVED that the council of the RM of Ste. Anne has no objections regarding the proposed re-designation of a "Rural" zoned area to "Rural Residential", in the RM of Hanover.

Carried.

129-11 Courcelles – Reimer

BE IT RESOLVED that the consent agenda, consisting of 22 items, be adopted as circulated.

Carried.

UNFINISHED BUSINESS

RFH Addition**130-11 Saindon – Reimer**

BE IT RESOLVED that the Municipality release another \$10,000.00 (incl. Taxes) to Best Level Construction for work done to date;

BE IT FURTHER RESOLVED that a balance of \$5,000. 00 (incl. Taxes) will be held back until the job has been done to the satisfaction of the Fire Committee.

Carried.

Intermunicipal Meeting – Postponed until May. CAO to inform neighbouring municipality.

Hudson Bay Route Membership**131-11 Reimer – Massicotte**

BE IT RESOLVED that the council become a member of the Hudson Bay Route Association for the 2011 membership year, at a cost of \$300.00;

BE IT FURTHER RESOLVED that membership fee be authorized for payment.

Carried.

WPG Con. Corp. – CAO instructed to respond accordingly.

NEW BUSINESS

Permits**132-11 Reimer - Massicotte**

BE IT RESOLVED that Development Permit #10-2011 be hereby approved as presented to council, as per Zoning By-law 10-2010, subject to compliance with provincial regulations.

Carried.

133-11 Reimer - Saindon

BE IT RESOLVED that Development Permit #11-2011 be hereby approved as presented to council, as per Zoning By-law 10-2010, subject to compliance with provincial regulations.

Carried.

134-11 Courcelles - Reimer

BE IT RESOLVED that Building Permit #12-2011 be hereby approved as presented to council, as per Zoning By-law 10-2010, subject to the requirements of the Plan Review.

Carried.

135-11 Courcelles - Saindon

BE IT RESOLVED that Building Permit #13-2011 be hereby approved as presented to council, as per Zoning By-law 10-2010, subject to the requirements of the Plan Review.

Carried.

RM Lagoon Ext.**136-11 Courcelles – Brunel**

WHEREAS the Municipality has applied for and received an Environment Act License No. 2849 (File: 4095.10) from the MB Dept. of Conservation, for its municipal lagoon expansion;

AND WHEREAS the municipality will not be able to act upon the MB Dept. of Conservation licence which will expire as of September 23, 2011;

BE IT RESOLVED that the municipality requests a two (2) year extension of Environment Act Licence No. 2849.

Carried.

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O/S Orders**137-11 Reimer – Brunel**

WHEREAS the legal firm of FilmoreRiley has requested a search on properties identified by Roll #28600 & #28900 as to whether there are any orders, permits, violations or outstanding requirements;

BE IT RESOLVED that the CAO be instructed to respond to the nine (9) categories identified in their letter, dated March 14, 2011, indicating that council is not aware of any outstanding issues to date.

Carried.

LUD Welcome Package – CAO instructed to provide Municipal Pins as needed.

STBCH Library Refund Request – CAO to write letter re: not eligible.

TSA Caledonia RD**138-11 Brunel – Saindon**

WHEREAS the Town of Ste. Anne has requested, in a letter dated March 17, 2011, a 50/50 cost sharing of paving the first 1250 feet of Caledonia Road, north of Central Ave in the Town of Ste. Anne, at an approximate cost of \$79,625.00 to the Municipality;

BE IT RESOLVED that council is not prepared to cost-share the paving project at this time.

Carried.

TSA/RM PR #207/#210 Proj.**139-11 Brunel – Reimer**

WHEREAS the Town of Ste. Anne has requested, in a letter dated March 17, 2011, a cost sharing of a project in conjunction with Dept. of Conservation, Water Stewardship, by placing a culvert under PR #207 and #210 to resolve long standing drainage issues in the Town and the Municipality;

BE IT RESOLVED that the municipality is prepared to cost share 50/50 of the cost, up to a maximum of \$30,000.00 towards the proposed project, with proof of receipt.

Carried.

WWSP Geotechnical Report – Tabled to April 13, 2011 meeting.

Unauth. Inv.**140-11 Burnel – Reimer**

BE IT RESOLVED that the municipality will not pay invoices for unauthorized snow clearing of municipal roads.

Carried.

S/D #11-5228 – Tabled to April 13, 2011 meeting.

S/D #11-5229 – More information required.

IN CAMERA

141-11 Courcelles - Massicotte

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.

OUT OF CAMERA

142-11 Courcelles – Brunel

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

Mun Rd Encroachment**143-11 Courcelles – Reimer**

BE IT RESOLVED that the CAO be instructed to forward the letter from Ed Barkman/ Wes Reimer, dated March 22, 2011, to the municipal lawyer with instructions to proceed as indicated in the letter.

Carried.

COMMITTEE REPORTS

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

- Sand for Sandbags has not yet been delivered to the municipal compound;
- Gravel crushing for 2011 should be finished the 1st week in April 2011;
- Water is flowing well in ditches; the Johnson Drain is also starting to flow;
- Grader Operators will be removing the snow ploughs and get the grader ready for road blading;
- Snow drifting during the winter has shown where summer brush cutting should take place.

Chairman of the Protective Services Committee gave council an update on the following:

Richer Fire Hall Addition is nearly complete; a final walk about was done last week and some corrections were identified and need to be addressed by the contractor;

Chairman of the Personnel and Policy Committee was absent. Other members of the committee had nothing to report.

ADJOURNMENT**144-11 Courcelles - Saindon**

BE IT RESOLVED that the meeting be adjourned at 10:20 pm

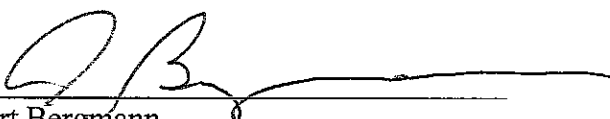
Carried.


NEXT MEETING

Regular Day meeting April 13, 2011 at 9:00 am

Special meeting April 19, 2011 at 7:00 pm – Rising Hope CU #06-2010

Regular Evening meeting April 27, 2011 at 7:00 pm


Art Bergmann
Reeve
RM of Ste. Anne


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