

*** Additions

THE RURAL MUNICIPALITY OF STE. ANNE

Council Meeting

Wednesday, June 8, 2011, 9:00 am

AGENDA

1. CALL TO ORDER

2. AGENDA

3. MINUTES

April 27, May 11, May 12, May 25, 2011

4. FINANCES

***4.1 Cheque Listing

4.2 Financial Statements: May 31, 2011

5. HEARINGS

6. DELEGATION(S)

7. CONSENT AGENDA

7.1 Richer/Giroux

RE: Fire Reports/Fire Calls

7.2 TSA

RE: Rick Hansen Relay

7.3 STBCH Planning Branch

RE: Opinions

7.4 Enfant-Jésus Heritage Site Corp.

RE: Celebration Thibaultville Invite

7.5 AMM

RE: Flood 2011

7.6 SRRCD

RE: Well Water Inventory

7.7 Eastman Mutual Aid

RE: March 2011 Minutes

7.8 PBEL

RE: May 11, 2011 Report

7.9 Enfant-Jesus Heritage Site Corp.

RE: 2010/2011 Financial Report

7.10 SRRCD

RE: April 2011 Minutes

7.11 LUD of Richer

RE: June 1, 2011 Minutes

7.12 AMM

RE: June News Bulletin

***7.13 AMM

RE: Member Advisory

***7.14 V. Schellekens

RE: Property Tax Refund

***7.15 Rock Garden Campground

RE: Recycling

***7.16 Tire Stewardship MB

RE: Recycling Tires

***7.17 Mathieu St. Vincent

RE: Temporary Bldg Permit

***7.18 Imperial Enchanted Kingdom

RE: IEK Development

8. UNFINISHED BUSINESS

8.1 Boulder Ridge

RE: Draft Dev. Agreement

9. NEW BUSINESS

9.1 Permits

RE: Permit #38 – 42/2011

9.2 MIT

RE: LUD Drainage Work

9.3 RM of Tache

RE: Proposed S/D SE 5-9-7E

9.4 MTS

RE: Right of Way application

9.5 City of Brandon

RE: 911 Service Agreement

9.6 TSA

RE: CDC Advertising

9.7 RM of Reynolds

RE: MOU Agreement

9.8 By-Law No. 9-2011

RE: Fire Fine

9.9 Outstanding Invoices

RE: Cancellation

9.10 July Day Meeting

RE: Rescheduled to July 6th

9.11 Dog Catcher

RE: Agreement Review

9.12 Dog Catcher

RE: Fee for Service

9.13 Prudential Riverbend Realty

RE: RM Lot Sale – LUD

9.14 Léo Laramée

RE: RM Lot Sale – Deer Lane

9.15 R & E Bruneau

RE: Proposed S/D 2011-5278

9.16 Tilstone Prairie Inc.

RE: Proposed S/D 2011-5288

10. BY-LAWS

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

June 8, 2011

Minutes of the regular meeting of The Rural Municipality of Ste. Anne held at the Municipal Office in the Town of Ste. Anne on June 8, 2011.

Reeve Art Bergmann, called the meeting to order at 9:00 am with the following members of council in attendance: Councillors Renald Courcelles, Jake Reimer, Paul Saindon, Daniel Brunel, Roger Massicotte and Laurie Evans. Also present were the Assistant CAO Nadine Vielfaure and CAO Loni Eskildsen.

Council opened the meeting with the Lord's Prayer.

ADOPTION OF AGENDA

255-11 Saidnon - Massicotte

BE IT RESOLVED that the agenda for the regular meeting of June 8, 2011 be accepted as circulated and amended.

Carried.

MINUTES

256-11 Courcelles - Evans

BE IT RESOLVED that the minutes of meetings held on April 27, May 11, May 12, and May 25, 2011 be adopted as circulated and amended.

Carried.

FINANCE

Cheque Register

257-11 Courcelles - Evans

BE IT RESOLVED that the Cheques numbered 20110541 – 20110601(inclusive) in the amount of \$103,064.27 be approved for payment.

Carried.

Financial Report

258-11 Courcelles - Massicotte

BE IT RESOLVED that the Financial Statements for the period ending May 31, 2011 be hereby approved and adopted as presented to council.

Carried.

CONSENT

RFD/GFD Fire Calls & Report

259-11 Brunel - Reimer

BE IT RESOLVED that the May 2011 Richer and Giroux Fire Department fire call reports as well as the Richer Fire Chief's Report for May 2011 be accepted as circulated.

Carried.

RFH Addition

260-11 Brunel - Reimer

BE IT RESOLVED that the final payment (holdback) for the construction of the Richer Fire Hall Addition by Best Level Construction be released as per Richer Fire Chief Paul Saindon's instructions.

Carried.

261-11 Brunel - Saindon

BE IT RESOLVED that the consent agenda consisting of 18 items be adopted as circulated.

Carried.

STBCH Planning Branch – Received as Information.

V. Schellekens – CAO to respond in writing.

Rock Garden Campground – Ward 3 Councillor to respond to letter.

Imperial Enchanted Kingdom – CAO to respond in writing.

UNFINISHED BUSINESS

Boulder Ridge Farms Inc

262-11 Reimer - Courcelles

BE IT RESOLVED that the Development Agreement prepared by the municipal solicitor be forwarded to Boulder Ridge Farms Inc., c/o Dennis Penner and/or to his agent for review and signature.

BE IT FURTHER RESOLVED that the Reeve and CAO be authorized to sign the proposed Development Agreement on behalf of the municipality so that it may be registered by the applicant as a caveat on the title, a condition of Subdivision approval File #4175-2009-4936.

Carried.

NEW BUSINESS**Permits****263-11 Courcelles - Reimer**

BE IT RESOLVED that Development and Building Permit #'s 38, 39, 40, and 41-2011 be hereby approved as presented to council, as per Zoning By-law No. 10-2010, subject to the requirements of the Plan Review.

Carried.

264-11 Brunel – Saindon

BE IT RESOLVED that Building Permit # 42-2011 be hereby approved as presented to council, as per Zoning By-Law No. 10-2010, subject to the requirements of the Plan Review with the following conditions:

- a) That the foundation be build no more than 3 feet below ground level to prevent flooding;
- b) That the RM of Ste. Anne is not responsible for any damages caused by flooding.

Carried.

LUD 2011 Drainage**265-11 Courcelles - Massicotte**

WHEREAS the LUD of Richer wishes to do drainage work in Richer and has applied for a Drainage License to do the same;

BE IT RESOLVED that the municipality has no objections to the proposed ditch cleanouts/drainage in the LUD of Richer, at the following locations:

1. PTH 1: (south ditch) PR 302 to 600m west of PR 302;
2. PTH 1: (south ditch) PR 302 to 1.6 kms east of PR 302
3. PR 302: (east & west ditch) PTH 1 to Richer Access Road (Dawson Road)
4. Richer Access Road West (Dawson Road): PR 302 to 640m west of PR 302
5. Richer Access Road East (Dawson Road): PR 302 to 550m east of PR 302

BE IT FURTHER RESOLVED that the Dept. of Infrastructure & Transportation (MIT) be advised of the Municipality's approval.

Carried.

RMT**266-11 Evans – Saindon**

BE IT RESOLVED that the RM of Ste. Anne has no concerns with the proposed subdivision of the SE 5-9-7EPM, in the RM of Tache, identified by File # 4194-2011-5269 in the SE 5-9-7EPM.

Carried.

MTS Cable**267-11 Courcelles - Reimer**

BE IT RESOLVED that MTS be advised that council has no objection to burying a new cable using directional drilling in order to provide service to a new home located on SW 4-7-7E, on the following conditions:

1. that the cable be buried close to the property line and away from any culverts or crossings;
2. be buried to a minimum depth of 42"; and
3. that the Councillor of the area be contacted prior to construction;

BE IT FURTHER RESOLVED that the CAO be authorized to sign the necessary documentation.

Carried.

911 Serv. Agreem.**268-11 Courcelles – Brunel**

BE IT RESOLVED that the Reeve and CAO be authorized to sign the City of Brandon 911 Service Agreement, effective December 31, 2011 to December 31, 2016.

Carried.

TSA- CDC Advertising – Received as Information.

RMR – MOU**269-11 Brunel – Reimer**

BE IT RESOLVED that the Reeve and CAO be authorized to sign the Memorandum of Understanding proposed by the RM of Reynolds;

BE IT FURTHER RESOLVED that the Municipality's EMO Co-ordinator, Gary Marriott be made aware of Part 1. g) of the document, and share the information asked for at his convenience.

Carried.

Fire Fine**270-11 Brunel – Saindon**

WHEREAS the municipality advertises a “No Burning “ ban every April and May of each year, warning residents of the high risk of fire, and has also passed By-Law No. 9-2010 to enforce property owner vigilance when starting a fire;

AND WHEREAS the property owner/resident did not take the necessary care to prevent the spreading of a fire, by burning garbage in a barrel on April 20, 2011, causing a fire to spread to two (2) adjacent accessory buildings, which caused the Fire Department to attend at a cost of \$1,920.00;

BE IT RESOLVED that the owner/resident of the property identified by Roll #20000, Civic # 40041 Mun Rd 37N, be fined in the amount of \$830.00, a fine within the range as set out in By-Law 9-2010.

Carried.

2010 O/S Inv.**271-11 Saindon – Evans**

WHEREAS every attempt has been made to recover the following outstanding invoices;

BE IT RESOLVED that the following outstanding invoices be cancelled:

#20080144	\$1,451.66
#20100140	\$3.42
#20100150	\$6.27
#20100017	\$1,309.08
#20100232	\$669.00

Carried.

Councillor Dan Brunel left the meeting at 11:00 am.

Mtg Date Change**272-11 Reimer – Massicotte**

BE IT RESOLVED that the regular scheduled meeting date for July 13, 2011 be changed to July 6, 2011.

BE IT FURTHER RESOLVED that the date change be posted in the Municipal Office and on the Municipal Web site.

Carried.

Councillor Dan Brunel rejoined the meeting at 11:02 am.

Dog Catcher Agreement**273-11 Courcelles – Reimer**

WHEREAS the council has reviewed the municipal Dog Catcher Agreement #11-2011 as presented by the CAO;

BE IT RESOLVED that the Reeve and CAO be authorized to sign the RM of Ste. Anne 2011 Dog Catcher Agreement, outlining the fees for service, as well as conditions and expectations of employment for the two (2) appointed municipal Dog Catchers.

Carried.

Dog Report/Retainer**274-11 Reimer - Saindon**

WHEREAS the Municipal dog catchers are required to submit a monthly report at the beginning of the month, for the previous month, detailing the fees and services rendered during the month, including the payment of a retainer for the previous month;

BE IT RESOLVED that these service fees be paid after council has had an opportunity to review the reports at the next regular scheduled meeting of council.

Carried.

RM Lot Sale -LUD**275-11 Courcelles – Massicotte**

WHEREAS Prudential Riverbend Realty, c/o Myron Martens, has made an offer to purchase Lot 16, Block 2, Plan 15281 in the NW 16-8-7E (LUD of Richer), owned by the Municipality;

BE IT RESOLVED that the Municipality accepts the Offer to Purchase in the amount of \$10,000.00 plus GST;

BE IT FURTHER RESOLVED that the Reeve and CAO is authorized to sign the necessary documents to transfer the land to the new owner with the following conditions:

1. That the purchaser is responsible for any survey and / or pegging of the property, if required; and
2. That the purchaser is responsible for all costs relating to the transfer of title, except the sellers' legal fees.

BE IT FURTHER RESOLVED that the purchaser be informed of the municipal solicitor's contact information, who will be acting on behalf of the municipality.

Carried.

RM Lot Sale- 3 Deer Lane
276-11 Courcelles – Reimer

WHEREAS an offer to purchase Lot 3, Plan 50663 in NW ¼ 21-7-8E in the amount of \$28,000.00 plus GST has been submitted to council by Léo Laramée;

BE IT RESOLVED that the council hereby accepts the offer to purchase conditional upon the following:

- a. The purchaser is responsible for any survey and /or pegging of the property if required;
- b. The purchaser is responsible for his own legal cost relating to the transfer of title;
- c. The purchaser must build a house and be a permanent resident with hydro by September 1, 2013, with a building permit being required before construction begins;
- d. That the purchaser is responsible to install a licensed culvert and gravel driveway;
- e. That the purchaser is made aware that the Municipality may be crushing gravel between the months of December through March;
- f. That the purchaser shall execute a Development and/or Restrictive Covenant Agreement incorporating the above noted conditions as a condition of closing of the transaction;
- g. That the RM shall be entitled to register a caveat against the title of the subject property with respect to such Development and/or Restrictive Covenant Agreement;
- h. That the closing date of this transaction be set at June 30, 2011 at 4:00 pm;
- i. That the possession date be set at August 4, 2011;
- j. That the purchaser of the property, or his agent, contact the municipal solicitor regarding the transfer of funds and all related legal matters.

Carried.

Proposed S/D #2011-5278 – CAO to prepare the necessary mail-out.

Proposed S/D #2011-5288 – CAO to prepare the necessary mail-out.

IN CAMERA

277-11 Brunel - Saindon

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

278-11 Saindon - Brunel

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

PBLE

279-11 Brunel – Reimer

WHEREAS the services of Prairie By-Law Enforcement Ltd. have been contracted for a number of years to enforce various municipal by-laws;

BE IT RESOLVED that under Section 4.6 b) of the By-Law Enforcement Agreement, signed on February 1, 2009 (Res.# 32-09) council hereby gives the required one (1) month notice to terminate the contract with Prairie By-Law Enforcement Ltd., with the last day of coverage falling on July 10, 2011.

Carried.

By-Law Enforc. Services

280-11 Brunel – Courcelles

WHEREAS the municipality requires the services of a by-law enforcement agency to enforce various municipal by-laws;

BE IT RESOLVED that the Municipality agrees to contract the services of Steinbach Security Services Inc., for a period of 6 months, to commence on July 11, 2011 as per proposal submitted June 1, 2011;

BE IT FURTHER RESOLVED that the CAO with the President of Steinbach Security Services Inc., Brian J. Brunelle be requested to draft an agreement, to be approved by council as soon as available, and authorization be given to the Reeve and CAO to sign the finalized agreement.

Carried.

Lien

281-11 Courcelles – Saindon

BE IT RESOLVED that the CAO be authorized to contact the municipal solicitor with instructions to file a lien or caveat on a property located in the RM of Ste. Anne, identified by Roll# 64000, that is in non-compliance with existing zoning regulations, and listed to be sold by a realtor.

Carried.

Hausamann Rd**282-11 Reimer - Brunel**

WHEREAS existing Mun Rd 45E was damaged, approx ½ mile North of Mun Rd 37N, due to heavy loads of construction material and equipment being hauled onto the property to build a house in the NE 9-7-8E;

BE IT RESOLVED that the municipality will bring the approximate 4/10 of a mile road back to the earlier road condition standard which was meant to support emergency and private/passenger vehicles only, as soon as weather permits;

BE IT FURTHER RESOLVED that the owner be advised that the municipality will not build or maintain a driveway from the existing municipal road to the location of the newly build house.

Carried.

Drainage Lic.**283-11 Courcelles – Massicotte**

BE IT RESOLVED that an application be submitted to Manitoba Water Stewardship for a license to clean ½ mile of the North ditch along Mun Rd 44N, between PR #302 and Mun Rd 45E, and approx. ¼ mile North along the West ditch on Mun Rd 45E (SE 16-8-8E).

BE IT FURTHER RESOLVED that the applicable Drainage License fee is authorized to be paid.

Carried.

Comm. Garden**284-11 Saindon - Reimer**

WHEREAS the Community Co-op Garden Representative Leon Tetreault was given permission to establish a Community Co-op Garden beside the Richer Fire Hall in 2010, as per Res. #289-10;

AND WHEREAS the community garden does not have the Richer community support at large, to keep and maintain the garden, and has caused it to become unsightly around the Richer Fire Hall;

BE IT RESOLVED that Community Co-op Garden Representative Leon Tetreault be informed that he has until July 15, 2011 to remove the fencing, and soil if he chooses, so that summer ground maintenance can be done around the Richer Fire Hall.

Carried.

Council went for lunch at noon and reconvened at 1:00 pm.

COMMITTEE REPORTS

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

- Dust Control quote amount per litre is slightly more than in 2010 and has been accepted for the 2011 dust control season.
- 2011 RM Gravel hauling rates are being questioned by contractors, with recommendations and suggestions.
- Due to the frequent summer rain storms, little can be done on municipal roads, but work will continue being done as soon weather permits.
- Mowing municipal road sides is on the list of work to be done this season.

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

- The Richer Fire Hall Addition is completed. Some back filling of exposed foundation is going to be done.

Chairman of the Personnel and Policy Committee gave council an update on the following:

- The Assistant CAO's probationary period is over, and was successfully completed as per CAO's review.

RM Hauling Rates**285-11 Reimer – Brunel**

WHEREAS the RM of Ste. Anne Gravel rates had been set by Res. #201-11;

AND WHEREAS there were concerns raised by contractors regarding the rate and cost of fuel to haul municipal gravel;

BE IT RESOLVED that an additional \$10.00 per 20 yard load be added to the rate of \$0.47 per yard per loaded mile, and that the rates be prorated as per Schedule "A" below;

BE IT FURTHER RESOLVED that it is at the Public Works Chair's discretion as to the gravel load sizes that will be hauled on municipal roads, to prevent infrastructure (road) damage.

Res #285-11 con't.

2011 RM Gravel Hauling Rates – Schedule "A"

Miles Hauled	22 yds	20 yds	18 yds	15 yds	10 yds
1 Mile	\$21.34	\$19.40	\$17.46	\$14.55	\$9.70
2 Miles	\$31.68	\$28.80	\$25.92	\$21.60	\$14.40
3 Miles	\$42.02	\$38.20	\$34.38	\$28.65	\$19.10
4 Miles	\$52.36	\$47.60	\$42.84	\$35.70	\$23.80
5 Miles	\$62.70	\$57.00	\$51.30	\$42.75	\$28.50
6 Miles	\$73.04	\$66.40	\$59.76	\$49.80	\$33.20
7 Miles	\$83.38	\$75.80	\$68.22	\$56.85	\$37.90
8 Miles	\$93.72	\$85.20	\$76.68	\$63.90	\$42.60
9 Miles	\$104.06	\$94.60	\$85.14	\$70.95	\$47.30
10 Miles	\$114.40	\$104.00	\$93.60	\$78.00	\$52.00
Fees at the discretion of the RM Council					

Carried.

RM/TSA Inventory

286-11 Courcelles – Brunel

BE IT RESOLVED that Richer Fire Chief Paul Saindon be delegated to meet with the Town of Ste. Anne Fire Chief Ken Dayment to verify the shared capital assets presently located at the Town of Ste. Anne Fire Hall;

BE IT FURTHER RESOLVED that once the assets have been confirmed by Fire Chief Saindon, the RM of Ste. Anne receives a copy of the confirmed recorded assets for our records.

Carried.

RM Shredding

287-11 Saindon – Brunel

BE IT RESOLVED that the CAO be authorized to shred municipal records as per Act M225 – 53/97.

Carried.

Zoning B/L Amend

288-11 Massicotte – Evans

BE IT RESOLVED that the hearing date to Amend Zoning By-Law 10-2010 be set for July 27, 2011 at 7:05 pm at the Municipal Office, and that the CAO be authorized to advertise the Public Hearing in the local news papers as per the Planning Act.

Carried.

Councillor Renald Courcelles left the meeting at 3:30 pm.

Various general ward matters were discussed.

ADJOURNMENT

289-11 Saindon – Massicotte

BE IT RESOLVED that the meeting be adjourned at 3:50 pm.

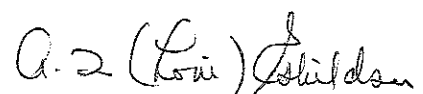
Carried.

NEXT MEETINGS

Regular Evening Meeting: June 22, 2011 at 7:00 pm
 Regular Day Meeting: July 6, 2011 at 9:00 pm (date change as per Res. #272-11)
 Regular Evening Meeting: July 27, 2011 at **6:30 pm** (new time as per B/L No. 5-2011)



Art Bergmann
 Reeve
 RM of Ste. Anne



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