

*** Additions to Agenda

THE RURAL MUNICIPALITY OF STE. ANNE

Council Meeting

Wednesday, September 12, 2012 @ 9:00 am

AGENDA

1. CALL TO ORDER

2. AGENDA

3. MINUTES

August 22, 2012 – Regular Evening Meeting
September 4, 2012 – Special Meeting

4. FINANCES

- 4.1 Cheque Listing
- 4.2 August 2012 Financial Statements

5. HEARING(s)

9:20 am Maria & Carmelo Fonti RE: CU #03-12

6. DELEGATION(s)

9:25 am Ed Barkman RE: Phase 2 S/D Amendment Proposal
9:40 am Rhea & Armand Hupe RE: Permit #101-11

7. CONSENT AGENDA

- 7.1. Stats Canada RE: News Release
- 7.2. Southern Regional Health Authority RE: News Letter
- 7.3. RM of Taché RE: Zoning Amendment By-Law Approval
- 7.4. Paradise Village Resident RE: Rural Policing
- 7.5. Gov't of Canada RE: Minister of Finance
- 7.6. Seine-Rat River Conservation District RE: July Minutes
- 7.7. AMM RE: News Bulletin
- 7.8. MB Dept of Local Gov't RE: Legislative Amendments to Bill 3, 32, 37
- 7.9. FCM RE: Infrastructure Round Table Discussion
- 7.10. Eastman Mutual Aid RE: June District Meeting
- 7.11. Animal Control Officer RE: August Report/Invoice
- 7.12. MB Conservation RE: Manova Manure Storage Facility
- 7.13. MB Infrastructure RE: Condition of S/D #4175-2008-4726 Appr.
- 7.14. LUD of Richer RE: Draft September 5, 2012 Minutes
- 7.15. AMM RE: Accessibility Advisory Council Report

8. UNFINISHED BUSINESS

- 8.1. Joan & Joshua Ross RE: Proposed S/D F#4175-2012-5510
- 8.2. R & M Penner Holdings Ltd. RE: Proposed S/D F#4175-2012-5514
- 8.3. Rene Brule RE: Proposed S/D F#4175-2012-5519
- 8.4. RMSA Lagoon RE: Info Update / Decisions
- 8.5. RMSA Public Works RE: 2012 Grader Purchase Decision
- 8.6. Guy Lash RE: Property Access

9. NEW BUSINESS

- *** 9.1. Permits RE: Permits #75, #86 to #92/12
- 9.2. RFD/GFD RE: August Fire Call Reports
- 9.3. RFD RE: OFC Courses-Brandon x 5
- 9.4. Robertson Shypit Soble Wood RE: Caveat Discharge-Deerfield Estates
- 9.5. RM of Taché RE: Zoning B/L Amendment
- *** 9.6. MB Municipal Board RE: S/D Appeal - Toews
- 9.7. Animal Control Officer RE: Amending Resolution
- 9.8. AMM Eastern District Visits RE: October 2012
- 9.9. MMAA RE: District #3 Meeting
- 9.10. AMM 14th Annual Convention RE: November 26-29, 2012 – Wpg
- 9.11. Scott Haslam RE: Garden Suite
- *** 9.12. Arbey's Ridge Holdings Inc. RE: Proposed S/D F#4175-2012-5523
- *** 9.13. RM Signing Authority RE: Resolution required

10. BY-LAWS

10.1. Zoning B/L Amendment RE: 2nd and 3rd Reading

11. PUBLIC WORKS – CHAIR REPORT

12. COMMITTEE REPORTS

13. NOTICE OF MOTION / PETITION

14. IN CAMERA

- 14.1. *****
- 14.2. *****
- 14.3. *****
- 14.4. *****
- 14.5. *****

15. ADJOURNMENT

THE RURAL MUNICIPALITY OF STE. ANNE

September 12, 2012

Minutes of the regular meeting of The Rural Municipality of Ste. Anne held in the RM Council Chambers in the Town of Ste. Anne on September 12, 2012.

Reeve Art Bergmann called the meeting to order at 9:02 am with the following members of council present: Councillors Renald Courcelles, Jake Reimer, Paul Saindon, Dan Brunel, Roger Massicotte, and Laurie Evans. Also present, ACAO Jennifer Blatz and CAO Loni Eskildsen.

Council opened the meeting with the Lord's Prayer.

ADOPTION OF AGENDA

426-12 Courcelles - Saindon

BE IT RESOLVED that the agenda for the regular meeting of September 12, 2012 be accepted as circulated and amended.

Carried.

FINANCES

Cheque Listing

427-12 Evans - Reimer

BE IT RESOLVED that the following cheques, numbered 20120778 to 20120857 (inclusive) in the amount of \$148,448.22, be approved for payment.

Carried.

HEARING(s)

CU #03-12

Reeve Art Bergmann declared the Hearing for CU #03-12 open at 9:20 am.

A Public Hearing was conducted in accordance with Section 103 of the Planning Act.

CU #03-12 Maria & Carmelo Fonti
 NW 16-8-8E / Lot 4, Block 3, Plan 15281
Purpose: To allow a new Mobile Home to be moved onto the property

Zoned: "R" – Residential

Representation: Maria Fonti
In Support: none
Opposed: none

No other written or verbal representations were made for or against this proposal. Reeve Art Bergmann asked if there were any more questions. As there were none, the hearing was closed at 9:23 am.

CU #03-12

428-12 Saindon - Courcelles

WHEREAS a Public Hearing was held for Conditional Use (CU) Order #03-12 to allow a new Mobile Home on the property identified as NW 16-8-8E / Lot 4, Block 3, Plan 15281 in an area zoned "R" Residential;

BE IT RESOLVED that CU #03-12 be approved.

Carried.

Financials

429-12 Courcelles - Reimer

BE IT RESOLVED that the Financial Statements for the period ending August 31, 2012 be hereby approved and adopted as presented to council.

Carried.

DELEGATION(s)

9:25 am Ed Barkman, representing Arbey's Ridge Holdings Inc., made a presentation to council regarding his proposed 2nd Phase of the multi-lot subdivision.

9:40 am Rhea Hupe made a presentation to council regarding the approval of a Semi-Permanent Trailer Building Permit, and its conditions as per Resolution #442-11.

Arbey Rd Constr.

430-12 Courcelles - Reimer

WHEREAS the proposed Phase 2 of a multi-lot subdivision, identified by File #4175-2012-5523, for Arbey's Ridge Holding Inc. has not yet been approved;

BE IT RESOLVED that council has no objections to the developer continuing with the 2nd Phase road development, on the condition that the proposed road is built to municipal specifications.

Carried.

CONSENT AGENDA**431-12 Evans - Brunel**

BE IT RESOLVED that the consent agenda consisting of 15 items be adopted as circulated.

Carried.

UNFINISHED BUSINESS**S/D F#2012-5510 (J Ross)****432-12 Saindon - Courcelles**

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-2012-5510 in Pt NE 17-8-8E, to create an additional residential lot;

BE IT RESOLVED that the application for approval to subdivide identified by File #4175-2012-5510 is hereby approved, on the following conditions:

- a) That a shared driveway agreement is prepared for the affected properties and is registered as a caveat on each resulting title;
- b) That the applicant obtain the necessary permits from MB Infrastructure and Transportation (MIT) to relocate the existing driveway;
- c) That the applicant obtain a Plan of Subdivision and a Building Location Certificate, prepared by a Manitoba Land Surveyor, to determine the location of all buildings and/or structures including on-site wastewater management system(s) on the affected land in relation to the proposed property lines;
- d) That the applicant obtain a Variation Order to reduce the minimum site width, and may include any necessary variations as a result of the Building Location Certificate; and
- e) That a contribution of \$750.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

S/D F#2012-5514 (Penner Holdings Ltd)**433-12 Courcelles - Reimer**

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-2012-5514 in Pt SE 10-7-7E, in the Parish of Ste. Anne, to create an additional rural residential parcel;

BE IT RESOLVED that the completed application for approval to subdivide identified by File #41752012-5514 is hereby approved, on the following conditions:

- a) That the applicant obtain a Plan of Subdivision and a Building Location Certificate, prepared by a Manitoba Land Surveyor, to determine the location of all buildings and/or structures including on-site wastewater management system(s) in relation to the proposed property line;
- b) That the applicant obtains any necessary variations as a result of the Building Location Certificate; and
- c) That a contribution of \$750.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

S/D F#2012-5519 (Brule)**434-12 Brunel - Saindon**

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-2012-5519 in Pt SE 22-8-7E, in the Parish of Ste. Anne, to create an additional rural residential lot;

BE IT RESOLVED that the completed application for approval to subdivide identified by File #4175-2012-5519 is hereby approved, on the following conditions:

- a) That the applicant obtain a Plan of Subdivision and a Building Location Certificate, prepared by a Manitoba Land Surveyor, to determine the location of all buildings and/or structures including on-site wastewater management system(s) in relation to the proposed property line;
- b) That the applicant obtains any necessary variations as a result of the Building Location Certificate; and
- c) That a contribution of \$750.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

RM Lagoon – Tabled to the next meeting.

Grader Tenders – Tabled to the next meeting.

MIT/Guy Lash – MIT access received as Information.

MINUTES

435-12 Courcelles - Reimer

BE IT RESOLVED that the regular meeting minutes of August 22, 2012 and the special meeting minutes of September 4, 2012 be adopted as circulated and amended.

Carried.

NEW BUSINESS

Permit #75-12**436-12 Saindon - Courcelles**

WHEREAS Permit #75-12 was placed on hold as per Resolution #346-12 due to lack of detail in the initial Structural Engineers' Report;

AND WHEREAS a detailed Structural Engineers' Report has now been received and reviewed;

BE IT RESOLVED that after careful consideration, Council hereby denies the request to relocate the previously occupied home into the RM of Ste. Anne, as proposed in Permit #75-12.

Carried.

Permit(s)**437-12 Courcelles - Brunel**

BE IT RESOLVED that Permit #86, 88, 89 and 90-2012 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.

Permit #91-12**438-12 Brunel - Reimer**

BE IT RESOLVED that Council accepts the detailed Structural Engineers' report as presented, to allow a previously occupied mobile home and a newly build detached garage, already located and/or build on the property;

BE IT FURTHER RESOLVED that the owner/applicant sign an Indemnification Letter, to be added as a permanent record on the property, identified by Roll #133428.000.

Carried.

Renald Courcelles declared an interest on the following matter and left the Council Chambers.

Permit #92-12**439-12 Saindon - Brunel**

WHEREAS the property owner of Roll #58015.000 is requesting to build a storage shed prior to the construction of a residence on a residential lot in the LUD of Richer;

BE IT RESOLVED that Permit #92-12 be hereby considered as a Temporary Building Permit;

BE IT FURTHER RESOLVED that Permit #92-12 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 this temporary building permit, approved for the proposed storage shed, will be considered a permanent permit when the residence has been build;
- b) That the applicant has one (1) year to start the construction of his proposed residence, starting from the date of Temporary Building Permit #92-12 approval; and
- c) That failure to build the residence will cause the temporary building permit for the storage shed to be withdrawn, and will require the structure to be removed from the property.

Carried.

Renald Courcelles returned to the Council Chambers after the decision was made.

Permit #87-12**440-12 Saindon - Courcelles**

BE IT RESOLVED that Permit #87-2012 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.

RFD/GFD Reports**441-12 Courcelles - Brunel**

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

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

Carried.

RFD Training**442-12 Brunel - Reimer**

BE IT RESOLVED that Council hereby accepts the recommendation of the Richer Volunteer Fire Chief regarding the Firefighters' EMO Conference to be held on October 11-13, 2012 in Brandon, MB;

BE IT FURTHER RESOLVED that the necessary documentation and registration fees be paid for each Volunteer Fire Fighter, as identified by the Richer Volunteer Fire Chief, and be forwarded as necessary;

BE IT FURTHER RESOLVED that all out-of-pocket expenses with proof of receipts, and remuneration be paid as per Agreement #1-2011.

Carried.

Cav Discharge**443-12 Brunel - Evans**

WHEREAS a request has been made by Robertson Shypit Soble Wood Attorneys-At-Law to discharge the Caveat on Lot 10, Plan 51698 in the NW ¼ 15-8-7E;

BE IT RESOLVED that the Municipality denies the request at this point in time as the requirements under Development Agreement, Section 4, have not yet been satisfied.

Carried.

RM of Taché**444-12 Massicotte - Saindon**

BE IT RESOLVED that the RM of Ste. Anne has no concerns with the proposed RM of Taché Zoning By-Law No. 16-2012, being an amendment to By-Law No. 12-2009.

Carried.

Mun Board**445-12 Brunel - Courcelles**

BE IT RESOLVED that the Area Councillor and CAO be authorized to attend the Municipal Board Hearing regarding a Subdivision Appeal by Arnold & Betty-Lou Toews, to be held in the RM of Ste. Anne Council Chambers on October 2, 2012 at 10:00 am.

Carried.

Council recessed for lunch at 12:00 noon and reconvened at 1:00 pm.

Animal Control Officer**446-12 Courcelles - Evans**

WHEREAS the Animal Control Officer was appointed in January 2012, as per Resolution #10-12, outlining the responsibilities, conditions and remuneration, under the then current Dog By-Law(s) in place;

AND WHEREAS a new Animal Control By-Law No. 1-2012 was adopted August 22, 2012, which did not address the Officers' remuneration for impounding "Other Animals" which includes cats;

BE IT RESOLVED that the Animal Control Officer be paid \$10.00 for every "Other Animal" impounded under By-Law No. 1-2012.

Carried.

AMM Mtg-Author Att**447-12 Brunel - Saindon**

BE IT RESOLVED that all of council members able to attend be hereby authorized to attend a proposed meeting of AMM Members on their Eastern District Tour, to be held on Thursday, October 25, 2012 at 5:00 pm, at the Municipal Council Chamber.

Carried.

MMAA Mtg-Author Att**448-12 Evans - Brunel**

BE IT RESOLVED that the CAO and ACAO be hereby authorized to attend the MMAA District #3 Meeting to be held on September 24, 2012 at the Mennonite Heritage Village Museum in Steinbach, MB;

BE IT FURTHER RESOLVED that all out-of-pocket expenses, as well as applicable registration fees, be paid with a copy of receipt(s) as per Agreement and By-Law.

Carried.

AMM Conv**449-12 Reimer - Courcelles**

BE IT RESOLVED that all of council able to attend be hereby authorized to attend the 2012 Annual AMM Convention being held in Winnipeg on November 26-29, 2012;

BE IT FURTHER RESOLVED that four (4) Hotel Rooms and Registration Fees for confirmed attendees; including the CAO, be hereby approved for payment.

Carried.

2ND Residence**450-12 Brunel – Evans**

WHEREAS a letter was received, dated August 29, 2012, asking for permission to construct a permanent second residence on a property, to be used as a Garden Suite;

BE IT RESOLVED that the owner of the property, identified by Roll#64182.000, be informed that the municipal Zoning By-Law No. 10-2010 does not allow a second, permanent residence on a property;

BE IT FURTHER RESOLVED that a Garden Suite, as defined in Zoning By-Law No. 10-2010, Part IV, Section 8.0, is temporary in nature and hereby denies the request for another permanent residence on this property.

Carried.

S/D F#2012-5523 (Arbey's Ridge)**451-12 Reimer - Courcelles**

WHEREAS the Municipality has received a request to subdivide Phase 2 of a multi-lot subdivision, as identified by File #4175-2012-5523, in Pt SE 4-7-7E;

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

Carried.

Leave of Absence**452-12 Brunel - Saindon**

BE IT RESOLVED that council approve the one (1) year "Leave of Absence" request for maternity leave for Assistant CAO, Nadine Vielfaure;

BE IT FURTHER RESOLVED that the Manitoba Employment Standards' conditions will apply.

Carried.

Sign. Auth.**453-12 Brunel - Saindon**

WHEREAS Assistant CAO Nadine Vielfaure is on a one (1) year approved leave of absence and who had Council approved signing authority;

BE IT RESOLVED that Nadine Vielfaure's name be removed from having signing authority on RM of Ste. Anne matters, and that Assistant CAO Jennifer Blatz be given signing authority for all matters requiring signatures in the absence of the CAO.

Carried.

BY-LAWS**Zoning B/L Amend B/L 5-2012****2nd Reading****454-12 Saindon - Brunel**

BE IT RESOLVED that By-Law No. 5-2012 be given 2nd reading.

Carried.

3rd Reading**455-12 Saindon - Courcelles**

BE IT RESOLVED that By-Law No. 5-2012, being an amending By-Law to Zoning By-Law No. 10-2010, to re-zone part of Lot 3, Plan 29121 in SE 17-8-8E (LUD) from "AL" Agriculture Limited to "R" Residential be given 3rd and final reading.

For: Unanimous

Against: None

Abstain: None

Carried.

COMMITTEE REPORTS

The Chairman of the Transportation Committee reported on the following:

- Seal coating on Dawson Road will commence on September 13, 2012
- Repairs on Lanctot Drive will begin following the completion of seal coating on Dawson Road
- Giroux Museum access road needs attention – looking into options

The Chairman of the Protective Services Committee reported the following:

- RFD is looking into a security system due to recent vandalism
- New firefighter identification license plates are available for volunteer firefighters at their own cost

The Chairman of the Personnel and Policy Committee reported on the following:

- Length of approved "Leave of Absence"

Quarry Oaks**456-12 Brunel - Evans**

BE IT RESOLVED the RM of Ste. Anne Council invites the Developer of Quarry Oaks Golf Course to host a public meeting at the Giroux Hall in Giroux, MB, regarding their proposed development within Quarry Oaks, and encourages them to invite neighbouring farmers, residents, and RM Council members to this public meeting;

BE IT FURTHER RESOLVED that the RM of Ste. Anne Council requests to be informed of the time and date of said meeting, once determined.

Councillor Dan Brunel requested a recorded vote:

In Favour: Councillors Saindon, Brunel, Massicotte and Evans

Opposed: Reeve Bergmann, and Councillors Courcelles and Reimer

Carried.

In Camera**457-12 Massicotte - Courcelles**

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**458-12 Saindon - Evans**

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

Roll #128550**459-12 Evans - Massicotte**

BE IT RESOLVED that council accepts the recommendation of its contracted Solicitor, with instructions to proceed as per correspondence dated September 7, 2012.

Carried.

B/L Enf. Report**460-12 Evans - Reimer**

BE IT RESOLVED that Council accepts the detailed September 4 and 7, 2012 By-Law Enforcement Officer reports as submitted;

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

Carried.

Monk Goodwin**461-12 Saindon - Courcelles**

WHEREAS a letter of complained, dated June 12, 2012 from B. Vermette, owner of B. Vermette Backhoe Service, was receive and reviewed at the June 27, 2012 regular meeting of Council;

AND WHEREAS following the responding letter to B. Vermette, dated June 29, 2012, a letter was received by the Municipality from Monk Goodwin LLP, dated August 30, 2012, requesting an update on the issues raised in the original letter of complaint from B. Vermette;

BE IT RESOLVED that, as B. Vermette has already been informed that his concerns are being taken under advisement, no further updates will be provided.

Carried.

ADJOURNMENT**462-12 Courcelles - Reimer**

BE IT RESOLVED that the regular meeting be adjourned at 4:00 pm.

Carried.

NEXT MEETING(s)

Evening Council Meeting:

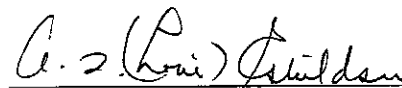
September 26, 2012 @ 6:30 pm

Day Council Meeting:

October 10, 2012 @ 9:00 am



Reeve Art Bergmann
Reeve
RM of Ste. Anne



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