

**THE RURAL MUNICIPALITY OF STE. ANNE**  
**Council Meeting**  
**Wednesday, September 26, 2012 @ 6:30 pm**  
**AGENDA**

1. CALL TO ORDER
2. AGENDA
3. MINUTES  
September 12, 2012 day meeting
4. FINANCES  
\*\*\* 4.1 Cheque Listing
5. HEARING(s)  
6:35 pm P Gibson/S Lachance RE: VO #04-12  
L & M Dyck RE: VO #05-12
6. DELEGATION(s)  
6:40 pm Kathy Wiebe RE: Bldg P #131-11
7. CONSENT AGENDA
  - 7.1 RCMP RE: AMM Conf-Meeting
  - 7.2 AMM RE: Provincial AT network
  - 7.3 Eastman Tourism RE: Canada's Longest Yard Sale
  - 7.4 SRSD #14 RE: Invitation to meet
  - 7.5 CCCD RE: Agenda/Minutes
  - 7.6 Correctional Service Canada RE: Restorative Justice Week 2012
  - 7.7 AMM RE: Public Forum
  - 7.8 Stats Canada RE: 2016 Census Program/Census Data
  - 7.9 FCM RE: Infrastructure Report Card
  - 7.10 RRBC RE: Agenda/Minutes
  - 7.11 MCASK RE: Active & Safe Kids-MB
  - 7.12 AMM RE: News Bulletin
  - 7.13 FCM RE: Jubilee Medal Program-extension
  - 7.14 MB Local Gov't RE: Mun. Board Hearing Documentation
  - 7.15 SRRCD RE: Organizational Meeting/Minutes
  - 7.16 RM of Hanover RE: Xmas Meet & Mingle
8. UNFINISHED BUSINESS
  - 8.1 RM Lagoon RE: MB Conservation requirements
9. NEW BUSINESS
  - \*\*\* 9.1 Permits RE: Permit # 93 to 98/12
  - 9.2 Gina Bernardin RE: Retreat and Wellness Centre
  - 9.3 Rene Brule RE: Cabin as a Garden Suite
  - 9.4 Marc Trudeau RE: Undeveloped Road Allowance-43E
  - 9.5 Ron Gervais RE: Undeveloped Road Allowance-38N
  - 9.6 MTS Allstream RE: Mun ROW Application-Tall Grass S/D
  - 9.7 Smith Neufeld Jodoin RE: Tilstone Prairie Obligations/Bldg Permit
  - 9.8 Robertson Shypit Soble Woold RE: Lot Compliance as per Dev. Agreem.
  - 9.9 Smith Neufeld Jodoin RE: Caveat Discharge
  - 9.10 RM of Reynolds RE: Zoning By-Law Amendment
  - 9.11 Eastman Recycling RE: August Inv/Weigh
  - 9.12 MB Hydro RE: Tilstone Prairie Easement Agreement
  - 9.13 Schinkel Properties RE: Proposed Subdivision-NW 12-8-7E
  - 9.14 Stbch Assessment Branch RE: Tax Cancellation request-R#83200
  - 9.15 Security Services Canada RE: Richer Fire Hall
  - \*\*\* 9.16 RM Office Building Quotes RE: Open Tenders
  - \*\*\* 9.17 Centra Gas RE: Amendment to CD-16939
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 \*\*\*\*\*
  - \*\*\* 14.5 \*\*\*\*\*
15. ADJOURNMENT

THE RURAL MUNICIPALITY OF STE. ANNE

September 26, 2012

Minutes of the regular meeting of The Rural Municipality of Ste. Anne held at the Municipal Office in the Town of Ste. Anne on September 26, 2012.

Reeve Art Bergmann called the meeting to order at 6:38 pm with the following members of council in attendance: Councillors Renald Courcelles, Jake Reimer, Paul Saindon, Daniel Brunel, Roger Massicotte, and Laurie Evans. Also present, Assistant CAO Jennifer Blatz and CAO Loni Eskildsen.

ADOPTION OF AGENDA

463-12 Courcelles - Brunel

BE IT RESOLVED that the agenda for the regular meeting of September 26, 2012 be accepted as circulated.

Carried.

MINUTES

464-12 Saindon - Evans

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

Carried.

HEARING(s)

Reeve Art Bergmann declared the Hearing open at 6:40 pm.

VO #04-12

A Public Hearing was conducted in accordance with Section 94 of the Planning Act.

VO #04-12 P. Gibson / S. Lachance  
Roll #48850.000 / Pt NW 15-8-8E / S/D F #4175-2011-5375

Purpose: To vary the minimum set back requirements of an existing structure from 125 feet to 62.7 feet, of proposed lot 1, as a condition of Subdivision approval.

Zoned: Natural Environment - NE

Representation: None  
In Support: None  
Opposed: None

Reeve Art Bergmann asked if there were any more questions. As there were none, the hearing for VO #04-12 was closed at 6:41 pm.

Reeve Art Bergmann declared the Hearing for VO #05-12 open at 6:41 pm.

VO #05-12

A Public Hearing was conducted in accordance with Section 94 of the Planning Act.

VO #05-12 Larry & Miriam Dyck  
Roll #45525.000 / Pt NE 8-8-8E / S/D F #4175-2011-5422

Purpose: To vary the minimum set back requirements of an existing structure from 125 feet to 45.90 feet, of proposed lot 3, as a condition of Subdivision approval.

Zoned: Natural Environment - NE

Representation: None  
In Support: None  
Opposed: None

Reeve Art Bergmann asked if there were any more questions. As there were none, the hearing for VO #05-12 was closed at 6:42 pm.

DELEGATION(s)

6:44 pm Kathy Wiebe, of Prudential Riverbend Realty, made a presentation to council regarding Building Permit #131-11.

FINANCE

Cheque Listing

465-12 Reimer - Courcelles

BE IT RESOLVED that the following cheques numbered 20120858-201200912 (inclusive), in the amount of \$130,264.87, be approved for payment.

Carried.

## CONSENT AGENDA

**466-12 Massicotte - Saindon**

BE IT RESOLVED that the consent agenda consisting of 16 items be adopted as circulated.

Carried.

## UNFINISHED BUSINESS

**RM Lagoon****467-12 Reimer - Massicotte**

WHEREAS the Municipality did receive correspondence from MB Conservation and Water Stewardship, regarding the 2012 RM Lagoon Inspection;

AND WHEREAS maintenance concerns were identified by MB Conservation, requiring municipal attention;

BE IT RESOLVED that Councillor Renald Courcelles be authorized to make the necessary RM Lagoon maintenance arrangements to satisfy MB Conservation, and that once all issues have been addressed, a detailed report be filed with the CAO, who will then contact the local MB Conservation representative for a follow-up inspection.

Carried.

## NEW BUSINESS

**Permits****468-12 Courcelles - Evans**

BE IT RESOLVED that Permit #93, 94, 96, and 97-2012 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 #95-12****469-12 Reimer - Saindon**

BE IT RESOLVED that the Permit #95-12 be hereby approved as presented to Council, as per amended Zoning By-Law No. 10-2010, subject to all municipal and provincial regulations and requirements, on the following conditions:

- a) That the proposed structure be built no more than three (3) feet below existing Prairie Level;
- b) That the Municipality is not responsible for any damages caused by flooding.

Carried.

**Permit #98-12****470-12 Reimer - Massicotte**

BE IT RESOLVED that the Permit #98-12 be hereby approved as presented to Council, as per amended Zoning By-Law No. 10-2010, subject to all municipal and provincial regulations and requirements, on the following conditions:

- a) That the basement be at the level discussed with the area Councillor Jake Reimer;
- b) That the Municipality is not responsible for any damages caused by flooding.

Carried

**Roll #137000.000****471-12 Brunel - Evans**

WHEREAS the owner of property identified by Roll #137000.000 has written a letter to council indicating their intention to develop a Retreat and Wellness Centre on their property;

AND WHEREAS according to the municipal Zoning By-Law No. 10-2010, the main body of the property is classified Rural Mixed (RM), and the access to the property is zoned Rural Residential 5 (RR5);

AND WHEREAS there is a provision for "Indoor/Outdoor Participant Recreation Services", by conditional use order, under that zoning designation, but the rooming or boarding of participants is not permitted in that zoning classification;

BE IT RESOLVED that Council is unable to grant the request as presented to council.

Carried.

**Roll #89300.000****472-12 Brunel - Courcelles**

WHEREAS a property owner has written a letter to council requesting permission to move a cabin from the RM of Taché into the RM of Ste. Anne, to be set up as a Garden Suite on the property;

BE IT 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 residence on this property.

Carried.

**Mun Rd 43E****473-12 Brunel - Saindon**

WHEREAS a number of land owners are requesting of council to extend an existing municipal road, which is presently an undeveloped road allowance, in correspondence dated September 19, 2012;

BE IT RESOLVED that the Municipality has no objection of the owners of the land, served by the undeveloped road allowance, in building a driveway on Mun Rd 43E, to access their land, on the following conditions:

- a) That the cost of building the driveway be at the expense of the land owners;
- b) That the cost of maintaining the driveway be at the expense of the landowners;
- c) That the driveway be built on top of the existing municipal right-of-way;
- d) That no ditching be done on either side of the driveway;
- e) That no blocking of the natural drain be allowed;
- f) That the driveway be built to accommodate any and all emergency vehicles;
- g) That the Municipality will not take ownership of the driveway in the future.

Carried.

**Roll #5100.000****474-12 Brunel - Reimer**

WHEREAS the owner of property, identified by Roll #5100.000, is requesting a civic address sign for a cabin accessible by a trail over numerous other properties owned by other rate payers;

AND WHEREAS the property is only accessible by a trail, to access an existing recreational cabin not assessed as a residence by the Steinbach Planning Branch;

BE IT RESOLVED that the Municipality is unable to issue a civic number until a permanent residence is established with proper road access, to allow emergency vehicles and services to find the property in case of an emergency.

Carried.

**MTS-Tall Grass****475-12 Reimer - Saindon**

BE IT RESOLVED that MTS Allstream be advised that Council has no objection to provide service in a newly approved Tall Grass Subdivision, as per their proposal identified by File #9095461-AMM, conditional upon the following:

- a) That the cable(s) be buried close to the property line and away from any culverts or crossing;
- b) That the cable be buried to a minimum depth of 42";
- c) The Ward Councillor be contacted prior to any works being done;
- d) The Public Works Chair be contacted prior to any works being done; and
- e) The land shall be restored to its former state once the installation is completed;

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

Carried.

**Caveat Info****476-12 Saindon - Brunel**

WHEREAS a request has been made by Smith Neufeld Jodoin Law Office, to discharge the Caveat on Lot 4, Block 2, Plan 52781, in SW 5-7-7E (Tilstone Prairie Inc.);

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

BE IT FURTHER RESOLVED that Council has no objections to allowing the owner of Lot 4, Block 2, Plan 52781, to apply for a Building Permit for a single family residence.

Carried.

**Caveat - Lot****477-12 Brunel - Reimer**

WHEREAS the legal firm of Robertson Shypit Soble Wood is requesting information on lot compliance, in their letter dated August 23, 2012, File #DAR 51383-4-cm;

BE IT RESOLVED that Council confirms, that the lot identified as Lot 10, Plan 51698, is in compliance with the terms of the registered Development Agreement, Caveat No. 4103001/1.

Carried.

**Caveat Info****478-12 Brunel - Reimer**

WHEREAS a request has been made by Smith Neufeld Jodoin Law Office, to discharge the Caveat on Lot 3, Plan 52919, in SE 13-8-7E;

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

BE IT FURTHER RESOLVED that Council has no objections to allowing the owner of Lot 3, Plan 52919, to apply for a Building Permit for a single family residence.

Carried.

**RMR****479-12 Saindon - Courcelles**

BE IT RESOLVED that the RM of Ste. Anne has no concerns with the proposed RM of Reynolds' Zoning By-Law 11/03 amendment, with By-Law 8/12.

**Carried.**

**Eastman Recycling** – Received as Information.

**Centra Gas****480-12 Reimer - Massicotte**

BE IT RESOLVED that the Reeve and CAO are hereby authorized to sign the "Manitoba Hydro, MTS Inc. and Centra Gas Easement over Public Reserve Plan 52781 in SW 5-7-7EPM", as per File #2011-0590-02, Planning File #4175-2011-5288 (Tilstone Prairie Inc.).

**Carried.**

**S/D Proposal - NW 12-8-7E****481-12 Courcelles – Brunel**

WHEREAS the property owner's delegate has made numerous attempts to propose options for subdivision to council, for three (3) lots located in NW 12-8-7E;

BE IT RESOLVED that council will not permit any further subdivision of the lands identified by Roll #83200.00, #83250.000, #83280.000.

**Carried.**

**Schinkel Properties****482-12 Courcelles – Saindon**

BE IT RESOLVED that Council has no objection to the reassessment of property, identified by Roll #'s 83200.000, #83250.000 and #83280.000, by the Steinbach Planning Branch.

**Carried.**

**BIL Security Services Canada Ltd.** – Received as Information.

**Centra Gas****483-12 Courcelles - Reimer**

WHEREAS Resolution #409-12 was passed at the August 22, 2012 Council meeting, authorizing the requested work, identified by CD-16938;

AND WHEREAS a revised drawing has been presented, regarding the proposed alignment along Mun Rd 39E, due to a road widening, not noticed before;

BE IT RESOLVED that Council accepts the amended drawing for CD-16938, Revision 1, and the letter of explanation, dated September 26, 2012.

**Carried.**

**Mun Office Tenders****484-12 Brunel - Massicotte**

BE IT RESOLVED that the four (4) Municipal Office Building tenders received to date, be opened by the CAO and read;

BE IT FURTHER RESOLVED that the decision of the successful tender or the re-consideration of the project be tabled to a later date.

**Carried.**

**OPENING of TENDERS:**

All tenders were opened or presented, starting at 9:02 pm, in the following order:

Vonast Construction - \$665,000.00 plus GST with exclusions

Three Way Builders - \$856,600 plus GST

Perspective Construction - \$783,608.96 plus GST

Silverpine Cabinets - Millwork as per specs: \$38,010.79 (incl. all Taxes and Installation)

Additional Office Designs: \$15,257.59 (incl. all Taxes and Installation)

**Tender Review****485-12 Brunel - Courcelles**

BE IT RESOLVED that all tenders read in council be forwarded to Ron Schalla of Integrity Design Inc., for his review and recommendation to council, so that Council can reach a decision as soon as possible.

**Carried.**

Councillor Brunel gave a notice of motion that he would like to rescind his motion on Resolution No. 413-12 at the next regular meeting of council.

## COMMITTEE REPORTS

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

- Dawson Road Project is complete, and Asphalt patching has been done on Lanctot Drive
- Public Work employees have been grading right-of-ways in the RM
- Giroux potholes have been repaired
- Proposed culvert washout/repair will be done before next spring
- Will propose Grader Purchase recommendation for next council meeting

Chairman of the Protective Services Committee had nothing to report.

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

## IN CAMERA

**486-12 Courcelles - Reimer**

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

**487-12 Brunel - Saindon**

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

**Mun Solic.****488-12 Brunel - Saindon**

BE IT RESOLVED that the CAO be authorized to contact the Municipal Solicitor with instructions to prepare the necessary documents, regarding a proposed "Offer to Purchase" of privately owned land;

BE IT FURTHER RESOLVED that the CAO be authorized to contact the Municipal Solicitor to prepare a response regarding correspondence received from Smith Neufeld Joidoin, dated September 11, 2012.

Carried.

**B/L Enf Report****489-12 Courcelles - Evans**

BE IT RESOLVED that Council accept the detailed September 21, 2012 By-Law Enforcement Officer report as submitted;

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.

## ADJOURNMENT

**490-12 Saindon - Massicotte**

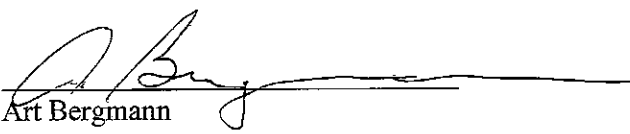
BE IT RESOLVED that the meeting be adjourned at 10:13 pm.

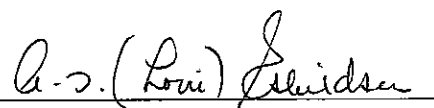
Carried.

## NEXT MEETING

Day Council Meeting: October 10, 2012 @ 9:00 am

Evening Council Meeting: October 24, 2012 @ 6:30 pm

  
Art Bergmann  
Reeve  
RM of Ste. Anne

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