

THE RURAL MUNICIPALITY OF STE. ANNE

August 19, 2015

Minutes of the regular meeting of the Rural Municipality of Ste. Anne held at the Municipal Office in the RM of Ste. Anne on August 19, 2015.

Reeve Art Bergmann called the meeting to order at 9:00 am with the following members of Council present: Councillors Renald Courcelles, Jake Reimer, Paul Saindon, Kevin Lansard, Roger Massicotte and Randy Eros. Also present were the CAO Jennifer Blatz and Assistant CAO Nadine Vielfaure.

Council opened the meeting with the Lord's Prayer.

ADOPTION OF AGENDA

406-15 Saindon - Massicotte

BE IT RESOLVED that the agenda for the regular meeting of August 19, 2015 be accepted as circulated and amended.

Carried.

MINUTES

407-15 Lansard - Courcelles

BE IT RESOLVED that the minutes of the regular and special meetings, held on July 15 and 22, 2015 respectively, be adopted as circulated and amended.

Carried.

FINANCE

Cheque Listing

408-15 Courcelles - Reimer

BE IT RESOLVED that the following cheques, numbered 20150716 – 20150848 (inclusive), in the amount of \$235,527.17, be approved for payment.

Carried.

Financial Reports

July 2015 Financial Statement

409-15 Courcelles - Eros

BE IT RESOLVED that the Financial Statement for the period ending July 31, 2015 be hereby approved and adopted as presented to Council.

Carried.

CONSENT AGENDA

410-15 Courcelles - Saindon

BE IT RESOLVED that the consent agenda consisting of 25 items be adopted as circulated.

Carried.

UNFINISHED BUSINESS

Andrew Hartung re: Maintenance and Grading of Rd. 46N Ditch – Received as information.

Canada Post re: Conditions of Subdivision File #4175-15-7518 Approval – Received as information.

Audited Financial Statements

411-15 Eros - Courcelles

BE IT RESOLVED that the December 31, 2014 Year End Financial Statements, which include the Auditors' adjusting journal entries, be accepted as presented to Council;

BE IT FURTHER RESOLVED that the Reeve and CAO are hereby authorized to sign any necessary documents dealing with the 2014 Year End Audited Financial Statements.

Carried.

TRC/CU#06-15 (Lactaria Holsteins Ltd.)

412-15 Courcelles - Reimer

WHEREAS a Public Hearing was conducted in accordance with the Planning Act, Chapter P80, Division 2, Section 114(2) for Technical Review/Conditional Use Order (CU) #06-15 for the expansion of an existing livestock dairy operation to greater than 200 animal units (from current 298 animal units to up to 503 animal units), with 4 existing barns to be torn down and a new barn to be erected, on property identified as Roll #'s 4100.000 and 4400.000, Pt. W ½ 7-7-8E, in an area zoned "A" Agriculture;

(cont'd on Page 2)

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BE IT RESOLVED that the site for CU #06-15 consist of the entire W ½ 7-7-8E, identified as Roll #'s 4000.000, 4100.000 and 4400.000, when considering minimum bulk requirements and setbacks;

BE IT FURTHER RESOLVED that CU #06-15 be hereby approved, as per amended Zoning By-Law #10-2010, subject to all municipal, provincial and federal regulations and on the following condition:

- a) The minimum bulk requirements for the site width and front, side and rear yards are as follows:

Site Width (ft.)	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
1000	125	125	125

Carried.

CU#08-15 (Rural Rentals Ltd.)

413-15 Saindon - Courcelles

WHEREAS a Public Hearing was held for Conditional Use Order (CU) #08-15 for a multi-family dwelling containing 9 residential units, on property identified as Roll #'s 55214.000 to 55218.000 and 55208.000, Pt. NW ¼ 16-8-8E, Lots 2 and 7 to 11 Block 2 Plan 15281, all properties to be consolidated into 1 title, in an area zoned "R" Residential;

BE IT RESOLVED that CU #08-15 be hereby approved as presented to Council, as per amended Zoning By-Law #10-2010, subject to all municipal, provincial and federal regulations.

Carried.

Loewen Blvd./Townline Rd.

414-15 Reimer - Saindon

WHEREAS the Municipality has received a quotation from Unger Excavating Inc., in the amount of \$5,400.00, for additional work which is required for the reconstruction of approx. 2 miles of inter-municipal on Road 36N, also known as Loewen Blvd./Townline Road, which was not included in the original tender accepted by the RM of La Broquerie;

BE IT RESOLVED that Council hereby authorizes the payment of half of the total invoice, not including GST.

Carried.

Steinbach Planning Branch re: Subdivision File #4175-15-7501 – Tabled until the next meeting.

Council recessed for 9 minutes at 10:04 am.

Secondary Plan

415-15 Eros – Lansard

WHEREAS Division 2 of The Planning Act allows for Council to, by by-law, adopt a secondary plan to deal with objectives and issues within its scope of authority, which is in keeping with the development plan by-law, in a specific part of the municipality;

BE IT RESOLVED that CAO Jennifer Blatz be authorized to obtain quotations as per the Municipal Tendering and Procurement Policy, Resolution 162-13, for the development of a secondary plan for the following zone designations in the RM of Ste. Anne:

- a) "GD" General Development;
- b) "R" Residential;
- c) "RR" Rural Residential;
- d) "RR5" Rural Residential 5; and
- e) "RM" Rural Mixed.

Carried.

Council recessed for 7 minutes at 10:55 am.

HEARING(s)

Reeve Art Bergmann declared that the meeting recess to go into Hearings at 11:02 am.

CU#07-15 (Funk)

A Public Hearing was held for Conditional Use Order (CU) #07-15 to allow for a garden suite, on property identified as Roll #775.000, Pt. SW ¼ 2-7-8E, in an area zoned "A" Agriculture.

No written or verbal representations were made for or against this proposal. Reeve Art Bergmann asked if there were any questions. As there were none, Reeve Bergmann declared the hearing for CU #07-15 closed.

VO#09-15 (Benner Holsteins Ltd./Pennwood Dairy Inc.)

A Public Hearing was held for Variation Order (VO) #09-15 to vary the minimum front yard setback requirements from 125 feet to approx. 35 feet for 3 existing storage bins and the most easterly existing shed, as per Subdivision File #4175-14-7484, on property identified as Roll #'s 27950.000 and 28000.000, Pt. NE ¼ 7-7-7E in an area zoned "A" Agriculture.

No written or verbal representations were made for or against this proposal. Reeve Art Bergmann asked if there were any questions. As there were none, Reeve Bergmann declared the hearing for VO #09-15 closed.

HEARING DECISION(s)**CU#07-15 (Funk)****416-15 Courcelles - Lansard**

WHEREAS a Public Hearing was held for Conditional Use Order (CU) #07-15 to allow for a garden suite, on property identified as Roll #775.000, Pt. SW ¼ 2-7-8E, in an area zoned "A" Agriculture;

BE IT RESOLVED that CU #07-15 be hereby approved;

BE IT FURTHER RESOLVED that the proposed garden suite building be granted a Temporary Development Permit to store the structure on-site until the necessary Conditional Use Order and Building Permit have been obtained for this previously occupied residence, as per amended Zoning By-Law #10-2010 (particularly Section 3.0 - Temporary Buildings and Uses) and subject to all municipal and provincial regulations.

Carried.

VO#09-15 (Benner Holsteins Ltd./Pennwood Dairy Inc.)**417-15 Reimer - Massicotte**

WHEREAS a Public Hearing was held for Variation Order (VO) #09-15 to vary the minimum front yard setback requirements from 125 feet to approx. 35 feet for 3 existing storage bins and the most easterly existing shed, as per Subdivision File #4175-14-7484, on property identified as Roll #'s 27950.000 and 28000.000, Pt. NE ¼ 7-7-7E in an area zoned "A" Agriculture;

BE IT RESOLVED that VO #09-15 be hereby approved.

Carried.

DELEGATION(s)

11:00 am Ed Kolodziej and Chad Dearborn made a presentation to Council on behalf of the Steinbach Assessment Branch regarding the impact of the 2016 reassessment and to review the laws, policies and procedures for a Board of Revision with the new and returning Council members.

Council recessed from 12:00 pm to 1:12 pm.

1:12 pm Adelard Faucher made a presentation to Council regarding a revised concept plan for Subdivision File #4175-12-5460 and to request suggestions regarding the same.

UNFINISHED BUSINESS (cont'd)

Steinbach Planning Branch re: Subdivision File #4175-12-5460 (Faucher) – Received as information.

Railway/Pipeline Tax Impact**418-15 Courcelles – Lansard**

WHEREAS the Municipal Assessment Act Railway Roadway Property, Pipeline Property and Gas Distribution Systems (2014) Regulation governs the basis by which Railways and Pipelines are assessed;

AND WHEREAS the RM of Ste. Anne's taxable assessment has only increased between 8.0 and 8.6% for pipeline and railway class assessments, in comparison to up to 19.6% for farm and 10.2% for residential property, resulting in a Municipal and School Tax decrease from 2015 to 2016 of between 4.4 and 5.0% for railways and pipelines, with an increase for farm property of 6.9% and a decrease of only 1.6% for residential property, as outlined in the Impact of Assessment 2016 for the RM of Ste. Anne, as submitted by the Regional Assessment Services Branch in Steinbach;

AND WHEREAS the increase in both the length of trains on the railway and volume of dangerous goods being transported through the RM of Ste. Anne, by both the TransCanada Pipeline and the railway, increase the tax burden on the Municipality due to infrastructure amendments and improvements, along with the heightened safety implications putting strain on preventative and reactive emergency measures in the Municipality;

(cont'd on Page 4)

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BE IT RESOLVED that the AMM lobby the Lieutenant Governor of Council to amend the Railway Roadway Property, Pipeline Property and Gas Distribution Systems (2014) Regulation to base the rate of railway and pipeline class assessment solely on the volume of commodity moving through each Municipality as opposed to the length of the infrastructure itself, which does not grant a fair and equitable assessment of the property's value.

Carried.

S/D F#4175-14-7451(Morin) Concept Plan

419-15 Lansard - Courcelles

WHEREAS conditions of Subdivision File #4175-14-7451 approval, as per Resolution #601-14, required for the applicants to enter into a Development Agreement with the Municipality pertaining to any future development of the subject property and that all conditions of the proposed subdivision be included in the Development Agreement to be registered as a caveat on the title;

AND WHEREAS the applicants have provided a concept plan to the Municipality for review and approval, by resolution, indicating how the lots could be developed in the future;

BE IT RESOLVED that Council hereby approves the plan as submitted by the applicants and authorizes a development agreement to be entered into with the Municipality which includes a building restriction on the future placement of buildings to ensure further development is possible, with all costs to be borne by the applicant.

Carried.

Office Garbage P/U

420-15 Eros - Saindon

WHEREAS the Municipality has requested 3 quotations for weekly garbage pickup at the RM of Ste. Anne Office Building and only received 2;

BE IT RESOLVED that Council hereby cancel the current service provided by Rush Sanitation Service and accept the quotation of \$20.00 per month, plus applicable taxes, as submitted by R & R Pickup, valid until August 31, 2017.

Carried.

NEW BUSINESS

Permit #85-15

421-15 Courcelles - Lansard

BE IT RESOLVED that Permit #85-15 be hereby approved as presented to Council, as per amended Zoning By-Law #10-2010, subject to all municipal and provincial regulations, including all the conditions of the Plan Review;

BE IT FURTHER RESOLVED that Development Permit #106-09, for a home occupation, be hereby revoked.

Carried.

Permit #77-15

422-15 Reimer - Saindon

BE IT RESOLVED that Permit #77-15 be hereby approved as presented to Council, as per amended Zoning By-Law #10-2010, subject to all municipal and provincial regulations, including all the conditions of the Plan Review, and on the following conditions:

- a) That the top of the crawlspace floor of the proposed structure be built no lower than prairie level;
- b) That the applicant receive confirmation from the Ward Councillor that the excavation has been done as per condition 'a)' after the forming for the foundation is complete and prior to proceeding with the pouring of the concrete for the foundation; and
- c) That the Municipality is not responsible for any damages caused by flooding.

Carried.

Permit #79-15

423-15 Lansard - Massicotte

BE IT RESOLVED that Permit #79-15 be hereby approved as presented to Council, as per amended Zoning By-Law #10-2010, subject to all municipal and provincial regulations, including all the conditions of the Plan Review, and Conditional Use #14-14, approving Resolution #81-15, and on the following conditions:

- a) That the top of the cement slab floor of the proposed shop be built no lower than 18 inches above prairie level;
- b) That the applicant receive confirmation from the Ward Councillor that the excavation has been done as per condition 'a)' after the forming for the foundation is complete and prior to proceeding with the pouring of the concrete for the foundation; and
- c) That the Municipality is not responsible for any damages caused by flooding.

Carried.

Permit #84 and 87-15**424-15 Lansard - Courcelles**

BE IT RESOLVED that Permit #84 and 87-15 be hereby approved as presented to Council, as per amended Zoning By-Law #10-2010, subject to all municipal and provincial regulations, including all the conditions of the Plan Review, if applicable.

Carried.

Permit #86-15**425-15 Saindon - Eros**

BE IT RESOLVED that Permit #86-15 be hereby approved as presented to Council, as per amended Zoning By-Law #10-2010, subject to all municipal and provincial regulations, including all the conditions of the Plan Review, and subject to all of the terms and conditions of Resolution #248-14.

Carried.

Permit #88-15**426-15 Lansard - Eros**

BE IT RESOLVED that Permit #88-15 be hereby approved as presented to Council, as per amended Zoning By-Law #10-2010, subject to all municipal and provincial regulations, including all the conditions of the Plan Review, and on the following conditions:

- a) That the top of the basement floor of the proposed structure be built no lower than 3 feet below prairie level;
- b) That the applicant receive confirmation from the Ward Councillor that the excavation has been done as per condition 'a)' after the forming for the foundation is complete and prior to proceeding with the pouring of the concrete for the foundation; and
- c) That the Municipality is not responsible for any damages caused by flooding.

Carried.

Permit #89-15**427-15 Courcelles - Massicotte**

BE IT RESOLVED that Permit #89-15 be hereby approved as presented to Council, as per amended Zoning By-Law #10-2010, subject to all municipal and provincial regulations, including all the conditions of the Plan Review, and subject to all of the terms and conditions of Conditional Use #06-15, approving Resolution #412-15.

Carried.

Permit #75, 76, 78 and 80 to 83-15 – Received as information.

MB Emergency Measures Organization re: Prolonged Heat Event Plan – Received as information.

Opening Doors to Success Inc. re: Program Grant Request – Received as information.

Added/Canc Taxes**428-15 Lansard - Eros**

WHEREAS the Steinbach Assessment Branch had presented a list of added and cancelled taxes for the years 2014 and 2015, dated August 18, 2015, affecting properties in the Municipality;

BE IT RESOLVED that Council accepts the recommendation of the Steinbach Assessment Branch, including the adjustments made by the CAO, and authorizes the Municipal office staff to prepare the necessary Cancelled and Supplemental Tax Notices.

Carried.

Text2Car Inc. re: Fleet Management Solutions – Received as information.

Grant**429-15 Reimer - Lansard**

WHEREAS the Municipality has received a sponsorship request, dated July 21, 2015, from the Dawson Trail Days Committee for the 2015 Dawson Trail Days;

BE IT RESOLVED that the Municipality support the event with a grant in the amount of \$1,000.00.

Carried.

Auth. Attend.**430-15 Courcelles - Reimer**

WHEREAS the Manitoba Municipal Administrators' Association (MMAA) will be holding a Planning – A Municipal Perspective seminar on September 11, 2015 in Winnipeg;

BE IT RESOLVED that Assistant CAO Nadine Vielfaure be authorized to attend and all out-of-pocket expenses to be paid as per Agreement.

Carried.

Auth. Attend.**431-15 Courcelles - Reimer**

WHEREAS the Manitoba Municipal Administrators' Association will be holding a District 3 Meeting on September 16, 2015 in Morris;

BE IT RESOLVED that all staff members which are associates of the MMAA be authorized to attend and all out-of-pocket expenses to be paid as per Agreement.

Carried.

Auth. Attend.**432-15 Courcelles - Eros**

WHEREAS the Manitoba Emergency Services College Conference will be held from October 1 to 3, 2015 in Brandon;

BE IT RESOLVED that a maximum of 3 Volunteer Firefighters, authorized by Fire Chief Paul Saindon, be authorized to attend and all out-of-pocket expenses to be paid as per By-Law.

Carried.

At 2:36 pm Councillor Kevin Lansard declared an interest in the following matter and left the Council Chambers for the discussion and voting on Resolution #433-15.

Roof Repairs**433-15 Eros - Reimer**

WHEREAS a number of shingles on the RM of Ste. Anne Municipal Office were damaged or removed by a large wind storm which took place in July, 2015;

BE IT RESOLVED that the invoice, as received by Lansard Bros. Roofing Ltd. in the amount of \$400.00, plus applicable taxes, for the emergency repair of the damage, be hereby authorized to be paid.

Carried.

Councillor Kevin Lansard returned to Council Chambers at 2:37 pm.

MB Health, Healthy Living and Seniors re: 2015 WNV Contract – Received as information.

CN Sponsored Large-Scale Tree Planting – Received as information.

LUD of Richer Minutes**434-15 Courcelles - Reimer**

BE IT RESOLVED that the minutes of the regular meeting of the LUD of Richer Committee, held on August 11, 2015, be adopted as circulated.

Carried.

Noise Permit**435-15 Reimer – Courcelles**

WHEREAS Temporary Development Permit #69-15, approving Resolution #309-15, was issued on July 15, 2015 permitting the operation of an asphalt plant on property identified as Roll #92575.000, Pt. NW ¼ 1-8-6E, Lot 3 Plan 39543, expiring on December 31, 2015;

BE IT RESOLVED that the Municipality hereby temporarily permits the potential nuisance noise associated with the above operation, under By-Law #4-1990, during the duration of the Temporary Development Permit.

Carried.

Steinbach Planning Branch re: Subdivision File #4175-15-7577 (Chaput) – Tabled until the meeting.

Steinbach Planning Branch re: Subdivision File #4175-15-7589 (Vincent) – Tabled until the meeting.

IN CAMERA**436-15 Saindon - Massicotte**

BE IT RESOLVED that this meeting recess to go in camera to further discuss matters in the preliminary stages of discussion, fire call reports, 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**437-15 Lansard - Reimer**

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

RFD Recruit/Resignation**438-15 Saindon - Eros**

WHEREAS Volunteer Firefighter Roger Faucher has submitted his resignation and previously-enrolled Volunteer Firefighter Joshua Kropp has re-applied to the Richer Fire Department;

BE IT RESOLVED that Council accept the Fire Chief's recommendation to accept both Roger Faucher's resignation and Joshua Kropp's re-enrollment;

BE IT FURTHER RESOLVED that Roger Faucher be thanked for his years of service on the Department and all the Municipal-owned equipment be returned to the Richer Fire Hall or the R.M. office.

Carried.

RFD/GFD Fire Calls**439-15 Lansard - Massicotte**

BE IT RESOLVED that the Richer and Giroux Volunteer Fire Department fire call reports, for the month of July 2015, be accepted as presented;

BE IT FURTHER RESOLVED that the July 2015 Richer Fire Chief's Report be accepted as presented.

Carried.

B/L Enf Report**440-15 Reimer - Eros**

BE IT RESOLVED that the detailed August 13, 2015 by-law enforcement report be accepted as submitted by By-Law Enforcement Officer David Buck;

BE IT FURTHER RESOLVED that the CAO be authorized to provide Council's instructions to the By-Law Enforcement Officer based on the by-law enforcement discussions.

Carried.

Property Cleanup**441-15 Saindon - Courcelles**

WHEREAS property identified as Roll #47802.000, Pt. NE ¼ 13-8-8E, is in direct non-compliance with Unsightly Property By-Law #10-2006 and Derelict Vehicle By-Law #04-2010;

BE IT RESOLVED that By-Law Enforcement Officer David Buck be instructed to make the necessary arrangements to have all compliancy issues rectified;

BE IT FURTHER RESOLVED that the property owner be invoiced for any costs incurred as a result of the resolution of the matter and that the invoice amount be added to the Tax Roll if left unpaid for more than 3 months from the invoice date, as set out in the Fees and Charges By-Law #07-2011.

Carried.

COMMITTEE REPORTS

Chairman of the Transportation Committee reported on the following:

- Reconstruction of Loewen Blvd./Townline Rd. is almost complete
- Proposed reconstruction of Pt. Road 30E is going to commence shortly

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

ADJOURNMENT

443-15 Saindon - Reimer

BE IT RESOLVED that the regular meeting be adjourned at 4:29 pm.

Carried.

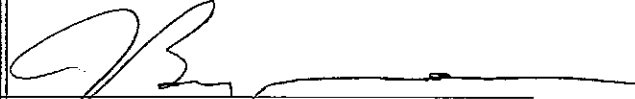
NEXT MEETING(s)

Day Council Meeting

September 9, 2015 @ 9:00 am

Evening Council Meeting

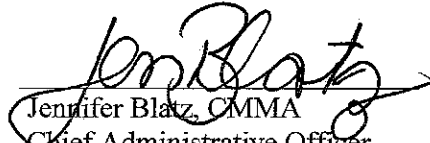
September 23, 2015 @ 6:30 pm



Reeve Art Bergmann

Reeve

RM of Ste. Anne



Jennifer Blatz, CMMA

Chief Administrative Officer

RM of Ste. Anne