

THE RURAL MUNICIPALITY OF STE. ANNE

January 13, 2016

Minutes of the regular meeting of the Rural Municipality of Ste. Anne held at the Municipal Office in the RM of Ste. Anne on January 13, 2016.

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

Councillor Renald Courcelles was absent.

Council opened the meeting with an Invocation.

ADOPTION OF AGENDA

01-16 Eros - Reimer

BE IT RESOLVED that the agenda for the regular meeting of January 13, 2016 be adopted as circulated and amended.

Carried.

MINUTES

02-16 Lansard - Eros

BE IT RESOLVED that the minutes of the regular and special meetings held on December 9 and 10, 2015, respectively, be adopted as circulated.

Carried.

FINANCE

Cheque Listing

03-16 Saindon - Massicotte

BE IT RESOLVED that the following cheques, numbered 20151284 – 20151351 and 20160001 - 20160117 (inclusive), in the amount of \$702,863.81, be approved for payment.

Carried.

Financial Reports

December 2015 Financial Statement

04-16 Reimer - Massicotte

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

Carried.

CONSENT AGENDA

Manitoba Premier's Volunteer Service Award 2016 – Tabled until the next meeting.

05-16 Lansard - Eros

BE IT RESOLVED that the consent agenda consisting of 17 items be adopted as circulated.

Carried.

Councillor Renald Courcelles arrived at 9:20 am.

UNFINISHED BUSINESS

Loewen Blvd./Townline Rd. Mtg.

06-16 Lansard - Massicotte

WHEREAS the Rural Municipalities of La Broquerie and Ste. Anne completed upgrades to Loewen Boulevard/Townline Road in 2015;

AND WHEREAS the RM of Ste. Anne committed to a contribution of \$250,000.00, being 50% of the total projected cost of \$500,000.00, as budgeted for in the 2015 Financial Plan;

AND WHEREAS the RM of La Broquerie tendered then accepted bids for the project for more than the allotted threshold of \$500,000.00 without consulting with the RM of Ste. Anne;

AND WHEREAS the RM of La Broquerie invoiced the RM of Ste. Anne for the costs above the original commitment of \$250,000.00 which did not get paid as there was no authorization to do so;

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(Cont'd from Page 1)

AND WHEREAS Council received an invitation from the RM of La Broquerie to meet and discuss these unpaid invoices;

BE IT RESOLVED that Reeve Art Bergmann, Public Works Chairman Jake Reimer and CAO Jennifer Blatz be authorized to attend a meeting with the RM of La Broquerie to discuss the final costs of the Loewen Boulevard/Townline Road project and resolve the matter;

BE IT FURTHER RESOLVED that all out-of-pocket expenses be hereby authorized to be paid as per Indemnity By-Law and Agreement.

Carried.

Pool Permits

07-16 Courcelles - Lansard

WHEREAS a permit has been required for the installation of pools and hot-tubs in the RM of Ste. Anne since Zoning By-Law #12-1998 was adopted;

AND WHEREAS past awareness, compliance and enforcement related to this regulation has been problematic, resulting in several pools and hot-tubs currently being used illegally and without the proper safeguards required under the RM of Ste. Anne Zoning By-Law #10-2010, as amended, as well as the National Building Code of Canada 2010;

AND WHEREAS Council has deemed it expedient and desirable to bring these structures into compliance with by-laws, legislation and safety standards;

BE IT RESOLVED that, in an effort to facilitate the permit application process and encourage compliance with municipal regulations, the Council of the RM of Ste. Anne hereby temporarily waives the \$500.00 permit deposit required by Resolution #242-12 as well as the \$175.00 fine applicable under Building By-Law #3-2009 for failing to have obtained the required permit prior to the installation of the structure, until May 25, 2016;

BE IT FURTHER RESOLVED that all pool and hot tub permit applications that have not been finalized prior to May 25th, 2016 will be subject to all applicable fees and fines, under municipal by-laws and policies;

BE IT FURTHER RESOLVED that the Development Officer be hereby authorized to approve pool and hot-tub permits which satisfy municipal and provincial requirements;

BE IT FURTHER RESOLVED that advertisements detailing the temporary exceptions and information pertaining to pool and hot-tub regulations be hereby authorized to be placed in The Carillon, the Dawson Trail Dispatch, the EnRicher, as well as the Municipal website and Facebook.

Carried.

Manitoba Canada 150 Infrastructure Program Denial – Received as information.

Council recessed for 3 minutes at 10:05 am.

EMO Coordinator

08-16 Courcelles - Eros

WHEREAS the RM of Ste. Anne, Town of Ste. Anne and Emergency Measures Coordinator have an Agreement for the provision of Emergency Coordinator services which expired on December 31, 2015;

BE IT RESOLVED that the Emergency Coordinator Agreement with the Town of Ste. Anne and Richard Maynard be renewed for a 2-year contract on the following conditions:

- a) That the Emergency Coordinator draft an emergency plan for Paradise Village and present it to Council for approval by June 30, 2016; and
- b) If condition "a)" is not met that the Agreement be terminated on June 30, 2016.

Carried.

S/D F#4175-15-7633 (St. Hilaire)

09-16 Courcelles - Lansard

WHEREAS the Municipality did receive a request to subdivide, as identified by File #4175-15-7633, in Pt. SW ¼ 18-8-8E, to subdivide an approx. 117 acre parcel, currently held under CT #2812369, to create an additional approx. 2 acre lot, in an area zoned "RM" Rural Mixed, which was conditionally approved by Resolution #571-15 at the November 18, 2015 regular Council meeting;

AND WHEREAS the applicant has submitted a revised site plan changing the shape of the proposed lot;

BE IT RESOLVED that the proposed revision to the site plan, dated December 18, 2015, be hereby denied as presented and all conditions of Resolution #571-15 remain in effect.

Carried.

Trottier Piling (204) Ltd. re: Owens Road and Road 42N Bridge Work – Received as information.

NEW BUSINESS

Revised Permit #86-15

10-16 Eros - Saindon

WHEREAS Permit #47-15, for the construction of a garage-residence, was originally approved by Resolution #425-15 on August 19, 2015 and the property owner has requested changes to the original application;

BE IT RESOLVED that the proposed changes to 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 Resolution #425-15 and the Plan Review.

Carried.

Permits

11-16 Lansard - Saindon

BE IT RESOLVED that Permit #'s 01 and 02-16 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.

Bethesda Health Care Auxiliary 2016 Grant Request – Tabled until budget deliberations.

Association of Manitoba Municipalities Education re: Governance Workshop – Received as information.

S/D File #4175-15-7645 (Hupe)

12-16 Saindon - Courcelles

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-15-7645, in Pt. SW ¼ 17-8-8E, to subdivide an approx. 149 acre parcel, held under CT #2296891, to create one additional Rural Residential 2 acre parcel, in an area zoned Pt. "RR" Rural Residential and Pt. "RM" Rural Mixed;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-15-7645, is hereby approved on the following conditions:

- a) That the applicant obtain a Legal Plan and a Building Location Certificate prepared by a Manitoba Land Surveyor, to determine the site widths, site areas and 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;
- b) That the applicant obtain any necessary variations as a result of the Plan of Subdivision and/or a Building Location Certificate; and
- c) That a contribution of \$750.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

Auth. Attend.

13-16 Eros - Reimer

WHEREAS Volunteer Fire Fighters Brent Wery and Ryan Smith attended the Structural Collapse Course at the Manitoba Emergency Services College from November 23 to 27, 2015 in Brandon;

BE IT RESOLVED that Brent Wery and Ryan Smith be authorized to have attended and all out-of-pocket expenses to be paid as per Agreement.

Carried.

Crown Lands Exchange

14-16 Saindon - Lansard

WHEREAS the Municipality received Lands Branch Application from Crown Lands Property Agency (CLPA), identified as EXCH HOLLOW 5, for portions of property identified in Pts. SE ¼ 21-8-7E and SW ¼ 22-8-7E, for the possible exchange of land required by Manitoba for the Main Market Road and access road to Aghaming, transferred as fee simple to the Hollow Water First Nation's development corporation;

BE IT RESOLVED that Council hereby objects to the transfer of Pts. SE ¼ 21-8-7E and SW ¼ 22-8-7E to the Hollow Water First Nation's development corporation for the following reasons:

- a) It is unclear what development is intended for the properties and, therefore, Council has no way of determining whether the use is compatible with the RM of Ste. Anne Development Plan;
- b) The Municipality is in the process of developing a Secondary Plan, which includes the subject properties, to deal with objectives, policies and issues pertaining to future development in the specific area, and the proposed lots do not comply with the Secondary Plan;

(Cont'd from Page 3)

- c) Paradise Village is located north of the subject property and is considering further developing the community by requesting to exchange the piece of their land north of the TransCanada Highway with the subject property to form a continuous parcel, which would be a more natural extension of this community and compatible with RM of Ste. Anne land use policies;
- d) The RM of Ste. Anne is considering offering to purchase the subject property in order to further development in the area, as the area is heavily developed already; and
- e) The Municipality has submitted an application for a permit to construct a walking trail on the subject property, the proposed development which would take away from the natural aesthetic of the trail;

BE IT FURTHER RESOLVED that Council hereby recommends to CLPA that Lands Branch Application EXCH HOLLOW 5 be denied for this location and that an alternative site be sought for a land exchange with Hollow Water First Nations development corporation;

BE IT FURTHER RESOLVED that should the application be approved that Council hereby advises CLPA to apply to subdivide the subject property through the standard subdivision process through Community and Regional Planning Services under Manitoba Municipal Government.

Carried.

BP/Work Order Inquiries

15-16 Lansard - Massicotte

BE IT RESOLVED that the fees and charges By-Law #03-2009 be further amended to include a \$10.00 charge for all requests for confirmation of Open Work Orders or Building Permits;

BE IT FURTHER RESOLVED that only a "Yes" or a "Maybe" confirmation be granted as a response to these requests;

BE IT FURTHER RESOLVED that a confirmation that there are no issues or an explanation of the existing contraventions will require a request for a Zoning Memorandum.

Carried.

AMM/EMO Emergency Preparedness Forum Invitation – Received as information.

Councillor Renald Courcelles requested a recorded vote for Resolution #16-16 prior to the question.

S/D F#4175-15-7628 (Kube)

16-16 Courcelles - Massicotte

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-15-7628, in the east halves of LS 9 & 16 Pt. NE ¼ 6-7-8E, to subdivide an approx. 40 acre parcel, held under CT #1972631, to create one additional approx. 2 acre parcel, in an area zoned "A" Agriculture;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-15-7628, be hereby denied.

FOR: Councillors Courcelles, Reimer, Saindon, Massicotte and Eros.

AGAINST: Reeve Art Bergmann and Councillor Kevin Lansard.

ABSTAIN: none

Carried.

Crown Lands Sale

17-16 Saindon - Massicotte

WHEREAS the Municipality received Crown Lands Sale Application No. 70284 from Crown Lands Property Agency (CLPA) for the possible sale of property identified as SW ¼ 29-8-8E, which is currently under a forage lease and has not been foraged in numerous years;

AND WHEREAS Council is in the opinion that the subject property is attractive for forage and grazing and, therefore, the public as a whole should be given the opportunity to bid on the sale;

BE IT RESOLVED that Council hereby objects to the sale of SW ¼ 29-8-8E through Crown Lands Sale Application No. 70284;

BE IT FURTHER RESOLVED that, should CLPA choose to sell this land, Council hereby requests that the property be sold through public tender.

Carried.

Eastman Tourism Memb.**18-16 Lansard - Saindon**

WHEREAS Eastman Tourism has extended a membership invitation to the Municipality, to assist in furthering tourism in the RM of Ste. Anne;

BE IT RESOLVED that Council accepts the invitation and the 2016 membership fee of \$850.00 be hereby authorized to be paid.

Carried.

CleanFarms' Manitoba Stewardship Plan -- Received as information.

RM of Ste. Anne Sign Installation Fees -- Tabled until a later meeting.

Recycling Cleanup**19-16 Lansard - Eros**

WHEREAS the recycling shed located off Road 39E and the surrounding area are in constant need of garbage removal;

BE IT RESOLVED that the Office Staff be authorized to make any necessary arrangements and incur the related expenses to have the recycling shed and area cleaned up.

Carried.

Council Invocation**20-16 Courcelles - Reimer**

WHEREAS the Supreme Court of Canada recently decided that it was unconstitutional for the City of Saguenay, Quebec, to conduct prayer, or invocation, prior to Council meetings;

AND WHEREAS Manitoba Municipal Government has advised Manitoba municipalities to review their own practices in regards to invocation at Council meetings;

BE IT RESOLVED that the Minutes of any Council meeting where an invocation is given shall read "Council opened the meeting with an Invocation";

BE IT FURTHER RESOLVED that the Council of the RM of Ste. Anne has reviewed its other practices regarding prayer and invocation prior to day Council meetings and hereby confirms that no other changes will be made to Council meeting practices at this time.

Carried.

Council recessed from 11:59 am to 12:58 pm.

S/D File #4175-15-7563 (Friesen)**21-16 Massicotte - Courcelles**

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-15-7563, in Pt. RL's 20 and 21-AN-3625, Lots 1 and 2 Plan 31609, to subdivide 2 approx. 3 acre parcels, held under CT #'s 2525784 and 2478678, to create 3 approx. 2 acre parcels for Rural Residential purposes, in an area zoned "A" Agriculture and designated a Rural Agriculture area;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-15-7563, is hereby approved on the following conditions:

- a) That the applicant obtain a Legal Plan prepared by a Manitoba Land Surveyor, to determine the site widths, site areas and 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;
- b) That the applicant obtain any necessary variations as a result of the Plan;
- c) That the lands affected by this subdivision be re-designated to a Rural Residential area in the RM of Ste. Anne Development Plan; and
- d) That a contribution of \$750.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

HEARING DECISION(s)**CU #05-15 (Rising Hope Dairy Inc.)****22-16 Massicotte - Courcelles**

WHEREAS a Technical Review Public Hearing was held for Conditional Use Order (CU) #05-15, in accordance with amended Zoning By-Law #10-2010, to allow the expansion of the existing livestock dairy operation to greater than 200 animal units, from the current 450 to a maximum of 1200 animal units, on property identified as Pt. NW ¼ 30-8-6E, in an area zoned "A" Agriculture;

(Cont'd from Page 5)

BE IT RESOLVED that CU #05-15 be hereby approved on the condition that the property owner be held financially responsible for extraordinary road repairs or maintenance required due to the agricultural operations, to be determined at the sole discretion of Council.

Carried.

NOTICE OF MOTION

Res #569-15

23-16 Lansard - Eros

WHEREAS Resolution #569-15 accepted a quotation as submitted by Setlack Enterprises Ltd. for snow clearing in various locations in the Municipality and the company has now informed Council that there was an error on the accepted quotation;

AND WHEREAS Councillor Kevin Lansard presented written notice at the December 9, 2015 Council meeting, that he wishes to rescind Resolution #569-15;

BE IT RESOLVED that Resolution #569-15 be hereby rescinded.

Carried.

IN CAMERA

24-16 Courcelles - 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

25-16 Eros - Saindon

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

DELEGATION

1:30 pm Richard Ewen and Natalie Yourchek, of Manitoba Housing, attended the meeting to discuss by-law enforcement of property owned by Manitoba Housing. Albert Blatch also attended the meeting and was allowed to speak during the delegation.

RFD/GFD Fire Calls

26-16 Courcelles - Massicotte

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

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

Carried.

IN CAMERA

27-16 Eros - Lansard

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

28-16 Lansard - Courcelles

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

B/L Enf Report

29-16 Courcelles - Eros

BE IT RESOLVED that the detailed January 7, 2016 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.

Staff Cell Phone Charges

30-16 Lansard – Saindon

WHEREAS Resolution #118-12 required the Municipality to charge employees for any cell phone charges over and above basic cell phone plans;

BE IT RESOLVED that Resolution #118-12 be hereby rescinded.

Carried.

Randy left the meeting at 3:11 pm.

COMMITTEE REPORTS

Chairman of the Transportation Committee reported on the following:

- More upgrades to Loewen Boulevard/Townline Road are being discussed
- Property owners adjacent to Kropp Road will be contacted regarding a realignment to the road

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

ADJOURNMENT

31-16 Courcelles - Reimer

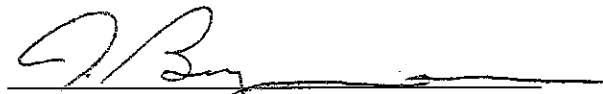
BE IT RESOLVED that the regular meeting be adjourned at 3:30 pm.

Carried.

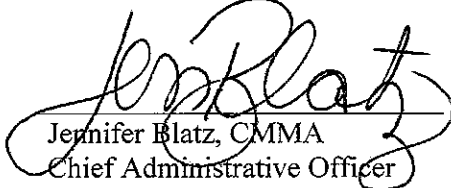
NEXT MEETING(S)

Evening Council Meeting
Day Council Meeting

January 27, 2016 @ 6:30 pm
February 10, 2016 @ 9:00 am



Reeve Art Bergmann
Reeve
RM of Ste. Anne



Jennifer Blatz, CMMA
Chief Administrative Officer
RM of Ste. Anne