

**THE RURAL MUNICIPALITY OF STE. ANNE**

**September 7, 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 September 7, 2016.

Reeve Art Bergmann called the meeting to order at 9:04 am with the following members of Council present: Councillors Renald Courcelles, Jake Reimer, Paul Saindon, Roger Massicotte and Randy Eros. Also present were the CAO Jennifer Blatz and Assistant CAO Nadine Vielfaure.

Councillor Kevin Lansard was absent.

Council opened the meeting with an Invocation.

**ADOPTION OF AGENDA**

**417-16 Courcelles - Eros**

BE IT RESOLVED that the agenda for the regular meeting of September 7, 2016 be adopted as circulated and amended.

**Carried.**

**MINUTES**

**418-16 Saindon - Reimer**

BE IT RESOLVED that the minutes of the regular meeting held on August 17, 2016 be adopted as circulated and amended.

**Carried.**

**FINANCE**

**Cheque Listing**

**419-16 Saindon - Courcelles**

BE IT RESOLVED that the following cheques, numbered 20160900 to 20160985 (inclusive), in the amount of \$160,099.05, be approved for payment.

**Carried.**

**Financial Reports**

**August 2016 Financial Statement**

**420-16 Courcelles - Eros**

BE IT RESOLVED that the Financial Statement for the period ending August 31, 2016 be hereby approved and adopted as presented.

**Carried.**

**CONSENT AGENDA**

**421-16 Courcelles - Eros**

BE IT RESOLVED that the consent agenda consisting of 10 items be adopted as circulated.

**Carried.**

**UNFINISHED BUSINESS**

**Crown Lands Property Agency re: File #70533 – Sale of Crown Land – Received as information.**

**CLPA Lease**

**422-16 Reimer – Courcelles**

WHEREAS the RM of Ste. Anne gravel extraction operation on property identified as Lot 5 Plan 45684 in Pt. NW ¼ 21-7-8E is nearly depleted and the Municipality wishes to extend the operation onto Crown Lands directly south of the said property;

BE IT RESOLVED that the RM of Ste. Anne apply to the Crown Lands Property Agency for a lease on part of property identified as Pt. SW ¼ 21-7-8E in order to extend the existing gravel extraction operation.

**Carried.**

**Opening of LUD Garbage Collection Tenders****423-16 Saindon - Reimer**

WHEREAS By-Law #12-2007, being a by-law establishing a rate for the special services proposal authorizing the collection of garbage within the LUD of Richer, expires on December 31, 2016 and requires a renewing by-law;

AND WHEREAS the Municipality put out a call for tenders for the removal of Garbage in the LUD of Richer for a 3-year term between 2017 and 2019, as requested by LUD of Richer Committee Resolution #41-16 and approved by Council Resolution #205-16;

AND WHEREAS the RM of Ste. Anne Office received four sealed tenders prior to the given deadline;

BE IT RESOLVED that the CAO now open the sealed tenders received and read them to Council.

Carried.

**OPENING OF TENDERS:**

9:29 am – Tender from Derek Barrow - \$34,666.67 in 2017, plus GST

9:30 am – Tender from JR Waste Haulers Ltd. - \$15,288.00 in 2017, plus GST

9:33 am – Tender from Jon's Deck Aid and More - \$14,400.00 in 2017, plus GST

9:35 am – Tender from Emitterra Group - \$49,608.00 in 2017, plus GST

**Awarding of LUD of Richer Garbage Removal Tenders** – Tabled until receipt of LUD of Richer Committee recommendation.

**Subdivision File #4175-08-4815 re: Proteau Drive Public Road** – Councillor Paul Saindon to respond.

**NEW BUSINESS****Permit #124-16 Mail-Out****424-16 Saindon – Courcelles**

WHEREAS the Municipality has received Development Permit application #124-16 for a Home Occupation for a Chimney & Wood Stove Cleaning/Service & Firewood Preparation/Sale which has potential noise and nuisance implications;

BE IT RESOLVED that Council request that the applicant apply for a Conditional Use Order for the intensity of the Home Occupation detailed in Development Permit application #124-16.

Carried.

**Permits****425-16 Eros - Massicotte**

BE IT RESOLVED that Permit #'s 127, 129 and 133-16 be hereby approved as presented to Council, subject to all of the requirements of the Plan Review.

Carried.

**Permit #132-16****426-16 Courcelles - Reimer**

BE IT RESOLVED that Permit #132-16 be hereby approved as presented to Council, subject to all of the requirements of the Plan Review, and on the following conditions:

- a) That the top of the basement floor of the proposed structure be built no more than 4 feet below grade 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.

Council recessed for 10 minutes at 10:05 am.

**Auth. Attend.****427-16 Saindon - Eros**

BE IT RESOLVED that all members of Council and the CAO be hereby authorized to attend a regional roundtable meeting regarding strategic infrastructure investment hosted by Manitoba Indigenous and Municipal Relations, on September 27, 2016 in Steinbach with all associated costs to be paid.

Carried.

**Ste. Anne Immersion PAC re: Play Structure Grant Request – Received as information.**

**Rigby Road**

**428-16 Courcelles - Eros**

WHEREAS the Municipality has received a request from the owners of property identified as Lot 4 Block 1 Plan 16805 in Pt. SW ¼ 28-8-7E to name the Manitoba Infrastructure-controlled service road north of PTH #1 from Road 38E to the Road 46N road allowance to "Rigby Road";

AND WHEREAS normally a Public Hearing is held under Subsection 125(2) of The Planning Act when a Municipal road is opened and named, allowing all the surrounding property owners within 100 meters to be notified of the same but the Municipality has no such requirements when the road being named is under the jurisdiction of Manitoba Infrastructure;

BE IT RESOLVED that a Road Opening Public Hearing be held for all such requests for the naming of a road under Manitoba Infrastructure jurisdiction under the same requirements as Section 125(2) of The Planning Act.

**Carried.**

BY-LAW(s)

**B/L #08-2016**

**2<sup>nd</sup> Reading**

**429-16 Eros - Saindon**

At 10:29 am Councillor Paul Saindon declared an interest in the following matter and left Council Chambers for the discussion and voting of Resolution #429 and 430-16.

BE IT RESOLVED that By-Law #08-2016, being a by-law prescribing the conditions and remuneration for members of the RM of Ste. Anne's Richer and Giroux Fire Departments, be given second reading.

**Carried.**

**B/L #08-2016**

**3<sup>rd</sup> Reading**

**430-16 Courcelles - Eros**

BE IT RESOLVED that By-Law #08-2016, being a by-law prescribing the conditions and remuneration for members of the RM of Ste. Anne's Richer and Giroux Fire Departments, be given third and final reading.

FOR: Reeve Art Bergmann and Councillors Renald Courcelles, Jake Reimer, Roger Massicotte and Randy Eros.

AGAINST: None.

ABSTAIN: None.

ABSENT: Councillors Paul Saindon and Kevin Lansard.

**Carried.**

Councillor Paul Saindon returned to Council Chambers at 10:31 am.

NOTICE OF MOTION/PETITION – None.

**COMMITTEE REPORTS**

The Chairman of the Transportation Committee reported on the following:

- Asphalt repairs/renovations will begin either this later this week or early next week
- Drainage projects are going well
- Parts of Road 30E drainage still needs completion
- A few culverts in Greenland need replacement

**S/D Dev. Agmt.**

**431-16 Saindon – Massicotte**

WHEREAS Subdivision File #4175-11-5288, located on property identified as Pt. SW ¼ 5-7-7E, was approved on the condition, amongst others, that a Development Agreement be entered into with the Municipality, which included the necessity of a Drainage Plan;

AND WHEREAS there is a culvert located at the east side of Road 37E as part of the above-required Drainage Plan which was installed at an insufficient size to accommodate the water flow at this location;

AND WHEREAS Licence to Construct Water Control Works #16-WCW-0937, under Manitoba Sustainable Development File #2.7.278, was issued authorizing the replacement of the two-300 mm culverts with one-600 mm culvert in order to rectify the poor drainage, said work which has not been completed by the Developer to date;

*(cont'd on Page 4)*

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BE IT RESOLVED, under Section 13 of the Development Agreement for Subdivision File #4175-11-5288, that the Developer be given a deadline of 30 days after giving of notice by registered mail to remove the existing above-mentioned culvert and replace it with a culvert as required in the Drainage Plan and, if the Developer fails to do so to the satisfaction of the Municipality, that the Municipality shall carry forward in rectifying the situation as described under Section 13.

Carried.

**COMMITTEE REPORTS(cont'd)**

The Chairman of the Personnel and Policy Committee was absent.

The Chairman of the Environmental Services Committee was absent.

The Chairman of the Protective Services Committee reported on the following:

- A Committee meeting was held at the Fire Hall on September 2, 2016
- A motion will be made closer to 2017 budget deliberations to provide a grant to the STARS on a per-capita basis
- Actions will be taken to create an Emergency Plan specifically for the LUD of Richer
- Civic address signs should include the road name from here forward

**STARS Rescue on the Island**

**432-16 Eros - Saindon**

WHEREAS the Shock Trauma Air Rescue Society (STARS) helicopter will fly Fire Chief Alain Nadeau, along with a group of other Manitoba leaders, to a Manitoba island to leave them in the wilderness, only to be rescued once enough money has been raised to support the program;

AND WHEREAS the STARS organization has provided numerous years of its valuable service to the RM of Ste. Anne in extraordinary emergency situations;

BE IT RESOLVED that the Municipality make a pledge towards the rescue of Fire Chief Alain Nadeau and support for the program, in the amount of \$1,500.00.

Carried.

**HEARING(s)**

**433-16 Eros - Courcelles**

BE IT RESOLVED that a Public Hearing be called to order at 11:00 am for the following applications:

1. **CU #10-16 (Proteau/DeBaets)**  
Conditional Use Order (CU) #10-16 to allow for a previously used home on property identified as Lot 2 Plan 55620 in Pt. NE ¼ 17-8-8E, in an area zoned "R" Residential.
2. **CU #11-16 (Toews/Dueck)**  
Conditional Use Order (CU) #11-16 to allow for a new/expanding livestock operation up to a maximum of 299 animal units on property identified as Lot 2 Plan 57292 in Pt. NE ¼ 9-8-6E, in an area zoned "A" Agriculture.
3. **VO #14-16 (Loewen)**  
Variation Order (VO) #14-16 to include Permitted Accessory Uses Category 'J' (Rail Car Storage Bins) as an Accessory Use Class on property identified as Pt. NE ¼ 10-8-8E, in an area zoned "NE" Natural Environment.
4. **VO #15-16 (Toews/Dueck)**  
Variation Order (VO) #15-16 to vary the minimum separation distance from a single residence to the earthen storage facility for a new/expanding livestock operation up to a maximum of 299 animal units from 1312 feet to approx. 900 feet on property identified as Lot 2 Plan 57292 in Pt. NE ¼ 9-8-6E, in an area zoned "A" Agriculture.

Carried.

**Conditional Use #10-16 (Proteau/DeBaets)**

The Reeve called to order at 11:00 am the Public Hearing for Conditional Use Order (CU) #10-16 to allow for a previously used home on property identified as Lot 2 Plan 55620 in Pt. NE ¼ 17-8-8E, in an area zoned "R" Residential.

The CAO read the notice.



**Conditional Use #11-16 (Toews/Dueck)**

The Reeve called to order at 11:02 am the Public Hearing for Conditional Use Order (CU) #11-16 to allow for a new/expanding livestock operation up to a maximum of 299 animal units on property identified as Lot 2 Plan 57292 in Pt. NE ¼ 9-8-6E, in an area zoned "A" Agriculture.

The CAO read the notice.

**Variation Order #14-16 (Loewen)**

The Reeve called to order at 11:07 am the Public Hearing for Variation Order (VO) #14-16 to include Permitted Accessory Uses Category 'J' (Rail Car Storage Bins) as an Accessory Use Class on property identified as Pt. NE ¼ 10-8-8E, in an area zoned "NE" Natural Environment.

The CAO read the notice.

**Variation Order #15-16 (Toews/Dueck)**

The Reeve called to order at 11:08 am the Public Hearing for Variation Order (VO) #15-16 to vary the minimum separation distance from a single residence to the earthen storage facility for a new/expanding livestock operation up to a maximum of 299 animal units from 1312 feet to approx. 900 feet on property identified as Lot 2 Plan 57292 in Pt. NE ¼ 9-8-6E, in an area zoned "A" Agriculture.

The CAO read the notice.

**HEARING ADJOURNMENT****434-16 Courcelles - Reimer**

BE IT RESOLVED that this Public Hearing be adjourned at 11:09 am.

Carried.

**HEARING DECISION(s)****CU #10-16 (Proteau/DeBaets)****435-16 Courcelles - Reimer**

WHEREAS a Public Hearing was held for Conditional Use Order (CU) #10-16 to allow for a previously used home on property identified as Lot 2 Plan 55620 in Pt. NE ¼ 17-8-8E, in an area zoned "R" Residential;

BE IT RESOLVED that CU #10-16 be hereby approved.

Carried.

**CU #11-16 (Toews/Dueck)****436-16 Massicotte - Courcelles**

WHEREAS A Public Hearing was held for Conditional Use Order (CU) #11-16 to allow for a new/expanding livestock operation up to a maximum of 299 animal units on property identified as Lot 2 Plan 57292 in Pt. NE ¼ 9-8-6E, in an area zoned "A" Agriculture;

BE IT RESOLVED that CU #11-16 be hereby approved.

Carried.

**VO #14-16 (Loewen)****437-16 Courcelles - Saindon**

WHEREAS a Public Hearing was held for Variation Order (VO) #14-16 to include Permitted Accessory Uses Category 'J' (Rail Car Storage Bins) as an Accessory Use Class on property identified as Pt. NE ¼ 10-8-8E, in an area zoned "NE" Natural Environment;

BE IT RESOLVED that VO #14-16 be hereby approved.

Carried.

**VO #15-16 (Toews/Dueck)****438-16 Massicotte - Eros**

WHEREAS a Public Hearing was held for Variation Order (VO) #15-16 to vary the minimum separation distance from a single residence to the earthen storage facility for a 299 animal unit livestock operation up to a maximum of 299 animal units from 1312 feet to approx. 900 feet on property identified as Lot 2 Plan 57292 in Pt. NE ¼ 9-8-6E, in an area zoned "A" Agriculture;

BE IT RESOLVED that VO #15-16 be hereby approved.

Carried.

## NEW BUSINESS(cont'd)

**Permit #122-16****439-16 Saindon - Courcelles**

BE IT RESOLVED that Permit #122-16 be hereby approved as presented to Council, subject to all of the terms and conditions of Variation Order #14-16, approving Resolution #437-16.

Carried.

**Permit #123-16****440-16 Massicotte - Eros**

BE IT RESOLVED that Permit #123-16 be hereby approved as presented to Council, subject to all of the terms and conditions of Conditional Use Order #11-16, approving Resolution #436-16, and Variation Order #15-16, approving Resolution #438-16.

Carried.

**Permit #131-16****441-16 Courcelles - Saindon**

BE IT RESOLVED that Permit #131-16 be hereby approved as presented to Council, subject to all of the terms and conditions of the Plan Review, Conditional Use Order #10-16 approving Resolution #435-16 and with the requirement that the conditions imposed in the Structural Engineer's Report be completed.

Carried.

## IN CAMERA

**442-16 Courcelles - Reimer**

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

**443-16 Courcelles - Reimer**

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

**Fire Calls****444-16 Courcelles - Reimer**

BE IT RESOLVED that the Richer, Giroux and Town of Ste. Anne Volunteer Fire Department fire call reports, for the month of August 2016, be accepted as presented;

BE IT FURTHER RESOLVED that the August 2016 Richer Fire Chief's Report be accepted as presented.

Carried.

**B/L Enf.****445-16 Courcelles - Eros**

BE IT RESOLVED that the detailed September 1, 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.

Council recessed for 31 minutes at 11:51 am.

## DELEGATION(s)

12:30 pm Chris Goertzen, Ralph Groening, Mel Klassen, Brad Saluk, Gavin van der Linde and Joe Masi attended the meeting on behalf of the Association of Manitoba Municipalities to discuss local municipal issues and to provide an update to Council on some current issues that the AMM Board has been involved in.

Council recessed for 22 minutes at 1:30 pm.

1:52 pm Ed Barkman attended the meeting on behalf of Arbey's Ridge Holdings to request that Council assume responsibility over Phase IV of the Arbey Lane Subdivision as all of the requirements of the Development Plan have now been met.

**Arbey's Ridge Holdings Dev. Agmt.**

**446-16 Courcelles - Reimer**

WHEREAS the Developer, Arbey's Ridge Holdings Inc., has met all of the conditions of the Development Agreement pertaining to Subdivision File #4175-14-7358 regarding road construction;

AND WHEREAS the Municipality has received a request, dated August 12, 2016, that the RM of Ste. Anne take over the portion of Arbey Lane which services Phase IV, the final phase of the Arbey's Ridge Subdivision, located on property identified as Pt. SE ¼ 4-7-7E;

BE IT RESOLVED that Council hereby agrees to take over the maintenance of the mentioned portion of Arbey Lane, that all caveats associated with these lots are hereby authorized to be fully discharged and that any law firm requesting a caveat discharge for these properties be hereby authorized to prepare the necessary "Withdrawal of Caveat" for execution, submitting the same to the Municipality for signature;

BE IT FURTHER RESOLVED that the Construction Completion Certificate for the Public Road is hereby authorized to be released to the Developer.

**Carried.**

**ADJOURNMENT**

**447-16 Saindon - Eros**

BE IT RESOLVED that this regular meeting be adjourned at 2:01 pm.

**Carried.**

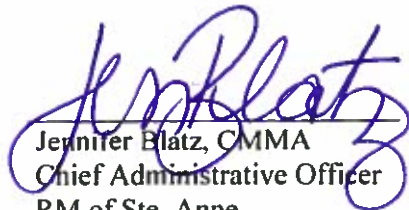
**NEXT MEETING(s)**

Evening Council Meeting  
Day Council Meeting

September 21, 2016 @ 6:30 pm  
October 12, 2016 @ 9:00 am



Art Bergmann  
Reeve  
RM of Ste. Anne



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