

RURAL MUNICIPALITY OF MACDONALD

Sanford Manitoba

MINUTES OF THE MEETING OF COUNCIL OF APRIL 28, 2009

A regular meeting of the Council of The Rural Municipality of Macdonald was held in the Council Chambers at Sanford, Manitoba on Tuesday, April 28, 2009, commencing at 3:00 p.m. In attendance were: Reeve R. Burns and Councillors D. Dobrowolski, G. Lavallee, B. Rex, R. Kirouac, R. Morse, C. Bisson, B. Erb and W. T. Raine, CAO.

178/09 Agenda

R. Morse: B. Rex: BE IT RESOLVED: THAT the meeting agenda for April 28, 2009 prepared by the Reeve and Chief Administrative Officer be hereby approved subject to the following additions:

1. MTS Plan Approval – NE 28-8-2E, La Salle

Carried.

179/09 Minutes

C. Bisson: B. Erb: WHEREAS a copy of the minutes has been provided to each member of Council;

THEREFORE, BE IT RESOLVED: THAT the Council of The Rural Municipality of Macdonald waive the reading of the minutes of the meeting of April 14, 2009;

AND THAT the minutes be adopted.

Carried.

180/09 Accounts

B. Erb: C. Bisson: BE IT RESOLVED: THAT accounts numbered 20090663 to 20090729 dated April 28, 2009 totalling \$129,988.45 be approved and paid.

Carried.

181/09 By-Law No. 13/09 – Amending Designation & Payment of the Public Works Employees

G. Lavallee: D. Dobrowolski: BE IT RESOLVED: THAT By-Law No. 13/09 to amend By-Law No. 28/08 for the Designation and Payment of the Public Works Employees;

BE READ THE FIRST TIME.

Carried.

182/09 By-Law No. 14/09 – Development Agreement – 661842 ALBERTA LTD. and ZIRINO'S AUTO TRUCK AND TRAILER SERVICE, 3697411 MB INC., Pcls 2 & 6 Plan 6867 and pt 2 & 11-10-2E

B. Erb: R. Kirouac: BE IT RESOLVED: THAT By-Law No. 14/09 authorizing the entering into of a Development Agreement with 661842 ALBERTA LTD. and ZIRINO'S AUTO TRUCK AND TRAILER SERVICE, 3697411 MB INC., respecting the development of land in part of Parcels 2 & 6 Plan 6867 and portion of Government Road Allowance (closed) lying between in part 2 & 11-10-2E;

BE READ THE FIRST TIME.

Carried.

183/09 Request for Information – Building Blue Prints

R. Morse: D. Dobrowolski: WHEREAS Section 263(2) of the Municipal Act provides that Council may authorize access to other records not provided for in Section 263(1) of the Act;

AND WHEREAS a request for certain information in regards to Building Permit No. 22/97 has been received;

THEREFORE, BE IT RESOLVED: THAT the Chief Administrative Officer be authorized to provide a copy of the building blue prints to the owners of lot 59-2-25620.

Carried.

184/09 AWWA Networking Event

D. Dobrowolski: B. Rex: BE IT RESOLVED: THAT D. Epler, Water Plant Manager, G. McGorman, D. Vaillant & B. Hampson Water Plant Operators be authorized to attend the American Water Works Association Networking Event, May 27, 2009 in Winnipeg; AND THAT expenses be paid.

Carried.

185/09 MTS Plan Approval – Telecom Service, Oakview Estates, Sanford

G. Lavallee: B. Rex: BE IT RESOLVED: THAT MTS Communications Inc. File No. 9066634-09 for the proposed directional push conduit and placing of cables across Blythefield Road and River Crescent and push cable at 1.5 meter below ditch grade level on 1m line of 3m road allowance located along River Crescent and west of #7 River Crescent to facilitate telecom service for a new 38 lot subdivision in the Sanford area BE APPROVED subject to the following conditions:

1. Minimum 48 hours notice prior to construction;
2. Locating of municipal services prior to construction including repair of any damages and payment of related compensation;
3. The tunneling of all services across municipal road allowances;
4. All cable shall be a minimum of one metre below the ditch;
5. The restoration of all roads and drainage ditches including topsoil and reseeded to the satisfaction of the municipality;
6. Commencing from a date five years from the date of this approval and subject to the provision of a minimum of six months notice, the municipality will not be financially responsible for relocating any facilities of MTS Communications Inc. if this becomes necessary for municipal planning or other reasons;
7. Subject to cable locates provided by MTS Communications Inc. the municipality is not liable for any damages, economic loss, legal costs or physical restoration; and
8. Payment of a \$150.00 administration fee.

AND THAT the Chief Administrative Officer be authorized to sign the plan of the proposed installation on behalf of the Rural Municipality of Macdonald.

Carried.

186/09 Manitoba Hydro – Gas Line Extension, Oakview Estates, Sanford

B. Rex: G. Lavallee: BE IT RESOLVED: THAT Manitoba Hydro Drawing MER #2009-00034 (CD 16354,) for the natural gas component for proposed 4-party utility installation along Lone Oak Close and Junkin Way in Oakview Estates, Sanford BE APPROVED subject to the following conditions:

1. Minimum 48 hours notice prior to construction;
2. Locating of municipal services prior to construction including repair of any damages and payment of related compensation;
3. The tunneling of all services across municipal road allowances;
4. All cable shall be a minimum of one metre below the ditch;
5. The restoration of all roads and drainage ditches including topsoil and reseeded to the satisfaction of the municipality;
6. The municipality will not be financially responsible for relocating any facilities of Manitoba Hydro if this becomes necessary for municipal planning or other reasons; and
7. The municipality is not liable for any damages, economic loss, legal costs or physical restoration;

AND THAT the Chief Administrative Officer be authorized to sign the said plan on behalf of the Rural Municipality of Macdonald.

Carried.

187/09 MTS Plan Approval – Telecom Service, La Salle

R. Kirouac: C. Bisson: BE IT RESOLVED: THAT MTS Communications Inc. File No. 9066644-09 for the directional push of conduit and place cables across the road at 1.5m below ditch grade level located in SE corner of PR 247 and Schaubroeck Road in La Salle area BE APPROVED subject to the following conditions:

1. Minimum 48 hours notice prior to construction;
2. Locating of municipal services prior to construction including repair of any damages and payment of related compensation;
3. The tunneling of all services across municipal road allowances;
4. All cable shall be a minimum of one metre below the ditch;
5. The restoration of all roads and drainage ditches including topsoil and reseeded to the satisfaction of the municipality;
6. Commencing from a date five years from the date of this approval and subject to the provision of a minimum of six months notice, the municipality will not be financially responsible for relocating any facilities of MTS Communications Inc. if this becomes necessary for municipal planning or other reasons;
7. Subject to cable locates provided by MTS Communications Inc. the municipality is not liable for any damages, economic loss, legal costs or physical restoration; and
8. Payment of a \$150.00 administration fee.

AND THAT the Chief Administrative Officer be authorized to sign the plan of the proposed installation on behalf of the Rural Municipality of Macdonald.

Carried.

188/09 Council Meeting – May 12, 2009

B. Rex: R. Morse: WHEREAS the regular meeting of Council on May 12, 2009 is scheduled at 9:00 a.m.;

THEREFORE, BE IT RESOLVED: THAT the regular meeting of Council on May 12, 2009 be rescheduled to commence at 7:00 a.m.

Carried.

Manager of Public Works

Grant Baker, Manager of Public Works, attended the meeting to report on road maintenance; paved street repairs; proposed gravelling and dust control schedule; operations of the Starbuck lagoon; P.R. No. 334 detour; and proposed improvements to culvert gates through the dikes at Sanford and Starbuck

189/09 Reports

R. Morse: B. Rex: BE IT RESOLVED: THAT the following reports be received as information:

- a) Report of the Public Works Manager, Apr. 24/09
- b) Report of the Managers' meeting, March 20/09
- c) Minutes of the Association of Rural Municipalities Capital Region meeting, Apr. 2/09
- d) Report of the Water Audit Quarterly Comparison, as of Apr. 1/09

Carried.

190/09 Correspondence

B. Erb: R. Kirouac: BE IT RESOLVED: THAT the following correspondence be received as information:

- a) D. Shelvey – Ditch in Sanford (7124-0010)
- b) Manitoba Hydro, Apr/09 – “Preventing risky loads on rural roads, Moving guidelines for agricultural farm equipment” (7124-0330)
- c) R. Rentz, P.Eng., MWWS Coordinator, Red River College, Mar. 24/09 – G. McGorman: completion of Level 1 of the 2009 Manitoba Water & Wastewater School
- d) C. Leach, Regional Manager, Manitoba Intergovernmental Affairs, Community Planning Services, Apr. 6/09 – Proposed Subdivision Application, Pcl 2 Plan 38132, SE 29-8-1E, D. McKay
- e) Copy of letter to G. Gaudreau, The Public Utilities Board, Intergovernmental Affairs, from P. J. Peters, President, Gnadenthal Water Co-op Ltd., Apr. 8/09 – PUB fee (7200-0360)
- f) W. Weston, Administrative Secretary, The Manitoba Highway Traffic Board, Apr. 9/09 – Highway Traffic Board hearing, May 5/09 (3000-0020)
- g) C. Leach, Regional Manager, Manitoba Intergovernmental Affairs, Community Planning Services, Apr. 14/09 – Proposed Subdivision Report, SE ¼ 31-8-2W, A. R. Johnson Estate
- h) J. Green, Administrative Assistant, Association of Manitoba Municipalities, Apr. 14/09 – Government responses to 2008 Convention resolutions (1320-0060)
- i) S. Zilkie (Derksen), Office Manager, Community Futures Triple R Corporation, Apr. 22/09 – May Seminars (1320-0030)
- j) Manitoba Public Utilities Board Act, Apr. 17/09 – Order No. 39/09: Concerning the Disconnection of Water and/or Sewer Service for Non-payment of Accounts (7200-0092)
- k) D. J. Unruh, Executive Consultant, Partnership of the Manitoba Capital Region, Apr. 1/09 – Annual membership fees (1320-0085)
- l) J. H. Dixon, Monk, Goodwin, Apr. 21/09 – Samborski Garden Supplies Ltd.
- m) G. & S. Dyck, Apr. 23/09 – Building Permit, NE 34-9-1W
- n) G. Cosman, President, Nestlé Waters Canada, Apr. 3/09 – Environmental stewardship and health benefits associated with bottled water (5160-0060)
- o) A. Mason, ENCL, 2197765 Ontario Limited COB, ECO Green Canada, Apr. 3/09 – Landfill waste management (4330-0010)
- p) C. Sychyshyn, Finance Supervisor/Administrative Officer, Manitoba Agriculture, Food & Rural Initiatives, Apr. 6/09 – Crown Land Rental Rates – 2009 Survey (7124-0060)
- q) R. Menon, P.Eng., General Manager, Manitoba Infrastructure & Transportation, Apr. 8/09 – MWSB – Long Term Capital Plan for 1020-11 & Beyond (7200-0093)
- r) Lorman Education Services – Employment Standards Code seminar, May 8/09, Winnipeg (3221-0010)
- s) Association of Manitoba Municipalities, Apr. 9/09 – News Bulletin (1320-0060)
- t) A. O’Connor, Sanford Collegiate – Invitation to Sanford Collegiate Drama Production: “Usher: A Totally Teen Comedy” (1100-0010)
- u) Access West, Spring 2009 (1320-0030)
- v) Lincoln Institute of Land Policy – Land Lines, Apr/09 (6100-0100)
- w) Citizenship and Immigration Canada – *Plan Canada: Welcoming Communities: Planning for diverse populations* and *Our Diverse Cities: Prairies Region (credenza)*
- x) C. Leach, Regional Manager, Manitoba Intergovernmental Affairs, Community Planning Services, Jan. 27/09 – Proposed Subdivision, D. & M. Lagace, N½ of NW 29-9-2E
- y) T. Stuart, M.Sc., P.Biol., City Entomologist, Apr. 14/09 – Nuisance Mosquito Control Estimate (7121-0010)
- z) J. Manchulenko, River Valley Aquatics, Apr. 14/09 – Trees available (7200-0040)
- aa) S. Moore, B.R.S., Recreation Director, White Plain Recreation District, Apr. 21/09 – Olympic Torch Replay (summary of Carman meeting) (8111-0010)
- bb) Federation of Canadian Municipalities, Apr. 20/09 – Canada Mortgage & Housing Corporation Announces Municipal Infrastructure Lending Program (1320-0075)
- cc) T. Hopper, Seaco Marine Inc., Apr. 24/09 – 165 Oakland Rd., fence extension

- dd) R. Whalley & D. Bullough, Apr. 24/09 – Accessory building, Plan 21340 (6100-0100)
- ee) Federation of Canadian Municipalities, Apr. 27/09 – CRTC announces municipal exemption from national do not call list (1320-0075)
- ff) D. Unruh, Executive Consultant, Partnership of the Manitoba Capital Region, Apr. 22/09 – Update – Mar. 19/09 to Apr. 22/09 (1320-0085)
- gg) Federation of Canadian Municipalities, Apr. 22/09 – Elections consent form (1320-0075)
- hh) A. Dickson, General Manager, Manitoba Pork Council, Apr. 27/09 – Swine Influenza (5160-0060)
- ii) M. Brooker, President, ATGIS Geomatics Inc., Jan. 19/09 – Orthophoto Mapping Services (1215-0040)

Carried.

191/09 Meeting Recess

C. Bisson: R. Kirouac: BE IT RESOLVED: THAT the meeting of Council be hereby recessed for the purpose of holding a Public Hearing in the matter of:

7:00 p.m. – Financial Plan

AND to reconvene at the conclusion of the Public Hearing.

Carried.

192/09 By-Law No. 10/09 – 2009 Financial Plan & Annual Tax Rates

B. Erb: R. Kirouac: BE IT RESOLVED: THAT By-Law No. 10/09 under the provisions of The Municipal Act S.M. 1996 c. 58 to fix the rates and levies in accordance with the sums set forth in the record of estimates and schedules of said by-law as follows:

<u>Tax Levy</u>	<u>Mills</u>
Municipal Purposes	14.302
Conservation District.....	.299
Atchison/DeMeyer Drain Area – per acre charge	@ \$2.844
Brady Road Drain Area – per acre charge.....	@ \$3.09
Codner Drain Area – per acre charge.....	@ \$1.400
School - Provincial: Other	16.105
Special - Pembina Trails	25.586
- Seine River S.D. No. 14	24.397
- Red River Valley	23.777
- Prairie Rose	19.158
La Salle Recreation Centre	
- Zone "A"458
- Zone "B"176
Starbuck Hall	
- Zone "Rural"295
- Zone "Urban"405
Sanford Rink – per parcel charge	@ \$67.61
Oak Bluff Sewer – per foot frontage @ \$2.50	2.555
Domain Sewer – per foot frontage @ \$5.16.....	6.233
Starbuck Water – per foot frontage @ \$3.00	2.622
Sanford Water –084
AgriPark Water – per foot frontage @ \$9.23.....	.564
Brunkild Sewer & Water – per foot frontage @ \$6.26.....	16.734
Remote Read Water Meter – per parcel charge	@ \$39.97
Kingswood Sewer Lift Station – per foot frontage	@ \$2.118
Starbuck Sewer Lift Station – per parcel charge @ \$107.09	\$0.483

All rates and taxes imposed and levied in the year 2009 shall be deemed to have been imposed and due and payable on September 30, 2009. Discounts will be allowed on all 2009 taxes paid before September 1, 2009 at the following rates:

On all current taxes paid during the month of June, a discount of 1.26%;
 during the month of July, a discount of .84%; during the month of August,

a discount of .42%; and during the month of September the taxes shall be payable at par.

Penalties will be added at the rate of 1.25% per month, on all arrears of taxes, and commencing October 1, 2009 on 2009 taxes until the taxes are paid or the municipality sells the land liable therefore at Tax Sale;

BE READ THE SECOND TIME.

Carried.

193/09

D. Dobrowolski: G. Lavallee: BE IT RESOLVED: THAT By-Law No. 10/09 BE READ THE THIRD TIME and finally passed and that the Reeve and Chief Administrative Officer be hereby authorized to sign the by-law on behalf of the Council of the Rural Municipality of Macdonald.

Under the requirements of Section 137 of the Municipal Act a record of the voting on the third reading of a by-law must be shown in the minutes.

Vote: 8 — FOR R. Burns, D. Dobrowolski, G. Lavallee, B. Rex
R. Kirouac, R. Morse, C. Bisson, B. Erb
0 — AGAINST

Carried.

194/09 Adjourn

D. Dobrowolski: G. Lavallee: BE IT RESOLVED: THAT this meeting adjourn. Time: 8:05 p.m.

Carried.

THE RURAL MUNICIPALITY OF MACDONALD

Reeve

Chief Administrative Officer

SUBJECT TO APPROVAL

--- APPENDIX 1 ---

RURAL MUNICIPALITY OF MACDONALD
PUBLIC HEARING
April 28, 2009

Minutes of proceedings of Public Hearings held in the Council Chambers of the Rural Municipality of Macdonald at Sanford, Manitoba on Tuesday, April 28, 2009 in regards to:

7:00 p.m. - R. M. of Macdonald 2009 Financial Plan

Attendance

Reeve R. Burns and Councillors D. Dobrowolski G. Lavallee, B. Rex, R. Kirouac, R. Morse, C. Bisson, B. Erb and W. Tom Raine, Chief Administrative Officer.

Notice of hearing was given in accordance with the requirements of the Municipal Act for all matters under consideration at this hearing.

2009 Financial Plan

Details of the proposed expenditures and sources of revenue included in the 2009 Financial Plan were presented. David Grabowsky attended the hearing with respect to the proposed Financial Plan of the municipality.

SUBJECT TO APPROVAL