

Rural Municipality of Macdonald

Sanford

Manitoba

MINUTES OF THE MEETING OF COUNCIL OF JULY 27, 2010

A regular meeting of the Council of The Rural Municipality of Macdonald was held in the Council Chambers at Sanford, Manitoba on Tuesday, July 27, 2010, commencing at 3:00 p.m. In attendance were: Reeve R. Burns and Councillors D. Dobrowolski, B. Rex, R. Kirouac, R. Morse, C. Bisson, B. Erb and W. T. Raine, CAO.

290/10 Agenda

B. Rex: D. Dobrowolski: BE IT RESOLVED: THAT the meeting agenda for July 27, 2010 prepared by the Reeve and Chief Administrative Officer be hereby approved subject to the following additions:

1. McGillivray Blvd Sewer & Water
2. Oak Bluff Lagoon

Carried.

Petty Subdivision/Development Agreement

Terrance Petty attended in regards to the completion of his proposed four lot subdivision in part NE 30-8-2 East.

291/10 By-Law No. 10/10 – Macdonald Zoning By-Law Amendment – Map 3, La Salle

R. Kirouac: C. Bisson: BE IT RESOLVED: THAT By-Law No. 10/10 authorizing the amendment of Zoning By-Law No. 15/95, District Map 3, La Salle, as amended, as follows:

1. To re-zone an area described as

All that portion of the E½ of NE¼ 30-8-2 EPM which lies to the East of the River La Salle Exc Plan 33172 WLTO as the same is shown shaded on the attached Schedule "A"

be hereby reclassified from "AR" Agricultural Restricted Zone to "RS" Residential Suburban Zone.

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: 7 — FOR R. Burns, D. Dobrowolski, B. Rex
R. Kirouac, R. Morse, C. Bisson, B. Erb

0 — AGAINST

Carried.

292/10 Variation No. 24/10 – T. Petty & A. Parker, pt NE¼ 30-8-2E, La Salle

R. Kirouac: B. Erb: WHEREAS the "RS" Residential Suburban Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides that the minimum site width is 150 feet;

THEREFORE, BE IT RESOLVED: THAT Variation No. 24/10 of Terrance Petty & Anne Parker affecting

NE¼ 30-8-2E (6 210 PR 247E), La Salle

BE APPROVED to allow a site width of 120 feet on Lot 1 as shown on a proposed plan of subdivision prepared by Stoffel Surveys dated January 15, 2007.

Carried.

293/10 Variation No. 25/10 – T. Petty & A. Parker, pt NE¼ 30-8-2E, La Salle

R. Kirouac: C. Bisson: WHEREAS the “RS” Residential Suburban Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides that the minimum site width is 150 feet;

THEREFORE, BE IT RESOLVED: THAT Variation No. 25/10 of Terrance Petty & Anne Parker affecting

NE¼ 30-8-2E (6 210 PR 247E), La Salle

BE APPROVED to allow a site width of 120 feet on Lot 2 as shown on a proposed plan of subdivision prepared by Stoffel Surveys dated January 15, 2007.

Carried.

294/10 Variation No. 26/10 – T. Petty & A. Parker, pt NE¼ 30-8-2E, La Salle

R. Kirouac: B. Erb: WHEREAS the “RS” Residential Suburban Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides that the minimum site width is 150 feet;

THEREFORE, BE IT RESOLVED: THAT Variation No. 26/10 of Terrance Petty & Anne Parker affecting

NE¼ 30-8-2E (6 210 PR 247E), La Salle

BE APPROVED to allow a site width of 120 feet on Lot 3 as shown on a proposed plan of subdivision prepared by Stoffel Surveys dated January 15, 2007.

Carried.

295/10 Variation No. 27/10 – T. Petty & A. Parker, pt NE¼ 30-8-2E, La Salle

R. Kirouac: C. Bisson: WHEREAS the “RS” Residential Suburban Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides that the minimum site width is 150 feet

THEREFORE, BE IT RESOLVED: THAT Variation No. 27/10 of Terrance Petty & Anne Parker affecting

NE¼ 30-8-2E (6 210 PR 247E), La Salle

BE APPROVED to allow a site width of 120 feet on Lot 4 as shown on a proposed plan of subdivision prepared by Stoffel Surveys dated January 15, 2007.

Carried.

296/10 Minutes

B. Rex: D. Dobrowolski: 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 regular meeting of July 13, 2010;

AND THAT the minutes be adopted.

Carried.

Recreation & Parks Services Feasibility Study

Susanne Moore, Recreation Director with Macdonald-Headingley Recreation District attended the meeting to discuss details of the proposed Recreation & Parks Services Feasibility Study.

297/10 Accounts

B. Erb: C. Bisson: BE IT RESOLVED: THAT accounts numbered 20101362 to 20101457 dated July 27, 2010 totalling \$161,232.02 be approved and paid.

Carried.

298/10 RM of Macdonald ~ Municipal Employee Code of Conduct

R. Kirouac: B. Erb: WHEREAS Section 131.1(1) of The Municipal Act requires that a council must establish a code of conduct for employees of the municipality that includes conflict of interest rules;

THEREFORE, BE IT RESOLVED: THAT the Rural Municipality of Macdonald Municipal Employee Code of Conduct dated July 27, 2010 BE ADOPTED.

Carried.

299/10 Supplementary Taxes

D. Dobrowolski: B. Rex: BE IT RESOLVED: THAT under the provisions of Section 326 of "The Municipal Act", the Chief Administrative Officer be ordered to add the amount of assessment as submitted by the Assessment Officer, dated July 21, 2010 to the 2010 tax rolls;

AND THAT the tax statements for the current and last previous year be prepared accordingly to be due and payable December 31, 2010.

Carried.

300/10 Assessment Reduction

R. Morse: B. Rex: WHEREAS under the provisions of Section 300(6) of "The Municipal Act", a municipality may correct its tax roll and cancel or reduce taxes in respect of a property if the assessor reports that the assessment of the property requires reduction because of a change in the physical condition of the property;

THEREFORE, BE IT RESOLVED: THAT the Chief Administrative Officer be ordered to reduce the amount of assessment as submitted by the Assessment Officer, dated July 21, 2010 and that the necessary adjustment be made to the 2010 tax roll.

Carried.

301/10 Agricultural Disaster

B. Rex: R. Morse: WHEREAS the Rural Municipality of Macdonald is in a disastrous agricultural situation due to extreme weather conditions, mainly from excessive rains causing flooding of fields;

AND WHEREAS these excessive rains have created inability to seed crops, inability of crops to grow and saturation of cropland, pasture and hay;

AND WHEREAS this disaster has created a devastating effect on all facets of the agricultural industry;

NOW THEREFORE, BE IT RESOLVED: THAT Council declares an Agricultural Disaster in the Rural Municipality of Macdonald;

AND FURTHER BE IT RESOLVED: THAT the Federal and Provincial Governments take immediate action to assist the farms with this disaster.

Carried.

302/10 By-Law No. 17/10 – Macdonald Zoning By-Law Amendment –Map 5

B. Erb: C. Bisson: BE IT RESOLVED: THAT By-Law No. 17/10 authorizing the amendment of Zoning By-Law No. 15/95, District Map 5, Oak Bluff, as amended, as follows:

1. To re-zone an area described as

All that portion of Block 1, Plan 16875 WLTO in SE¼ 25-9-1 EPM lying east of a straight line drawn Northerly at right angles to the Southern limit of said quarter section from a point in same distant Westerly thereon 572 metres from the South East corner of the said quarter section

as the same is shown shaded on the attached Schedule "A"

from "AR" Agricultural Restricted Zone to "RG-1" Residential General-1 Zone

BE READ THE FIRST TIME.

Carried.

303/10 Meeting Recess

B. Erb: D. Dobrowolski: BE IT RESOLVED: THAT the meeting of Council be hereby recessed for the purpose of holding a Public Hearing in the matter of:

4:00 p.m. – Conditional Use 43/10 & Variation No. 44/10 – Rollie's Transfer
AND to reconvene at the conclusion of the Public Hearing.

Carried.

Municipal Solicitor

James Dixon, Monk, Goodwin, attended the meeting to discuss various legal files that are presently under consideration on behalf of the municipality.

304/10 Lot 16 Drainage Survey

B. Erb: R. Kirouac: BE IT RESOLVED: THAT the Lot 16 drainage survey proposal of Genivar dated July 19, 2010 BE APPROVED at a cost of \$11,600.00

Carried.

305/10 Request for Information – Building Blue Prints

C. Bisson: B. Erb: 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. 90/03 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 57-2-25620.

Carried.

Councillor Lavallee

Councillor Gilles Lavallee attended the meeting at 5:10 p.m.

Manager of Public Works

Grant Baker, Manager of Public Works, attended the meeting to discuss the drainage program; street paving and repair; cleanup from the May 28 & 29 heavy rainfall event; the public reserve adjacent to Vouriot Road south of PR #247 in La Salle; and progress on the installation of land drainage systems.

306/10 Reports

G. Lavallee: B. Rex: BE IT RESOLVED: THAT the following reports be received as information:

- a) Report of the Public Works Manager, July 27/10
- b) Minutes of the Macdonald-Ritchot Planning District meeting, July 19/10
- c) Minutes of the Oak Bluff & Area Subdivision Committee meeting, July 20/10
- d) RM of Macdonald – Building Permit Comparative Data to July 23/10

Carried.

307/10 Correspondence

B. Erb: C. Bisson: BE IT RESOLVED: THAT the following correspondence be received as information:

- a) J. Schrof, Treasurer, Meridian Arts Festival – note of appreciation
- b) M. Leppy, Manufacturer's Representative, Sprung Instant Structures Ltd. – Innovative Building Solutions
- c) D. Lemelin, National President, Canadian Union of Postal Workers, June 28/10 – The Canadian Postal Service Charter & the Future
- d) A. Lee, Office Manager, Reliable Tire Recycling, June 30/10 – Scrap Tire Pickup Agreement
- e) K. Donnelly, General Manager, New Heights Industries, July 7/10 – Professional Safety Training and/or Consulting

- f) Copy of letter to C. Hewitt from K. Barkman, Superintendent & CEO, Red River Valley School Division, July 8/10 – Sanford Collegiate Parking
- g) Copy of letter to B. R. Simard, Boulevard Consultants from R. Gibbons, Secretary, The Municipal Board, July 9/10 – Assessment Appeals
- h) R. Lemieux, Minister of Local Government, July 8/10 – Federal Gas Tax Extension Agreements / Initial 2010 Payments
- i) P. Papadimitropoulos, Regional Technical Services Engineer, Manitoba Infrastructure & Transportation, July 12/10 – Starbuck culvert installation request
- j) Federation of Canadian Municipalities, July 12/10 – Member Advisory
- k) West Nile Virus Update #5, July 14/10
- l) T. Peters, Dillon Consulting, July 15/10 – Drainage Update at McCreary Road
- m) Federation of Canadian Municipalities News – Week of July 12th
- n) Federation of Canadian Municipalities, July 15/10 – Municipal Marketplace
- o) G. Junkin, July 20/10 – Provincial Trunk Highways – Mowing
- p) D. Belbin, Events Coordinator, Association of Manitoba Municipalities, July 20/10 – AMM representative meeting with Council, Aug. 3/10
- q) Province of Manitoba: News Release, July 20/10: Province Announces Disaster Financial Assistance Program for Severe Spring & Summer Flooding
- r) Federation of Canadian Municipalities News – Week of July 19th
- s) Workers Compensation Board of Manitoba – Update, June 2010
- t) Candice Hoepfner, MP, Portage-Lisgar, June /10 – Keeping in Touch
- u) New Pension Legislation Amendments and the Municipal Employees Pension Plan
- v) St. Wiebe, President & GM, and B. VanHeyst, Manager, Professional Services, NorthWest Digital, July 21/10 – Announcement: Better Together – NorthWest Digital & MicroAge to join forces eff. Oct. 1/10
- w) R. Gibbons, Secretary, The Municipal Board, July 14/10 – RM of Macdonald By-Law No. 2/10, Multi-purpose Recreation & Fitness Centre
- x) D. Garcia, Certification Coordinator, Water & Wastewater Facility Operators Certification Program, Manitoba Conservation, July 15/10 – Operator Certification Examination – Wastewater Collection Class II
- y) C. Hoepfner, MP, Portage–Lisgar, July 19/10 – Annual pre-budget consultation hearings
- z) D. Zinkiew, General Manager, Taxervice, July 21/10 – 2010 Tax Arrears Collection & Tax Sale
- aa) Genivar – Notice of Tender: Sanford Water Treatment Plant Upgrades; Contract 1: Civil Works and Contract 2: Building Structural Works

Carried.

308/10 Adjourn

B. Erb: R. Kirouac: BE IT RESOLVED: THAT this meeting adjourn. Time: 8:25 pm

Carried.

THE RURAL MUNICIPALITY OF MACDONALD

Original Signed by

“R. Burns”

Reeve

“W. T. Raine”

Chief Administrative Officer

--- APPENDIX 1 ---

RURAL MUNICIPALITY OF MACDONALD

PUBLIC HEARING

July 27, 2010

Minutes of proceedings of Public Hearings held in the Council Chambers of the Rural Municipality of Macdonald at Sanford, Manitoba on Tuesday, July 27, 2010 in regards to:

4:00 p.m. – Conditional Use 43/10 – Rollie's Transfer Co. Ltd., 7-47966
(Samborski Garden Supplies Ltd. – owner)

Attendance

Reeve R. Burns and Councillors D. Dobrowolski, 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 Planning Act for all matters under consideration at this hearing.

Conditional Use No. 43/10 & Variation No. 44/10 – Rollie's Transfer Co. Ltd., Lot 7-47966

Rolland Bazinet with Rollie's Transfer and Bob Garet, President, North Perimeter Construction Ltd. attended in support of the application to locate a self storage facility at 178 Samborski Drive. The facility would include the construction of a warehouse to be used as part of the transfer business, two climate controlled mini-storage buildings and the construction of five cold storage buildings. In addition there would be some outside storage within the centre of the property behind the buildings for vehicles associated with the transfer business and personal storage of recreation vehicles. The entire property would be fenced with chain link fencing. In order to locate the proposed buildings within the available area of the lot, a variation of the minimum front yard setback of 50 feet to 25 feet was also requested for one of the climate controlled buildings.

Ian Corbitt, Associate Broker with Shindico attended in support of the application.

Adel Takla, Magdy Dawood and Nadia Messiha attended representing the St. Mark Coptic Orthodox Church who is the owner of the adjacent property north of the proposed warehouse development. They are concerned with the truck traffic adjacent to their property, the width of the existing roads to accommodate the movement of truck traffic and the possible hours of operation at the proposed self storage facility.