

**RURAL MUNICIPALITY OF ROSSER
REGULAR MEETING
DECEMBER 15, 2009**

Minutes of the Regular Meeting of Council of the Rural Municipality of Rosser held in the Municipal Council Chambers at Rosser, Manitoba on Tuesday, December 15, 2009 at 9:00 a.m.

PRESENT

Reeve – Alice Bourgouin – present

Councillors:

Ward 1 – George Boonstra – present

Ward 2 – Scott Corbett – present

Ward 3 – Gordon Grenkow – present

Ward 4 – Kelvin Stewart – present

Chief Administrative Officer (CAO) – Beverley Wells – present

Assistant Chief Administrative Office – Lori Sheldon – present

Public Works Foreman – Randy Slatcher present during the Public Works portion of the meeting.

CALLED TO ORDER

Reeve Alice Bourgouin called the meeting to order at 9:02 a.m.

ADOPTION OF AGENDA

Adopt Agenda Resolution No. 482/09
Grenkow – Stewart
BE IT RESOLVED THAT the agenda for the December 15, 2009 regular meeting of Council of the Rural Municipality of Rosser is approved; subject to following additions:

- 1) CAO Report – Manitoba Hydro – Hydro towers in Grosse Isle
– Fillmore Riley – Legal matters
- 2) Planning – D’Arcy & Deacon – Public Hearing notice requirements

Carried

MINUTES

Adopt Minutes Resolution No. 483/09
Nov 30/09 Stewart – Boonstra
BE IT RESOLVED THAT the minutes of the special meeting of Council of November 30, 2009, are approved as circulated.

Carried

Adopt Minutes Resolution No. 484/09
Dec 1/09 Corbett – Stewart
BE IT RESOLVED THAT the minutes of the regular meeting of Council of December 1, 2009, are approved as circulated.

Carried

FINANCE

Payment of Resolution No. 485/09
Accounts Boonstra – Corbett
BE IT RESOLVED THAT the report of the Legislative and Finance Committee be received, that the following accounts be paid: General cheque numbers 11345 through 11379 in the amount of \$59,630.86, that payments made after the December 1, 2009 meeting cheque numbers 11344 in the amount of \$5,744.55 and payroll in the amount of \$11,366.06, be approved.

Carried

Adopt Financial Resolution No. 486/09
Report – Nov. Corbett – Grenkow
BE IT RESOLVED THAT the Financial Report for the eleven months ended November 30, 2009 is received as information.

Carried

DELEGATION

- 1) CentrePort
 - a) Bob Brown, RLB Consulting attended the meeting to provide an update on issues related to the development of lands within the CentrePort area.
 - b) Frances Smee and Chris Barsanti, Rosser Development Committee attended the meeting to obtain an update on the CentrePort area.

PUBLIC HEARING

Conditional Use No. RC 10/09
5685932 Manitoba Ltd., CB Richard Ellis, Owner
5899398 Manitoba Ltd., JEH Windows & Doors, Applicant

Reeve Bourguin called the Public Hearing to order at 10:06 p.m. regarding Conditional Use No. RC 10/09. The applicant, 5899398 Manitoba Ltd., JEH Windows & Doors to allow for the proposed establishment of a PVC Window Manufacturing Facility on Lot 5, Block 2 Plan 46696, Bryan Bay in Pt. NE Section 27-11-2EPM.

Chief Administrative Officer Beverley Wells read out the application.

The following were in attendance:

Applicant/Presentation – Robert Scaletta presented the proposal for the conditional use.

Applicant/Presentation – Jack Jedrzejewski presented the proposal for the conditional use

Reeve Bourguin closed the Public Hearing at 10:15 a.m.

DELEGATION

- 2) George Willis, Rockwood-Rosser Weed District attended the meeting to request Council to apply a weed levy on Roll No. 41200, 91000 and 94900. **Refer to Resolution No. 487/09.**

Resolution No. 487/09

Corbett – Boonstra

Added Weed
Levy – Roll No.
41200, 91000 &
94900

WHEREAS Section 28(1) of the Noxious Weeds Act permits a council of a municipality, upon the recommendation of the Municipal Noxious Weeds Inspector of the Weed Control Board, by resolution, to levy a charge upon any land which is found to be infested with noxious weeds with the charge not to exceed \$10.00 for each acre of land so infested;

AND WHEREAS the Municipal Noxious Weeds Inspector of the Rockwood-Rosser Weed Control Board has recommended the Special Levy be charged for the following properties infested with noxious weeds:

Part NE 23-11-1E, Roll No. 41200, Joseph Krowiak,
Part NE 34-11-2E, Roll No. 91000, Joseph Krowiak, and
Part SE 3-12-2E, Roll No. 94900, Joseph Krowiak;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Rosser authorize a Special Levy, pursuant to Section 28(1) of the Noxious Weeds Act, to be levied against the following property, in the amount of \$10.00 for each acre of land so infested, for the year 2010:

Part NE 23-11-1E, Roll No. 41200, Joseph Krowiak,
Part NE 34-11-2E, Roll No. 91000, Joseph Krowiak, and
Part SE 3-12-2E, Roll No. 94900, Joseph Krowiak;

AND BE IT FURTHER RESOLVED THAT pursuant to Sections 28(3) and (4) of the Noxious Weeds Act, the special Levy shall be added to the applicable Tax Rolls for 2010 and the charges shall be collected in the same manner as other taxes imposed by the Municipality.

Carried

Resolution No. 488/09

Set 2010
Interim Budget

Stewart – Corbett

WHEREAS in accordance with Section 163 of “The Municipal Act” provides that a council may adopt an interim operating budget to have effect only until the council adopts the operating budget for the fiscal year 2010;

THEREFORE BE IT RESOLVED THAT the interim operating budget is adopted as follows:

OPERATING REQUIREMENTS

General Government Services	\$170,000.00
Protective Services	20,000.00
Transportation Services	225,000.00
Environmental Health Services	12,000.00
Public Health & Welfare Services	1,000.00
Environmental Development Services	5,000.00
Economic Development Services	10,000.00
Recreation & Cultural Services	25,000.00
Total Operating Requirements	<u>\$468,000.00</u>

CAPITAL REQUIREMENTS

Borne by Operating	\$50,000.00
Borne by Reserves	200,000.00
Total Capital Requirements	<u>\$250,000.00</u>

Carried

Resolution No. 489/09

Adopt 2010
Wages & Salary
Schedule

Stewart – Boonstra

BE IT RESOLVED THAT the 2010 wage and salary schedule is hereby adopted as per the attached Schedule “A”.

Carried

Resolution No. 490/09

Agree. No. 28-09
Remuneration &
Duties for Senior
Election Officer

Boonstra – Corbett

WHEREAS subsection 250(2)(d)(i) of “The Municipal Act” authorizes a Municipality to enter into an agreement with a person;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Rosser enters into Agreement No. 28-09, with Roger Bouvier, Senior Election Officer, respecting the establishment of duties and setting of remuneration for the general election on October 27, 2010.

AND FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to execute agreement.

Carried

DELEGATION

- 3) Lynden Krym, Jake Voth and Ed Van Hulle, Concerned Citizens of Sturgeon Creek Watershed attended the meeting to provide a presentation regarding Sturgeon Creek Drain. **Refer to Resolution No. 502/09.**

Council broke for lunch from 12:35 p.m. – 1:20 p.m.

PUBLIC WORKS REPORT

Public Works report contained items as follows:

1. Grosse Isle Water & Sewer Project - Sewer Service Depth
 - a. J.R. Cousin Consultants Ltd. Letter to Dig-All Construction
 - b. Dig-All Construction letter to J.R. Cousin Consultants Ltd.

- c. J.R. Cousin Consultants Ltd. Letter to Dig-All Construction
- 2. Manitoba Infrastructure and Transportation - maintenance of service road along PTH 7.
- 3. Manitoba Public Insurance - 2001 GMC immobilizer installation.
- 4. Public Works
 - a. Ditching

Public Works
Report

Resolution No. 491/09

Grenkow – Corbett

BE IT RESOLVED THAT the Public Works report dated December 15, 2009 is received as information and items dealt with as instructed by Council.

Carried

CHIEF ADMINISTRATIVE OFFICER REPORT

CAO report contained items as follows:

1. Roger A. Bouvier, Senior Election Officer – Agreement No. 28-09. **Refer to Resolution No. 490/09.**
2. MB Conservation, Wildlife & Ecosystem Protection Branch – Hunting near BFI.
3. Grantham Law Office – Removal of Topsoil from lands by-law. **Lawyer to proceed with preparation of by-law.**
4. Manitoba Municipal Administrators’ Association – Leadership in Safety Excellence Seminar – January 22, 2009. **Refer to Resolution No. 492/09.**
5. Fillmore Riley – Legal Matter
6. Manitoba Hydro – hydro towers in Grosse Isle. **Refer to Resolution No. 494/09.**
7. Website
 - a. Tab for Rosser Curling Club Hall Rentals
 - b. By-laws

MMAA Seminar
Leadership in
Safety Excellence

Resolution No. 492/09

Corbett – Stewart

BE IT RESOLVED THAT the Reeve, Councillors and Public Works Foreman be authorized to attend the Manitoba Municipal Administrators Association, Leadership in Safety Excellence Seminar on January 22, 2010 in Winnipeg;

AND FURTHER BE IT RESOLVED THAT expenses be paid.

Carried

Broda Group
Request for
D’Arcy & Deacon
Letter – Public
Hearing Notice

Resolution No. 493/09

Stewart – Boonstra

WHEREAS subsection 263(2) of The Municipal Act provides that the Chief Administrative Officer may provide access to other municipal records not included in subsection 263(1) if the council authorized the record to be provided;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Rosser authorizes the Chief Administrative Officer to provide a copy of the D’Arcy & deacon letter dated December 11, 2009 regarding Conditional Use Application RC 9/09 to Gordie Broda, President of Broda Group of Companies.

Carried

Provide copies of
MB Hydro letter
Regarding PTH 6
Construction

Resolution No. 494/09

Boonstra – Corbett

WHEREAS subsection 263(2) of The Municipal Act provides that the Chief Administrative Officer may provide access to other municipal records not included in subsection 263(1) if the council authorized the record to be provided;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Rosser authorizes the Chief Administrative Officer to provide a copy of the Manitoba Hydro letter dated December 10, 2009 regarding Proposed Highway Construction Project – PTH No. 6, Vicinity of Grosse Isle to residents of the R.M. of Rosser.

Carried

CAO Report Resolution No. 495/09
Corbett – Stewart
BE IT RESOLVED THAT the Chief Administrative Officer report and miscellaneous information, publication list dated December 15, 2009 are received as information and dealt with as instructed by Council.

Carried

CORRESPONDENCE

Correspondence Resolution No. 496/09
Corbett – Boonstra
BE IT RESOLVED THAT the correspondence items received are dealt with as follows:

1. The Public Utilities Board - Board Order 160/09 Interim Utility Rate **See By-law No. 14-09 - to establish interim *ex parte* basis initial sewer and water rates within said community of Grosse Isle and Rosser Rural Regional Water.**
2. Manitoba Infrastructure and Transportation - The Manitoba Water Services Board - Cartier Regional Water Rates effective April 1, 2010 - \$8.13 per 1000 gallons. **Received as information.**

Carried

BY-LAWS

BL 14-09 Resolutions No. 497/09
Set Interim Stewart – Grenkow
Utility Rate BE IT RESOLVED THAT By-law No. 14-09, to establish interim *ex parte* basis
1st Reading initial sewer and water rates within the said community of Grosse Isle and Rosser Rural Regional Water, be given first reading at this meeting.

Carried

BL 14-09 Resolutions No.498 /09
Set Interim Grenkow – Boonstra
Utility Rate BE IT RESOLVED THAT By-law No. 14-09, to establish interim *ex parte* basis
2nd Reading initial sewer and water rates within the said community of Grosse Isle and Rosser Rural Regional Water, be given second reading at this meeting.

Carried

PLANNING

1. South Interlake Planning District – Conditional Use No. RC 10/09 - establish a PVC Window Manufacturing Facility on Lot 5, Block 2, Plan 46696. **Refer to Resolution No. 499/09.**
2. South Interlake Planning District - November 2009 Building Permit Summary. **Received as information.**
3. South Interlake Planning District - Proposal to Subdivide 22-12-2E - Klimpke. **Received as information.**
4. South Interlake Planning District - building construction Pt. SW 35-11-1E. **Received as information.**
5. Manitoba Conservation, Environmental Stewardship Division - Paterson GlobalFoods Inc., request for minor alteration. **Received and information.**
6. Outdoor Solutions Inc. & Rosser Soil & Landscaping Supplies Inc. - Agreement No. 29-09. **Refer to Resolution No. 500/09.**
7. RM of St. Francois Xavier - public hearing notice regarding By-law 16-2009 being an amendment to the RM of St. Francois Xavier Zoning By-law 13-1997, as amended. **Receive as information.**
8. D’Arcy & Deacon – Public Hearing notice requirements for the Conditional Use No. RC 9/09 filed by the Broda Group. **The December 17, 2009 Public Hearing has been postponed to February 10, 2009 @ 6:00 p.m.**

Resolution No. 499/09

Conditional Use
No. : RC 1009
PVC Window
Manufacturing

Corbett – Stewart

WHEREAS:

- a.) With permission of the owner, 5685932 Manitoba Ltd., the applicant, 5899398 Manitoba Ltd., JEH Windows & Doors, intends to establish a PVC window manufacturing facility, on property legally described as Lot 5, Block 2, Plan 46696 WLTO;
- b.) The property is zoned “CH” Highway Commercial Zone in the Municipality’s Zoning By-law 4-85;
- c.) Part VI – Commercial Zones, Table VI-II Highway Commercial Use Table requires a conditional use for manufacturing;
- d.) The Municipality held a public hearing on December 15, 2009, to receive representations of the applicant and any other person;

THEREFORE BE IT RESOLVED THAT upon completion of the hearing and consideration of the application and the representations made, in accordance with Section 106 of The Planning Act, Council of the Rural Municipality of Rosser hereby order:

Approval of application File RC 10/09 and conditional use of Part VI – Highway Commercial Zone, Table VI-II Commercial Use Table for manufacturing, with the following conditions:

The Applicant/Owner understands and appreciates surrounding land use and agrees with the following conditions pertaining to the subject property:

- 1. That the applicant and/or owner be allowed to establish a PVC window manufacturing facility on Lot 5, Block 2, Plan 46696 WLTO.
- 2. That the applicant and/or owner comply with any and all other regulations (Federal, Provincial, Department, Agency, etc) affecting the lot in question.
- 3. That, if the approved Conditional Use, RC 10/09, ceases for a period of twelve (12) continuous months, Conditional Use RC 10/09 shall expire.

Carried

Resolution No. 500/09

Agree. No. 29-09
CU RC 6/08
Landscaping yard
Outdoor Solutions
& Rosser Soil &
Landscaping
Supplies Ltd.

Corbett – Boonstra

WHEREAS subsection 250(2)(d)(i) of “The Municipal Act” authorizes a Municipality to enter into an agreement with a person;

Therefore BE IT RESOLVED THAT the Rural Municipality of Rosser enters into Agreement No. 29-09 with Outdoor Solutions Inc. and Rosser Soils & Landscaping Supplies Ltd. respecting the operation of a landscaping contractors yard in Section 17-12-1E in conjunction with Conditional Use RC 6/08;

AND FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to execute agreement.

Carried

COMMITTEE REPORTS

Resolution No. 501/09

Committee
Reports

Corbett – Boonstra

BE IT RESOLVED THAT the following committee meeting/reports are received as Information:

- 1. Association of Manitoba Municipalities (ARM) – Capital Region - December 3, 2009 meeting minutes.
- 2. Interlake Tourism Association - September 24, 2009 meeting minutes.
- 3. Stonewall & District Health Foundation - October 20, 2009 meeting report.
- 5. Rockwood - Rosser Weed District - December 7, 2009 meeting minutes.

Carried

Reeve Bourgouin requested a recorded vote on Resolution No. 502/09.

Resolution No. 502/09

CCSCW
Request for
Resolution of
Support

Corbett – Stewart
WHEREAS a Sturgeon Creek Hydrodynamic Model and Economic Study (Study) prepared by AECOM Canada Ltd., dated January 2009 was completed in partnership with the Province of Manitoba, City of Winnipeg, R.M. of Headingley, R.M. of Rockwood, R.M. of Rosser, R.M. of St. Francois Xavier and R.M. of Woodlands;

AND WHEREAS the Concerned Citizens of the Sturgeon Creek Watershed (CCSCW) presented a proposal to the Council of the Rural Municipality of Rosser;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Rosser, based on the CCSCW presentation, recognize the Sturgeon Creek Diversion Project in partnership with the Province of Manitoba, City of Winnipeg, R.M. of Headingley, R.M. of Rockwood, R.M. of Rosser, R.M. of St. Francois Xavier and R.M. of Woodlands;

AND FURTHER BE IT RESOLVED THAT the partnership of the Sturgeon Creek Diversion Project applies for Provincial permits and funding from the Federal and Provincial Governments to complete works as per the Study being Plan of Third Creek Diversion – Creek Alignment, Option One.

AND FURTHER BE IT RESOLVED THAT Manitoba Water Stewardship be requested to complete the following:

- a. That culverts be changed at Road 63N and the end of Colony Creek to the minimum size as indicated in the Study but proportionately appropriate for the upstream flows;
- b. That the copy of the Study incorporates the corrections noted by the Sturgeon Creek Technical Advisory Committee.

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>	<u>ABSTAINED (reason)</u>
Reeve Bourgoiuin		X		
Councillor Boonstra	X			
Councillor Corbett	X			
Councillor Grenkow		X		
Councillor Stewart	X			

Carried

Resolution No. 503/09

Adjournment

Corbett – Boonstra
BE IT RESOLVED THAT this regular meeting of December 15, 2009 of the Rural Municipality of Rosser is adjourned at 5:10 p.m.

Carried

Reeve
Alice Bourgoiuin

Beverley Wells, C.M.M.A.
Chief Administrative Officer

The following is a breakdown of Council indemnities and expenses paid in December 15, 2009:

	Monthly Indemnities	Time	Mileage	Misc.
Alice Bourgoiuin	1295.84	94.50	12.74	202.48
George Boonstra	675.48	-	-	781.55
Scott Corbett	675.48	-	-	20.67
Gordon Grenkow	924.13	574.68	-	791.49
Kelvin Stewart	675.48	141.76	191.10	430.27