

**RURAL MUNICIPALITY OF ROSSER
REGULAR MEETING
JANUARY 11, 2011**

Minutes of the Regular Meeting of Council of the Rural Municipality of Rosser held in the Municipal Council Chambers at Rosser, Manitoba on Tuesday January 11, 2011 at 9:00 a.m.

PRESENT

Reeve – Frances Smee – present

Councillors:

Ward 1 – Scott Corbett – present

Ward 2 – Dave Nichol – present

Ward 3 – Angela Emms – present

Ward 4 – Kelvin Stewart – present

Chief Administrative Officer (CAO) – Beverley Wells – present

Administrative Assistant – Rose Jackson – present, excused at 4:30 p.m.

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

CALLED TO ORDER

Reeve Frances Smee called the meeting to order at 9:07 a.m.

ADOPTION OF AGENDA

Resolution No. 1/11

Adopt Agenda

Corbett – Emms

BE IT RESOLVED THAT the agenda for the January 11, 2011 regular meeting of Council of the Rural Municipality of Rosser is approved, subject to the following additions:

CAO Report:

- Office Staffing

Public Works:

- Manitoba Hydro – Access to High Voltage Line in Sections 29 & 32-12-1 EPM
- Grosse Isle Project

Committee/Reports:

Red River Basin Conference

Carried

MINUTES

Resolution No. 2/11

Amend

Corbett – Stewart

Dec 15/10

BE IT RESOLVED THAT the minutes of the regular meeting of Council of December 15, 2010 be amended as follows:

Minutes

1. Under Public Works Report item 5. be amended by removing “2W. Public Works Foreman to confirm legal description.” and inserting “2E”.
2. Resolution 446/10 be amended by removing the word “varies” and inserting the word “various”.

Carried

Resolution No. 3/11

Adopt Minutes

Emms - Corbett

Dec. 15/10

BE IT RESOLVED THAT the minutes of the regular meeting of Council of December 15, 2010 are approved as circulated and amended.

Carried

Resolution No. 4/11

Adopt Minutes

Stewart - Corbett

Dec 22/10

BE IT RESOLVED THAT the minutes of the regular meeting of Council of December 22, 2010 are approved as circulated.

Carried

FINANCE

Resolution No. 5/11

Payment of
Accounts

Corbett – Nichol
BE IT RESOLVED THAT the report of the Legislative and Finance Committee be received, that the following accounts be paid: General cheque numbers 12165 through 12207 in the amount of \$291,342.33, that payments made after the December 22, 2010 meeting cheque number 12164 in the amount of \$3788.88 and payroll in the amount of \$25,769.39.

Carried

Resolution No. 6/11

Grants 2011

Corbett – Stewart
BE IT RESOLVED THAT the following charitable donations or grants are approved for the year 2011:

Association for Community Living – Interlake Branch (Arris Centre)	250.00
Canadian Red Cross	200.00
Manitoba 4-H Foundation	250.00
Rosser 4-H Guys and Gals Club	500.00
Stonewall & District 4-H Curling Committee	250.00
Southwest District Palliative Care, Inc.	2,500.00
South Interlake Seniors Resource Council, Inc.	1,000.00
Manitoba Agricultural Hall of Fame	100.00
Stonewall & District Christmas Cheer Board	200.00
Interlake Community Foundation	5,000.00
Manitoba Women’s Institute	250.00
Manitoba Crime Stoppers	200.00
Rockwood Festival of the Arts	150.00
Prairie Oak Regional Arts	<u>100.00</u>

TOTAL 10,950.00.
Carried

DELEGATION

Bob Brown, RLB Consulting attended the meeting to discuss infrastructure within the CentrePort Development and Zoning By-law.

Resolution No. 7/11

In Camera

Emms – Nichol
BE IT RESOLVED THAT Council close the meeting to the public to meet as a committee to discuss preliminary discussion;

AND BE IT FURTHER RESOLVED THAT any matters discussed while in camera be held confidential until such time as discussed in Open Council.

Carried

Resolution No. 8/11

Out of Camera

Emms – Nichol
WHEREAS subsection 152(4) of “The Municipal Act” provides for the Council to only pass a resolution to re-open a closed meeting to the public;

THEREFORE BE IT RESOLVED THAT the Council re-open the meeting to the public.
Carried

PUBLIC HEARING

Conditional Use No. RC 9/10
Applicant: SBA Canada ULC
Owner: Kenneth Munro
Location: Lot 1, Plan 15967, Pt NW 1-12-1 EPM

Reeve Smee called the Public Hearing to order at 10:12 a.m. regarding Conditional Use No. RC 9/10. The Applicant SBA Canada ULC and Owner Kenneth Munro made application for the construction of a telecommunications tower and associated

mechanical shelter building at the subject property on Lot 1, Plan 15967, Pt. NE ¼ 1-12-1 EPM.

Chief Administrative Officer Beverley Wells read out the application.

The following persons were in attendance:

Vanessa Cartwright; Scott Telecom Services – explained the operation of the tower.

Ken Munro – support of application, unaware of mechanical shelter building.

The Public Hearing was concluded at 10:42 a.m.

PUBLIC HEARING

Variation Order No. RV 10/10

Applicant: David Abas

Owner: Abas Girls Ranch

Location: Lot 2, Plan 19749, Pt NW ¼ 23-12-2 EPM

Reeve Smee called the Public Hearing to order at 10:44 a.m. regarding Variation Order No. RV 10/10. The Applicant David Abas and Owner Abas Girls Ranch made application to allow for the site area of the balance of title remaining after a conditionally approved subdivision comply with Zoning By-law at the subject property on Lot 2, Plan 19749, Pt. NW ¼ 23-12-2 EPM.

Chief Administrative Officer Beverley Wells read out the application.

The following persons were in attendance:

Dave Abas – provided information to Council regarding the subdivision
Kurt Klimpke – in support.

The Public Hearing was concluded at 10:57 a.m.

Council recessed for a break at 11:00 a.m. – 11:17 a.m.

DELEGATION

Jake Voth, President and John Morrison, Vice President of the Concerned Citizens of the Sturgeon Creek Watershed provided a presentation to Council on the Sturgeon Creek Watershed. Requested Council pass a resolution to apply for a Water Rights Licence to change culverts on Road 63N.

Council broke for lunch at 12:10 p.m. – 1:09 p.m.

PUBLIC WORKS REPORT

Public Works report contained items as follows:

1. Parkland Avenue – Sewer and Water Project.
2. Manitoba Infrastructure and Transportation - Request for Grant-in-Aid. **Refer to Resolution No. 9/11.**
3. Stop Sign at Sturgeon and Prairie Dog Trail
 - a. Mark Grindle. **Refer to Resolution No. 10/11 and 11/11.**
 - b. Jennifer Martens
4. Manitoba Construction Conference – February 1 & 2, 2011.
 - a. Lighting Tender Quotes – Public Works Shop and Fire Hall.
 - b. Electro Wright Contracting Inc.
 - c. More-Lite Electric Ltd.
 - d. Mc Caine Electric Ltd.
 - e. Balfour Electric
 - f. Minaker Electric. **Refer to Resolution No. 12/11.**

5. Public Works Forman Report
 - a. Repairs to Hitachi Backhoe. **Refer to Resolution No. 13/11.**
6. Manitoba Hydro – Access to High Voltage Line in Sections 29 & 32-12-1 EPM.
Tabled to next meeting of Council.

Resolution No.9 /11

Meadows Road Grant-in-Aid Funding Stewart – Emms
 BE IT RESOLVED THAT the Rural Municipality of Rosser request grant-in-aid funding from Department of Infrastructure and Transportation for dust control for the Village of Meadows for the year 2011.

Carried

Resolution No. 10/11

Res. No. 305/10 Rescinded Emms – Stewart
 WHEREAS Resolution No. 305/10 approved the removal of the stop signs on Sturgeon Road at Prairie Dog Trail;
 THEREFORE BE IT RESOLVED THAT Resolution No. 305/10 is rescinded.

Carried

Resolution No. 11/11

Install stop sign Sturgeon Rd & Prairie Dog Trail Nichol – Stewart
 BE IT RESOLVED THAT Stop signs be installed on Sturgeon Road North and South of Prairie Dog Trail, as soon as the ground conditions will permit in the spring

Carried

Resolution No. 12/11

Shop/Fire Hall Lighting Tender Stewart – Corbett
 WHEREAS the Rural Municipality of Rosser has received quotes for a lighting upgrade for the Public Works Shop and Fire Hall, all quotes less taxes, as follows:

Balfour Electric	\$8,800.00;
Electro Wright Contracting Inc.	\$10,525.00;
McCaine Electric	\$22,734.96;
Minaker Electric	\$22,250.00; and
More-Lite Electric Ltd.	\$9,323.42;

THEREFORE BE IT RESOLVED THAT the Council accept the quote from Balfour Electric at a cost of \$8,800.00, plus taxes, to be completed by February 28, 2011.

Carried

DELEGATION

Warren Rospad, District Supervisor, Environmental Operations/Central Region Manitoba Conservation attended the meeting to provide information about the Imperial Oil Reclamation Site Pilot Study and requirements of Guidelines for Treatment and Disposal of Petroleum Contaminated Soil.

PUBLIC WORKS

Resolution No. 13/11

Replace Chain on Hitachi Backhoe Stewart – Nichol
 BE IT RESOLVED that the chains be replaced on the Hitachi Backhoe at an estimated cost of \$6,000.00, plus taxes.

Carried

Resolution No. 14/11

Public Works Report Emms – Stewart
 BE IT RESOLVED THAT the Public Works report dated January 11, 2010 is received as information and items dealt with as instructed by Council.

Carried

FINANCE

Roll Nos.
59600 / 59800
2009 Taxes &
Penalties
Cancellation

Resolution No. 15/11

Corbett – Stewart

WHEREAS as per The Municipal Board Order Number A-10-345 the assessment on Roll Nos. 59600 (NW 10-12-1E) and 59800 (SW 10-12-1E) was reduced for the 2009 Realty Assessment;

THEREFORE BE IT RESOLVED THAT as per Schedule “A” attached is hereby approved, and that the cancellation of 2009 taxes and penalties in the amount of \$648.30 be recorded in the tax roll of the Municipality.

Carried

Roll No. 84135
Tax Penalty
Cancellation

Resolution No. 16/11

Corbett–Stewart

WHEREAS 128425 Canada Inc. has requested that the tax penalties be cancelled on Roll No. 84135;

THEREFORE BE IT RESOLVED THAT the tax penalty in the amount of \$344.24 be cancelled.

Defeated

Weed Control
District Special
Levy

Resolution No. 17/11

Nichol – Stewart

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,
- Part NE 34-11-2E, Roll No. 91000, and
- Part SE 3-12-2E, Roll No. 94900;

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 2011:

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

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 2011 and the charges shall be collected in the same manner as other taxes imposed by the Municipality.

Carried

DELEGATION

Vern Sabeski, All Net Meeting attended the meeting to provide a demonstration of the All-Net meeting program.

FINANCE

Taxervice - Tax
Arrears Collection
and Tax Sale

Resolution No. 18/11

Nichol – Stewart

BE IT RESOLVED THAT the Rural Municipality of Rosser establishes the following with respect to the 2011 Tax Sale Proceedings:

- i) Engage the services of TAXervice

- ii) pursuant to Section 365 (2) of The Municipal Act, that the year 2010 be designated as the year for which property taxes which are in arrears must be offered for sale by auction to recover tax arrears and costs;
- iii) pursuant to Section 363 (1) of The Municipal Act and Manitoba Regulation 50/97 hereunder, that an administrative fee of \$50.00 be charged against each and every roll entry which is subject to Notice of Tax Sale;
- iv) that the Tax Sale Date is hereby set for **September 12, 2011 at 10:00 am., at the RM of Rosser Municipal Office**
- v) that Ray's Auction Service, Teulon is hereby appointed auctioneer for the purpose of the 2011 Tax Sale.

Carried

Resolution No. 19/11

South Interlake
Regional Library
2011 Levy

Corbett– Stewart

BE IT RESOLVED THAT the South Interlake Regional Library 2011 budget is accepted and the levy of \$22,437.80 from the Rural Municipality of Rosser is approved.

Carried

CHIEF ADMINISTRATIVE OFFICER REPORT

CAO report contained items as follows:

1. Rockwood/Woodlands By-Law Enforcement and Animal Control Board Report – November 2010.
2. Mood Disorders Association of Manitoba Inc. – National Conference 2011 March 23-24, 2011.
3. FCM Annual Conference and Municipal Expos – June 3-6, 2011 **Tabled.**
4. AMM – Rural Water Line Survey
5. Strategic Planning Session – **Scheduled for January 15, 2011.**
6. Newsletter
7. Office Staffing. **Refer to Resolution No. 20/11.**

Resolution No. 20/11

Acting Assistant
CAO & Acting
Admin Assistant

Emms – Corbett

BE RESOLVED THAT in the absence of Lori Sheldon, Rose Jackson be appointed as Acting Assistant Chief Administrative Officer and Jaryn Gagnon be appointed as Acting Administrative Assistant effective immediately to January 15, 2012.

Carried

Resolution No. 21/11

CAO Report

Emms – Nichol

BE IT RESOLVED THAT the Chief Administrative Officer report and miscellaneous information, publication list dated January 11, 2011 are received as information and dealt with as instructed by Council.

Carried

Resolution No. 22/11

South Interlake
Soccer Club
Warren fields

Corbett – Emms

WHEREAS the South Interlake Soccer Club have completed preliminary plans to construct two (2) soccer pitches at the new site adjacent to the Sunova Arena in Warren, with projected costs of \$105,000;

AND WHEREAS this project will be funded through volunteer labour, donations and municipal contributions;

AND WHEREAS a Community Places funding application will be submitted;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Rosser is in support of the construction of new soccer pitches in Warren with financial contribution to be determined at a later date.

Carried

CORRESPONDENCE

Resolution No. 22/11

Correspondence

Nichol – Stewart

BE IT RESOLVED THAT the correspondence items received are dealt with as follows:

1. Public Utilities Board – Interim Lagoon Tipping Fees based on septic truck load, effective January 1, 2011. **Received as information.**
2. Minister of Water Stewardship – Receipt of letter regarding Shoal Lakes. **Received as information.**
3. MIT – Emergency Measures Organization – Potential for 2011 Spring Flooding. **Received as information.**
4. Concerned Citizens of the Sturgeon Creek Watershed – **Provide a copy of Resolution 502/09 and R.M. of Rosser will request a meeting of the Sturgeon Creek Municipal Group.**
5. John H Morrison – South Interlake Agricultural Society Grant. **Received as information.**
6. John H Morrison – Easement Agreement Shared Access. **Received as information.**
7. Andre Van De Walle Land Surveys – Practicing with Pollock & Wright. **Received as information.**
8. Central Plains Inc. – Community Profiles website information update. **Received as information.**
9. Cartier Regional Water System – Water Rates Effective April 1, 2011. **Received as information.**
10. South Interlake Soccer Club – Municipal Funding. **Refer to Resolution No. 22/11.**
11. South Interlake Seniors Resource Council Inc. – Support. **Refer to Resolution No. 6/11.**

Carried

BY-LAWS

Resolution No. 24/11

Amend By-law
9-10

Nichol– Emms

BE IT RESOLVED THAT By-law No. 9-10, to amend By-law No. 6-07 for the completion of Grosse Isle Sewer & Water connections be amended as follows:

1. In Schedule “C” to the By-law, delete “\$64,278.20” and replace with “\$4,591.30”;
2. In Schedule “D” to the By-law, delete “\$30,314.20” and replace with “\$2,165.30”;
and
3. In Schedule “E” to the By-law, delete “\$46,325.30” and replace with “\$3,308.95”.

Carried

Resolution No. 25/11

BL 9-10
GI S&W
Connections
2nd reading

Corbett – Stewart

BE IT RESOLVED THAT By-law No. 9-10, to amend By-law No. 6-07 for the completion of Grosse Isle Sewer & Water connections; be given second reading.

Carried

Resolution No. 26/11

BL 9-10
GI S&W
Connections
3rd Reading

Nichol – Corbett

BE IT RESOLVED THAT By-law No. 9-10, to amend By-law No. 6-07 for the completion of Grosse Isle Sewer & Water connections; be given third reading and passed.

Carried

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>	<u>ABSTAINED(reason)</u>
Reeve Smee	X			
Councillor Corbett	X			
Councillor Nichol	X			
Councillor Emms	X			
Councillor Stewart	X			

Resolution No. 27/11
 BL 10-10 Emms – Stewart
 Establish Public Rec. Commission 2nd Reading BE IT RESOLVED THAT By-law No. 10-10, to establish a public recreation commission under provisions of The Municipal Act, be given second reading
 Carried

Resolution No. 28/11
 BL 10-10 Emms – Stewart
 Establish Public Rec. Commission 3rd Reading BE IT RESOLVED THAT By-law No. 10-10, to establish a public recreation commission under provisions of The Municipal Act, be given third reading and passed
 Carried

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>	<u>ABSTAINED(reason)</u>
Reeve Smee	X			
Councillor Corbett	X			
Councillor Nichol	X			
Councillor Emms	X			
Councillor Stewart	X			

PLANNING

1. Conditional Use Order No. RC 9/10 – Construction of a telecommunications tower and associated mechanical shelter building Lot 1, Plan 5967, Pt NE 1-12-1 EPM. **Tabled.**
2. Variation Order No. RV 10/10 – Subdivision compliance with zoning By-Law Lot 2, Plan 19749, PT NW ¼ 23-12-2 EPM. **Refer to Resolution No. 29/11.**
3. Rosedale – Landscaping, 123 Wheatfield Way. **Refer to Resolution No. 32/11.**
4. Town of Stonewall – Notice of Public Hearing regarding amendment to Zoning By-law.
5. RM of Headingley – Notice of Public Hearing amendment to Zoning By-law.
6. RM of Woodlands – Notice of Public Hearing Application for Conditional Use, regarding signage.
7. Town of Stonewall – Notice of Public Hearing regarding amendment to Zoning By-law.

Resolution No.29/11
 VO RV 10/10 Corbett – Stewart
 Subdivision WHEREAS:
 Lot 2, Pl 19749
 Pt NW 23-12-2E

- a) With permission of the owner Abas Girls Ranch Ltd., the applicant, David Abas, intends to subdivide the subject property legally described as Lot 2, Plan 19749 WLTO, in Pt NW ¼ 23-12-2 EPM, located at 10 039E Rd 70N;
- b) The property is zoned “A80” Agricultural Zone in the Municipality’s Zoning By-law 4-85;
- c) Part V – Agricultural Zones, Table V-I Agricultural Bulk Table of the Zoning By-law requires a minimum site area of 80 acres;
- d) The applicant has applied for and subsequently received conditional approval concerning a proposal to subdivide (File No. 4172-09-4970);
- e) The approval provides that a Variation Order be obtained for the balance of the lands to vary the minimum acreage from the required 80 acres to 45.17 acres;
- f) The Municipality held a public hearing on January 11, 2011 to receive representations of the applicant and any other person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Rosser approves Variation Order No. RV 10/10 to vary the minimum acreage from the required 80 acres to 45.17 acres.

Defeated

Resolution No. 30/11
 Rosedale Stewart – Nichol
 Entrance facing WHEREAS Rosedale Transport Ltd. has purchased Lots 5 and 6, Block 4, Plan
 Davis Way 46696;

AND WHEREAS the Development Agreement and Assignment of the Agreement to 5685932 Manitoba Ltd. provided under subclause 22 (e) (iii) that the building must front Wheatfield Road;

AND WHEREAS Rosedale Transport Ltd. had requested permission to front Davis Way;

THEREFORE BE IT RESOLVED THAT Council authorize the entrance front Davis Way, signage be installed on the portion of the building facing Wheatfield Road, with signage being approved by Council prior to installation, and with installation of canopy and upgrade of door design as per supplied architectural picture.

Carried

Resolution No. 31/11

Rosedale
Property
Access

Emms – Corbett

WHEREAS Rosedale Transport Ltd. has purchased Lots 5 and 6, Block 4, 46696;

AND WHEREAS the building will be located on Lot 5 with the access on Lot 6;

THEREFORE BE IT RESOLVED THAT Council approves the property access on Lot 6 with the condition that Lots 5 and 6 shall be amalgamated on the same certificate of title prior to an occupancy permit being issued.

Carried

Resolution No. 32/11

Rosedale
Landscaping
Wheatfield Way

Corbett – Emms

BE IT RESOLVED THAT Council approve the landscaping for Rosedale Transport Ltd. as per Site Plan A-1 dated November 24, 2010.

Carried

COMMITTEE REPORTS

Resolution No. 33/11

Committee
Reports

Emms – Nichol

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

- 1) Rockwood – Rosser Weed District – Minutes of December 14, 2010
- 2) Cartier Regional Water Co-op Inc. – Meeting of December 16, 2010
- 3) South Interlake Emergency Measures Board – Minutes of January 6, 2011
- 4) Interlake Tourism – January 21, 2011 Training Session

Carried

Resolution No. 34/11

Adjournment

Corbett – Emms

BE IT RESOLVED THAT this regular meeting of January 11, 2011 of the Rural Municipality of Rosser is adjourned at 8:08 pm.

Carried

Reeve
Frances Smee

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