

**RURAL MUNICIPALITY OF ROSSER  
REGULAR MEETING  
JUNE 23, 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, June 23, 2009 at 6:00 p.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 Bourgouin called the meeting to order at 6:01 p.m.

**ADOPTION OF AGENDA**

Adopt Agenda

Resolution No. 248/09

Grenkow – Boonstra

BE IT RESOLVED THAT the agenda for June 23, 2009 regular meeting of the Council of the Rural Municipality of Rosser is approved; subject to the following additions:

- 1) Public Works – Yanke Group of Companies – Commercial Vehicles Eagle Drive
- 2) Delegation – Wayne Henderson, Manitoba Water Stewardship – Water License
- 3) Administrative Assistant – part time job posting
- 4) Rural Water Project – payments received.

Carried

**MINUTES**

Adopt Minutes  
Jun 9

Resolution No. 249/09

Boonstra – Grenkow

BE IT RESOLVED THAT the minutes of the regular meeting of Council of June 9, 2009, are approved as circulated.

Carried

**FINANCE**

Payment of  
Accounts

Resolution No. 250/09

Stewart – Boonstra

BE IT RESOLVED THAT the report of the Legislative and Finance Committee be received, that the following accounts be paid: General cheque numbers 10998 through 11018 in the amount of \$47,330.68, that payments made after the June 9, 2009 meeting cheque numbers 10989 through 10997 in the amount of \$131,275.15 and payroll in the amount of \$11,010.77, be approved.

Carried

Grant – Vintage  
Locomotive  
Society – Rail Day

Resolution No. 251/09

Stewart – Grenkow

BE IT RESOLVED THAT a grant of \$200.00 be provided to the Vintage Locomotive Society Inc. for the Children's' Rail Day.

Carried

**PUBLIC WORKS REPORT**

Public Works report contained items as follows:

1. J. R. Cousin Consultants Ltd. – Weekly Project Report Week 16 and 17.

2. J. R. Cousin Consultants Ltd. –June 5, 2009 meeting minutes.
3. Minister of Infrastructure & Transportation – approval of Grant-In-Aid Funding – Meadows Road.
4. R.M. of Woodlands – Schulte sidearm demonstration on July 10, 2009. **Refer to Resolution No. 252/09.**
5. Yanke Group of Companies – request to use Eagle Drive to transport an overweight load
6. Mulder Construction – Gravel Pit – Water License. **See Delegation No. 1.**
7. Public Works Report
  - a. Update on Dust Control

Resolution No. 252/09

Stewart – Corbett

Schulte sidearm demonstration July 10, 2009

BE RESOLVED THAT Council and Public Works Staff be authorized to attend the Schulte sidearm demonstration on Friday, July 10, 2009 at the R.M. of Woodlands;

AND FURTHER BE IT RESOLVED THAT expenses be paid.

Carried

Resolution No. 253/09

Corbett– Grenkow

Public Works Report

BE IT RESOLVED THAT the Public Works report dated June 23, 2009 is received as information and items dealt with as instructed by Council.

Carried

**DELEGATIONS**

- 1) Wayne Henderson, Manitoba Water Stewardship attended the meeting to provide information regarding the Water License for Mulder Construction’s gravel pit. **Randy Public Works Foreman and Wayne Henderson, Manitoba Water Stewardship will meet with Dave Kernot to discuss restrictions on pumping to 2 hours at one time and no pumping after a significant rain fall. A meeting to be held with council on July 6, 2009 to discuss license.**

**PUBLIC HEARING**

**Conditional Use No. RC 5/09  
Lloyd Grenkow**

Council sat to hear Conditional Use No. RC 5/09. The applicant, Lloyd Grenkow to allow for the establishment of a 240 Animal Unit (120 Dairy Cow) Livestock Production Operation in the “A80” Agricultural Zone in the NW 19-12-2EPM.

Reeve Bourguin explained the purpose of the hearing, how it will be conducted and how council will proceed.

Chief Administrative Officer Beverley Wells read out the application.

Lloyd Grenkow Applicant made a presentation.

Letters from Joanne Stewart and Manitoba Water Stewardship were received and read out by the Chief Administrative Officer Beverley Wells.

In attendance for the hearing:

W. Riggall	in support	Ben Blue	in support
Bob White	in support	Vivian White	in support
Geoffrey Stephens	information	Chantelle Grenkow	in support
Jack Munro	in support	Bernice Munro	in support
John Georgison	in support	Irene Georgison	in support
Anthony Georgison	in support	Darlene Grenkow	in support
June Stewart	in support	Tony Holtmann	in support
Lloyd Grenkow	applicant	Peter Grieger	technical information
Margaret Stewart	in support	Frances Smee	in support
Wilhelmina Smee	in support	L. Holtmann	in support
B Holtmann	in support	Dawne Grenkow	applicant
Allan Grenkow	applicant	Brenda Neabel Turbett	in support

Ken Turbett	in support	Graham Turbett	in support
Scott Beaton	in support	Ken Johnson	in support
Shelley McKnight	in support	Meghan Grenkow	in support
Pam Stewart	in support	Lou Gaskin	information
Michael Gaskin	information	Daniel Grenkow	in support
Brent Grenkow	in support	Bruce Grenkow	in support

### DELEGATIONS

- 2) Cliff Lechow and Ben Blue, BFI Canada attended the meeting to discuss with Council a plan of operation when responding to fires at BFI Canada. **Meeting to be scheduled with the Fire Department.**
- 3) Douglas Grantham, Municipal Solicitor attended the meeting via speakerphone to discuss personal matters.

#### Resolution No. 254/09

Stewart – Boonstra

In Camera

BE IT RESOLVED THAT Council close the meeting to the public to meet as a committee to discuss personal matters;

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. 255/09

Boonstra – Grenkow

Out of Camera

WHEREAS subsection 152(4) of “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

### DELEGATIONS

- 4) Chris and Cindy Chartrand attend the meeting to request Council to reconsidered Resolution No. 286/08, clause No. 8 regarding the location of a second dwelling unit (mobile home) to be within the yard site on the NW 1/412-12-1EPM. **The Council will remain with their original decision as per Resolution No. 286/08.**

#### Resolution No. 256/09

Boonstra – Stewart

Extend Meeting  
past 9:00 pm

BE IT RESOLVED THAT the meeting be extended past 9:00 p.m. as per the Procedure By-Law Section 8.0.

Carried

### CHIEF ADMINISTRATIVE OFFICER REPORT

CAO report contained items as follows:

1. Manitoba Emergency Measures Organization – JEPP grant application for Emergency Exercise. **Refer to Resolution No. 257/09.**
2. Disaster management Conference 2009 – November 4-6, Brandon, MB. **Refer to Resolution No. 258/09.**
3. Manitoba Tax Assistance – Riparian Tax Credit Program.
4. City of Winnipeg – 2010 Property Assessment notice.
5. MMM Group – Manitoba Development Plan for CentraPort Lands
  - a) Minutes of May 19, 2009
  - b) Minutes of May 21, 2009
  - c) Invitational Workshop June 25, 2009.
6. Interlake Regional Health Authority – 12<sup>th</sup> Annual Whack’n Hack Golf Tournament, September 11, 2009. **Refer to Resolution No. 259-09.**
7. Hayhurst Elias Dudek – Firework Displays & Frequent Liability questions.
8. Federation of Canadian Municipalities – Federal Role in Rural Sustainability.

9. Manitoba Women's Institute – Thank you for the donation.
10. Ralph Eichler – Hydro Farm Land Lease – Meeting July 2, 2009 in Grosse Isle, MB @ 8:30 a.m. **Refer to Resolution No. 260/09.**
11. Chief Administrative Officer – Agreement. **Refer to Resolution No. 261/09.**
12. Administrative Assistant – part time job posting.
13. Rural Water Project – Payments received and issue of debentures.

Resolution No. 257/09

Stewart – Boonstra

SIEMB – JEPP  
Application – large  
scale Emergency  
Exercise

WHEREAS the Municipal Corporations of Armstrong, Rockwood, Rosser, Teulon, and Woodlands formed the South Interlake Emergency Measures Board to deal with potential disasters;

AND WHEREAS the Joint Emergency Preparedness Program provides approximately 50/50 funding for national priority emergency preparedness;

AND WHEREAS the South Interlake Emergency Measures Board wishes to participate in a large scale emergency exercise for the Interlake Region on September 18<sup>th</sup>, 2010 being coordinated by Manitoba Emergency Measures Organization;

AND WHEREAS the South Interlake Emergency Measures Board has committed \$1,000 towards the cost of the exercise;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Rosser authorizes the South Interlake Emergency Measures Board to apply for funding through the Joint Emergency Preparedness Program for a large scale emergency exercise;

AND FURTHERMORE BE IT RESOLVED THAT the South Interlake Emergency Measures Board understands written confirmation must be received from the Office of Critical Infrastructure Protection and Emergency Preparedness Canada and Manitoba, prior to preparing and undertaking the exercise.

Carried

Resolution No. 258/09

Stewart – Corbett

2009 Disaster  
Conference

BE IT RESOLVED THAT the Reeve, Councillors and Chief Administrative Officer be authorized to attend the Disaster Management Conference on November 4-6, 2009 at Keystone centre in Brandon;

AND FURTHER BE IT RESOLVED THAT expenses be paid.

Carried

Resolution No. 259/09

Corbett – Grenkow

IRHA – Golf  
Tournament

BE IT RESOLVED THAT the Reeve and Councillors be authorized to attend the Interlake Regional Health Authority 12<sup>th</sup> Annual Whack 'n Hack Fundraising golf tournament on September 11, 2009 at South Interlake Golf & Country Club;

AND FURTHER BE IT RESOLVED THAT registration be paid.

Carried

Resolution No. 260/09

Grenkow – Corbett

Ralph Eichler  
Farm Land Lease  
Mtg. – July 2

BE IT RESOLVED THAT the Reeve and Councillors be authorized to attend Manitoba Hydro Farm Land Lease meeting on July 2, 2009 at Grosse Isle Community Hall;

AND FURTHER BE IT RESOLVED THAT expenses be paid.

Carried

Resolution No. 261/09

Stewart – Corbett

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

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Rosser enter into Agreement No. 10/09 with Beverley Wells, as Chief Administrative Officer;

AND FURTHER BE IT RESOLVED THAT the Reeve be authorized to execute the agreement.

Carried

Resolution No. 262/09

Boonstra – Stewart

CAO Report BE IT RESOLVED THAT the Chief Administrative Officer report and miscellaneous information, publication list dated June 23, 2009 are received as information and dealt with as instructed by Council.

Carried

**CORRESPONDENCE**

Resolution No. 263/09

Stewart – Boonstra

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

1. J. R. Cousin Consultants Ltd. – received a copy of the 2008 Ground Water Monitoring Report done at the Nuisance Grounds. **Received as information.**
2. William Fetterman – requesting copy of the 2008 Ground Water Monitoring Report done at the Nuisance Grounds. **Refer to Resolution No. 264-09.**

Carried

Resolution No. 264/09

Stewart – Corbett

William Fetterman Request – 2008 Ground Water report 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 2008 Ground Water Monitoring Report prepared by J. R. Cousin Consultant Ltd. to Wm. Fetterman.

Carried

**BY-LAWS**

Resolutions No. 265/09

Grenkow – Stewart

By-Law No. 3-09 2<sup>nd</sup> Reading BE IT RESOLVED THAT By-law No. 3-09, to amend By-Law No. 4-08 for the completion of rural regional water project, issue of debentures, be given second reading at this meeting.

Carried

Resolution No. 266/09

Boonstra-Stewart

By-Law No. 3-09 3<sup>rd</sup> Reading BE IT RESOLVED THAT By-law No. 3-09, to amend By-Law No. 4-08 for the completion of rural regional water project, issue of debentures, be given third reading and passed at this meeting.

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

Carried

## COMMITTEE REPORTS

### Resolution No. 267/09

Stewart – Boonstra

Committee  
Report

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

1. Interlake Tourism Association – June 4, 2009 meeting minutes.
2. South Interlake Regional Library – March 23, 2009 and May 4, 2009 meeting minutes

Carried

## PLANNING

1. Conditional Use No. 5/09 – Lloyd Grenkow – establishment of a 240 Animal Unit (120 Dairy Cow) Livestock Production Operation. **Refer to Resolution No.268-09.**
2. Transportation & Government Services – Ralph Eichler Off-Premises sign. **Received as information.**
3. Intergovernmental Affairs and Trade – Provincial Land Use Policies Review Committee – Workshop report. **Received as information.**

*Councillor Grenkow and Stewart declared a Conflict of Interest, removing themselves from the Council Chamber without discussing or voting on the Resolution No. 268/09.*

### Resolution No. 268/09

Boonstra - Corbett

Conditional Use  
RC 5/09  
NW 19-12-2EPM

WHEREAS:

- a) With permission of the owners, Allan & Dawne Grenkow, the applicant, Lloyd Grenkow intends to establish a 240 Animal Unit (120 Dairy Cow) Livestock Production Operation on property legally described on Certificate of Title No. 2315456 WLTO, located in NW 19-12-2 EPM;
- b) The property is zoned “A80” Agricultural Zone in the Municipality’s Zoning By-law 4-85;
- c) Part V – Agriculture Zone, Table V-I Agricultural Use Table requires a conditional use for a livestock production operation in excess of 125 animal units;
- d) The Municipality held a public hearing on June 23, 2009, to receive representations of the applicant and any other persons;

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 from Lloyd Grenkow, File RC 5/09 and conditional use of Part V – Agriculture Zone, Table V-I Agricultural Use Table to a 240 animal unit (120 dairy cow) livestock production operation on NW 19-12-2 EPM, Certificate of Title No. 2315456, 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 comply with the requirements of Manitoba Water Stewardship or any other Provincial or government agency;
2. That all applicable permits be obtained from South Interlake Planning District;
3. That a Development Agreement be entered into to deal with such other items as Council deems appropriate;
4. That, if the approved Conditional Use, File RC 5/09, ceases for a period of twelve (12) continuous months, Conditional Use RC 5/09 shall expire

AND FURTHER BE IT RESOLVED THAT this approval shall expire and cease to have any effect if not acted upon within 12 months of this decision unless an application for an extension of time is requested and approved.

Carried

Adjournment

Resolution No. 269/09

Grenkow – Boonstra

BE IT RESOLVED THAT this regular meeting of June 23, 2009 of the Rural Municipality of Rosser is adjourned at 10:50 p.m.

Carried

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Reeve  
Alice Bourgouin

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

The following is a breakdown of Council indemnities and expenses paid in June 23, 2009:

	<u>Monthly</u> <u>Indemnities</u>	<u>Time</u>	<u>Mileage</u>	<u>Misc.</u>
Alice Bourgouin	1295.84	992.10	590.32	597.57
George Boonstra	675.48	-	-	-
Scott Corbett	675.48	-	-	6.56
Gordon Grenkow	924.13	-	-	162.13
Kelvin Stewart	675.48	-	-	6.56