

**RURAL MUNICIPALITY OF ROSSER  
REGULAR MEETING  
MAY 25, 2010**

Minutes of the Regular Meeting of Council of the Rural Municipality of Rosser held in the Municipal Council Chambers at Rosser, Manitoba on Tuesday, May 25, 2010 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 Alice Bourgouin called the meeting to order at 6:04 p.m.

**ADOPTION OF AGENDA**

Resolution No. 194/10

Adopt Agenda

Stewart – Boonstra

BE IT RESOLVED THAT the agenda for the May 25, 2010 regular meeting of Council of the Rural Municipality of Rosser is approved, subject to following additions:

**Public Works Report**

- Rural Water Project – Phase IV – request for top soil to help with clean up

Carried

**MINUTES**

Resolution No. 195/10

Adopt Minutes

Grenkow – Stewart

May 11/10

BE IT RESOLVED THAT the minutes of the regular meeting of Council of May 11, 2010, are approved as circulated.

Carried

**FINANCE**

Resolution No. 196/10

Payment of  
Accounts

Grenkow – Stewart

BE IT RESOLVED THAT the report of the Legislative and Finance Committee be received, that the following accounts be paid: General cheque numbers 11667 through 11688 in the amount of \$284,608.21, that payments made after the May 11, 2010 meeting cheques numbers 11661 through 11666 in the amount of \$6,262.38 and payroll in the amount of \$13,797.53.

Carried

Resolution No. 197/10

Agree No 45-10  
Federal Gas Tax  
Funding Extension

Grenkow – Boonstra

WHEREAS subsection 250(2)(d)(iii) of “The Municipal Act” authorizes a Municipality to enter into an agreement with the Government of Manitoba;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Rosser enters into Agreement No. 45-10, with the Province of Manitoba, Local Government., regarding Federal Gas Tax Funding Extension 2010/11 to 2013/14;

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

Carried

May 25, 2010

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Inglis and Area  
Heritage  
Committee -  
Grant Request

Resolution No. 198/10  
Stewart – Boonstra  
WHEREAS Inglis and Area Heritage Committee have established a Living Legacy Community Foundation to ensure the existing of the row of five wooden grain elevators;

AND WHEREAS support is being requested from the Rural Municipality of Rosser;

THEREFORE BE IT RESOLVED THAT Council authorize a grant of \$250.00 to the Inglis and Area Heritage Committee, Living Legacy Community Foundation.

Carried

Stony Mountain  
Community  
Association -  
Grant Request

Resolution No. 199/10  
Stewart – Corbett  
BE IT RESOLVED THAT Council authorize a grant of \$250.00 to the Stony Mountain Community Association for the Annual Family Festival and Canada Day Celebration.

Carried

### PUBLIC WORKS REPORT

Public Works report contained items as follows:

1. Manitoba Good Roads – 2010 Annual Competition. **Received as Information.**
2. M.I.T. – Grant-in-Aid Funding For Dust Control – Meadows Road. **Received as Information**
3. Rural Water Project - Phase IV – Request for top soil to help with clean up. **Councillor Boonstra to talk with Public Works Foreman**
4. Public Works Foreman Report
  - a) Sturgeon Road - Asphalt
  - b) King Edward Street – Crushed Asphalt.

Public Works  
Report

Resolution No. 200/10  
Corbett – Stewart  
BE IT RESOLVED THAT the Public Works report dated May 25, 2010 is received as information and items dealt with as instructed by Council.

Carried

### DELEGATION

Chris Barsanti , Rosser Development Committee attended the meeting to discuss issues related to CentrePort.

Carried

### CHIEF ADMINISTRATIVE OFFICER REPORT

CAO report contained items as follows:

1. CIBC – Setup Electronic Bill Payment for utility accounts. **Refer to Resolution No. 201/10.**
2. Manitoba Local Government – 2011 Board of Revision – November 9, 2010.
3. Association of Manitoba Municipalities – June District Meeting – Request for resolutions.
4. CentrePort Canada Way Open House – Assiniboia Downs May 27<sup>th</sup>, 2010. **Refer to Resolution No. 202/10.**
5. James Wood – Access Application – **Update.**
6. July 1/ 2010 Holidays – **Office, Public Works and Nuisance Grounds will be closed on July 1 & 2, 2010.**

Resolution No. 201/10

Agree. No. 46-10 Stewart – Boonstra  
CIBC - Electronic WHEREAS subsection 250(2)(d)(i) of “The Municipal Act” authorizes a Municipality  
Bill Payment to enter into an agreement with a person;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Rosser enters into Agreement No. 46-10, with CIBC, regarding bill payment for Utility Customers;

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

Carried

Resolution No. 202/10

CentrePort Canada Stewart – Boonstra  
Way Open House BE IT RESOLVED THAT the Council and Chief Administrative Officer be authorized to attend the CentrePort Canada Way Open House on May 27, 2010 in Winnipeg;

AND FURTHER BE IT RESOLVED THAT expenses be paid.

Carried

Resolution No. 203/10

CAO Report Corbett – Boonstra  
BE IT RESOLVED THAT the Chief Administrative Officer report and miscellaneous information, publication list dated May 25, 2010 are received as information and dealt with as instructed by Council.

Carried

**CORRESPONDENCE**

Resolution No. 204/10

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

1. Interlake Regional Health Authority – 2010 Community Health Assessment Report
2. MLA for Lakeside – Ralph Eichler Golf Tournament on June 21, 2010. **Refer to resolution No. 205/10.**
3. Manitoba Ombudsman – 2009 Annual report
4. Association of Manitoba Municipalities – Thank You letter regarding recent meeting with council.
5. Rockwood / Woodlands By-Law Enforcement & Animal Control Board – Proposal for agreement for services. **Refer to resolution No. 206/10.**

Carried

Resolution No. 205/10

7th Annual Corbett – Grenkow  
Ralph Eichler BE IT RESOLVED THAT the Council and Staff be authorized to attend the 7<sup>th</sup>  
Golf Tournament Annual Ralph R. Eichler Charity Golf Tournament on June 21, 2010 in Teulon;

AND FURTHER BE IT RESOLVED THAT expenses be paid.

Carried

Resolution No. 206/10

Rkwd/ Wdls Stewart – Boonstra  
By-Law BE IT RESOLVED THAT the Council accept the proposal of Rockwood / Woodlands  
Enforcement By-law Enforcement & Animal Control Board for enforcement of municipal by-law, with initial enforcement of Dog Control By-law and Development Agreements at a cost of \$47.50 per hour with a minimum of 11 hours, effective July 1, 2010.

Carried

## COMMITTEE REPORTS

Committee  
Reports  
Resolution No. 207/10  
Corbett – Stewart  
BE IT RESOLVED THAT the following committee meeting/reports are received as information:

1. South Interlake Emergency Measures Board – Auditors Report.
2. Stonewall & District Health Foundation – Report of April 22, 2010.
3. Community Futures East Interlake – Golf Tournament & Annual Meeting on June 14, 2010. **Refer to resolution No. 208/10.**
4. South Interlake Seniors resource Council – AGM on June 10, 2010. **Refer to Resolution No. 209/10.**
5. Association of Rural Municipalities – Capital Region – Minutes of May 6, 2010.
6. Sturgeon Creek Municipal Group – Minutes of May 19, 2010.

Carried

Community  
Futures Golf  
Tournament  
Resolution No. 208/10  
Stewart – Boonstra  
BE IT RESOLVED THAT the Council and Staff be authorized to attend the Community Futures East Interlake Golf Tournament & Annual General Meeting on June 14, 2010 in Inwood.

AND FURTHER BE IT RESOLVED THAT expenses be paid.

Carried

South Interlake  
Seniors Resource  
AGM  
Resolution No. 209/10  
Corbett – Stewart  
BE IT RESOLVED THAT the Reeve and Councillors be authorized to attend the South Interlake Seniors Resource Council Ltd. Annual General Meeting on June 10, 2010 in Stonewall.

AND FURTHER BE IT RESOLVED THAT expenses be paid.

Carried

## PUBLIC HEARING

**Variation Order No. RV 4/10**  
**Owner: Lynda de Laroque**  
**Applicant: Charles & Lynda de Laroque**  
**Pt. SW 23-12-1 EPM – Road 69 N**

Reeve Bourgoquin called the Public Hearing to order at 7:01 p.m. regarding Variation Order No. RV 4/10. The Owner/Applicant Charles and Lynda de Laroque to vary the minimum site area of 80 acres FROM 80 acres TO 74.45 acres +/- to allow for the site area balance of the title remaining after a conditionally approved subdivision to comply with the Zoning By-law on Pt. SW ¼ 23-12-1 EPM – Road 69N.

Chief Administrative Officer Beverley Wells read out the application.

### In attendance for the hearing:

Charles de Laroque information/presentation  
Lynda de Laroque information /presentation

Charles and Lynda de Laroque had no further comments.

The Public Hearing was concluded at 7:05 p.m.

## PLANNING

1. SIPD - Variation Order No. RV 4/10 – Lynda de Laroque. **Refer to Resolution No. 210/10.**
2. SIPD – Conditional Use No. RC 3/10- Establishment of a Quarry – Gordie Broda. **Refer to Resolution No. 211/10.**

RV 4/10 – Lynda  
& Charles  
de Laroque

Resolution No. 210/10

Stewart – Corbett

WHEREAS:

- a) The applicant / owner Lynda de Laroque and Charles de Laroque, request a variation in order to vary the minimum site area located on property legally described as Pt SW ¼ 23-12-1 EPM, located on Road 69N;
- b) The property is zoned “A80” Agricultural Zone in the Municipality’s Zoning By-law 4-85;
- c) Part V – Agricultural Zone, Table V-1 Agricultural Bulk Table requires a minimum site area of 80 acres;
- d) The applicant has applied to vary the minimum site area of 80 acres to 70.45 acres +/-;
- e) The Municipality held a public hearing on May 25, 2010, 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 4/10 to vary the minimum site area of 80 acres to 70.45 acres +/-.

Carried

RC 3/10 – Gordie  
Broda - Proposed  
Quarry

Resolution No. 211/10

Corbett –Boonstra

WHEREAS:

- a) The applicant, Broda Construction Manitoba Inc. with permission of the owner, Broda Properties Inc. proposes the development and operation of a Limestone Quarry on property legally described on Certificate of Title No. 2405477, 2405478, 2405481, 2406450, 2405479 and 2405482 WLTO, located in Pt NE 33-11-2 EPM, Pt. NW 33-11-2 EPM, Pt S ½ NE 4-12-2 EPM, Pt SE 4-12-2 EPM, and Pt. SW 4-12-2 EPM;
- b) The property is zoned “A80” Agricultural Zone and “AL” Limited Agriculture Zone in the Municipality’s Zoning By-law 4-85;
- c) Part V – Agriculture Zone, Table V-I & V-II Agricultural Use Table requires a conditional use for sand, gravel and mining operations;
- d) The Municipality held a public hearing on April 28, 2010, to receive representations of the applicant and any other person;

AND WHEREAS at the public hearing on April 28, 2010 the applicant withdrew the application for Certificate of Title No. 2405477 WLTO, located in Pt NE 33-11-2 EPM and Pt. NW 33-11-2 EPM and confirmed proceeding with application for Certificate of Title No. 2405478, 2405481, 2406450, 2405479 and 2405482 WLTO, located in Pt S ½ NE 4-12-2 EPM, Pt SE 4-12-2 EPM, and Pt. SW 4-12-2 EPM;

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:

- a) Approval of application from Broda Construction Manitoba Inc., File RC 3/10 and conditional use of Part V – Agriculture Zone, Table V-I & V-II Agricultural Use Table to establish a limestone quarry extraction operation Pt S ½ NE 4-12-2 EPM, Pt SE 4-12-2 EPM, and Pt. SW 4-12-2 EPM, Certificate of Title No. 2405478, 2405481, 2406450, 2405479 and 2405482 WLTO, 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, upon Broda Construction Manitoba Inc., applicant and Broda Properties Inc., owner entering into a Development Agreement with the Rural Municipality of Rosser, which may include at the Municipality’s discretion, but not limited to hours of operation, days of operation, noise levels, methods of operation, dewatering, dust control, berms, well monitoring maintenance and replacement, designated truck route, road reconstruction and maintenance, drainage, benefit sharing, decrease property value compensation, disturbance compensation, set

backs, rehabilitation, security bond and approval by Manitoba Water Stewardship, subject to restriction of location of quarrying operation, compliance with Federal and Provincial mining legislation and regulations, and such other items as Council deems appropriate, then the Rural Municipality of Rosser shall authorize South Interlake Planning District to issue a Development Permit to Broda Construction Manitoba Ltd. to allow the development and operation of a Limestone Quarry on Pt S ½ NE 4-12-2 EPM, Pt SE 4-12-2 EPM, and Pt. SW 4-12-2 EPM, Certificate of Title No. 2405478, 2405481, 2406450, 2405479 and 2405482 WLTO;

2. If the Municipality so desires, prior to entering into a development agreement the Municipality can require the applicant to conduct such further studies and testing as determined by the Municipality;
3. That, if the approved Conditional Use, File RC 3/10, ceases for a period of twelve (12) continuous months, Conditional Use RC 3/10 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 prior to expiration of said 12 months.

Defeated

Resolution No. 212/10

Adjournment

Corbett – Boonstra

BE IT RESOLVED THAT this regular meeting of May 25, 2010 of the Rural Municipality of Rosser is adjourned at 7:27 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 to May 25, 2010:**

	<b>Monthly Indemnities</b>	<b>Time</b>	<b>Mileage</b>	<b>Misc.</b>
<b>Alice Bourgouin</b>	<b>\$1,303.62</b>	<b>\$919.30</b>	<b>\$626.53</b>	<b>387.82</b>
<b>George Boonstra</b>	<b>\$679.54</b>	-	-	<b>11.30</b>
<b>Scott Corbett</b>	<b>\$679.54</b>	-	-	<b>11.30</b>
<b>Gordon Grenkow</b>	<b>\$929.67</b>	-	-	<b>49.23</b>
<b>Kelvin Stewart</b>	<b>\$679.54</b>	<b>\$ 47.55</b>	<b>\$ 28.91</b>	<b>11.30</b>