

Rural Municipality of Grey
May 7, 2008

The Council of the Municipality of Grey held its regular meeting on Wednesday, May 7, 2008 at 7:00 p.m. in the council chambers at the Village of Elm Creek, Manitoba. Reeve Ted Tkachyk presiding and Councillors Louis Souque, Raymond Franzmann, Richard Penner, Jim Pedersen (arrived at 7:40 p.m.), and C.A.O. Ronald Hayward were in attendance.

7:12 p.m. - Meeting called to order.

Agenda

Franzmann - Souque - Resolution No. 157/08

Resolved that the meeting agenda for May 7, 2008 prepared by the Reeve and Chief Administrative Officer be adopted as presented. -Carried-

Minutes

Penner - Souque - Resolution No. 158/08

Resolved that the minutes of the regular meeting of Council held on April 16, 2008 and special meeting held on April 30, 2008 be hereby confirmed and adopted. -Carried-

Communications:

1. International Paper Industries Re: Processing & Marketing of Municipal Recyclables. -Filed-
2. The Manitoba Water Services Board Re: Long Term Capital Plan. -See Resolution No. 159/08-
3. Carman Area Foundation Inc. Re: Agreement to establish R.M. of Grey Fund. -See Resolution No. 160/08-
4. Arctos Land Corp. Re: Water Pipeline Crossing Agreement. -See Resolution No. 161/08-
5. Manitoba Electoral Divisions Boundaries Commission Re: Review of Provincial Electoral Divisions. -Filed-
6. Elm Creek Stay & Play Inc. Re: Summer Play Program for 2008. -See Resolution No. 162/08-
7. Office of the Fire Commissioner Re: Burning by-law. -Filed-
8. Manitoba Water Stewardship Re: Water Rights Licence Elm Creek NW 19-8-4w. -See Resolution No. 163/08-
9. Community Planning Services Re: Proposed subdivision- Marcel & Patricia Painchaud SE 23-9-3w. -See Resolution No. 164/08-
10. Hayhurst Elias Dudek Inc. Re: Municipal General Insurance Coverage on Elm Creek Skating & Curling Rinks. -C.A.O. to meet with Community Clubs-

MWSB - Long Term Capital Plan

Souque - Penner - Resolution No. 159/08

Resolved that completion of rural water pipelines within the R.M. of Grey as noted on the attached map, be submitted to The Manitoba Water Services Board for consideration under their Long Term Capital Plan for 2009-10 and beyond. -Carried-

R.M. of Grey Fund

Franzmann – Penner - Resolution No. 160/08

Resolved that the agreement to establish the Rural Municipality of Grey Fund under the Carman Area Foundation Inc. be approved as presented and signed by the appropriate signing officers for the municipality. -Carried-

Water Pipeline Crossings

Souque - Franzmann - Resolution No. 161/08

Resolved that TransCanada Keystone Pipeline Limited Partnership be granted approval for the following four (4) Water Pipeline Crossings in accordance with the Typical Foreign Pipeline Crossing drawing attached:

- SE 13-9-5wpm
- SE 28-8-5wpm
- NE 13-8-5wpm
- NE 12-8-5wpm -Carried-

Summer Play Program Grant

Penner – Souque - Resolution No. 162/08

Resolved that under Section 261 of “The Municipal Act”, the Elm Creek Stay & Play Inc. be given a \$2,000.00 grant to assist with putting on a children’s summer fun program in the community of Elm Creek. -Carried-

MWSB – Water Rights Licence

Franzmann – Souque - Resolution No. 163/08

Resolved that the following Licence to Construct Drainage Works as issued by Manitoba Water Stewardship be approved and the C.A.O. authorized to sign same on behalf of the municipality:

License No. 07-WCW-515 NW 19-8-4wpm (Elm Creek) -Carried-

Subdivision #4133-07-4981

Franzmann – Penner - Resolution No. 164/08

Resolved that Marcel and Patricia Painchaud application to subdivide SE 1/4 23-9-3wpm be approved as presented under Community Planning Services File #4133-07-4981, subject to the following conditions:

- 1) Applicant obtain Conditional Use Permit authorizing a Non Farm Dwelling as a conditional use within the “AG” (Agricultural General) Zone.
- 2) Applicant obtain written confirmation from Manitoba Conservation that the sewage disposal system is in compliance with Manitoba Regulation 83/2003.
- 3) That all additional crossings to the proposed subdivision or residual parcel created as a result of the subdivision, shall be the responsibility of the registered landowner. -Carried-

7:40 p.m. - Councillor Jim Pedersen arrived.

PUBLIC HEARING – CONDITIONAL USE

Franzmann - Souque - Resolution 165/08

Resolved that the meeting of Council be hereby recessed for the purpose of holding Public Hearings in the matters of:

8:00 p.m. – Conditional Use application 02-CU-08,
Riedbow Dairy Ltd.; NE 8-9-5wpm.

8:15 p.m. – Conditional Use application 03-CU-08,
Paul & Lorraine Piche: NE 29-8-3wpm.

and to reconvene at the conclusion of the Public Hearings. -Carried -

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Refer to Appendix 1 & Appendix 2 attached to and forming part of these minutes of the regular meeting.

Conditional Use No. 02-CU-08

Penner – Souque - Resolution No. 166/08

Whereas the “AG” Agricultural General Zone of the Rural Municipality of Grey Zoning By-law No. 5/03 as amended provides that livestock production operations exceeding 300 animal units shall be considered as a conditional use;

Therefore Be It Resolved that Conditional Use Order No. 02-CU-08 of Reidbow Dairy Ltd. affecting

NE 8-9-5 wpm

Be Approved to allow the construction of a 416’ x 122’ addition with 42’ x 32’ extension to the existing dairy barn and construction of a new manure storage facility (Slurrystore tank - 243 ‘ diameter by 18’ high) in the AG (Agricultural General) Zone, subject to the following conditions:

- 1) A permit for construction of manure storage facility be obtained from Manitoba Conservation in accordance with the Livestock Manure and Mortalities Management Regulation under The Environment Act and copy of same filed with the municipality.
- 2) The above approval is being granted for the existing dairy operation of 500 milk cows authorized under Conditional Use Permit No. 17-CU-05 and not intended for expansion purposes. -Carried-

Conditional Use No. 03-CU-08

Franzmann – Pedersen - Resolution No. 167/08

Whereas Paul and Lorraine Piche have made application for a conditional use permit under R.M. of Grey Zoning By-law No. 5/03 as amended, to allow the establishment of a non-farm dwelling on NE 29-8-3wpm in AG (Agricultural General Zone) due to recent subdivision application;

Therefore Be It Resolved that Council of the Rural Municipality of Grey hereby approve Conditional Use Application No. 03-CU-08, to allow the establishment of a non-farm dwelling on NE 29-8-3w in AG (Agricultural General) Zone. -Carried-

Reports

Grey Regional Water Report

Penner - Pedersen - Resolution No. 168/08

Resolved that the Grey Regional Water Report prepared by the C.A.O. and dated May 7, 2008 be received and filed as information. -Carried-

L.U.D. Haywood Minutes

Souque - Penner - Resolution No. 169/08

Resolved that the minutes for the regular meeting of the L.U.D. Haywood held on April 15, 2008 and special meeting held on April 28, 2008 be received and that all motions and recommendations contained therein be ratified and approved by Council. -Carried-

Reports

Franzmann - Pedersen - Resolution No. 170/08

Resolved that the following minutes be received and filed as information:

Elm Creek Community Hall – April 17, 2008

Pembina Valley Water Cooperative Inc. – April 18, 2008 -Carried-

UNFINISHED BUSINESS

Public Works Foreman

Franzmann - Souque - Resolution No. 171/08

Resolved that Council retain the services offered by Brian Hayes of TSC for the purpose of recruiting and hiring a person to fill the Public Works Foreman position.

GENERAL BUSINESS

2008 Gravel Program

Gravel committee meeting – May 13/08 at 7:00 a.m. -Tabled-

Ward Allocations

-Tabled-

Indemnities

Franzmann - Souque - Resolution No. 172/08

Resolved that the April 2008 Council Indemnities for Reeve Ted Tkachyk and Councillors Raymond Franzmann, Jim Pedersen, Richard Penner and Louis Souque be authorized for payment in accordance with Clause 8 of the R.M. of Grey Indemnity Bylaw No. 3/08. -Carried-

Adjourn 9:50 p.m.

Souque - Penner - Resolution No. 173/08

Resolved that we adjourn. -Carried-

Reeve

Chief Administrative Officer

Upcoming Meetings:

Council Meeting - May 21, 2008 at 9:00 a.m.
Council Meeting - June 4, 2008 at 7:00 p.m.

APPENDIX 1

RURAL MUNICIPALITY OF GREY PUBLIC HEARING May 7, 2008

Minutes of proceedings of Public Hearings in the matter of Conditional Use No. 02-CU-08 held on Wednesday, May 7, 2008 scheduled for 8:00 p.m. in the Council Chambers of the Rural Municipality of Grey at Elm Creek, Manitoba.

ATTENDANCE

Reeve: Ted Tkachyk
Councillors: Ray Franzmann, Jim Pedersen, Richard Penner and Louis Souque
Personnel: Ronald Hayward, Chief Administrative Officer

ATTENDANCE BY OTHERS

Ale Riedstra of Riedbow Dairy Ltd.

CALL TO ORDER

Reeve Ted Tkachyk called the hearing to order at 8:00 p.m.

PURPOSE OF PUBLIC HEARING

The Public Hearing is to receive and hear representations in the matter of the adoption of Riedbow Dairy Ltd. Conditional Use No. 02-CU-08 permit application to allow the construction of a 416' x 122' addition with 42' x 32' extension to the existing dairy barn and construction of a new manure storage facility (Slurrystore tank - 243' diameter by 18' high) in the AG (Agricultural General) Zone.

CONFIRMATION OF COMPLIANCE WITH NOTICE OF REQUIREMENTS

Notice of hearing was given in accordance with the requirements of the Planning Act for all matters under consideration at this hearing.

REPRESENTATION RECEIVED AT PUBLIC HEARING

Ale Riedstra appeared on behalf of Riedbow Dairy Ltd. In support of application.

DECISION

See Resolutions No. 166/08 in regular minutes.

ADJOURNMENT OF PUBLIC HEARING

The Public Hearing was adjourned at 8:14 p.m.

APPENDIX 2

RURAL MUNICIPALITY OF GREY PUBLIC HEARING May 7, 2008

Minutes of proceedings of Public Hearings in the matter of Conditional Use No. 03-CU-08 held on Wednesday, May 7, 2008 scheduled for 8:15 p.m. in the Council Chambers of the Rural Municipality of Grey at Elm Creek, Manitoba.

ATTENDANCE

Reeve: Ted Tkachyk
Councillors: Ray Franzmann, Jim Pedersen, Richard Penner and Louis Souque
Personnel: Ronald Hayward, Chief Administrative Officer

ATTENDANCE BY OTHERS

No one attended.

CALL TO ORDER

Reeve Ted Tkachyk called the hearing to order at 8:15 p.m.

PURPOSE OF PUBLIC HEARING

The Public Hearing is to receive and hear representations in the matter of the adoption of Paul & Lorraine Piche Conditional Use No. 03-CU-08 permit application to allow the establishment of a non-farm dwelling on NE 29-8-3wpm in AG (Agricultural General Zone) due to recent subdivision application.

CONFIRMATION OF COMPLIANCE WITH NOTICE OF REQUIREMENTS

Notice of hearing was given in accordance with the requirements of the Planning Act for all matters under consideration at this hearing.

REPRESENTATION RECEIVED AT PUBLIC HEARING

No one attended.

DECISION

See Resolutions No. 167/08 in regular minutes.

ADJOURNMENT OF PUBLIC HEARING

The Public Hearing was adjourned at 8:25 p.m.