

Rural Municipality of Grey
May 18, 2011

The Council of the Municipality of Grey held its regular meeting on Wednesday, May 18, 2011 at 9:00 a.m. in the council chambers at the Village of Elm Creek, Manitoba. Reeve Ted Tkachyk presiding and Councillors Ray Franzmann, Rod Savage, Paul Gaultier, Doug Middleton, C.A.O. Kim Gibson, and Assistant C.A.O. Kim Harrison were in attendance.

9:00 a.m. - Meeting called to order.

AGENDA

Franzmann - Gaultier - Resolution No. 159/11

Resolved that the meeting agenda for May 18, 2011 prepared by the Chief Administrative Officer be adopted with the following additions:

Delegations:

10:30 a.m. – Gilles Vielfaure, Portage Assessment Re: Assessment Impact

General Business:

10.6 Water Line Tender

10.7 Dog Ticket Added to Taxes -Carried-

MINUTES

Middleton - Savage - Resolution No. 160/11

Resolved that the minutes of the regular meeting of Council held on May 4, 2011 be hereby confirmed and adopted as presented. -Carried-

FOREMAN REPORT

Savage - Franzmann - Resolution No. 161/11

Resolved that the Public Works Foreman report dated May 2011 be received and filed as information. -Carried-

COMMUNICATIONS:

4.1 A.M.M. Re: June District Meeting -See Resolution No. 162/11-

4.2 Manitoba Infrastructure and Transportation Re: Jeff Van Leeuwen Approval -Filed-

4.3 Manitoba Good Roads Association Re: 2011 Judging Competition -Filed-

4.4 Hitrac Sales Re: Triple Threat Rodeo -Copy to P.W. Foreman-

4.5 Chemical Industries Inc. Re: Dust Control -Filed-

4.6 Manitoba Infrastructure and Transportation Re: MFWD Application -Filed-

4.7 Heart & Stroke Foundation of Manitoba Re: Donation -Filed-

4.8 Manitoba Conservation Re: Facility Classification Certificate Renewal -CAO to renew-

4.9 R-Way Ag Re: Roadside Mix -Copy to P.W. Foreman-

4.10 Louise DeWitt Re: Offer to Purchase Haywood Lots -See Resolution No. 163/11-

4.11 Rural Municipality of Dufferin Re: Clean Out of 11A -Filed-

4.12 St. Claude Veterinary Services District Re: Audit Report -Filed-

COMMUNICATIONS (con't):

- 4.13 MAFRI Re: Expression of Interest – First Impressions Community Exchange
-Filed-
- 4.14 AMM Re: Board of Directors -Filed-
- 4.15 Farm & Rural Support Services Re: Stress Response During & After The Flood
-Administration to post on website-

A.M.M. June District Meeting

Gaultier– Middleton – Resolution No. 162/11

Resolved that all members of Council and the Chief Administrative Officer be authorized to attend the A.M.M. June District Meeting being held in Lowe Farm, MB on June 16, 2011;

And Further Resolved that registration and all out-of-pocket expenses be paid by the Municipality. -Carried-

Land Sale

Middleton – Savage - Resolution No. 163/11

Resolved that Louise Dewitt offer to purchase Lots 19, 20, 21 & 22, Block 4, Plan 777 in the L.U.D. of Haywood for \$2,000.00 be accepted and Council authorize the sale of said property subject to the following conditions:

- 1) Purchaser responsible to pay all legal fees, taxes and disbursements associated with the transfer of above land;
- 2) Purchaser responsible to pay the 2011 realty property taxes;
- 3) Purchaser to begin construction of a dwelling on said lots within one year of acceptance of offer. If this condition is not met then land is to be transferred back to the Municipality at the cost of the Purchaser. -Carried-

DELEGATIONS

9:50 a.m. – Ernie Esau appeared before Council to discuss problems along the Elm Creek Channel during this years flooding and possible remedies.

10:10 a.m. – Gilles Vielfaure from the Portage Assessment office appeared before Council to discuss the impact of the 2012 reassessment.

PUBLIC HEARINGS

Franzmann – Gaultier – Resolution No. 164/11

Resolved that the meeting of Council be hereby recessed for the purpose of holding a Public Hearing in the matter of:

11:00 a.m. - Variation Order Application No. 03-VO-11
Jules Audet – 39 Main Street W., Fannystelle

And to reconvene at the conclusion of the Public Hearing. -Carried-

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

Variation Order No. 03-VO-11

Savage – Franzmann – Resolution No. 165/11

Whereas the Rural Municipality of Grey Zoning By-Law 5/03, as amended, provides that buildings and structures in the “GD” (General Development) Zone require a minimum side yard of 5 feet when the property is located in the “central business area of the community”;

Therefore Be It Resolved that Variation Order No. 03-VO-11 affecting 39 Main Street, Fannystelle be approved to vary the side yard requirement of said property from the required 5 feet to 3.3 feet to allow for a food and beverage establishment. -Carried-

BY-LAWS

By-Law No. 06-2011 – PW Foreman Truck

Franzmann - Gaultier - Resolution No. 166/11

Resolved that By-Law No. 06-2011 being a by-law to enter into an agreement with the Canadian Imperial Bank of Commerce for financing the purchase of a 2011 Ford F250 XL 4x4 truck, be given 2nd reading. -Carried-

Savage - Middleton - Resolution No. 167/11

Resolved that By-Law No. 06-2011 being a by-law to enter into an agreement with the Canadian Imperial Bank of Commerce for financing the purchase of a 2011 Ford F250 XL 4x4 truck, be given 3rd reading and passed. -Carried-

For - Ted Tkachyk, Rod Savage, Ray Franzmann, D. Middleton, P. Gaultier Against - 0 Abstain - 0

REPORTS

Franzmann - Gaultier - Resolution No. 168/11

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

- Pembina Valley Water Coop – April 29, 2011 Minutes
- Fannystelle Sewer Project – May 18, 2011 Report
- Municipal Office Building – May 18, 2011 Report -Carried-

L.U.D. of Elm Creek Minutes

Savage - Middleton - Resolution No. 169/11

Resolved that the minutes for the regular meeting of the L.U.D. of Elm Creek held on May 9, 2011 be received and that all motions and recommendations contained therein be ratified and approved by Council. -Carried-

P.V.W.C. - Fluoride

Franzmann - Middleton - Resolution No. 170/11

Resolved that Pembina Valley Water Cooperative be requested to continue the use of fluoride in their water systems. -Carried-

Fannystelle Sewer

Franzmann - Savage - Resolution No. 171/11

Resolved that J.R. Cousin Consultants be hired to co-ordinate the onsite inspections, etc. with regards to the Fannystelle Sewer Project, at a cost range of \$4,500.00 to \$6,000.00. -Carried-

Gaultier - Franzmann - Resolution No. 172/11

Resolved that the C.A.O. be authorized to transfer \$100,000.00 from the Gas Tax Reserve to the Operating Account for the Municipality to cover costs incurred to date in relation to the Fannystelle Sewer Project.

And Further Resolved that the C.A.O. be authorized to make the necessary arrangements with the CIBC for interim financing for the remainder of project costs. -Carried-

Municipal Office

Middleton - Savage - Resolution No. 173/11

Resolved that the C.A.O. be authorized to approach Klos Realty on the sale of the old Municipal Building. -Carried-

Middleton - Savage - Resolution No. 174/11

Resolved that the C.A.O. be authorized to advertise to fill the vacant lease space that will be available in the new Municipal Office. -Carried-

Franzmann - Middleton - Resolution No. 175/11

Resolved that the C.A.O. be authorized to transfer \$376,141.39 out of the Building Reserve to the R.M. of Grey Operating Account to cover costs incurred to date for the new Municipal Office being constructed;

And Further Resolved that the C.A.O. be authorized to make the necessary arrangements with the CIBC for interim financing for the remainder of project costs. -Carried-

UNFINISHED BUSINESS

Indemnity – Ward 4

Middleton – Savage – Resolution No. 176/11

Resolved that the April 2011 Council Indemnity for Councillor Paul Gaultier be authorized for payment in accordance with Clause 8 of the R.M. of Grey Indemnity Bylaw No. 5/2010. -Carried-

Haywood Concrete Hydrant

Tabled.

Engine Retarder Brakes

Tabled.

GENERAL BUSINESS

Custom Work Added to Taxes

Middleton – Gaultier – Resolution No. 177/11

Resolved that under Section 252(2) of The Municipal Act, the following outstanding accounts be added to the property tax roll on the property hereinafter described:

<u>Roll No.</u>	<u>Legal Description</u>	<u>Amount</u>	<u>Item</u>
155900	Lot 1, Plan 34541 Desc. NE 12-8-6wpm	\$349.33	Rebuild Driveway
164100	Desc. SW 25-8-6wpm	\$69.23	Culvert Purchase

-Carried-

Bulk Water Added to Taxes

Franzmann – Gaultier – Resolution No. 178/11

Resolved that in accordance with By-Law No. 03-2011, Schedule A – Clause 6, the following outstanding utility charges be added to the tax roll on the property hereinafter described:

<u>Utility Account</u>	<u>Roll Number</u>	<u>Description</u>	<u>Amount</u>
454130	181400	NW 1-9-6wpm	\$49.88
453300	39400	Lot 7 & 8, Block 1, Plan 588	\$14.68

-Carried-

Flood Donation

Franzmann – Middleton – Resolution No. 179/11

Resolved that under Section 261 of “The Municipal Act”, Fannystelle Church Ladies be given a grant in the amount of up to \$150.00 by way of a credit at the Elm Creek Co-op to help with food purchases for flood fighters. -Carried-

Heavy Equipment Operator Hiring

Savage – Gaultier – Resolution No. 180/11

Resolved that Patrick Futros be hired for the period May 9, 2011 to October 31, 2011 as a seasonal public works employee for the operation of the small municipal backhoe and other general duties as may be prescribed by the Public Works Foreman;

And Further Resolved that salary for said position be set at a Class IV Equipment Operator rate of \$17.40/hour. -Carried-

GENERAL BUSINESS(con't)

Elm Creek Lift Station

Tabled.

Gravel Rates

General discussion was held on gravel hauling rates and distances to pits. Councillors to provide gravel pits with their gravel requirements for 2011 to ensure pits have enough materials.

Water Line Tender

Middleton – Gaultier– Resolution No. 181/11

Resolved that the C.A.O. be authorized to send tender packages to the following requesting bids for 2011 Rural Water Pipeline Extensions:

Giesbrecht Excavating
John P. Enns Construction Limited
Dig All Construction (1994) Ltd.
L.E.T. Construction (1994) Ltd.
Triple L Excavating
Wiebe Investments

And Further Resolved that deadline for same shall be set for 11:00 a.m. prevailing local time on June 10, 2011. -Carried-

Dog Ticket Added to Taxes

Franzmann – Savage– Resolution No. 182/11

Resolved that in accordance with By-Law No. 3/98, Section 1. (12.04) the following outstanding dog ticket be added to the tax roll on the property hereinafter described:

<u>Roll Number</u>	<u>Description</u>	<u>Amount</u>
95300	Lot 3 & 4, Block 13, Plan 751 L.U.D. of Elm Creek	\$25.00

-Carried-

List of Accounts

Franzmann – Gaultier– Resolution No. 183/11

Resolved that the list of accounts for April 2011 being Ck# 20110349 to Ck# 20110452, totaling \$199,550.14 be approved as circulated. -Carried-

Adjourn 12:15 p.m.

Savage - Franzmann - Resolution No. 184/11

Resolved that we adjourn. -Carried-

Reeve

Chief Administrative Officer

Upcoming Meetings:

Council Meeting
Council Meeting

- June 1, 2011 @ 7:00 p.m.
- June 15, 2011 @ 9:00 a.m.

APPENDIX 1

RURAL MUNICIPALITY OF GREY PUBLIC HEARING May18, 2011

Minutes of proceedings of Public Hearing in the matter of Variation Order No. 03-VO-11 held on Wednesday, May 18, 2011 scheduled for 11:00 a.m. in the Council Chambers of the Rural Municipality of Grey at Elm Creek, Manitoba.

ATTENDANCE

Reeve: Ted Tkachyk
Councillors: Ray Franzmann, Rod Savage, Doug Middleton and Paul Gaultier
Personnel: Kim Gibson, Chief Administrative Officer
Kim Harrison, Assistant Chief Administrative Officer

ATTENDANCE BY OTHERS

No one attended.

CALL TO ORDER

Reeve Ted Tkachyk called the hearing to order at 11:00 a.m.

PURPOSE OF PUBLIC HEARING

The Public Hearing is to receive and hear representations in the matter of the adoption Jules Audet Variation Order 03-VO-11 permit application to vary the side yard requirement from 5 feet to 3.3 feet to allow for a food and beverage establishment.

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 Resolution No. 165/11 in regular minutes.

ADJOURNMENT OF PUBLIC HEARING

The Public Hearing was adjourned at 11:05 a.m.