

**Rural Municipality of Grey**  
**June 18, 2008**

The Council of the Municipality of Grey held its regular meeting on Wednesday, June 18, 2008 at 9:00 a.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 9:06 a.m.), C.A.O. Ronald Hayward and Assistant C.A.O. Kim Gibson were in attendance.

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

**Agenda**

**Franzmann - Penner - Resolution No. 213/08**

Resolved that the meeting agenda for June 18, 2008 prepared by the Reeve and Chief Administrative Officer be adopted with the following additions:

General Business:

18. Financial Statement – May 31, 2008.
19. La Salle Redboine dyking project.
20. Haywood Concrete crossing. -Carried-

**Minutes**

**Souque – Penner - Resolution No. 214/08**

Resolved that the minutes of the regular meeting of Council held on June 4, 2008 be hereby confirmed and adopted. -Carried-

9:06 a.m. - Councillor Jim Pedersen arrived.

**Communications:**

1. Golden Prairie Arts Council Re: Annual General Meeting. -Filed-
2. Manitoba Round Table Re: 2008 Manitoba Excellence in Sustainability Awards. -Filed-
3. The Exchange Re: Audit Financial Report for year ending December 31, 2007. -See Resolution No. 215/08-
4. The Manitoba Water Services Board Re: Certificate of Completion 2006 water pipelines. -See Resolution No. 216/08-

**Audit Report**

**Franzmann - Souque - Resolution No. 215/08**

Resolved that the R.M. of Grey audit report for the period ending December 31, 2007 as prepared by the firm The Exchange chartered accountants, be accepted and filed;

And Further Resolved that in accordance with section 194 of the Municipal Act, public notice be given that said audit report and the municipality's financial statements are available for inspection by the general public. -Carried-

**Certificate of Completion 2006 Water Pipelines**

**Pedersen – Penner - Resolution No. 216/08**

Resolved that the C.A.O. be authorized to sign on behalf of the municipality The Manitoba Water Services Board Completion Certificate for 2006 water pipeline work carried out by L.E.T. Construction under M.W.S.B. Contract No. 878. -Carried-

**PUBLIC HEARING – ZONING BY-LAW , CONDITIONAL USE & VARIATION ORDER**  
**Pedersen - Penner - Resolution 217/08**

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. – Zoning By-law Amendment.

11:15 a.m. – Conditional Use application 07-CU-08,  
Halarda Farms Ltd.; NE 32-8-5wpm.

11:30 a.m. – Variation Order application 05-VO-08,  
Country Wide Food Products; Lots 6/7, Block 1, Plan 40749

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

Refer to Appendix 1, Appendix 2 and Appendix 3 attached to and forming part of these minutes of the regular meeting.

**Conditional Use No. 07-CU-08**  
**Pedersen – Penner - Resolution No. 218/08**

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. 07-CU-08 of Halarda Farms Ltd. affecting  
NE 32-8-5 wpm

Be Approved to allow the construction of a 421’ x 148’ addition with an 8’ in ground manure storage pit plus a 1600 square foot addition for housing of bulk milk storage tank to the existing dairy barn 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 660 milk cows and beef operation of 566 cows and not intended for expansion purposes.

-Carried-

**Variation Order No. 05-VO-08**  
**Pedersen – Franzmann - Resolution No. 219/08**

Whereas the Rural Municipality of Grey Zoning By-law No. 5/03 as amended provides that buildings and structures in the “CG” Commercial General Zone require a minimum rear yard of 5 feet;

Therefore Be It Resolved that Variation Order No. 05-VO-08 of Country Wide Food Products affecting

Lots 6 and 7, Block 1, Plan 40749 in the Village of Elm Creek

Be Approved to vary the rear yard requirement of said property from the required 5 feet to 1 foot to allow for the construction of a loading dock. -Carried-

## **BY-LAWS**

### **By-Law No. 11/07 – Fire Prevention & Emergency Services**

-Tabled-

### **By-Law No. 9/08 – Zoning By-law Amendment**

#### **Franzmann - Souque - Resolution No. 220/08**

Resolved that By-law No. 9/08 being a by-law to amend the Rural Municipality of Grey Zoning By-law 5/03, as amended and provide for accessory buildings, structures and uses when accessory to a dwelling existing as a Conditional Use in the “CG” General Commercial Zone, be given 2nd reading. -Carried-

### **By-Law No. 9/08 – Zoning By-law Amendment**

#### **Penner - Pedersen - Resolution No. 221/08**

Resolved that By-law No. 9/08 being a by-law to amend the Rural Municipality of Grey Zoning By-law 5/03, as amended and provide for accessory buildings, structures and uses when accessory to a dwelling existing as a Conditional Use in the “CG” General Commercial Zone, be given 3rd reading and passed. -Carried-

For - Ted Tkachyk, Raymond Franzmann, Jim Pedersen, Richard Penner and Louis Souque    Against - 0    Abstain - 0

## **Reports**

### **Miscellaneous Reports**

#### **Souque - Pedersen - Resolution No. 222/08**

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

L.U.D. Elm Creek Committee – June 9, 2008

Elm Creek Fire Department – March 24, May 19 and June 2, 2008 -Carried-

## **UNFINISHED BUSINESS**

### **Public Works Foreman**

#### **Penner - Pedersen - Resolution No. 223/08**

Resolved that C.A.O. Ronald Hayward be authorized to negotiate the Public Works Foreman position with Aurele Ricard. -Carried-

### **Upper Morris River Watershed #19**

-Tabled-

### **Landfill Feasibility Study**

#### **Souque - Penner - Resolution No. 224/08**

Resolved that J.R. Cousin Consultants Ltd. quote of May 8, 2008 to provide engineering services for updating the Regional Landfill Feasibility Study be accepted, subject to costs for same being cost shared 50/50 with the Town of Carman. -Carried-

## **GENERAL BUSINESS**

### **Damage Claim**

#### **Franzmann - Penner - Resolution No. 225/08**

Resolved that Councillor Louis Souque be authorized to attend on behalf of the R.M. of Grey a small claims court hearing scheduled for July 3, 2008 in Portage la Prairie, Manitoba. -Carried-

### **Financial Statement**

#### **Franzmann - Penner - Resolution No. 226/08**

Resolved that the R.M. of Grey Financial Report for the 5 month period ending May 31, 2008 be received and filed as information. -Carried-

**La Salle Redboine Dyke Construction Program**

Consideration was given by Council towards use of municipal equipment on the La Salle Redboine Dyke Construction program. Council in agreement that project be tendered and municipality will make a cash contribution for their 1/3 share per Resolution No. 32/08.

**Haywood Concrete – Crossing / Water Connection**

Councillor Richard Penner reported on culvert repair/replacement for existing crossing to Haywood Concrete Products Ltd. as well as installation of second crossing to said business. Councillor Penner to look into possibility of relocating existing 36” culvert through road grade further east and report back to council. Costs associated with culverts over 24” will be charged to general culvert budget.

Council also considered a request from Haywood Concrete Products Ltd. to install their own water service connection. Request denied.

**List of Accounts**

**Pedersen - Souque - Resolution No. 227/08**

Resolved that the list of accounts for May 2008 being Ck#022816 to Ck#022905, totaling \$163,568.55 be approved as circulated. -Carried-

**Adjourn 12:15 p.m.**

**Franzmann - Souque - Resolution No. 228/08**

Resolved that we adjourn. -Carried-

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Reeve

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Chief Administrative Officer

**Upcoming Meetings:**

**Council Meeting** - July 2, 2008 at 7:00 p.m.  
**Council Meeting** - July 16, 2008 at 9:00 a.m.

## APPENDIX 1

### RURAL MUNICIPALITY OF GREY PUBLIC HEARING June 18, 2008

Minutes of proceedings of Public Hearings in the matter of Zoning By-Law 9/08 held on Wednesday, June 18, 2008 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, Jim Pedersen, Richard Penner and Louis Souque  
Personnel: Ronald Hayward, Chief Administrative Officer  
Kim Gibson, 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 of By-Law No. 9/08, (being a By-Law of the Rural Municipality of Grey to amend the Rural Municipality of Grey Zoning By-Law No. 5/03, as amended). The said By-Law proposes to amend the Rural Municipality of Grey Zoning By-law 5/03, as amended and provide for accessory buildings, structures and uses when accessory to a dwelling existing as a Conditional Use in the "CG" General Commercial 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**

No one attended.

#### **DECISION**

See Resolution No. 221/08 in regular minutes.

#### **ADJOURNMENT OF PUBLIC HEARING**

The Public Hearing was adjourned at 11:10 a.m.

## **APPENDIX 2**

### **RURAL MUNICIPALITY OF GREY PUBLIC HEARING June 18, 2008**

Minutes of proceedings of Public Hearings in the matter of Conditional Use No. 07-CU-08 held on Wednesday, June 18, 2008 scheduled for 11:15 a.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  
Kim Gibson, Assistant Chief Administrative Officer

#### **ATTENDANCE BY OTHERS**

Anton Borst of Halarda Farms Ltd.

#### **CALL TO ORDER**

Reeve Ted Tkachyk called the hearing to order at 11:15 a.m.

#### **PURPOSE OF PUBLIC HEARING**

The Public Hearing is to receive and hear representations in the matter of the adoption of Halarda Farms Ltd. Conditional Use No. 07-CU-08 permit application to allow construction of a 421' x 148' addition with an 8' in ground manure storage pit plus a 1600 square foot addition for housing of bulk milk storage tank to the existing dairy barn 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**

Anton Borst appeared on behalf of Halarda Farms Ltd. in support of application.

#### **DECISION**

See Resolutions No. 218/08 in regular minutes.

#### **ADJOURNMENT OF PUBLIC HEARING**

The Public Hearing was adjourned at 11:25 a.m.

## **APPENDIX 3**

### **RURAL MUNICIPALITY OF GREY PUBLIC HEARING June 18, 2008**

Minutes of proceedings of Public Hearings in the matter of Variation Order No. 05-VO-08 held on Wednesday, June 18, 2008 scheduled for 11:30 a.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  
Kim Gibson, Assistant Chief Administrative Officer

#### **ATTENDANCE BY OTHERS**

No one attended.

#### **CALL TO ORDER**

Reeve Ted Tkachyk called the hearing to order at 11:30 a.m.

#### **PURPOSE OF PUBLIC HEARING**

The Public Hearing is to receive and hear representations in the matter of the adoption of Country Wide Food Products Variation Order No. 05-VO-08 permit application to vary rear yard requirement of said property from the required 5 feet to 1 foot to allow for the construction of a loading dock.

#### **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. 219/08 in regular minutes.

#### **ADJOURNMENT OF PUBLIC HEARING**

The Public Hearing was adjourned at 11:44 a.m.