

**Rural Municipality of Grey**  
**December 17, 2008**

The Council of the Municipality of Grey held its regular meeting on Wednesday, December 17, 2008 at 9:00 a.m. in the council chambers at the Village of Elm Creek, Manitoba. Reeve Ted Tkachyk presiding and Councillors Richard Penner, Raymond Franzmann, Jim Pedersen, Louis Souque (arrived at 9:40 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**

**Pedersen - Penner - Resolution No. 388/08**

Resolved that the meeting agenda for December 17, 2008 prepared by the Reeve and Chief Administrative Officer be adopted with the following additions:

**Communications:**

7. Pollock & Wright Re: Remonumentation Section 6-8-4w.

**By-laws:**

1. By-law No. 11/08 – Grey Regional Utility Water Rates.

**Reports:**

5. L.U.D. Haywood minutes – December 9, 2008.

**General Business:**

9. Elm Creek Fire Department 2008 equipment budget. -Carried-

**Minutes**

**Franzmann – Pedersen - Resolution No. 389/08**

Resolved that the minutes of the regular meeting of Council held on December 3, 2008 be hereby confirmed and adopted. -Carried-

**Foreman Report**

Public Works Foreman Aurele Ricard appeared before council and presented a verbal report on Public Works operations.

9:40 a.m. – Councillor Louis Souque arrived.

**Communications:**

1. I.G.A. Community Planning Services Re: Proposed subdivisions.  
-Katie Martens, NE 19-8-5w.  
-Ken & Kim Cummer, Parcel "B", Plan 1143 Haywood. –Tabled-
2. Stuart Briese, MLA Re: Appointment as critic for IGA and EMO. –Filed-
3. Carman Skating Club Re: STARSkate Pembina Valley Regional Competition.  
– See Resolution No. 390/08-
4. MTS Re: Billing for cable damage Highway #13. – See Resolution No. 391/08-
5. The Red River Basin Commission Re: Annual conference. –See Resolution No. 392/08-
6. M.W.S.B. Re: 2008 Water Pipeline billing. –See Resolutions No. 393/08 & No. 394/08-
7. Pollock & Wright Re: Remonumentation – Section 6-8-4w. –See Resolution No. 395/08-

**Carman Skating Club**

Franzmann - Pedersen - **Resolution No. 390/08**

Resolved that the Rural Municipality of Grey place a \$50.00 ad in the program for the STARSkate Pembina Valley Regional Competition being held on January 24, 2009 in Carman, Manitoba. -Carried-

**MTS Cable Damages**

Penner - Souque - **Resolution No. 391/08**

Resolved that Manitoba Telecom Services Inc. billing for damages to buried cable along PTH #13 Elm Creek under Invoice #500148134 in the amount of \$285.93 be approved for payment. -Carried-

**Red River Basin Commission Conference**

Franzmann - Souque - **Resolution No. 392/08**

Resolved that Councillor Richard Penner be authorized to attend The Red River Basin Commission annual conference being held in Winnipeg, MB on January 20 – 22, 2009 with registration and out-of-pocket expenses paid per R.M. of Grey Indemnity By-law. -Carried-

**2008 Water Pipelines**

Penner - Souque - **Resolution No. 393/08**

Resolved that The Manitoba Water Services Board billing for Municipal and Federal portion of costs incurred to date on the 2008 Water Pipeline Project under Contract MWSB 939 in the amount of \$403,036.23 be approved for payment;

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

**PFRA Funding**

Pedersen - Franzmann - **Resolution No. 394/08**

Whereas the R.M. of Grey previously entered into a Contribution Agreement with her Majesty the Queen in the Right of Canada on October 23, 2008, under the National Water Supply Expansion Program for 1/3 contribution funding;

And Whereas the total estimated project cost of the R.M. of Grey regional water pipelines has increased from \$500,000 to \$630,000;

Now Therefore Be It Resolved that the R.M. of Grey request that the contribution agreement be amended to reflect a total project cost of \$630,000 and that Canada's total one third contribution to the project be increased to \$210,000.

-Carried-

**Survey Monument Restoration**

Franzmann – Pedersen - **Resolution No. 395/08**

Resolved that Pollock & Wright billing for remonumentation of Section 6, Township 8, Range 4wpm in the amount of \$849.19 be approved for payment with 50% of said cost billed to the Province under the Monument Restoration Program. -Carried-

**DELEGATIONS:**

**10:00 a.m.** - James Platt of Community Planning Services appeared before Council to discuss the holding of open houses to discuss the Zoning By-Law Amendment Livestock Policy.

**Delegations Continued:**

**1:30 p.m.** - Keith Wallcraft and Allen Chapman of the La Salle Redboine Conservation District appeared before Council and presented a report on drainage surveys.

**PUBLIC HEARING – CONDITIONAL USE & VARIATION ORDER**

**Penner - Souque - Resolution 396/08**

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. – Conditional Use application 18-CU-08, Scotswood Links Ltd.  
NW 24-8-5wpm.
- 11:10 a.m. - Conditional Use application 05-CU-08, Haywood Concrete Products  
SW 23-8-6wpm.
- 11:20 a.m. - Variation Order application 09-VO-08, Frank & Godelieve Bennet  
SE 18-8-7wpm.

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. 18-CU-08**

**Franzmann - Pedersen - Resolution No. 397/08**

Whereas the “RR” Residential Rural Zone of the Rural Municipality of Grey Zoning By-law No. 5/03 as amended provides that golf courses are considered as a conditional use;

Therefore Be It Resolved that Conditional Use Order No. 18-CU-08 of Scotswood Links Ltd. affecting  
NW 24-8-5 wpm

Be Approved to allow construction of a 26 foot by 50 foot structure as an accessory building to be used for maintenance of golf course equipment at the existing Scotswood Links Ltd. golf course in the “RR” Residential Rural Zone. –Carried-

**Conditional Use No. 05-CU-08**

**Penner - Souque - Resolution No. 398/08**

Whereas Haywood Concrete Product Ltd. have made application for a conditional use permit under R.M. of Grey Zoning By-law No. 5/03 as amended, for change of land use on 14.2 acres being acquired for future expansion of the existing concrete business located on SW Desc. 23-8-6wpm in “AG” (Agricultural General) Zone;

Therefore Be It Resolved that Conditional Use Order No. 05-CU-08 of Haywood Concrete Products Ltd. affecting  
SW 23-8-6wpm

Be Approved to allow change of land use on 14.2 acres being acquired for future expansion of the existing Haywood Concrete Products Ltd. plant in the “AG” (Agricultural General) Zone. –Carried-

**Variation Order No. 09-VO-08**

**Souque - Penner - Resolution No. 399/08**

Whereas the Rural Municipality of Grey Zoning By-law No. 5/03 as amended provides that buildings and structures in the “AG” Agricultural General Zone require a minimum front yard of 125 feet;

**Resolution #399/08 Continued:**

Therefore Be It Resolved that Variation Order No. 09-VO-08 of Frank and Godelieve Bennet affecting

SE 18-8-7wpm

Be Approved to vary the front yard requirement of said property from the required 125 feet to 65 feet to allow for the construction of an addition to existing mobile home in the "AG" Agricultural General Zone. –Carried-

**12:00 p.m. - Adjourned for lunch.**

**1:05 p.m. - Reconvened.**

**BY-LAWS**

**By-Law No. 11/08 – Grey Regional Water/Sewer Rates**

**Franzmann - Souque - Resolution No. 400/08**

Resolved that By-law No. 11/08 being a by-law of the Rural Municipality of Grey to provide for establishment of water and sewer rates for the Grey Regional Water and Sewer Utility be amended in accordance with The Public Utilities Board Order No. 168/08 and given 2nd reading. –Carried-

**By-Law No. 11/08 – Grey Regional Water/Sewer Rates**

**Pedersen - Penner - Resolution No. 401/08**

Resolved that By-law No. 11/08 being a by-law of the Rural Municipality of Grey to provide for establishment of water and sewer rates for the Grey Regional Water and Sewer Utility and amended in accordance with The Public Utilities Board Order No. 168/08 be given 3rd reading and passed. –Carried-

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

**REPORTS**

**Reports**

**Penner - Souque - Resolution No. 402/08**

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

- L.U.D. Elm Creek minutes – December 8, 2008.
- Treherne R.C.M.P. monthly report – November 2008.
- La Salle Redboine C.D. report – Flood protection dyking program.
- R.M. of Grey Financial report – October 31, 2008.
- L.U.D. Haywood minutes – December 9, 2008. -Carried-

**UNFINISHED BUSINESS**

**Variation Order No. 08-VO-08**

**Penner - Souque - Resolution No. 403/08**

Whereas the Rural Municipality of Grey Zoning By-law No. 5/03 as amended provides that buildings and structures in the "GD" General Development Zone require a minimum rear yard of 25 feet;

Therefore Be It Resolved that Variation Order No. 08-VO-08 of Henry Twiss affecting

Lot 1, Plan 43066 in the Village of Haywood

**Resolution #403/08 Continued:**

Be Approved to vary the rear yard requirement of said property from the required 25 feet to 4 feet for construction of an addition to the applicants dwelling in the "GD" General Development Zone. -Carried-

**CP Rail Crossing Closures**

C.A.O. to reply that Council is not willing to consider any closures at this time.

**GENERAL BUSINESS**

**Office Caretaking**

**Souque - Pedersen - Resolution No. 404/08**

Resolved that Faye Grantham proposal of \$200.00/month for providing of caretaking services at the R.M. of Grey Office during the period January 1 - December 31, 2009 be accepted. -Carried-

**Recreation Grant Allocations**

**Penner - Franzmann - Resolution No. 405/08**

Resolved that additional grant funding be given to the following community centers due to increase in insurance coverage costs on these facilities:

Elm Creek Skating Rink	\$7,200.00
Elm Creek Curling Rink	\$2,800.00 -Carried-

**L.U.D. Elm Creek Appointment**

-Tabled pending L.U.D. Elm Creek recommendation-

**L.U.D. Elm Creek**

**Pedersen - Penner - Resolution No. 406/08**

Whereas the Highway Traffic Act H60 provides under Highway Speed Regulation M.R. 204/92 for a modified speed zone of 70 km/h on P.T.H. #13 adjacent to the L.U.D. of Elm Creek;

And Whereas Council are concerned with the same movement of traffic at the intersection of Poplar Avenue and P.T.H. #13 which is located outside of said speed zone;

Therefore Be It Resolved that application be made to the Highway Traffic Board to have the existing modified speed zone of 70 km/h on P.T.H. #13 extended to the southern boundary of the L.U.D. of Elm Creek. -Carried-

**2008 Tax Cancellations**

**Penner - Souque - Resolution No. 407/08**

Resolved that the following 2008 property taxes be authorized for cancellation:

Roll #:	Land Desc.:	Amount:
113850	Lot 1, Plan31935	\$2,709.02
224620	NE Desc. 21-9-7w	\$545.37 -Carried-

**Employee Salary Review**

-Tabled-

**Provisional Estimates**

**Franzmann - Pedersen - Resolution No. 408/08**

Whereas, Section 163 of the Municipal Act reads as follows:

"A Council may adopt an interim operating budget to have effect only until the council adopts the operating budget for the fiscal year".;

**Resolution #408/08 Continued:**

And Whereas, Council deems it expedient to adopt an interim operating budget for the fiscal year 2009;

Now Therefore Be It Resolved that the following interim operating budget for the fiscal year 2009 is hereby adopted:

**OPERATING REQUIREMENTS**

General Government Services	\$170,000.00
Protective Services	\$ 50,000.00
Transportation Services	\$230,000.00
Environmental Health Services	\$ 30,000.00
Public Health & Welfare Services	\$ 5,000.00
Environmental Development Services	\$ 5,000.00
Economic Development Services	\$ 20,000.00
Recreation & Cultural Services	\$ 20,000.00
Fiscal Services	\$250,000.00
Utility Fund	\$100,000.00
Total Operating Requirements	\$861,000.00
Total Withdrawal From Reserves	\$175,000.00 -Carried-

**Recycling Committee**

Carol Fifi gave verbal notice and Jill Stafford provided written notice that they were stepping down from the Grey Recycling Committee. The committee will be contacted to discuss filling of vacancies.

**Elm Creek Fire Department**

Fire Chief Anton Borst submitted a request to Council that the unused portion of the 2008 equipment budget be carried forward into 2009. Tabled for consideration during 2009 budget review.

**List of Accounts**

**Franzmann – Souque - Resolution No. 409/08**

Resolved that the list of accounts for November 2008 being Ck#20080117 to Ck#20080185, totaling \$271,506.91 be approved as circulated. -Carried-

**Adjourn 4:20 p.m.**

**Pedersen - Souque - Resolution No. 410/08**

Resolved that we adjourn. -Carried-

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer

**Upcoming Meetings:**

**Council Meeting** - January 7, 2009 at 7:00 p.m.  
**Council Meeting** - January 21, 2009 at 9:00 a.m.

## **APPENDIX 1**

### **RURAL MUNICIPALITY OF GREY PUBLIC HEARING December 17, 2008**

Minutes of proceedings of Public Hearing in the matter of Conditional Use No. 18-CU-08 held on Wednesday, December 17, 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 Scotswood Links Conditional Use No. 18-CU-08 permit application to allow construction of a 26 foot by 50 foot structure as an accessory building to be used for maintenance of golf course equipment at the existing Scotswood Links Ltd. golf course in the "RR" Residential Rural 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. 397/08 in regular minutes.

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

The Public Hearing was adjourned at 11:09 p.m.

## **APPENDIX 2**

### **RURAL MUNICIPALITY OF GREY PUBLIC HEARING December 17, 2008**

Minutes of proceedings of Public Hearing in the matter of Conditional Use No. 05-CU-08 held on Wednesday, December 17, 2008 scheduled for 11:10 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**

Marcel Poirier, applicant.

#### **CALL TO ORDER**

Reeve Ted Tkachyk called the hearing to order at 11:10 a.m.

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

The Public Hearing is to receive and hear representations in the matter of the adoption of Haywood Concrete Products Ltd. Conditional Use No. 05-CU-08 permit application to allow change of land use on 14.2 acres being acquired for future expansion of the existing Haywood Concrete Products Ltd. plant 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**

Marcel Poirier appeared in support of application.

#### **DECISION**

See Resolution No. 398/08 in regular minutes.

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

The Public Hearing was adjourned at 11:19 a.m.

## **APPENDIX 3**

### **RURAL MUNICIPALITY OF GREY PUBLIC HEARING December 17, 2008**

Minutes of proceedings of Public Hearing in the matter of Variation Order No. 09-CU-08 held on Wednesday, December 17, 2008 scheduled for 11:20 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**

Geoff Bennet, applicant.

#### **CALL TO ORDER**

Reeve Ted Tkachyk called the hearing to order at 11:20 a.m.

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

The Public Hearing is to receive and hear representations in the matter of the adoption of Frank & Godelieve Bennet Variation Order No. 09-VO-08 permit application to allow for the construction of an addition to existing mobile home 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**

Geoff Bennet appeared in support of application.

#### **DECISION**

See Resolution No. 399/08 in regular minutes.

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

The Public Hearing was adjourned at 11:29 a.m.