

**Rural Municipality of Grey**  
**December 21, 2011**

The Council of the Municipality of Grey held its regular meeting on Wednesday, December 21, 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, Paul Gaultier, Rod Savage, Doug Middleton, C.A.O. Kim Arnal and Ron Hayward were in attendance.

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

**AGENDA**

**Savage - Gaultier - Resolution No. 364/11**

Resolved that the meeting agenda for December 21, 2011 prepared by the Chief Administrative Officer be adopted with the following additions:

**General Business**

- 10.5 Report on 310 Backhoe
- 10.6 Scraper -Carried-

**MINUTES**

**Middleton - Gaultier - Resolution No. 365/11**

Resolved that the minutes of the regular meeting of Council held on November 30, 2011 be hereby confirmed and adopted with the following change on page 3:

**UNFINISHED BUSINESS**

**L.U.D. Haywood – Boundary Extension**

Tabled. -Carried-

**FOREMAN REPORT**

**Gaultier - Franzmann - Resolution No. 366/11**

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

**Board of Revision**

**Savage - Middleton – Resolution No. 367/11**

Resolved that we adjourn as Council in regular session and now convene as Board of Revision for the 2012 assessment roll. -Carried-

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

**Savage – Middleton – Resolution No. 368/11**

Resolved that we adjourn as Board of Revision and reconvene as Council in regular session. -Carried-

**Board of Revision Report**

**Franzmann - Savage – Resolution No. 369/11**

Resolved that the report of decisions made by the Board of Revision on the 2012 assessment roll appeals, dated December 21, 2011, is hereby adopted by Council. -Carried-

**DELEGATIONS**

10:30 a.m. – Jo-Anne M. Prejet, R.C.M.P. Staff Sergeant Carman appeared before Council to review 2011 Occurrence Stats for the municipality. Discussion was held on current rash of break ins being experienced, as well as, the Citizens on Patrol Program.

**PUBLIC HEARING**

**Gaultier – Franzmann – Resolution No. 370/11**

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. – Zoning By-law Amendment By-law No. 11-2011  
Bernacki Subdivision – SW 22-8-7wpm

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

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

**COMMUNICATIONS:**

- 4.1 MTS Allstream Inc. Re: Bill for Cut Cable NE 31-8-6wpm. -See Resolution No. 371/11-
- 4.2 A.M.M. Member Advisory Re: New Infrastructure Plan. -Filed-
- 4.3 A.M.M. Member Advisory Re: 2012 RCMP Contract. -Filed-
- 4.4 Brunswick Steel Re: New Order Policy -Filed-
- 4.5 Brandt Tractor Re: Thanks a Billion Promo. -Filed-
- 4.6 Manitoba Association of Agricultural Societies Re: MAAS Conference. -Filed-
- 4.7 RHIDE Technologies – CBR Plus Re: Gravelock Technology. -Filed, Copy to Public Works Foreman-
- 4.8 Blaine Pedersen, MLA Re: Bipole III Petition/Coalition. -Filed-
- 4.9 Manitoba Healthy Living, Youth & Seniors Re: MB4Youth Green Team. -See Resolution No. 372/11-
- 4.10 Anton Borst, Halarda Farms Ltd. Re: Drain Tile Sample. -Filed-
- 4.11 Community Futures Manitoba Re: Futurescape Newsletter. -Filed-
- 4.12 Taxervice Re: 2012 Tax Sale Engagement Letter. -See Resolution No. 373/11-
- 4.13 Western Financial Group Re: Group Health & Dental Insurance Program. -Filed-
- 4.14 Manitoba Water Services Board Re: Fannystelle Sewer Billing. -See Resolution No. 374/11-
- 4.15 Community and Regional Planning Re: Subdivision No. 4133-11-5431 (Wall). -See Resolution No. 375/11-
- 4.16 Community and Regional Planning Re: Subdivision No. 4133-11-5446 (Friesen). -Tabled-
- 4.17 Community and Regional Planning Re: Subdivision No. 4133-11-5439 (Arnal). -See Resolution No. 376/11 and Resolution No. 377/11-

**COMMUNICATIONS (CON'T):**

**MTS Cable Damage NE 31-8-6w**

Gaultier - Middleton – **Resolution No. 371/11**

Resolved that MTS Allstream Inc. claim for damages to buried cable at the following location be approved for payment:

NE 31-8-6wpm      Invoice #500189139      \$374.57      -Carried-

**MB4YouthGreen Team**

Savage – Middleton – **Resolution No. 372/11**

Resolved that the Chief Administrative Officer be authorized to apply for a grant through the MB4YouthGreen Team program for a summer student position for the May 1 to August 31, 2012 employment period.    -Carried-

**2012 Tax Sale**

Gaultier – Franzmann – **Resolution No. 373/11**

Resolved that the Chief Administrative Officer be authorized to sign an engagement letter with Taxervice for the providing of services to conduct the 2012 tax sale for the Rural Municipality of Grey;

And Further Resolved that under Section 365(2) of The Municipal Act, Council hereby designate the year 2011 as the year for which properties the taxes in respect of which are in arrears for the year must be offered for sale by auction to recover the tax arrears and costs.    -Carried-

**M.W.S.B. – Fannystelle Sewer Billing**

Franzmann – Savage - **Resolution No. 374/11**

Resolved that The Manitoba Water Services Board billing for portion of costs incurred to date on the 2011 Fannystelle Pressure Sewer & Lagoon Project under Contract MWSB 984 in the amount of \$264,275.37 be approved for payment.    -Carried-

**Subdivision No. 4133-11-5431 (Wall)**

Savage – Middleton – **Resolution No. 375/11**

Resolved that Jacob & Linda Wall application to subdivide a 12.4 acre parcel from their present holding of 80 acres on SW 16-9-4wpm be approved subject to the following conditions:

- 1)      A Conditional Use Order is required to allow for a non-farm dwelling in the “AG” Agricultural General Zone;
- 2)      Applicant obtain written confirmation from Manitoba Conservation that the sewage disposal system is in compliance with the Onsite Wastewater Management Systems Regulation;
- 3)      The 67.6 acre residual parcel be consolidated with the adjacent 80 acre parcel (CT 1548804).    -Carried-

**12:05 p.m. – Adjourned for lunch.**

**1:20 p.m. – Reconvene.**

**Subdivision No. 4133-11-5439 (Arnal)**

Savage – Gaultier – **Resolution No. 376/11**

Resolved that Emile Arnal application to subdivide a 4.79 acre parcel from his present holding of 78.57 acres on NE 27-9-3wpm be approved subject to the following conditions:

- 1)      A Conditional Use Order is required to allow for a non-farm dwelling in the “AG” Agricultural General Zone;
- 2)      A Variation Order is required to vary the size of the residual parcel from 80 acres down to 73.78 acres and the width from 1,000 feet to 960 feet.

**COMMUNICATIONS (CON'T):**

**Subdivision No. 4133-11-5439 (Arnal)**

**Savage – Gaultier – Resolution No. 376/11 (Con't)**

- 3) That future access crossings required to the subdivided parcel or residual parcel as a result of said subdivision shall be the responsibility of the registered landowner. -Carried-

**Subdivision No. 4133-11-5439 (Arnal)**

**Franzmann – Middleton – Resolution No. 377/11**

Resolved that Emile Arnal application to subdivide a 9.30 acre parcel from his present holding of 307.71 acres on S ½ 34-9-3wpm be approved subject to the following conditions:

- 1) A Conditional Use Order is required to allow for a non-farm dwelling in the "AG" Agricultural General Zone;
- 2) That future access crossings required to the subdivided parcel or residual parcel as a result of said subdivision shall be the responsibility of the registered landowner. -Carried-

**BY-LAWS**

**By-Law No. 11-2011 – Zoning By-law Amendment**

**Gaultier – Franzmann – Resolution No. 378/11**

Resolved that By-Law No. 11-2011, being a by-law to provide for amendments to the R.M. of Grey Zoning By-Law No. 5/03, as amended, be given 2<sup>nd</sup> reading. -Carried-

**Savage – Middleton – Resolution No. 379/11**

Resolved that By-Law No. 11-2011, being a by-law to provide for amendments to the R.M. of Grey Zoning By-Law No. 5/03, as amended, be given 3<sup>rd</sup> reading and passed. -Carried-

For: Ted Tkachyk, Ray Franzmann, Rod Savage, Doug Middleton, Paul Gaultier

**REPORTS**

**Savage - Gaultier - Resolution No. 380/11**

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

L.U.D. of Elm Creek – December 12, 2011 Minutes

Pembina Valley Water Cooperative Inc. – December 9, 2011 Minutes -Carried-

**L.U.D. Elm Creek Garbage Contract**

**Savage – Middleton – Resolution No. 381/11**

Resolved that the Rural Municipality of Grey enter into a contract with RDG Yard Care for the providing of garbage collection services to the Village of Elm Creek during the 2 year period commencing January 1, 2012 and ending December 31, 2013 at a cost of \$1,400.00/month plus GST;

And Further Resolved that the Reeve and Chief Administrative Officer be authorized to sign a contract for said services on behalf of the Municipality. -Carried-

**UNFINISHED BUSINESS**

**Elm Creek Lift Station**

**Savage – Gaultier – Resolution No. 382/11**

Resolved that the Municipality request Manitoba Water Service Board to provide technical information into the feasibility of constructing a new Sewage Lift Station for the Village of Elm Creek. -Carried-

**UNFINISHED BUSINESS (CON'T)**

**Manitoba Hydro – Natural Gas Work SW 27-9-7wpm**

**Gaultier – Franzmann – Resolution No. 383/11**

Resolved that Manitoba Hydro's request dated October 28, 2011 under Drawing #CD-16705 for upgrading of the corrosion control system at SW 27-9-7wpm be approved subject to the following conditions:

1. Minimum 48 hours notice prior to construction;
2. Locating of municipal services prior to construction including repair of any damages and payment of related compensation;
3. The tunneling of all services across municipal road allowances;
4. All cable shall be a minimum of one metre below the ditch;
5. The restoration of all roads and drainage ditches including topsoil and reseeded to the satisfaction of the municipality;
6. The municipality will not be financially responsible for relocating any facilities of Manitoba Hydro if this becomes necessary for municipal planning or other reasons; and
7. The municipality is not liable for any damages, economic loss, legal costs or physical restoration. -Carried-

**L.U.D. Boundary Extension**

Council further considered a request received from the L.U.D. of Haywood Committee for an extension to the L.U.D. boundary which would include property owned by Haywood Concrete Product Ltd. C.A.O. to reply that Council is not prepared to commence action to implement said boundary extension.

**Subdivision No. 4133-11-5426 (Tom & Joan Wood)**

-Tabled-

**GENERAL BUSINESS**

**Financial Statements**

**Middleton - Gaultier – Resolution No. 384/11**

Resolved that the Rural Municipality of Grey Financial Reports for the periods ending October 31, 2011 and November 30, 2011 be received and filed as information.  
-Carried-

**Tax Roll Records Restoration**

**Middleton – Franzmann – Resolution No. 385/11**

Resolved that Critical Control Solutions Inc. quote for fumigating/microfilming old tax roll records at a cost of up to a maximum of \$40.00 per book plus applicable taxes be accepted. -Carried-

**Provisional Estimates - 2012**

**Savage - Gaultier – Resolution No. 386/11**

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”.;

And Whereas, Council deems it expedient to adopt an interim operating budget for the fiscal year 2012;

Now Therefore Be It Resolved that the following interim operating budget for the fiscal year 2012 is hereby adopted:

**GENERAL BUSINESS (CON'T)**

**Provisional Estimates – 2012**

**Savage - Gaultier – Resolution No. 386/11 (Con't)**

**OPERATING REQUIREMENTS**

General Government Services	\$190,000.00	
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	\$100,000.00	
Utility Fund	\$200,000.00	
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Total Operating Requirements	\$850,000.00	
Total Withdrawal From Reserves	\$250,000.00	-Carried-

**Seasonal Operators Lay-off**

**Gaultier – Franzmann – Resolution No. 387/11**

Resolved that Council ratify the layoff of the following Public Works Employees:

<u>Employee:</u>	<u>Effective Layoff Date:</u>
Bryton Arnal	September 13, 2011
Timothy Elias	November 10, 2011
Larry Woods	December 2, 2011
Patrick Futros	December 2, 2011 -Carried-

**Backhoe Purchase**

**Gaultier – Savage – Resolution No. 388/11**

Resolved that Brandt Tractor Ltd. quotation to supply a 2012 John Deere 410J Loader Backhoe less trade-in of a 2011 John Deere 310SJ Loader Backhoe at a net cost of \$17,090.00 plus applicable taxes, be accepted;

And Further Resolved that the above purchase be reflected in the 2011 Capital budget and monies for same be withdrawn from the Machinery Replacement Reserve Fund.  
-Carried-

Reeve Tkachyk excused himself from the meeting. Deputy Reeve Ray Franzmann assumed the chair in his absence.

**Scraper Purchase**

Public Works Foreman Aurele Ricard presented Council with information and made a recommendation that the municipality purchase a used Caterpillar 435F Scraper from Matt Tkachyk and Sons.

**Gaultier – Middleton – Resolution No. 389/11**

Resolved that Matt Tkachyk & Sons quotation to supply a used Caterpillar 435F Scraper at a cost of \$33,000.00 plus applicable taxes, be accepted;

And Further Resolved that the above purchase be reflected in the 2011 Capital budget and monies for same be withdrawn from the Machinery Replacement Reserve Fund.  
-Carried-

Reeve Ted Tkachyk returned to meeting and resumed the chair.

**List of Accounts**

**Gaultier – Franzmann – Resolution No. 390/11**

Resolved that the list of accounts for November 2011 being Ck# 20111214 to Ck# 20111364, totaling \$641,441.06 be approved as circulated. -Carried-

**Adjourn 3:00 p.m.**

**Gaultier - Middleton - Resolution No. 391/11**

Resolved that we adjourn. -Carried-

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Reeve

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Chief Administrative Officer

**Upcoming Meetings:**

- **Ward 4 Drainage Plan Hearing – January 3, 2012 @ 7:00 p.m. (St. Claude Recreation Centre)**
- **Council Meeting - January 4, 2012 @ 7:00 p.m. (Regular Meeting)**
- **Council Meeting - January 18, 2012 @ 9:00 a.m. (Regular Meeting)**

## APPENDIX 1

### RURAL MUNICIPALITY OF GREY MINUTES - BOARD OF REVISION December 21, 2011

Minutes of proceedings of Board of Revision in the matter of 2012 Assessment Appeals held on Wednesday, December 21, 2011 scheduled for 10:00 a.m. in the Council Chambers of the Rural Municipality of Grey at Elm Creek, Manitoba.

#### **ATTENDANCE**

Board Members: Reeve, Ted Tkachyk (Chairman), Councillors Ray Franzmann, Rod Savage, Paul Gaultier, Doug Middleton, C.A.O. Kim Arnal (Secretary) and Ron Hayward  
Assessors: Sean Burton, Portage Assessment Office  
Appellants: J.M. Schulz

#### **CALL TO ORDER**

Reeve Ted Tkachyk called the hearing to order at 10:00 a.m.

Assessor Sean Schulz and Appellant J.M. Schulz were both sworn in by the Secretary.

#### **2012 ASSESSMENT APPEALS:**

<u>Application:</u>	<u>Time:</u>	<u>Appellant:</u>	<u>Property:</u>	<u>Grounds:</u>
1-12	10:00a.m.	J.M. Schulz	SE 3-8-5wpm	Assessed too high Flooding Issues

Appellant J.M. Schulz was in attendance and spoke in support of application. Assessor Sean Burton provided an inspection report and recommendation to the Board that the current assessment of 77,500 be confirmed.

Assessor Sean Burton and Appellant J.M. Schulz left the meeting.

#### **CONFIRMATION OF COMPLIANCE WITH NOTICE OF REQUIREMENTS**

Notice of scheduled sitting of the Board of Revision was given to all parties in accordance with the requirements of Section 44 (1) of The Municipal Assessment Act.

#### **DECISION**

See Resolution No. 369/11 in regular minutes.

#### **ADJOURNMENT OF BOARD OF REVISION**

The Board of Revision was adjourned at 10:20 a.m.

## APPENDIX 2

### RURAL MUNICIPALITY OF GREY PUBLIC HEARING December 21, 2011

Minutes of proceedings of Public Hearings in the matter of Zoning By-Law 11-2011 held on Wednesday, December 21, 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 Arnal, Chief Administrative Officer and Ron Hayward.

#### **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. 11-2011, (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 rezone approximately 1.4 acres of land from "AG" Agricultural General Zone to "CG" General Commercial Zone and allow for Service Stations to establish 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. 378/11 and Resolution No. 379/11 in regular minutes.

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

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