

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of August 11, 2009 Regular Meeting

Reeve Rick Lussier called the Meeting to order 4:05 p.m. with the following members present:

Councillors:

Bob Bruneau, Russ Preston, Don Sikora and Vera Cardinal

Recording Members:

**Donna Tschetter – Chief Administrative Officer
Tannis Lodge – Administrative Assistant**

Absent Members:

Recorded Meeting

Meeting being recorded by Dave Fournier

434	In - Camera 2:45 p.m.	Preston – Sikora WHEREAS Section 152(3) of the Municipal Act states that a council may close a meeting to the public; THEREFORE BE IT RESOLVED that the Council of the Rural Municipality of Lac du Bonnet do hereby agree to meet as the Committee of the Whole to discuss the following items at 2:45 p.m. 1. Personnel (2) 2. Legal (2) 3. Other (1) CARRIED
435	Out Of Camera 4:05 p.m.	Bruneau – Preston BE IT RESOLVED that Council do hereby agree to adjourn the sitting as the Committee of the Whole for the purpose of closing the meeting to the public, to resume the regular order of business 4:05 p.m. CARRIED
436	Adopt Agenda August 11, 2009	Sikora – Preston BE IT RESOLVED that the agenda for August 11, 2009 meeting be hereby adopted as circulated and amended. CARRIED
437	Adopt Minutes Regular Meeting July 28, 2009	Bruneau – Cardinal BE IT RESOLVED that the regular meeting minutes of July 28, 2009 be hereby adopted as circulated. CARRIED
438	Adopt Minutes Joint Meeting with Town of LDB July 30, 2009	Preston – Sikora BE IT RESOLVED that the joint meeting minutes between the Town and the RM of Lac du Bonnet held on July 30, 2009 be hereby adopted as circulated. CARRIED
439	Council	Cardinal – Bruneau BE IT RESOLVED that the payroll cheques including Council for the month of July 2009 being cheque number 11694 to cheque number 11785 inclusive in the amount of \$65,977.99 be hereby approved as paid. CARRIED
440	Accounts Payable	Sikora – Preston BE IT RESOLVED that the accounts payable disbursement for August 11, 2009 being cheque number 20090689 to 200900734 inclusive in the amount of \$86,010.67 be hereby approved for payment. CARRIED
441	Sikora Contracting Ltd.	Preston – Cardinal BE IT RESOLVED that the invoice received from Don Sikora Contracting Ltd. be hereby approved for payment for Hauling Gravel from the #214 Pit to RM Roads from July 6 – July 14, 2009 as follows: Invoice in0809-262 dated 19/07/2009 = 57.5 hours at \$88.00 per hour subtract .5 hours for a total amount of \$5,016.00, plus applicable taxes. CARRIED
442	Sikora Contracting Ltd.	Bruneau – Cardinal BE IT RESOLVED that the invoice received from Don Sikora Contracting Ltd. be hereby approved for payment for Hauling Gravel from June 15 – June 19, 2009 as follows: Invoice in0809-240 dated 30/06/2009 = 27 hours at \$88.00 per hour for a total amount of \$2,376.00, plus applicable taxes. CARRIED
443	Transfer Stations Scavenging	Preston – Sikora WHEREAS all recycling material received at the RM of Lac du Bonnet Transfer Stations is the property of the Municipality; AND WHEREAS all means of scavenging material is not acceptable; THEREFORE BE IT RESOLVED that there will be no scavenging of any material by any RM employee, whether working or not, at the 313 and 214 Transfer Stations. CARRIED

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of August 11, 2009 Regular Meeting
PAGE 2

- | | | |
|-----|--|---|
| 444 | Tire for Grader #669 | Cardinal – Bruneau
BE IT RESOLVED that 1 Tire for the #669 Grader be hereby approved to purchase from Race Tire at a cost of \$1,899.00, plus applicable taxes.
<p style="text-align: right;">CARRIED</p> |
| 445 | Parts for Grader #636 | Sikora – Preston
BE IT RESOLVED that parts required for the #636 Grader be hereby approved to purchase at a cost of \$1,800.00, plus applicable taxes.
<p style="text-align: right;">CARRIED</p> |
| 446 | Tires for Mack Truck | Cardinal – Bruneau
BE IT RESOLVED that 4 Tires for the Mac Truck be hereby approved to purchase from Adrian Tire at a cost of \$2,000.00, plus applicable taxes.
<p style="text-align: right;">CARRIED</p> |
| 447 | Drainage Report
Approved
Lamoureux | Preston – Sikora
WHEREAS Adam Lamoureux has made application to subdivide and received conditional approval by resolution of council #172 dated April 8, 2008 and condition # 6 states “that a drainage plan be submitted as prepared by an Engineer, Engineering Tech, or Surveyor”;
THEREFORE BE IT RESOLVED that the letter regarding drainage received from Shepherd & Stevens dated July 29, 2009 be hereby accepted.
<p style="text-align: right;">CARRIED</p> |
| 448 | Lac du Bonnet Lions
use of property | Bruneau – Cardinal
WHEREAS the Lac du Bonnet Lions Club has requested authority to develop additional lands adjacent to the Lions Park described as Parcel J, Plan 3007 as well as a portion of Parcel 3, Plan 5355 and Parcel 2, Plan 9506 located in Section 17-15-11E;
AND WHEREAS the Town of Lac du Bonnet has jurisdiction over Parcel J, Plan 3007 and the remainder of the area is jointly owned with the RM of Lac du Bonnet;
AND WHEREAS the Town of Lac du Bonnet authorizes request by resolution #216/09 dated July 30, 2009;
THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet does hereby authorize the Lions Club to develop said land;
AND FURTHER BE IT RESOLVED that any development of said properties be done with consideration of the Municipal Heritage Advisory Committee requirements.
<p style="text-align: right;">CARRIED</p> |
| 449 | Crown Lands
General Permit
#61463 | Sikora – Preston
WHEREAS Council of the RM of Lac du Bonnet denied application forwarded by Lands Branch, Permit #61463 July 28, 2009 via resolution #422;
AND WHEREAS the Lands Branch is requesting additional information to why Council denied it;
THEREFORE BE IT RESOLVED that the Lands Branch Permit #61463 for the proposed land use; Commercial storage for a truck was hereby denied for the following reasons:
1) R.M. requires a buffer zone for future sewage lagoon project on R.M. land adjacent.
<p style="text-align: right;">CARRIED</p> |

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of August 11, 2009 Regular Meeting
PAGE 3

450 Penner/Powerhouse
Sports Ltd Subdivision
Application

Cardinal – Bruneau

WHEREAS Penner and Powerhouse Sports Ltd. has made application to subdivide property described as Lot 8, Plan 27345 & Lot 1, Plan 40898, NW ¼ 21-15-11E. Allan Penner is the registered owner of an approximately 4.17 acre site and Powerhouse Sports Ltd. is the registered owner of an approximately 1.06 acre site.

The intent is to subdivide part of Lot 1, Plan 40898 (Penner) for consolidation with Lot 8 (Powerhouse Sports). Lot 1 is currently undeveloped agricultural land and Lot 8 is currently used for commercial purposes. Access to be gained via public roadways (Drifters Bend – Powerhouse Sports and Hrinsescu – Penner); THEREFORE BE IT RESOLVED that the Lac du Bonnet Planning District recommends the following if approval of this subdivision is made:

1. A building location certificate be obtained to ensure that all buildings and the sewage disposal system conform to the requirements of the zoning by-law and the Manitoba Regulations regarding sewage systems.
2. That any variation orders be obtained if required.
3. That a drainage plan be submitted as prepared by an Engineer, Engineering Technologist, or Surveyor. The applicant is to be advised that this parcel is susceptible to overland flooding, and that mitigation (flood proofing) measures will likely have to be taken to prevent flooding of buildings, etc.
4. That the portion of Lot 1, Plan 40898 being subdivided be consolidated with Lot 8, Plan 27345.
5. That the portion of Lot 1, Plan 40898 that is to be consolidated with Lot 8, Plan 27345 be re-zoned to “HC” Highway Commercial zone.
No dedication fees required as no new lot is being created.
6. That all taxes and fees be paid to date.

CARRIED

451 Lussier Subdivision
Waive Agreements

Cardinal – Sikora

WHEREAS Paul and Eva Lussier have received conditional approval via council resolution #641 November 20, 2008 and condition #3 states “That a building restriction agreement is required” and condition #4 states “That a development agreement be entered into”; AND WHEREAS these requirements are not required for this subdivision; THEREFORE BE IT RESOLVED that these conditions be hereby waived.

CARRIED

452 By-law 9-09 Third and
Final Reading

Sikora – Preston

BE IT RESOLVED that Bylaw 9-09 being a bylaw of the Rural Municipality of Lac du Bonnet to amend the RM of Lac du Bonnet Zoning Bylaw 19-03 be hereby given third and final reading, signed by the Reeve and Chief Administrative Officer and sealed with the Municipal Seal.

All in Favour

Opposed

Bob Bruneau
Vera Cardinal
Don Sikora
Russ Preston
Rick Lussier

CARRIED

453 Public Utilities Board
Workshops

Bruneau – Cardinal

BE IT RESOLVED that all of Council and the CAO be hereby approved to attend the Public Utilities Board (PUB) workshops in Brandon on Monday, November 23, 2009 starting at 8:30 a.m. for the first session and 10:45 a.m. for the second session.

CARRIED

454 Crown Lands
Vacation Home Permit
#0024885

Preston – Sikora

BE IT RESOLVED that Council of the RM of Lac du Bonnet has no concerns with the Crown Lands Vacation Home Permit No. 0024885, water storage fronting Lot 12, Block 2, Plan 26706 WLTO – Pinawa Bay in pt NE 34-15-12 EPM. This site is to be used for the purpose of a Boathouse.

CARRIED

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of August 11, 2009 Regular Meeting
PAGE 4

	6:00 pm	Supper Break
	6:35 pm (Delegation) Dent-Prychun	No one appeared in favor No one appeared against
455	Conditional Use Hearing #4-09	Bruneau – Cardinal WHEREAS Lorraine Dent-Prychun has made a conditional use application to allow for the establishment of a Bed & Breakfast in a “RR” Rural Residential Zone at SW ¼ 5-15-12E, 71 Tyndall Drive, Roll 267800; THEREFORE BE IT RESOLVED that Conditional Use RMLDB C.U. #4-09 be hereby approved. CARRIED
	6:45 pm (Delegation) Creighton	Mr. Creighton appeared in favor No one appeared against
456	Variation Hearing #18-09 Creighton	Preston – Sikora BE IT RESOLVED that Variation V.O. #18/09 being an application from Doug & Tracey Creighton located at Lot 17, Plan 5382, SE1/4 27-15-11E, #29 Riverland Road. North, Roll #214800 to vary the rear yard requirement of 25 ft. to 4 ft. to allow for the construction of replacing an existing addition be hereby approved. CARRIED
	6:46 pm (Delegation) Johnson	No one appeared in favor No one appeared against
457	Variation Hearing #20-09 Johnson	Cardinal – Bruneau BE IT RESOLVED that Variation V.O. #20/09 being an application from Jim Johnson located at Lot 3, Block 1, Plan 31209, Section 27-15-12E, #26 Parkwood Bay, Roll #315603 to vary the front yard requirement of 30 ft. to 20 ft to allow for the construction of a garage be hereby approved. CARRIED
	6:48 pm (Delegation) Bonnet Oaks	Grant Sebastian President of Bonnet Oaks presented council with written presentation and concerns with drainage. Also appearing before council were Greg Romance and Mati Nomme.
	7:10 p.m. (Delegation) Yanchak	Kayla Yanchak, Debbie Yanchak & Hazel Rivera appeared before council with issues regarding Dog By-law.
	7:35 p.m. (Delegation) Cadzow	Mr. & Mrs. Cadzow appeared before council with concerns regarding culverts at Besel subdivision. Brendan Arsenault also appeared with issues about improper approaches in same subdivision. Reeve Rick Lussier leaves his chair due to a possible conflict of interest.
	7:45 p.m. (Delegation) Rivera	Robert Rivera and Calum Beckett appeared before council with concerns regarding drainage on Maple Creek Road and Catfish Creek. Reeve Rick Lussier resumes chair
458	Technologist Consultant Employment Extension	Preston – Sikora WHEREAS Technologist Consultant Keith Strong was approved by Council for employment with the RM of Lac du Bonnet by resolution of council #96, February 10, 2009 at a cost of \$5,000.00 per month up to a maximum of 6 months; AND WHEREAS Council of the R.M. of Lac du Bonnet authorizes extension of employment for an additional 6 months to February 10, 2010. THEREFORE BE IT RESOLVED that Keith Strong’s employment be extended by 6 months effective August 10, 2009. CARRIED

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of August 11, 2009 Regular Meeting
PAGE 5

- | | | |
|------------|------------------------------|---|
| 459 | By-Law #12-09 First Reading | <p>Bruneau – Cardinal
BE IT RESOLVED that Bylaw 12-09 being a bylaw of the Rural Municipality of Lac du Bonnet to amend the RM Zoning Bylaw 19-03 as follows be hereby given first reading:</p> <ol style="list-style-type: none">1) Table of Contents of the RM of Lac du Bonnet Planning Zoning Bylaw is hereby amended by adding a heading immediately after Table V111 in Part B “ TABLE X11 (a) A40(2) LIMITED AGRICULTURAL ZONE – USE AND BULK TABLE2) Section 10.3 of Part 10 be amended to include Table V111(b) A40(2) Limited Agricultural Zone – Use and Bulk Table as section 10.3.2.2 be hereby given first reading.3) That Appendix “A” Zoning map 6 attached to and being part of the Lac du Bonnet Zoning Bylaw 19-03 be hereby amended in order that the area generally described as being Pt NE 12-15-10 EPM as more particularly shown outlined with a heavy broken line on Appendix “A” attached hereto, be rezoned from A40 Limited Agricultural zone to A (40) (z) Limited Agricultural zone. <p style="text-align: right;">CARRIED</p> |
| 460 | By-Law 13-09 First Reading | <p>Sikora – Preston
BE IT RESOLVED that Bylaw 13-09 being a bylaw of the Rural Municipality of Lac du Bonnet to amend the RM Zoning Bylaw 19-03 as follows be hereby given first reading:</p> <ol style="list-style-type: none">1) Appendix “A” Zoning Map 8-16 attached to and being part of the Zoning Bylaw 19-03 be amended in order that the area generally described as being SW 1/4 16-15-12 be rezoned from “A40” Limited Agricultural Zone to “SR” Seasonal Recreational Zone. <p style="text-align: right;">CARRIED</p> |
| 461 | Meeting Adjourned
8:41 PM | <p>Bruneau – Cardinal
BE IT RESOLVED that the regular meeting of August 11, 2009 be hereby adjourned at 8:41 p.m.</p> <p style="text-align: right;">CARRIED</p> |

Rick Lussier, Reeve

Donna Tschetter,
Chief Administrative Officer