

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of February 23, 2010 Regular Meeting

Reeve Rick Lussier called the Meeting to order 4:10 with the following members present:

Councillors:

Bob Bruneau, Don Sikora, Russ Preston, Vera Cardinal

Recording Members:

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

Absent Members:

Recorded Meeting

Meeting being recorded by Dave Fournier

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| 96 | In - Camera 3:25 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 3:25 p.m. <ol style="list-style-type: none"> 1. Personnel (2) 2. Legal (6) 3. Other (3) <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | |
| 97 | Out Of Camera 4:05 p.m. | Cardinal – Bruneau 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. <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | |
| 98 | Adopt Agenda February 23, 2010 | Preston – Sikora BE IT RESOLVED that the agenda for February 23, 2010 meeting be hereby adopted as circulated and amended. <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | |
| 99 | Adopt Minutes Special Meeting February 9, 2010 | Sikora – Preston BE IT RESOLVED special meeting minutes of February 9, 2010 be hereby adopted as presented. <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | |
| 100 | Adopt Minutes February 9, 2010 | Bruneau – Cardinal BE IT RESOLVED regular meeting minutes of February 9, 2010 be hereby adopted as presented. <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | |
| 101 | Accounts Payable | Preston – Sikora BE IT RESOLVED that the accounts payable disbursements for February 23, 2010 being 2009 Accounts Payable cheque numbers 20100134 to 20100138 and Account Payable for 2010 being cheque numbers 20100130 to 20100133 and cheque numbers 20100139 to 20100171 for a total amount of \$64,206.04 be hereby approved for payment. <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | |
| 102 | MMAA Membership | Cardinal – Bruneau BE IT RESOLVED that the MMAA (Manitoba Municipal Administrators Association) Membership for the CAO and Assistant Administrator in the amount of \$190.00 each be hereby authorized for payment. <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | |
| 103 | 313 Transfer Station Summer Hours | Sikora – Preston BE IT RESOLVED that the Summer Hours for the #313 Transfer Station be hereby approved as follows effective April 1, 2010 to Oct. 31, 2010; <table border="0" style="margin-left: 20px;"> <tr><td>Monday.....</td><td>10:00 a.m. – 8:00 p.m.</td></tr> <tr><td>Tuesday.....</td><td>10:00 a.m. – 8:00 p.m.</td></tr> <tr><td>Wednesday....</td><td>10:00 a.m. – 8:00 p.m.</td></tr> <tr><td>Thursday.....</td><td>10:00 a.m. – 8:00 p.m.</td></tr> <tr><td>Friday.....</td><td>10:00 a.m. – 8:00 p.m.</td></tr> <tr><td>Saturday.....</td><td>10:00 a.m. – 8:00 p.m.</td></tr> <tr><td>Sunday.....</td><td>10:00 a.m. – 8:00 p.m.</td></tr> </table> AND FURTHER BE IT RESOLVED that the hours be advertised in one edition of The Leader and be placed on the Lac du Bonnet Website. <p style="text-align: right;">CARRIED</p> | Monday..... | 10:00 a.m. – 8:00 p.m. | Tuesday..... | 10:00 a.m. – 8:00 p.m. | Wednesday.... | 10:00 a.m. – 8:00 p.m. | Thursday..... | 10:00 a.m. – 8:00 p.m. | Friday..... | 10:00 a.m. – 8:00 p.m. | Saturday..... | 10:00 a.m. – 8:00 p.m. | Sunday..... | 10:00 a.m. – 8:00 p.m. |
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- | 104 | Road Maintenance
Obirek Subdivision | <p>Cardinal – Bruneau
WHEREAS Everett Obirek and Troy Wilson owners of subdivision located at NE1/4 8-16-12E is requesting the Municipality to clear the snow and mow the grass on Jayden Sierra Drive for the next 2 years effective immediately.
THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet agrees to provide snow removal at no cost to the Developer;
AND FURTHER BE IT RESOLVED that the mowing of grass will continue to be the responsibility of the Developer as stated in Clause 14 c) of the Development Agreement;
AND FURTHER BE IT RESOLVED that snow removal will only commence after construction of a residence within the subdivision;
AND FURTHER BE IT RESOLVED that the developer will not hold the municipality liable for any claims of road damage caused by snow removal.</p> <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | | | | | | | | | | | |
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| 105 | Approval for payment to Town of LDB | <p>Preston – Sikora BE IT RESOLVED that Council of the RM of Lac du Bonnet authorize payment to the Town of Lac du Bonnet for the work on the Minnewawa Drain in the amount of \$326.10.</p> <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| 106 | Approval for Woodcutting | <p>Cardinal – Bruneau WHEREAS Bob Solnes is requesting Councils approval to cut 30 cords of Tamarack Wood, 15 cords being salvaged wood; THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet approves his request.</p> <p style="text-align: right;">CARRIED</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| 107 | By-Law 7-10 LDB & District Historical Society Loan Third & Final Reading | <p>Sikora – Preston BE IT RESOLVED that By-Law 7-10 being a bylaw of the RM of Lac du Bonnet to loan monies to the sum of \$10,000.00 to the Lac du Bonnet & District Historical Society Inc. to continue restoration of the Hans Erickson Log Cottage be hereby given third and final reading, signed by the Reeve and Chief Administration Officer, and sealed with the Municipal Seal.</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Present</th> <th style="text-align: left;">In Favour</th> <th style="text-align: left;">Opposed</th> <th style="text-align: left;">Abstained</th> </tr> </thead> <tbody> <tr> <td>Rick Lussier</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Bob Bruneau</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Russ Preston</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Vera Cardinal</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Don Sikora</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> </tbody> </table> <p style="text-align: right;">CARRIED</p> | Present | In Favour | Opposed | Abstained | Rick Lussier | ✓ | | | Bob Bruneau | ✓ | | | Russ Preston | ✓ | | | Vera Cardinal | ✓ | | | Don Sikora | ✓ | | |
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| Rick Lussier | ✓ | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Don Sikora | ✓ | | | | | | | | | | | | | | | | | | | | | | | | | |
| 108 | By-Law 2-10 Campaign Expense Third & Final Reading | <p>Bruneau – Cardinal BE IT RESOLVED that By-Law 2-10 being a bylaw of the RM of Lac du Bonnet to set campaign expense limits for candidates, establish fundraising rules and set the form and deadline for filing the election finance statement be hereby given third and final reading, signed by the Reeve and Chief Administration Officer, and sealed with the Municipal Seal.</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Present</th> <th style="text-align: left;">In Favour</th> <th style="text-align: left;">Opposed</th> <th style="text-align: left;">Abstained</th> </tr> </thead> <tbody> <tr> <td>Rick Lussier</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Bob Bruneau</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Russ Preston</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Vera Cardinal</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Don Sikora</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> </tbody> </table> <p style="text-align: right;">CARRIED</p> | Present | In Favour | Opposed | Abstained | Rick Lussier | ✓ | | | Bob Bruneau | ✓ | | | Russ Preston | ✓ | | | Vera Cardinal | ✓ | | | Don Sikora | ✓ | | |
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| Vera Cardinal | ✓ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Don Sikora | ✓ | | | | | | | | | | | | | | | | | | | | | | | | | |
| 109 | By-Law 5-10 Road Naming Third & Final Reading | <p>Preston – Sikora BE IT RESOLVED that By-Law 5-10 being a bylaw of the RM of Lac du Bonnet to amend By-Law 34-87 and to name additional roads be hereby given third and final reading, signed by the Reeve and Chief Administration Officer, and sealed with the Municipal Seal.</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Present</th> <th style="text-align: left;">In Favour</th> <th style="text-align: left;">Opposed</th> <th style="text-align: left;">Abstained</th> </tr> </thead> <tbody> <tr> <td>Rick Lussier</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Bob Bruneau</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Russ Preston</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Vera Cardinal</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Don Sikora</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> </tbody> </table> <p style="text-align: right;">CARRIED</p> | Present | In Favour | Opposed | Abstained | Rick Lussier | ✓ | | | Bob Bruneau | ✓ | | | Russ Preston | ✓ | | | Vera Cardinal | ✓ | | | Don Sikora | ✓ | | |
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| 110 | Obirek Subdivision Drainage Approved | Bruneau – Cardinal WHEREAS Council of the RM of Lac du Bonnet passed resolution #7 January 12, 2010 disagreeing to waive the required drainage plan for Everett Obirek’s proposed subdivision; AND WHEREAS Council is in receipt of a letter dated February 18, 2010 from Al Degner, Land Surveyor requesting Council to review this condition again and that he is confirming that the existing drainage is acceptable for the current use of the site; THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet accepts this letter as meeting Condition #2 of the Subdivision Approval. <p style="text-align: right;">CARRIED</p> |
| 111 | 2010 Tax Sale | Preston – Sikora BE IT RESOLVED that the Council of the RM of Lac du Bonnet designate 2009 as the year for the purpose of establishing what properties will be offered for tax sale auction in 2010. <p style="text-align: right;">CARRIED</p> |
| 112 | By-Law 8-10 to Establish a Tax Sale Manager First Reading | Cardinal – Bruneau BE IT RESOLVED that By-Law 8-10, being a bylaw of the RM of Lac du Bonnet for the purpose of establishing a tax sale manager position, and defining the duties, responsibilities, and powers of said position be hereby given first reading. <p style="text-align: right;">CARRIED</p> |
| 113 | By-Law 8-10 Second Reading | Sikora – Preston BE IT RESOLVED that By-Law 8-10 be hereby given second reading. <p style="text-align: right;">CARRIED</p> |
| 114 | Sunrise School Division Draft Budget 2010/2011 | Bruneau – Cardinal BE IT RESOLVED that all of council be hereby authorized to attend the Sunrise School Division 2010/2011 Draft Budget on Thursday, February 25, 2010 at 5:00 pm at the Sunrise Education Centre Multi-Purpose Room in Beausejour. <p style="text-align: right;">CARRIED</p> |
| 115 | Agassiz Festival of the Arts | Sikora – Preston BE IT RESOLVED that Council of the RM of Lac du Bonnet do hereby authorize financial support in the amount of \$50.00 to the Agassiz Festival of the Arts. <p style="text-align: right;">CARRIED</p> |
| 116 | Manitoba Good Roads Association Banquet | Bruneau – Cardinal BE IT RESOLVED that all of Council and a representative from Public Works be hereby authorized to attend the Manitoba Good Roads Association Banquet and Awards Presentation on Tuesday, April 13, 2010 at the Royal Oak Inn, 3130 Victoria Ave. West in Brandon starting at 5:30 pm. Tickets to be ordered by April 9, 2010 at \$45.00 per ticket; AND FURTHER BE IT RESOLVED that all of Council and a representative from Public Works be hereby authorized to attend the Municipal Officials Seminar and MTCML Trade Show on April 14 & 15, 2010 at the Brandon keystone Centre. <p style="text-align: right;">CARRIED</p> |
| 117 | ZKZ Development Request for Extension | Sikora – Preston WHEREAS ZKZ Developments have signed a Development Agreement May 12, 2009 on the Herring Gull/Whippoorwill Trail Development showing that the Municipality is the registered owners of the land described in Schedule “A” and the Developer transferred title to the lots within the Planned Area to the Municipality as part of the initial development of the subdivision and wishes to develop the back lots subject to the terms of the Agreement; AND WHEREAS Clause 23 (a) of the Development Agreement references the Transferring of lots within the planned area and that the Municipality gives to the Developer an option to purchase the lots for \$1.00 until April 30, 2011; AND WHEREAS a letter has been received from Cliff Zarecki of ZKZ Developments dated February 13, 2010 requesting that the Herring Gull/Whippoorwill Trail agreement be extended beyond April 2011; THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet agree to extend to April 30, 2015. <p style="text-align: right;">CARRIED</p> |
| 118 | 2010 Jointly Funded Organization Levies | Bruneau – Cardinal BE IT RESOLVED that the 2010 Jointly Funded Organization Levies be hereby approved for payment as attached to this resolution. <p style="text-align: right;">CARRIED</p> |

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| 119 | Appoint Deputy Reeve | <p>Preston – Sikora WHEREAS in accordance with Council’s Organizational By-Law 16-08 Clause 5.1 council must by resolution, appoint a councillor as Deputy Reeve who shall act in place of the Reeve when he/she is unable to carry out the powers, duties and functions of the Reeve. THEREFORE BE IT RESOLVED that Bob Bruneau be hereby appointed as Deputy Reeve.</p> <p style="text-align: right;">CARRIED</p> |
| 120 | By-law 10-10 to Rescind By-law 03-2003 Tax Prepayment Discount First Reading | <p>Bruneau – Cardinal BE IT RESOLVED that By-Law 10-10 being a bylaw of the RM of Lac du Bonnet to rescind By-Law 03-2003, which provided for rates of discount for prepayment of taxes, be hereby given first reading.</p> <p style="text-align: right;">CARRIED</p> |
| 121 | By-law 10-10 Second Reading | <p>Preston – Sikora BE IT RESOLVED that By-Law 10-10 be hereby given second reading.</p> <p style="text-align: right;">CARRIED</p> |
| 122 | Proceeds from Sale of Public Reserves | <p>Bruneau – Cardinal BE IT RESOLVED that in accordance with Section 140 (2) of The Planning Act Council of the RM of Lac du Bonnet hereby approves that any proceeds from the sale of Public Reserves be hereby placed in the Recreation Reserve for the purposes for public parks or other recreational purposes.</p> <p style="text-align: right;">CARRIED</p> |
| 123 | By-law 4-10 to Close Portion of Public Reserve | <p>Preston – Sikora BE IT RESOLVED that By-Law 4-10 being a bylaw of the RM of Lac du Bonnet to close a portion of Public Reserve in SE ¼ and Frac. NE ¼ Sec. 14-16-12 EPM, being Part of Public Reserve D, Plan No. 27591 and transferred to Manitoba Hydro for the purpose of Water Storage be hereby given first reading.</p> <p style="text-align: right;">CARRIED</p> |
| 124 | MHAC 2010 Management Plan | <p>Cardinal – Bruneau WHEREAS The Lac du Bonnet Municipal Heritage Advisory Committee presented Council with their 2010 Heritage Resource Management Plan dated February 4, 2010; THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet hereby approves the Plan.</p> <p style="text-align: right;">CARRIED</p> |
| | 6:00 – 6:30 p.m. | Supper Break |
| 125 | Meeting Recessed for Public Hearing At 6:30 pm | <p>Preston – Cardinal BE IT RESOLVED that the regular meeting of the RM of Lac du Bonnet is hereby recessed for the purpose of holding a scheduled public hearing for the purpose of creating a new road in proposed subdivision, Roll #'s 310800.010 & 310800.000, Owner/Applicant #4553994 MB Ltd./Normand LaBossiere.</p> <p style="text-align: right;">CARRIED</p> <p>Councillor Don Sikora leaves chair due to conflict of interest.</p> |
| 126 | Public Hearing Opens | <p>Bruneau – Cardinal BE IT RESOLVED that Council of the RM of Lac du Bonnet opens the public hearing with regards to creating a new road in proposed subdivision, Roll #'s 310800.010 & 310800.000, Owner/Applicant #4553994 MB Ltd./Normand LaBossiere.</p> <p style="text-align: right;">CARRIED</p> |
| | 6:30 p.m. (Delegation) Public Hearing Granite Hills | Mr. Labossiere appeared in favor of the application. No written or verbal objections received |
| 127 | Public Hearing Closed | <p>Bruneau – Preston BE IT RESOLVED that Council closes the public hearing with regards to creating a new road in proposed subdivision, Roll #'s 310800.010 & 310800.000, Owner/Applicant #4553994 MB Ltd./Normand LaBossiere.</p> <p style="text-align: right;">CARRIED</p> |
| 128 | Meeting Reconvened | <p>Cardinal – Bruneau BE IT RESOLVED that the regular meeting of Council of the RM of Lac du Bonnet be hereby reconvened.</p> <p style="text-align: right;">CARRIED</p> <p>Councillor Don Sikora resumes chair.</p> |

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| | 6:45 p.m. (Delegation) Fournier | Questions for Council. |
| 129 | Arborg/Bifrost Seniors Housing | Preston – Bruneau BE IT RESOLVED that all of Council and the CAO be hereby authorized to visit the Arborg/Bifrost Seniors Housing Facility on March 10, 2010. <p style="text-align: right;">CARRIED</p> |
| 130 | In - Camera 6:56 p.m. | Sikora – Preston 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 6:56 p.m. <ol style="list-style-type: none">1. Personnel2. Legal3. Other (2) <p style="text-align: right;">CARRIED</p> |
| 131 | Out Of Camera 7:40 p.m. | Preston – Sikora 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 7:40 p.m. <p style="text-align: right;">CARRIED</p> |
| 132 | Meeting Adjourned | Bruneau – Cardinal BE IT RESOLVED that the regular meeting of February 23, 2010 be hereby adjourned at 7:41 p.m. <p style="text-align: right;">CARRIED</p> |

Rick Lussier, Reeve

Donna Tschetter,
Chief Administrative Officer