

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of June 8, 2010 Regular Meeting

Reeve Rick Lussier called the Meeting to order at 4:00 p.m. the following members present:

Councillors: **Bob Bruneau, Russ Preston, Vera Cardinal, Don Sikora**

Recording Members: **Donna Tschetter – Chief Administrative Officer**
 Tannis Lodge – Assistant Administrator

Absent Members:

394	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. 1. Personnel (1) 2. Legal (2) 3. Other (2) <p style="text-align: right;">CARRIED</p>
395	Out Of Camera 4:00 p.m.	Sikora – 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 4:00 p.m. <p style="text-align: right;">CARRIED</p>
396	Adopt Agenda June 8, 2010	Bruneau – Cardinal BE IT RESOLVED that the agenda for June 8, 2010 regular meeting be hereby adopted as circulated and amended. <p style="text-align: right;">CARRIED</p>
397	Adopt Regular Meeting Minutes May 11 and May 25, 2010	Preston – Sikora BE IT RESOLVED that the regular meeting minutes of May 11, and May 25, 2010 be hereby adopted as circulated. <p style="text-align: right;">CARRIED</p>
398	Adopt Special Meeting Minutes May 30, 2010	Cardinal – Bruneau BE IT RESOLVED that the Special Meeting Minutes of May 30, 2010 be hereby adopted as circulated. <p style="text-align: right;">CARRIED</p>
399	Adopt Joint Meeting Minutes April 28, 2010	Sikora – Preston BE IT RESOLVED that the Joint Meeting Minutes of April 28, 2010 between the Town of Lac du Bonnet and RM of Lac du Bonnet be hereby adopted. <p style="text-align: right;">CARRIED</p>
400	Adopt Joint Meeting Minutes February 16, 2010	Bruneau – Cardinal BE IT RESOLVED that the Joint Meeting Minutes of February 16, 2010 between RM of Alexander and RM of Lac du Bonnet be hereby adopted. <p style="text-align: right;">CARRIED</p>
401	Accounts Payable	Sikora – Preston BE IT RESOLVED that the accounts payable disbursements for June 8, 2010 being cheque numbers 20100455 to 20100508 in the amount of \$64,994.39 be hereby approved for payment. <p style="text-align: right;">CARRIED</p>
402	Payroll	Cardinal – Bruneau BE IT RESOLVED that the payroll cheques for the month of May 2010 being cheque number 12464 to cheque number 12536 inclusive in the amount of \$ 51, 888.72 be hereby approved as paid. <p style="text-align: right;">CARRIED</p>

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of June 8, 2010 Regular Meeting
PAGE 2

403	Maple Creek Provincial Drain	<p>Bruneau – Cardinal</p> <p>WHEREAS Maple Creek Provincial Drain, also known as Wardrops Creek has contributed to overland flooding in the R.M. of Lac du Bonnet.</p> <p>AND WHEREAS the Council of the R.M. of Lac du Bonnet has declared an Emergency Prevention Order due to overland flooding in the years 2009 and 2010.</p> <p>AND WHEREAS the Manitoba Infrastructure and Technology Representatives met with Council and area farmers in March 2009 to discuss the plans for upgrade and reconstruction of the Maple Creek Drain.</p> <p>AND WHEREAS notification was received from the Manitoba Infrastructure and Technology Department advising that the planned capital project has been tentatively scheduled for 2012-2013 and 2013-2014.</p> <p>AND WHEREAS the time lines for the Maple Creek Provincial Drain capital project are unacceptable due to overland flooding and the drains inability to function to assist with water flows in the Rural Municipality of Lac du Bonnet.</p> <p>THEREFORE BE IT RESOLVED that the Council of the R.M. of Lac du Bonnet request that the CAO request a meeting with the Minister for Infrastructure and Technology to discuss the Maple Creek Provincial Drain Project and request action on this important project.</p> <p style="text-align: right;">CARRIED</p>
404	Approval for Public Works Manager Overtime	<p>Preston – Sikora</p> <p>BE IT RESOLVED that the overtime hours for the Public Works Manager be hereby authorized for payment.</p> <p>May 2010 37 hours</p> <p style="text-align: right;">CARRIED</p>
405	Subdivision Application Adler/Dupont	<p>Cardinal – Bruneau</p> <p>WHEREAS Steve Adler and Tracy Dupont have made application to subdivide, File #RMLDB 10/0081, Roll #210700.</p> <p>The proposal involves an approximate 131.86 acre parcel of land located within SW 1/4 25-15-11 along Wendigo Rd. The intent of the subdivision application is to subdivide an existing yard site from an agricultural land holding.</p> <p>THEREFORE BE IT RESOLVED that should Council wish to approve this application the Lac du Bonnet Planning District recommends that said approval be subject to the following conditions:</p> <ol style="list-style-type: none">1. A building location certificate be obtained to ensure that all buildings conform to the requirements of the zoning by-law.2. If necessary any variation orders be obtained for the proposed and residual parcels.3. That a Drainage Plan and/or a letter confirming no concerns or issues with existing drainage patterns be submitted by a Engineer, Engineering Technologist or Surveyor.4. That all dedication and lot fees be paid.5. That all taxes be paid. <p style="text-align: right;">CARRIED</p>
406	Audio/Video System	<p>Cardinal – Bruneau</p> <p>BE IT RESOLVED that the Council of the R.M. of Lac du Bonnet approve the investigation by Councillor Cardinal & CAO Tschetter an audio/video system and bring back costs by July 13, 2010 meeting.</p> <p style="text-align: right;">CARRIED</p>

407

Subdivision
Application
Gadient

Preston – Sikora

WHEREAS Stephen Francis Gadient and Katherine Jean Gadient have made application to subdivide, File #RMLDB 10/0082, Roll #167400.

The proposal involves an approximate 1.38 acre parcel of land located within NE ¼ 8-15-11 along Riverland Rd.

The intent of the subdivision application is to create an additional (2 total) lot for seasonal recreational purposes. There is currently a dwelling and accessory structure located on the property (proposed lot 2). Access to the developing lands appears to be gained via existing easement plan no. 38128.

THEREFORE BE IT RESOLVED that should Council wish to approve this application the Lac du Bonnet Planning District recommends that said approval be subject to the following conditions:

1. A building location certificate be obtained to ensure that all buildings conform to the requirements of the zoning by-law.
2. If necessary any variation orders be obtained for the proposed and residual parcels.
3. That the right of way embedded in the description, Caveat 2286082, and Easement Declaration 2465499 must be discharged and re-registered using current descriptions to ensure that the intended parcels have legal road access.
4. Manitoba Conservation must be contacted prior to installation of any septic system to ensure compliance with the Manitoba Onsite Wastewater Management System Regulation No. 83/2003.
5. That a restrictive covenant be registered at the Manitoba Land Titles Office in order to address conditions and recommendations from Manitoba Water Stewardship.
6. That a development agreement be entered into with the Municipality in order to address issues including, but not limited to conditions and recommendations from Manitoba Water Stewardship.
7. That the Municipality consider a policy where wastewater holding tanks for seasonal recreational developments are pumped out regularly as part of a service agreement to help prevent the improper discharge of wastewater by residents as per Manitoba Water Stewardship.
8. That a Drainage Plan and/or a letter confirming no concerns or issues with existing drainage patterns be submitted by a Engineer, Engineering Technologist or Surveyor.
9. That all dedication and lot fees be paid.
10. That all taxes be paid

CARRIED

408

By –Law # 20-10
Wildfires Second
Reading

Cardinal – Bruneau

BE IT RESOLVED that By-law No. 20-10 being a bylaw of the Rural Municipality of Lac du Bonnet for the prevention and the control of wildland fires within the Rural Municipality of Lac du Bonnet be hereby given second reading.

CARRIED

409

By –Law # 20-10
Wildfires Third
& Final Reading

Sikora – Preston

BE IT RESOLVED that By-law No. 20-10 being a bylaw of the Rural Municipality of Lac du Bonnet for the prevention and the control of wildland fires within the Rural Municipality of Lac du Bonnet be hereby given third and final reading, signed by the Reeve and the Chief Administrative Office, and sealed with the Municipal seal.

Recorded Vote:

Present	In Favour	Opposed	Abstained
Rick Lussier	✓		
Bob Bruneau	✓		
Russ Preston	✓		
Vera Cardinal	✓		
Don Sikora	✓		

CARRIED

RURAL MUNICIPALITY OF LAC DU BONNET

Minutes of June 8, 2010 Regular Meeting

PAGE 4

Reeve Rick Lussier left his chair due to a possible conflict of interest.

410 By – Law # 12-10
Establish Public Works
Manager Third &
Final Reading

Cardinal – Bruneau

BE IT RESOLVED that By-law No. 12-10 being a bylaw of the Rural Municipality of Lac du Bonnet to establish the position of Public Works General Manager and to appoint to the position be hereby given third and final reading, signed by the Reeve and the Chief Administrative Office, and sealed with the Municipal seal.

Recorded Vote:

Present	In Favour	Opposed	Abstained
Rick Lussier			✓
Bob Bruneau	✓		
Russ Preston	✓		
Vera Cardinal	✓		
Don Sikora	✓		

CARRIED

Reeve Rick Lussier resumed chair.

6:00 pm

Supper Break

411 Meeting Recessed for
Public Hearing
At **6:30 pm**

Preston – Sikora

WHEREAS Council closed the regular meeting to hold a public hearing on May 25, 2010 at 6:30 pm to consider the application for Variation Order No. VO#9/10 at which time Council received a written objection and therefore requested a site visit with applicant; THEREFORE BE IT RESOLVED that the Variation VO#9/10 for applicant Stanley Leong to vary the rear yard requirement of 25 ft to 1 foot to allow for the construction of a dwelling and deck on Lot 5, Plan 46849, NW ¼ 22-15-12, #10 Robinson Way, Roll #280345 be hereby approved.

CARRIED

Variation #9/10

No one appeared in favor of application. One written objection received May 25, 2010.

412 Meeting Recessed

Bruneau – Cardinal

BE IT RESOLVED that the regular meeting of the RM of Lac du Bonnet is hereby recessed for the purpose of holding 4 public hearings.

CARRIED

413 Public Hearings Open
6:30 pm

Sikora – Preston

BE IT RESOLVED that Council of the RM of Lac du Bonnet opens the public hearing for the following:

1. Variation #10/10 RMLDB at 6:30 p.m. for applicant Murray & Debra Moffatt to vary the rear yard requirement of 25 feet to 1 foot to allow for the construction of a new dwelling with porch on rock plateau on Lot 3, Plan 45350 in SW ¼ 16-15-12E Butch Blvd., Roll #275120.
2. Conditional Use #6-10 RMLDB at 6:35 pm for applicant Scott & Karen Weir to allow for the construction of a 464 sq. ft. guest quarters above garage and to allow a height requirement of approximately 18' 6" in a "SR" Seasonal Recreational Zone on Lot 5, Block 8, Plan 27591 in NE ¼ 14-16-12, #29 Merganser Dr., Roll #303002.
3. Variation #11/10 RMLDB at 6:40 pm for applicant Michel & Christine Bruneau to vary the distance between dwelling and garage requirement of 10' to 4'6" to allow for the construction of an addition to dwelling on Lot 33, Plan 3987 in NW ¼ 21-15-11, #35 Edward Cres., Roll 200100.
4. Variation #12/10 RMLDB at 6:45 pm for applicant Patrick Ferns & Lisa Rousseau to vary the front yard requirement of 125 feet to 56 feet to allow for the construction of a garage and;
To vary the front yard requirement of 125 feet to 74 feet to allow for the construction of a new dwelling on Lot 5, Plan 19194 in the SE ¼ 15-15-11, #316 Riverland Rd., Roll #173650.

CARRIED

Variation #10/10
Moffat

Mr. & Mrs. Moffat appeared in favor of their application. No verbal or written objections received.

Conditional Use # 6-10
Weir

Karen & Scott Weir appeared in favor of their application. One written objection received.

Variation #11/10
Dr. Bruneau

Dr. Bruneau appeared on behalf of his application. No verbal or written objections

Variation #12/10
Ferens/Rousseau

Mr. Ferens appeared in favor of application. No verbal or written objections received.

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of June 8, 2010 Regular Meeting
PAGE 5

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| 414 | Public Hearings Closed | <p>Bruneau – Cardinal
BE IT RESOLVED that Council closes the public hearing with regards to Variation #10/10, Conditional Use #6-10, Variation #11/10, and Variation #12/10.</p> <p style="text-align: right;">CARRIED</p> |
| 415 | Meeting Reconvened | <p>Preston – Sikora
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> |
| 416 | Variation #10/10
Approved | <p>Bruneau – Cardinal
THEREFORE BE IT RESOLVED that the Variation #10/10 for applicant Murray & Debra Moffatt to vary the rear yard requirement of 25 feet to 1 foot to allow for the construction of a new dwelling with porch on rock plateau on Lot 3, Plan 45350 in SW ¼ 16-15-12E Butch Blvd., Roll #275120 be hereby approved.</p> <p style="text-align: right;">CARRIED</p> |
| 417 | Variation #11/10
Approved | <p>Preston – Sikora
BE IT RESOLVED that Variation #11/10 for applicant Michel & Christine Bruneau to vary the distance between dwelling and garage requirement of 10' to 4'6" to allow for the construction of an addition to dwelling on Lot 33, Plan 3987 in NW ¼ 21-15-11, #35 Edward Cres., Roll 200100 be hereby approved.</p> <p style="text-align: right;">CARRIED</p> |
| 418 | Variation #12/10
Approved | <p>Bruneau – Cardinal
BE IT RESOLVED that Variation #12/10 for applicant Patrick Ferns & Lisa Rousseau to vary the front yard requirement of 125 feet to 56 feet to allow for the construction of a garage and;
To vary the front yard requirement of 125 feet to 74 feet to allow for the construction of a new dwelling on Lot 5, Plan 19194 in the SE ¼ 15-15-11, #316 Riverland Rd., Roll #173650 be hereby approved.</p> <p style="text-align: right;">CARRIED</p> |
| 419 | Conditional Use #6-10
Approved | <p>Sikora – Preston
THEREFORE BE IT RESOLVED that the Conditional Use # 6-10 for applicant Scott & Karen Weir to allow for the construction of a 464 sq. ft. guest quarters above garage and to allow a height requirement of approximately 18' 6" in a "SR" Seasonal Recreational Zone on Lot 5, Block 8, Plan 27591 in NE ¼ 14-16-12, #29 Merganser Dr., Roll #303002 be hereby approved.</p> <p style="text-align: right;">CARRIED</p> |
| | 7:05 p.m.
(Delegation)
Fournier | David Fournier appeared before Council with questions. |
| | 7:15 p.m.
(Delegation)
Dr. Bruneau | Bill Russell - MHCC member read presentation to Council. Dr. Bruneau also gave council a presentation and an introduction about himself and locating in Lac du Bonnet. |
| 420 | Community Futures
Winnipeg River AGM
& Awards Banquet | <p>Cardinal – Bruneau
BE IT RESOLVED that all of council be hereby authorized to attend the Board of Directors of Community Futures Winnipeg River AGM and Awards Banquet on Monday, June 28, 2010 at the Pioneer Club starting at 6:00 pm; includes dinner, annual meeting, and community and entrepreneurial awards presentations. Dinner tickets may be purchased at \$20.00 through Community Futures office.</p> <p style="text-align: right;">CARRIED</p> |
| 421 | Gas Tax Funding
Extension Agreement | <p>Preston – Sikora
BE IT RESOLVED that the Federal Gas Tax Funding Extension Agreement for the purpose of confirming the Gas Tax Fund allocation to local governments for the period from 2010 - 2014 thereby allowing them to undertake long-term infrastructure planning be hereby authorized to sign.</p> <p style="text-align: right;">CARRIED</p> |
| 422 | Waive Penalty
Roll # 302991 | <p>Bruneau – Cardinal
WHEREAS Brian Vrooman is requesting Council to waive the penalties as of June 2010 on Roll Number 302991 in the amount of \$52.70 as he was waiting for an updated tax amount after the Board of Revision hearing in December 2009.
THEREFORE BE IT RESOLVED that Council of the Rural Municipality of Lac du Bonnet does authorize deletion of the penalty balance.</p> <p style="text-align: right;">CARRIED</p> |
| 423 | Lion's Club Donation
for Miss Minnewawa | <p>Cardinal – Bruneau
BE IT RESOLVED that a donation of \$100.00 be hereby authorized to the Lions Club of Lac du Bonnet towards gift baskets for the Miss Minnewawa Talent Pageant being held on Thursday, July 1, 2010 at 2:00 pm</p> <p style="text-align: right;">CARRIED</p> |

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of June 8, 2010 Regular Meeting
PAGE 6

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| 424 | COA Overtime
Approved | Sikora – Preston
BE IT RESOLVED that the overtime hours for the CAO be hereby authorized for payment as follows:
April 2010 = 29.25 hours
May 2010 = 20.75 hours
<p style="text-align: right;">CARRIED</p> |
| 425 | Purchase of 2008 Ford
Escape Vehicle &
decaling | Cardinal – Bruneau
BE IT RESOLVED that a Bill of Sale received from Fairway Ford in Steinbach for the purchase of a 2008 White Ford Escape Vehicle at a cost of \$20,489.00, plus applicable taxes be hereby approved for payment.
AND FURTHER BE IT RESOLVED that the “RM of Lac du Bonnet By-Law Enforcement” decaling for the vehicle, done by SAR Sport & Recreation at a cost of \$65.00, plus applicable taxes be hereby approved for payment.
<p style="text-align: right;">CARRIED</p> |
| 426 | CAO to Attend
Meeting at Personal
Care Home June 11,
2010 | Sikora – Preston
BE IT RESOLVED that the CAO be hereby authorized to attend a meeting to update on the Lac du Bonnet Personal Care Home (PCH) and Supportive Housing Capital Budget Project and EMS Facility Upgrades on Friday, June 11, 2010 at 2:30 pm to 3:30 pm at the Lac du Bonnet Personal Care Home Meeting Room.
<p style="text-align: right;">CARRIED</p> |
| 427 | Manitoba Water
Council Public
Consultation | Bruneau – Cardinal
BE IT RESOLVED that all of council be hereby authorized to attend the Manitoba Water Council public consultation to determine Manitobans’ perspectives on wetlands on Saturday, June 26, 2010 at the Lac du Bonnet Legion Hall.
<p style="text-align: right;">CARRIED</p> |
| 428 | In - Camera
8:23 p.m. | Preston – Cardinal
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 8:23 p.m.
<ol style="list-style-type: none">1. Personnel2. Legal3. Other (1) <p style="text-align: right;">CARRIED</p> |
| 429 | Out Of Camera
8:55 p.m. | Sikora – 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 8:55 p.m.
<p style="text-align: right;">CARRIED</p> |
| 430 | Meeting Adjourned | Preston – Sikora
BE IT RESOLVED that the regular meeting of June 8, 2010 be hereby adjourned at 8:59 pm.
<p style="text-align: right;">CARRIED</p> |

Rick Lussier, Reeve

Donna Tschetter, CAO