

**RURAL MUNICIPALITY OF LAC DU BONNET**  
Minutes of September 20, 2011 Regular Meeting

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Reeve Karl Gugenheimer called the Meeting to order at 2:45 p.m. with the following members present:

**Councillors:**

Bob Bruneau, Vera Cardinal, Berent Hamm, Doug Marks

**Recording Members:**

Tannis Lodge – Acting Chief Administrative Officer  
Gabrielle Lecuyer – Acting Assistant Administrator

511	In-Camera @ 1:28 p.m	Marks -Hamm 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 item(s) at 1:28 p.m 1. Maternity Leave placement for 2012 2. Employee 25 years of service 3. Culvert application review 4. Zolondek Road update 5. Gravel pit agreement AND FURTHER BE IT RESOLVED that a member must keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) of the Act until the matter is discussed at a council meeting conducted in public. And as stated in The Rural Municipality of Lac du Bonnet Procedures By-Law. <p style="text-align: right;">CARRIED</p>
512	Out of Camera @ 2:53 p.m	Hamm – Marks 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 at 2:53. <p style="text-align: right;">CARRIED</p>
	<b>Break 2:15 – 2:45p.m</b>	
513	Adopt Agenda	Bruneau – Cardinal BE IT RESOLVED that the Agenda for September 20, 2011 Regular Council Meeting be hereby adopted as circulated and amended as follows: <u>Additions: added by Acting CAO</u> GM) PW # 6 Reimer overhead doors quote PW # 7 additional costs for flooring and countertop from Lee River Construction UFB # 11 revised date for meeting with Local Government – October 3/11. NB # 14 Acting CAO report from August 29-September 16, 2011. <p style="text-align: right;">CARRIED</p>
514	Adopt Special Meeting Minutes	Hamm – Marks BE IT RESOLVED that the August 23, 2011 special meeting minutes be hereby adopted as presented. <p style="text-align: right;">CARRIED</p>
515	Adopt Regular Meeting Minutes	Cardinal – Bruneau BE IT RESOLVED that the regular meeting minutes of August 29 and September 6, 2011 be hereby adopted as presented, August 29 <sup>th</sup> as amended. <p style="text-align: right;">CARRIED</p>
516	Approval of Accounts Payable	Marks – Hamm BE IT RESOLVED that the accounts payable disbursement for September 20, 2011 being cheque numbers 201100860 to 201101917 for the total amount of \$282,533.92 be hereby approved for payment and attached to this resolution. <p style="text-align: right;">CARRIED</p>
517	Payroll	Bruneau – Cardinal BE IT RESOLVED that payroll cheques for the month of August 2011 being cheque number 13565 to cheque number 13675 inclusive in the, amount of \$97,450.55 be hereby approved as paid. <p style="text-align: right;">CARRIED</p>
518	Adoption of Public Works Committee Meeting Minutes	Hamm – Marks BE IT RESOLVED that the Public Works Committee Meeting Minutes of September 6, 2011 be hereby adopted as presented. <p style="text-align: right;">CARRIED</p>
519	Leader Advertisement	Cardinal – Bruneau BE IT RESOLVED that Council approves one advertisement in The Leader for a closed bid for the purchase of scrap material and some equipment. <p style="text-align: right;">CARRIED</p>

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520	Public Works Overhead Door Repairs	<p>Marks – Hamm                      BE IT RESOLVED that Council approves the repair work to the overhead doors at a cost of \$1,550.00, plus GST from Reimer Overhead Doors Ltd.</p> <p style="text-align: right;">CARRIED</p>																																												
521	Lee River Construction Flooring Estimate	<p>Bruneau – Cardinal                      WHEREAS Lee River Construction has been approved to build the new public works building with a flooring budgeted price estimate of \$2,992.50;                      AND WHEREAS Lee River Construction received a written quote for flooring dated September 1, 2011 from S&amp;E Carpet By Colour in Lac du Bonnet for the total amount of \$5,768.00;                      THEREFORE BE IT RESOLVED that Council approves the difference in the flooring estimate and to proceed to purchase and install.</p> <p style="text-align: right;">CARRIED</p>																																												
522	Lee River Construction Purchase of Countertop	<p>Hamm – Marks                      WHEREAS Lee River Construction has provided Council with a cost to supply and install a counter in maple melamine with a floform counter top, 3 draws, 2 shelves for the sum of \$1,010.00, plus applicable taxes;                      THEREFORE BE IT RESOLVED that Council approves this purchase.</p> <p style="text-align: right;">CARRIED</p>																																												
523	RM Request for Financial Assistance	<p>Cardinal – Bruneau                      WHEREAS the Rural Municipality of Lac du Bonnet received unusually large amounts of snow fall during the 2010/2011 winter; and;                      WHEREAS the Municipality implemented preventative action to limit the amount of damage that could occur as a result of spring run-off;                      THEREFORE BE IT RESOLVED that The RM of Lac du Bonnet formally seek financial assistance in order to assist the Municipality with associated costs.</p> <p style="text-align: right;">CARRIED</p>																																												
524	Motion to Rescind Resolution # 480, dated September 6, 2011	<p>Hamm – Marks                      WHEREAS Councillor Berent Hamm gave notice of motion, in writing, at the regular council meeting September 6, 2011 to rescind resolution #480 dated August 29, 2011. Resolution #480 reads as follows:  <i>WHEREAS there is a perceived conflict of interest in dual position as Reeve and Building Inspector</i>  <i>BE IT RESOLVED that Council has requested Karl Gugenheimer to choose his position as to what he wants to keep or to vacate for the betterment of the Rural Municipality of Lac du Bonnet</i>  <i>AND FURTHER BE IT RESOLVED that the Council is requesting a decision by Wednesday August 31, 2011 and that Council recommends that Karl Gugenheimer take a leave of absence with pay until decision is made by the deadline</i></p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;"><i>All Present</i></td> <td style="width: 25%;"><i>In favour</i></td> <td style="width: 25%;"><i>Opposed</i></td> <td style="width: 25%;"><i>Abstained</i></td> </tr> <tr> <td><i>Bob Bruneau</i></td> <td><i>- unethical or proper at this time</i></td> <td></td> <td style="text-align: right;">✓</td> </tr> <tr> <td><i>Vera Cardinal</i></td> <td>✓</td> <td></td> <td></td> </tr> <tr> <td><i>Berent Hamm</i></td> <td>✓</td> <td></td> <td></td> </tr> <tr> <td><i>Doug Marks</i></td> <td>✓</td> <td></td> <td></td> </tr> </table> <p>THEREFORE BE IT RESOLVED that Resolution #480 be hereby rescinded.                      Recorded Vote called by Karl Gugenheimer</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"></td> <td style="width: 15%; text-align: center;">In Favour</td> <td style="width: 15%; text-align: center;">Opposed</td> <td style="width: 20%; text-align: center;">Abstained</td> </tr> <tr> <td>Karl Gugenheimer</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>Vera Cardinal</td> <td></td> <td></td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Doug Marks</td> <td></td> <td></td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Berent Hamm</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> </table> <p>Councillors Marks and Cardinal both abstained pending the October 3<sup>rd</sup>, 2011 Local Government meeting</p> <p style="text-align: right;">CARRIED</p>	<i>All Present</i>	<i>In favour</i>	<i>Opposed</i>	<i>Abstained</i>	<i>Bob Bruneau</i>	<i>- unethical or proper at this time</i>		✓	<i>Vera Cardinal</i>	✓			<i>Berent Hamm</i>	✓			<i>Doug Marks</i>	✓				In Favour	Opposed	Abstained	Karl Gugenheimer	✓			Bob Bruneau	✓			Vera Cardinal			✓	Doug Marks			✓	Berent Hamm	✓		
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525	Putting Communities First	<p>Bruneau – Cardinal</p> <p>WHEREAS Manitoba’s municipalities are struggling to meet a growing list of challenges and responsibilities, including health care, affordable housing and infrastructure;</p> <p>WHEREAS the most pressing of these is the growing backlog of infrastructure in need of repair and replacement, including potholed streets and roads; deteriorating sewer and water mains, and aging public facilities such as playgrounds and community centres;</p> <p>WHEREAS Manitoba municipal infrastructure deficit has been estimated at more than \$11 billion, or \$10,00 per resident, which is beyond the capacity of municipal governments and local property taxpayers;</p> <p>AND WHEREAS the Rural Municipality of Lac du Bonnet infrastructure needs are: assistance in the Waste Water Lagoon expansion, sewer and water projects, municipal and provincial roads, municipal and provincial drainage, affordable housing, arenas, youth centre and upgrading park areas adjacent to boat launches.</p> <p>AND WHEREAS this infrastructure deficit has serious consequences for the quality of life of our residents and the economic well-being of our community and province;</p> <p>THEREFORE BE IT RESOLVED that the Rural Municipality of Lac du Bonnet calls on all parties in the October 4, 2011 provincial election to put communities first and commit to reallocating a portion of the tax revenue the Manitoba Government collects in our communities to repairing and upgrading our infrastructure.</p> <p style="text-align: right;">CARRIED</p> <p>Councillor Cardinal left the Council chamber due to conflict of interest re: Document Management systems</p> <p>Councillor Cardinal returns to the Council chamber</p>																								
526	Request to plant trees on Public Reserve at Amy’s Cove	<p>Hamm – Marks</p> <p>WHEREAS Beverly Nally has written to council dated August 23, 2011 requesting permission to plant trees on the municipal public reserve that is adjacent to her property #38 Amy’s Cove, Roll 211126;</p> <p>AND WHEREAS the Municipal Bylaw Enforcement Officer did a site visit and reported on September 9, 2011; found that the property owner has stored a shed, trailers, garden tractor, firewood, miscellaneous material, and numerous trees already planted on public reserve;</p> <p>AND WHEREAS The Municipality has received a concern, in writing from a resident #37 Amy’s Cove expressing concerns regarding the public reserve property;</p> <p>THEREFORE BE IT RESOLVED Council directs bylaw enforcement officer to write a letter to remove all items off public reserve;</p> <p>AND FURTHER BE IT RESOLVED that Beverly Nally be contacted and advised that no more trees are to be planted.</p> <p style="text-align: right;">CARRIED</p>																								
527	Local Government Meeting Scheduled for October 3, 2011	<p>Cardinal – Bruneau</p> <p>BE IT RESOLVED that all of Council and the acting CAO or Acting Assistant be hereby authorized to attend a meeting with Local Government on Monday, October 3, 2011 starting at 10:00 am until 12:00 noon at room 309 Legislative Building in Winnipeg.</p> <p>Recorded Vote called by</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;">In Favour</th> <th style="text-align: center;">Opposed</th> <th style="text-align: center;">Abstained</th> </tr> </thead> <tbody> <tr> <td>Karl Gugenheimer</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>Vera Cardinal</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Doug Marks</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Berent Hamm</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> </tbody> </table> <p style="text-align: right;">CARRIED</p>		In Favour	Opposed	Abstained	Karl Gugenheimer	✓			Bob Bruneau	✓			Vera Cardinal	✓			Doug Marks	✓			Berent Hamm	✓		
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528	Muniware Use Group Session	<p>Hamm – Marks</p> <p>BE IT RESOLVED that 2 office employees are hereby authorized to attend the 2011 MuniWare Manitoba User Group session on October 19 and 20<sup>th</sup> in Winnipeg at the Clarion Hotel. Registration fee \$350.00, plus GST.</p> <p style="text-align: right;">CARRIED</p>																								

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**Break 4:15 – 6:00 p.m**

529 Mutual Aid Memorandum of Understanding  
Bruneau – Cardinal  
BE IT RESOLVED that council is hereby authorized to sign the Mutual Aid Memorandum of Understanding between RM of Alexander and RM of Lac du Bonnet.  
CARRIED

530 AMM 13<sup>th</sup> Annual Convention November 21-24, 2011  
Hamm – Marks  
BE IT RESOLVED that all of council be hereby authorized to attend the 13<sup>th</sup> Annual AMM Convention November 21-24, 2011 at Brandon’s Keystone Centre.  
AND FURTHER BE IT RESOLVED that Early-bird registration and Gala Evening Tickets that are available beginning September 12<sup>th</sup> be authorized to purchase at a cost of \$175.00, plus GST per delegate until October 14<sup>th</sup>. Gala tickets are \$50.00 each plus GST, non-refundable and are on sale until November 7<sup>th</sup>.  
CARRIED

531 Emergency Measures Coordinator Resignation  
Cardinal – Bruneau  
WHEREAS Al Caron, Emergency Measures Coordinator has forwarded a resignation letter dated September 12, 2011 to council;  
AND WHEREAS there is a 30-day termination clause in the contract; he is willing to provide help to council until a suitable replacement is found making the effective date of the resignation October 31, 2011;  
THEREFORE BE IT RESOLVED that council accepts his resignation.  
CARRIED

Reeve Gugenheimer excuses himself from his chair to address the following issue

532 Lee Side Drive Public Reserve  
Bruneau – Cardinal  
WHEREAS Council received a appraisal from Stevenson’s Advisors on the properties regarding a requested closure of public reserve by adjacent property owners on Lee Side Drive SW-22-15-12E;  
AND WHEREAS Ed Van Humbeck presented to Council today a proposal of a price of 10% of the appraised value for each lot;  
THEREFORE BE IT RESOLVED that the Council of the Rural Municipality of Lac du Bonnet agrees to sell the public reserve lots at 10% of the appraised value.  
Recorded Vote called by Councillor Vera Cardinal

	In Favor	Opposed	Abstained
Karl Gugenheimer	✓		
Bob Bruneau	✓		
Vera Cardinal	✓		
Doug Marks	✓		
Berent Hamm	✓		

CARRIED

Reeve Gugenheimer resumes chair

533 Approval to Purchase New Computers  
Hamm – Marks  
BE IT RESOLVED that Council authorizes the purchase of 3 new computer towers (Vostro # 460) at a cost of \$619.00 each.  
CARRIED

534 Request to remove caveat Re: plan 17086 Grausdin Point  
Bruneau – Cardinal  
WHEREAS the Crown and the RM of Lac du Bonnet entered into a Development Agreement in 1982 restricting development to not allow permanent residents and is placed as a caveat on all property titles in the development plan 17086;  
AND WHEREAS this development agreement is no longer required in this development;  
THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet is requesting to the Crown, Her Majesty the Queen of the Province of Manitoba to remove the caveat on all lots in the associated plan #17086 and blocks.  
CARRIED

535 Crown Lands Application GP65548  
Hamm – Marks  
BE IT RESOLVED that Council has no concerns with the Crown Lands and Property Agency Lands Branch application GP65548. File Reference water storage plan 5963 fronting Lot 1 Plan 34542 in SE 11-16-11E for proposed land use: Dock  
CARRIED

Cardinal – Bruneau

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536	Town of LDB annexation request	<p>WHEREAS the Town of Lac du Bonnet passed a resolution September 8, 2011 and copied Council at this meeting requesting annexation of lands described as Plan 11604, NW 17-15-11E (former lagoon site) CT #1195039; and plan 7728 (former Lakers Ski Club Site) CT # 2210265, Town administration was directed to proceed to provide information was directed to proceed to provide information to the Municipal Board and the affected Municipality as per Sections 36 &amp; 37 of The Municipal Act.</p> <p>THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet denies both requests.</p> <p style="text-align: right;">CARRIED</p>
537	Seniors Elections Official notice of destruction of ballots	<p>Cardinal – Bruneau</p> <p>WHEREAS Senior Election Officer Bill Gresham is giving council notice of destroying of ballots from the election 2010 as set out in The Municipal Councils and School Boards Elections Act section 149; THEREFORE BE IT RESOLVED that Council approves the disposition of election materials as per the Act.</p> <p style="text-align: right;">CARRIED</p>
538	CAO Overtime Hours	<p>Hamm – Marks</p> <p>BE IT RESOLVED that the Acting CAO overtime hours for the month of August be hereby approved to payment as follows</p> <p>August 16 -2 hours for council meeting August 24 -3 hours visit to Neepawa Personal Care Home Facility August 25 -1 hour for Fire Department meeting August 29 -3 hours for council meeting</p> <p style="text-align: right;">CARRIED</p>
539	NEHA Annual General Meeting	<p>Marks – Hamm</p> <p>BE IT RESOLVED that the Council of the Rural Municipality of Lac du Bonnet is authorized to attend the North Eastman Health Association’s Annual General Meeting, which is being held on Thursday, September 22<sup>nd</sup>, 2011 at the Kin Place Health Complex – Multipurpose Room, 689 Main Street, Oakbank</p> <p style="text-align: right;">CARRIED</p>
	5:00 p.m Presentation From Dr. Colleen Marion Re: Animal Care Act Breeder Licensing	<p>Dr. Colleen Marion appeared before Council and gave a presentation on The Animal Care Act and Breeding Licensing.</p>
		<p>6:00 p.m. Councillor Cardinal leaves her seat due to illness</p>
540	Delegation 6:00 public hearing Variation # 15/2011 (Wendy Johnson)	<p>Hamm – Marks</p> <p>BE IT RESOLVED that the regular meeting of council be hereby adjourned for the purpose of holding a public hearing scheduled for September 20, 2011 at 6:00 pm for Variation #15/11 for applicants Wendy Johnson to vary the height requirements of 15 ft. to 23’ 10” to allow for the construction of a garage with storage above on Lot 1, Block 6, Plan 11897, SE 12-16-12E, #114 Mascanow Drive, Roll 302053.</p> <p style="text-align: right;">CARRIED</p>
	Public Hearing Variation # 15/2011 (Wendy Johnson)	<p>No objection or concerns</p>
541	Close the Public Hearing	<p>Bruneau – Marks</p> <p>BE IT RESOLVED that the public hearing scheduled September 20, 2011 for Variation #15/11 be hereby closed to reconvene to the regular council meeting.</p> <p style="text-align: right;">CARRIED</p>
542	Approval of Variation # 15/2011(Wendy Johnson)	<p>Marks – Hamm</p> <p>BE IT RESOLVED that the Variation #15/2011 for applicant Wendy Johnson to vary the height requirements of 15 ft. to 23’ 10” to allow for the construction of a garage with storage above on Lot 1, Block 6, Plan 11897, SE 12-16-12E, #114 Mascanow Drive, Roll 302053 be hereby approved.</p> <p style="text-align: right;">CARRIED</p>
	6:15 p.m (Delegation)	<p>David Fournier appeared before Council requesting a breakdown of Anderson Road project.</p>
	6:30 p.m (Delegation)	<p>Marina Laliberte appeared before Council re: concerns with unsightly property.</p>
	Open Question Period	<p>No questions</p>

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Adjournment @ 6:33  
p.m.

Hamm – Marks  
BE IT RESOLVED that the regular meeting of September 20, 2011 be  
hereby adjourned at 6:33 p.m.

CARRIED

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Karl Gugenheimer, Reeve

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Tannis Lodge  
Acting CAO