

RURAL MUNICIPALITY OF LAC DU BONNET
Minutes of August 16, 2011 Regular Meeting

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Reeve Karl Gugenheimer called the Meeting to order at 1:15 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

Marks – Hamm

444 Adoption of Agenda for August 16, 2011

BE IT RESOLVED that the Agenda for August 16, 2011 Regular Council Meeting be hereby adopted as circulated and amended as follows:

Additions: added by Acting CAO

- **UFB #10 Grant Road Closure-information from lawyer – Discussion**
- **(new) UFB #11 – Louis Bruneau – Motor Vehicle Recyclers Permit – Resolution**
- **(new) UFB #12 – Letter from Wayne Lees, Chief Veterinary Officer re : issuance of companion animal breeding premises license to Mr. George Webster**
- **(new) NB #16 – office staff requesting to change council meetings back to Tuesdays (starting September 6) – Discussion**
- **(new) in camera 1- Legal added by Reeve Gugenheimer**
- **(new) UFB # 13 Pipe upgrade for water project added by Councillor Cardinal**

CARRIED

445 Adopt Meeting Minutes for July 18, 2011

Bruneau – Cardinal
BE IT RESOLVED that the Regular Council Meeting Minutes of July 18, 2011 be hereby adopted as circulated as amended.

CARRIED

446 Adopt Special Meeting Minutes for August 3, 2011

Hamm – Marks
BE IT RESOLVED that the Special Council Meeting Minutes of August 3, 2011 to discuss a Fire Ban be hereby adopted as circulated.

CARRIED

447 Approval of Accounts Payable

Cardinal – Bruneau
BE IT RESOLVED that the accounts payable disbursement for August 16, 2011 being cheque numbers 20110647 to 20110773 for the total amount of \$442,254.52 be hereby approved for payment and attached to this resolution.

CARRIED

448 Approval of Payroll

Marks – Hamm
BE IT RESOLVED that the payroll cheques for the month of July 2011 being cheque number 13476 to cheque number 13564 inclusive in the amount of \$77,008.93 be hereby approved as paid.

CARRIED

Financial Statement of June 30, 2011

The monthly financial statement as at June 30, 2011 was presented to Council at the August 16, 2011 regular council meeting. Council has tabled the adoption of the Financial Statement for further review.

449 Adoption of Public Works Committee Meeting Minutes

Cardinal – Bruneau
BE IT RESOLVED that the Public Works Committee Meeting Minutes of July 18, 2011 be hereby adopted as presented.

CARRIED

450 Approval to increase the Lee River Construction tender for the Public Works Building

Hamm – Marks
WHEREAS the Public Works building construction tender was awarded to Lee River Construction in the amount of \$ 157,234.35 as per Resolution #388;
AND WHEREAS the Public Works Manager requested changes and or upgrades to the original plans such as windows, doors, grade beam, foundation;
THEREFORE BE IT RESOLVED that Council approves an increase in the tender of \$849.00.

CARRIED

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451	Authorization for Council to attend # 38 Marcus Drive	Cardinal – Bruneau BE IT RESOLVED that all of Council be hereby authorized to attend # 38 Marcus Drive to review a Drainage Issue. CARRIED
452	Final Acceptance certificate for Donna Besel's Subdivision	Hamm – Marks WHEREAS Donna Besel's Subdivision has past the maintenance period of 2 years in December 2010. Some minor deficiencies to be addressed prior to final acceptance; AND WHEREAS on July 19, 2011 a final acceptance warranty review for the development was requested, completed and reported by GENIVAR Engineering. General surface works including granular roadway construction and drainage is acceptable. Ditch areas were just recently seeded but not established and is considered deficient with respect to the RM Construction/Municipal Standards. The RM Standards permit the extension of the warranty period for the grass only if seeding has occurred. AND WHEREAS no other deficiencies were noted; BE IT RESOLVED that a Final Acceptance Certificate be issued for the development with the exception of all grass seeded areas. AND FURTHER BE IT RESOLVED the Developer's letter of credit may be adjusted to \$3700.00 to reflect only the grass areas as being deficient. CARRIED
453	Appoint The Exchange Group for the 2011 Audit	Bruneau - Cardinal BE IT RESOLVED that the Exchange Group be hereby appointed to carry out the duties of an auditor under the Municipal Act Section 184(1) for the 2011 fiscal year. CARRIED
454	Approval of the Kirby / Bond Subdivision	Marks – Hamm WHEREAS Edward John and Gay Lorraine Kirby together with Agnes Joan Davidson Bond have applied for a subdivision located in NE ¼ 18-16-12 EPM. Edward John and Gay Lorraine Kirby are the registered owners of parcels A and B Plan 29013 which encompass approx. 2.67 acres. Agnes Joan Davidson Bond is the registered owner of parcel C encompasses approx. 2.58 acres. The intent of the application is to realign a property boundary between these two holdings. The proposed realignment will remove approx. 2700 square feet from Parcel C and consolidate it with Parcels A and B. No road or driveways are affected by this proposal. Both lots will continue to be drained naturally, and no surface water will be discharged into a provincial highway ditch or waterway. AND WHEREAS the Lac du Bonnet Planning District recommends that said approval be subject to the following conditions. <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 bylaw.2. If necessary, any variation orders be obtained for the proposed and residual parcels.3. That all taxes be paid THEREFORE BE IT RESOLVED that Council approves the proposed subdivision subject to the same conditions. CARRIED
	Motion To Rescind Resolution # 361 Re: Grant Road Closure	Councillor Vera Cardinal gives notice of Motion to rescind Resolution # 361 dated June 22, 2011 Re: Grant Road Closure and seconded by Councillor Doug Marks
455	Approval of Revised Development Agreement for Erickson subdivision	Cardinal – Bruneau WHEREAS Gregory and Patricia Erickson proposed subdivision on SW35-15-11 involving an approximate 61.3 acre parcel severed by Gauer Road to develop 4 new parcels for recreation/residential purposes received conditional approval on July 27, 2010, expiring July 27, 2012; AND WHEREAS Council conditions of approval were set out under resolution #408, dated June 22, 2010 and condition #9 states a development agreement be entered into; AND WHEREAS Council approved the signing of the Development Agreement on July 4, 2011 via resolution #392; AND WHEREAS Gregory Erickson's lawyer has reviewed the Development Agreement and is requesting council to remove clause #10 <i>Controls over installation of services</i> , as no installation of services required; THEREFORE BE IT RESOLVED that Council approves the removal of clause #10 and approves authorized signatures on the <i>Revised</i> Development Agreement CARRIED

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456	Request to revoke Mr. Bruneau Recyclers permit	<p>Hamm – Marks WHEREAS Council and the Bylaw Enforcement Officer has been working with Mr. Louis Bruneau, Roll Number 161800, #103 Bruneau regarding an unsightly and unsafe property since 2005; AND WHEREAS attempts have been made to have Mr. Bruneau voluntarily clean up the property. In March 2009 Mr. Bruneau met with Council and agreed to keep the front and side yard clean. This property remains in an unsightly condition and Mr. Bruneau has not always complied with letters or orders. AND WHEREAS Mr. Bruneau holds a Motor Vehicle Recycler’s Permit with an expiry date of February 2012. The property is not zoned for this purpose THEREFORE BE IT RESOLVED Council is requesting the Manager of Vehicle Licensing Standards to revoke Mr. Bruneau Recyclers Permit.</p> <p style="text-align: right;">CARRIED</p>
	Break 3:00 to 3:30 p.m	
	3:30 p.m (Delegation) All Net	<p>Delegation moved from 3:50p.m. To 3:30p.m. agreed by the 3:30 delegation (Ken Hill) and the 3:40 delegation (Lorraine Dupont)</p> <p>All Net appeared before council regarding a Document Management Presentation</p>
	3:40 p.m (Delegation) Ken Hill	<p>Ken Hill appeared before council representing the RRMG Ratepayers for Responsible Municipal Govt request to change election date.</p>
	3:50 p.m (Delegation) Lorraine Dupont	<p>Lorraine Dupont appeared before council regarding the Webster Kennel</p>
	4:00 p.m (Delegation) David Fournier	<p>David Fournier appeared before council requesting a breakdown of costs of ditching on Anderson Way Grader/operator/trucks and cheques passed for meeting.</p>
457	4:10 p.m Meeting Recessed for public hearing	<p>Bruneau – Cardinal BE IT RESOLVED that the regular meeting of council be hereby adjourned for the purpose of holding a public hearing scheduled for August 16, 2011 at 4:10 pm for Variation #13/2011 for applicants Bruce and Ann Routley to vary the front yard requirements of 30 feet to 5 feet to allow for the construction of a shed in a “SRG” General Seasonal Recreational Zone, on Lot A Plan 25826 in NE 34-15-12E, # 11 Nelson Drive – Lee Side Co-op (Roll # 290500).</p> <p style="text-align: right;">CARRIED</p>
458	Reconvene Regular Council Meeting	<p>Hamm – Marks BE IT RESOLVED that the public hearing scheduled August 16, 2011 at 4:10 pm for Variation #13/2011 for applicants Bruce and Ann Routley of # 11 Nelson Drive – Lee Side Co-op, in the NW 34-15-12E be hereby closed to reconvene to the regular council meeting.</p> <p style="text-align: right;">CARRIED</p>
459	Approval of Variation # 13-2011 Routley	<p>Cardinal – Bruneau BE IT RESOLVED that the Variation #13/2011 for applicants Bruce and Ann Routley to vary the front yard requirement of 30 feet to 5 feet to allow for the construction of a shed in a “SRG” General Seasonal Recreational Zone, on Lot A Plan 25826 in NE 34-15-12E, # 11 Nelson Drive – Lee Side Co-op. (Roll # 290500) be hereby approved.</p> <p style="text-align: right;">CARRIED</p>
460	Extending the adjournment time	<p>Hamm – Marks WHEREAS the hour of 5:00 p.m. has been reached; AND WHEREAS Clause 7.6 of Procedural By-law # 01-11 states that the meeting may, by unanimous resolution be extended; THEREFORE BE IT RESOLVED that the August 16, 2011 meeting have the adjournment time extended to 6:00 p.m.</p> <p style="text-align: right;">CARRIED</p>
461	Authorization for Council to attend the Mines Branch Meeting	<p>Bruneau – Cardinal BE IT RESOLVED that Council and the Public Works Manager along with the Acting Chief Administrative Officer be authorized to attend the Mines Branch Meeting held on Tuesday August 23, 2011 in Winnipeg from 2 – 4 p.m. at the Innovation, Energy and Mines Branch, Unit 360-1395 Ellice Ave.</p> <p style="text-align: right;">CARRIED</p>

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462	Tanco Crescent water Coop Petition accepted	Hamm – Marks WHEREAS pursuant to section 313 of The Municipal Act, Council of the RM of Lac du Bonnet is in receipt of a petition dated April 12, 2011, received July 26, 2011 presented by Brian W. Fortney, #29 Tanco Crescent, President of Tanco Water Coop as the representative of the petitioners for Tanco Crescent Water Coop to begin conversations regarding a Water and Sewer Process Improvement Project; AND WHEREAS The Acting CAO has reviewed the petition; THEREFORE BE IT RESOLVED as per section 156(1) of The Municipal Act the Acting CAO has determined, in her opinion that the petition be accepted as sufficient; AND FURTHER BE IT RESOLVED that the petition is received by council on the day it is presented to the council. <p style="text-align: right;">CARRIED</p>
463	Authorization for Council to attend the Regional Municipal Forum	Cardinal – Bruneau BE IT RESOLVED that Council be authorized to attend the Regional Municipal Forum Meeting being hosted by the RM of Reynolds on September 12, 2011 at 12:00p.m. in Hadashville. <p style="text-align: right;">CARRIED</p>
464	Approval to advertise in the Leader Re: Property taxes have been mailed out	Marks – Hamm BE IT RESOLVED that Council of the RM of Lac du Bonnet approves an advertisement in The Leader for a Notice advising that the 2011 Property Tax Statements have been mailed out. <p style="text-align: right;">CARRIED</p>
465	The RM of LDB to host the 2012 Municipal Golf Tournament	Bruneau – Cardinal WHEREAS the RM of Brokenhead hosted the 2011 Municipal Golf Tournament; AND WHEREAS the Council of the RM of Lac du Bonnet has shown an interest in hosting 2012 Municipal Golf Tournament; BE IT RESOLVED that Council of the RM of Lac du Bonnet authorize hosting the 2012 Municipal Golf Tournament; AND FURTHER BE IT RESOLVED that all employees participating in the hosting of the tournament receive their regular days wage. <p style="text-align: right;">CARRIED</p>
466	CAO authorization of payment for overtime hours for the month of July	Hamm – Marks BE IT RESOLVED that the overtime hours for the Acting CAO for the month of July being 9.5 hours be authorized for payment as follows: 3 hours for July 4, 2011–Council Meeting 5 hours for July 18, 2011 – Council Meeting 1.5 hours for July 26, 2011 water project phase 1 public meeting <p style="text-align: right;">CARRIED</p>
467	In – Camera @ 5:48p.m.	Bruneau – Marks 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 5:48 p.m. 1. Acting CAO 3 Month Review Request 2. Personnel request 3. Legal AND FURTHER BE IT RESOLVED that all matters discussed is to remain confidential as per Section 7.8 of the Rural Municipality of Lac du Bonnet Procedures by-Law No. 01-11. <p style="text-align: right;">CARRIED</p>
468	Out of Camera @ 6:45p.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 6:45p.m. <p style="text-align: right;">CARRIED</p>
469	Adjournment @ 6:45 p.m.	Bruneau - Marks BE IT RESOLVED that the regular meeting of August 16, 2011 be hereby adjourned at 6:45 p.m. <p style="text-align: right;">CARRIED</p>

Karl Gugenheimer, Reeve

Tannis Lodge
Acting CAO