

RURAL MUNICIPALITY OF LAC DU BONNET

Minutes of July 18, 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

409 Adopt Agenda for July 18, 2011

BE IT RESOLVED that the Agenda for July 18, 2011 Regular Council Meeting be hereby adopted as circulated and amended as follows:

Additions: added by Acting CAO

- B&C #8 Water Project Committee Meeting Minutes of June 21, 2011 & Public Meeting “tentatively” scheduled for Tuesday July 26th at the LDB Pioneer Club – Discussion
- NB #9 Audio/Video System in place-Discussion on public taping/recordings
- NB #10 MJ’s Tilling & Yard Care record of work so far 2011 – Info
- NB #11 Acting CAO report to Council for July 4-15, 2011 – Info
- NB #12 Acting CAO overtime for June 2011 (5 hours) – Resolution
- B&C #9 Two Rivers Committee (added by Councillor Vera Cardinal)
- UFB # 15 Document Management System (added by Councillor Vera Cardinal)
- UFB # 16 Historical Society (added by Councillor Vera Cardinal)

Revisions:

Moving UFB #10 to UFB 1(A)

CARRIED

410 Adopt Regular Meeting Minutes of July 4, 2011

Cardinal – Bruneau

BE IT RESOLVED that the Regular Council Meeting Minutes of July 4, 2011 be hereby adopted as circulated.

CARRIED

411 Adopt Special Meeting Minutes of July 13, 2011

Hamm – Marks

BE IT RESOLVED that the Special Meeting Minutes of July 13, 2011 be hereby adopted as presented.

CARRIED

412 Adopt Public Works Committee Meeting Minutes

Bruneau – Cardinal

BE IT RESOLVED that the Public Works Committee Meeting Minutes of July 4, 2011 be hereby adopted as presented.

CARRIED

413 Authorize payment for 2011 Gravel Hauling

Marks - Hamm

BE IT RESOLVED that Council of the RM of Lac du Bonnet authorize payment in the amount of \$79,830.00 for a portion of the 2011 Gravel Hauling.

CARRIED

414 Adopt LDB Safety Program

Cardinal – Bruneau

BE IT RESOLVED that Council of the RM of Lac du Bonnet hereby adopt the Lac du Bonnet Safety Program as presented.

CARRIED

415 Authorize Don Sikora Contracting Ltd. for the Wood Duck Boat Launch Channel Repair

Hamm – Marks

BE IT RESOLVED that Council of the RM of Lac du Bonnet authorizes Don Sikora Contracting Ltd. for the Wood Duck Boat Launch Channel Repair for a total amount of \$26,643.75 as follows:

45 hrs, 5 days Excavation of Channel = @\$175/hr with 6300

Linkbelt and;

150 Yards of Rock @\$40/Yard

Silk Screen, Materials and Labour for Ring Dike

Includes all signaling devices for safety hazards, beacon on

lake

Remove existing boat launch, reset in place

Work to commence approx 1st week of august 2011, weather permitting All permits must be acquired and in place by the Municipality prior to commencement of work.

“The Public Works Manager did contact two (2) other contractors with no interest from either party”

CARRIED

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|-----|---|--|
| 416 | Michael Goska request a refund for a load of singles | Cardinal – Bruneau
WHEREAS Mr. Michael Goska, Roll Number 294877, paid for two (2) loads of shingles being \$400.00 and is requesting, in writing, a refund in the amount \$200.00 as he only took one (1) load;
THEREFORE BE IT RESOLVED that Council authorizes the requested refund.
<p style="text-align: right;">CARRIED</p> |
| 417 | Lee Side Drive Public Reserve Closure Update and Request to Purchase Public Reserve | Hamm – Marks
WHEREAS Council of the RM of Lac du Bonnet passed a resolution # 248 on May 2, 2011 agreeing in principle to start the process of closing Public Reserve fronting the following properties at part of SW ¼, Section 15, Township 15, Range 12 EPM on Lee Side Drive, Lots 9 thru to 14 in Block 4 and Lots 1 thru 4 in Block 3. All costs pertaining to the closure be born by the lot owners;
AND WHEREAS three (3) more lot owners are requesting to be added to the purchase; Andy Keller Lot 6, William Graves Lot 7, and Corey Parent Lot 8 of Block 4;
THEREFORE BE IT RESOLVED that Council approves request
<p style="text-align: right;">CARRIED</p> |
| 418 | Approval of Conditional Use Cu5-11 (Doerksen) | Bruneau - Cardinal
WHEREAS Council held a scheduled public hearing on July 4, 2011 at 3:50 pm for Conditional Use CU5-11 for applicants Abram & Hilda Doerksen to allow for the construction of a 410 sq. ft. guest quarters above garage and to allow a height requirement of approx. 24 ft. in a “SR” Seasonal Recreational Zone on #8 Francis Drive, Lot 4, Plan 7985, in the SW ¼ 22-15-11E.
AND WHEREAS council tabled their decision until July 18 th after a site visit on July 6, 2011.
THEREFORE BE IT RESOLVED that the Conditional Use #CU5-11 for applicants Abram & Hilda Doerksen be hereby approved subject to Lot Grade match / survey location of house.
<p style="text-align: right;">CARRIED</p> |
| | Break 3:00 – 3:30 p.m. | |
| | Delegation 3:30 p.m. Tom & Angela Lamboo | Angela Lamboo appeared before Council to requesting an extension Re: unsightly property notice |
| | Delegation 3:40 p.m. Dave Fournier | Dave Fournier appeared before Council requesting copies of cheques being passed at the meeting and inquiring about the cost of emulsion on McArthur Avenue |
| | Delegation 3:50 p.m. Cliff Bergman | Cliff Bergman appeared before Council requesting to waive lot grade for this property |
| | Delegation 4:00 p.m. Cliff Zarecki | Cliff Zarecki appeared before Council requesting substitution of lots for proposed new development |
| | Delegation 4:10 p.m. Norm Labossiere | Norm Labossiere appeared before Council re: Granite Heights Development purchasers agreement |
| 419 | Approval for request of extension re: Unsightly Property (Thomas and Angela Lamboo) | Marks – Hamm
WHEREAS Thomas and Angela Lamboo received a courtesy letter from James H. Arthur, Municipal Bylaw Enforcement Officer, dated April 19, 2011 about a complaint received regarding vehicles and vehicle parts from property not complying with Section 3. of the municipal bylaw 15-02. The work was asked to be carried out by May 21, 2011;
AND WHEREAS Angela Lamboo has requested an extension;
THEREFORE BE IT RESOLVED that Council approves an extension until September 30, 2011.
<p style="text-align: right;">CARRIED</p> |
| 420 | Authorization for the Public Works Manager to Attend Meeting with Manitoba Infrastructure and Transportation Department | Cardinal – Bruneau
BE IT RESOLVED that all of Council and public works manager be hereby authorized to attend a meeting on July 25, 2011 with Manitoba Infrastructure and Transportation Department.
<p style="text-align: right;">CARRIED</p> |

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421	Authorize the Public Works Department to Gravel and Dust Control Bonnet Oaks North and South	Hamm – Marks BE IT RESOLVED that Council of the RM of Lac du Bonnet authorize the public works department to provide gravel and dust control to Bonnet Oaks North and South Condo Development in 2011; AND FURTHER BE IT RESOLVED that Council will look into an alternate solution moving forward for road maintenance services for Condominium Developments. <p style="text-align: right;">CARRIED</p>
422	Approval for Accounts Payable	Bruneau – Cardinal BE IT RESOLVED that the accounts payable disbursement for July 18, 2011 being cheque numbers 20110614 to 20110646 for the total amount of \$93,692.94be hereby approved for payment and attached to this resolution. <p style="text-align: right;">CARRIED</p>
423	Authorization to continue services for a Consultant for 2011 Year	Hamm- Marks WHEREAS Yves Sabourin has been providing Council and the Municipal Staff with consultant services since 2009, services such as: completion of 2009 budget and audit, including 2008 and 2009 Public Sector Accounting Principles (PSAB) including Consolidated Financial Statements and Tangible Capital Assets, GL balancing, staff training/questions/concerns, and other necessary accounting duties; Total expenses to date: \$27,407.45 (2009, 2010, a part of 2011) @45.00/hour, mileage, and accommodations extra Council has budgeted \$20,000 for 2011 for these services AND WHEREAS Yves has provided Council with a report as to what his function has been at the RM of Lac du Bonnet; THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet do hereby authorize Yves Sabourin to provide consultant services for the 2010 Audit and the remaining 2011 year. (Review in early fall 2011) <p style="text-align: right;">CARRIED</p>
424	Granite Hills Estates Development Agreement	Cardinal – Bruneau BE IT RESOLVED that Council of the RM of Lac du Bonnet has no concerns with Schedule “A” of the Granite Hills Estates Development Agreement being an agreement between Granite Hills (4553994 Manitoba Ltd.) and the Purchaser as written and presented by Norm Labossiere July 4, 2011 with the exception of the removal of clause 35. <p style="text-align: right;">CARRIED</p>
425	Extension of Meeting	Marks – Hamm 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 July 18, 2011 meeting have the adjournment time extended to 7:00 p.m. <p style="text-align: right;">CARRIED</p>
426	Approval to purchase Zodiac Rescue Boat for the LDB Fire Dept	Cardinal - Bruneau BE IT RESOLVED that Council of the RM of Lac du Bonnet hereby approve the purchase of a Zodiac Rescue Boat for the Lac du Bonnet Fire Department for the estimated amount of \$13,500.00 on a 74% RM of Lac du Bonnet funding, 26% Town of Lac du Bonnet funding, 20% Lac du Bonnet Fire Department funding. Purchase price of Zodiac, 30 horse motor and trailer not to exceed \$15,000.00, plus applicable taxes. Purchase price of zodiac 30 horse motor and trailer not to exceed \$15,000.00 plus applicable taxes. <p style="text-align: right;">CARRIED</p>
427	Authorizing payment to Agassiz Weed Control District;	Hamm – Marks WHEREAS Agassiz Weed Control District has a found an discrepancy in 2010 invoices and actual pesticide inventory was discovered during an audit by Rob Tremblay of the Exchange Group. Seven tanks found of 2-4D applied in the RM of Lac du Bonnet; Road side spraying and not invoiced. This work was completed in July of 2010; AND WHEREAS an invoice has been received in the amount of \$6,033.65 to cover the costs; THEREFORE BE IT RESOLVED that Council authorize the payment to Agassiz Weed Control District; AND FURTHER BE IT RESOLVED that all documents pertaining to any work; spraying, grass cutting, etc. in the RM of Lac du Bonnet be copied and sent immediately to the Municipality <p style="text-align: right;">CARRIED</p>

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428 Approval for Kennel Permit (Webster)

Bruneau – Marks

WHEREAS in accordance with the Municipal Bylaw **12-11 section 3(1)** Mr. George Webster of #411 Riverland Road was required to apply in writing to Council for a Kennel Permit in the RM of Lac du Bonnet which Council received on July 22, 2008. In accordance with **section 3(2)** Council shall send a notice of the date of the review to every owner of property located within 100 metres of the affected property. Notice was given, in writing to 3 properties and the applicant on January 31, 2011;

AND WHEREAS a public hearing was held on February 22, 2011 at 6:45 pm where Council listened to and received written objections regarding the application;

AND WHEREAS the public hearing was reconvened for April 18, 2011 at 4:10 pm where Council listened to and received written objections and a petition;

AND WHEREAS Council agreed to collect more information before making their decision;

THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet in determining this application for a Kennel Permit, Council is approving the issuance of a kennel permit subject to the following conditions as set out in the Municipal Animal Control **Bylaw 12-11 Section Part 111 (i) section 3**

1. the maximum number of dogs to be housed on the premises will be -----
2. provisions must be made to adequately and safely house these animals.
3. provisions must be made to avoid disturbances to neighbours from
excessive barking, odour, waste disposal, and traffic.
4. an inspection report from the Bylaw Enforcement Officer and/or the Public Health Authorities or any other Authorities as may be prescribed by Council.
5. All representations were made at the review of the application and reviewed by Council
6. and any other relevant consideration: that all dogs must be housed in separate, closable quarters so as to restrict the barking and howling at night
If the Bylaw Enforcement Officer is of the opinion that the holder of a kennel permit is not complying with any of the conditions of the permit, the Officer may give notice to the holder of the permit to appear before Council to show cause why the permit should not be suspended or revoked. Following receipt of information and representations Council may suspend or revoke the permit if in Council's opinion:
 - a) neighbours are exposed to excessive noise, or noxious odours, or excessive traffic,
 - b) environmental laws are being contravened in respect to waste disposal,
 - c) the premises is not maintained in a condition such that escapes are, prevented, and the premises is unsafe and unsanitary for the animals,
 - d) an inspection report from the Public Health Authorities indicates that the lack of cleanliness and sanitation represents a human health risk,
 - e) if the premises is required to be licenced under the Animal Care Act of Manitoba, and is not so licenced or has been denied a licenceUpon a kennel permit being suspended or revoked, the Owner shall have 30 days from the date of the refusal to dispose of the dogs over and above the prescribed limit.

Recorded vote called by Councillor Vera Cardinal

Berent Hamm – In Favour

Doug Marks – Against

Bob Bruneau – In Favour

Vera Cardinal – Against

Karl Gugenheimer – In Favour

CARRIED

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429	Approval for request of extension re: Unsightly Property (Adrien & Ann Henry)	Cardinal – Bruneau WHEREAS Adrien and Ann Henry appeared before council as a delegation on July 4, 2011 requesting an extension to remove 2 existing unoccupied mobile home off their property and advised council that they are making progress; THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet grant the Henry’s an extension until October 15, 2011. AND FURTHER BE IT RESOLVED that Adrien and Ann Henry show continuous progress. <p style="text-align: right;">CARRIED</p>
430	Request from Diane Sauer Re: planting trees on Public Reserve	Marks – Hamm BE IT RESOLVED that Council of the RM of Lac du Bonnet has no concerns with Diane Sauer of #15 Edward Crescent planting trees on Public Reserve adjacent to her property. <p style="text-align: right;">CARRIED</p>
431	Authorization to change regular council meetings	Bruneau – Cardinal BE IT RESOLVED that Council authorizes a change to August 2011 regular council meetings as follows: Tuesday, August 16, 2011 starting at 12:00 pm for public works and regular meeting starting at 1:15 pm AND FURTHER BE IT RESOLVED that the change be advertised in one edition of The Leader and on the municipal webpage. <p style="text-align: right;">CARRIED</p>
432	Authorized Overtime for the Acting CAO	Hamm – Marks BE IT RESOLVED that the overtime hours for the Acting CAO for the month of June being 5 hours be authorized for payment as follows: 2 hours for June 5, 2011–preparation for meeting on Monday 3 hours for June 6, 2011 – Council Meeting –stayed until 7:00 pm (no lunch) <p style="text-align: right;">CARRIED</p>
433	Authorize Council to attend dinner with Honourable Vic Toews	Bruneau – Cardinal BE IT RESOLVED that all of Council be hereby authorized to attend the dinner with the Honourable Vic Toews on Thursday, August 11, 2011 at 7:00 pm at the Brass Lantern Restaurant, 145 Main Street, Steinbach. RSVP by August 2, 2011 <p style="text-align: right;">CARRIED</p>
434	Crown Lands and Property Agency Permit No. 0005519	Hamm - Marks WHEREAS Crown Lands and Property Agency is requesting Council’s comments or concerns regarding the assignment of Crown Land General Permit No. 0005519 Part Water Storage Plan 5967 WLTO Fronting Lot 5,Block 2, Plan 26706 Pinawa Bay in NE 34-15-12 EPM This site is to be used for the purposes of a boathouse. THEREFORE BE IT RESOLVED that Council of the RM of Lac du Bonnet does not have any comments or concerns with Permit No. 0005519. <p style="text-align: right;">CARRIED</p>
435	Steering Committee Appointment	Cardinal – Bruneau WHEREAS the Acting CAO and Councillor Vera Cardinal attended the meeting on the new 80-Bed Personal Care Home on Wednesday, July 6, 2011 from 10:00 am to 12:00pm; AND WHEREAS a Steering Committee was started at this meeting; THEREFORE BE IT RESOLVED that Acting CAO and Councillor Vera Cardinal be appointed to the Steering Committee along with Doug Marks. <p style="text-align: right;">CARRIED</p>
436	In – Camera 7:07 p.m.	Hamm – 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 7:07 p.m. <ol style="list-style-type: none">1. Acting CAO request for a 3-month review2. council expenses/payroll3. Personnel 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>
437	Out of Camera 7:32 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 7:32 p.m. <p style="text-align: right;">CARRIED</p>

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Adjournment 7:34
p.m.

Bruneau - Cardinal

BE IT RESOLVED that the regular meeting of July 18, 2011 be hereby
adjourned at 7:34 p.m.

CARRIED

Karl Gugenheimer, Reeve

Tannis Lodge
Acting CAO