

TOWN OF LAC DU BONNET

Minutes of the regular meeting of Council held on August 20, 2009, at 6:00 p.m. in the Town of Lac du Bonnet Council Chambers.

Present: Mayor Chapman, Councillors Plato, Lavoie, Lodge & Campbell
Chief Administrative Officer Colleen L. Johnson

Adoption of minutes Adoption of Minutes

Resolution 218/09

Moved by Councillor Campbell

Seconded by Councillor Lodge

BE IT RESOLVED THAT the minutes from the regular meeting of July 16, 2009, the joint meeting of July 30, 2009 and the special meeting of July 30, 2009 and be adopted as circulated;

AND BE IT FURTHER RESOLVED THAT the agenda for the regular meeting of August 20, 2009 be accepted as prepared by the Chief Administrative Officer.

"CARRIED"

Reports of Committees:

Mayor Chapman	July 27, 2009	Community Futures Wpg. (JUST)
	July 27, 2009	Lac du Bonnet Planning District
	July 28, 2009	Communities In Bloom
	July 30, 2009	Joint Meeting with RM of Lac du Bonnet
	July 30, 2009	Special Town Meeting
	August 4, 2009	Palmer 60 th Anniversary
	August 18, 2009	Community Futures Wpg. (JUST)
Councillor Plato	July 17, 2009	Lac du Bonnet Planning re: grades & elevations
	July 27, 2009	Lac du Bonnet Planning District
	July 29, 2009	Handivan Committee
	July 30, 2009	Joint Meeting with RM of Lac du Bonnet
	July 30, 2009	Special Town Meeting
	August 5, 2009	MHAC/Boat launch/Lions
	August 6, 2009	Infrastructure Project
	August 6, 2009	Municipal Heritage Advisory Committee
	August 19, 2009	Municipal Heritage Advisory Committee
August 20, 2009	Infrastructure Project	
Councillor Lavoie	July 30, 2009	Joint Meeting with RM of Lac du Bonnet
	July 30, 2009	Special Town Meeting
Councillor Lodge	July 30, 2009	Joint Meeting with RM of Lac du Bonnet
	July 30, 2009	Special Town Meeting
	August 5, 2009	Lac du Bonnet Community Centre
	August 5, 2009	MHAC/Boat launch/Lions
	August 11, 2009	Lac du Bonnet Arena Board
August 13, 2009	Medical Health Care Committee	
Councillor Campbell	July 17, 2009	Senior Housing Committee

July 17, 2009	Lac du Bonnet Planning re: grades & elevations
July 28, 2009	Communities in Bloom
July 30, 2009	Joint Meeting with RM of Lac du Bonnet
July 30, 2009	Special Town Meeting
August 18, 2009	Lac du Bonnet Regional Library

Delegations:

6:30 p.m. Conditional Use Hearing for 40 Park Avenue being Roll No. 17600.

Administrator Scheirich from the Lac du Bonnet Planning District provided comments that one telephone inquiry was made in inquire about the number of residential units and that no other comments or concerns were received. No representations were made for or against the application. At this time Council approved the application with conditions.

Conditional Use Order No. 5-09

WHEREAS Shawn Tester, Owner has made application for property described as Lots 5 & 6, Block 7, Plan 3309, 40 Park Ave. (Roll #17600) in the Town of Lac du Bonnet, for approval of a Conditional Use under the Town of Lac du Bonnet Bylaw #53-06 and amendments thereto, in order to allow for residential uses in a "GC" Commercial Zone, and after careful consideration of the application and any representations made for or against it.

The Council of the Town of Lac du Bonnet, in meeting duly assembled this 20th day of August, 2009 have:

APPROVED THE SAID CONDITIONAL USE

Subject to (if applicable):

1. Applicant/Owner to obtain a building permit from the Lac du Bonnet Planning District.
2. Applicant/Owner shall not have the residential portion of the building exceed 50% of ~~the back half of~~ the building on Johnson Avenue ie. Frontage of building on Park Avenue to remain Commercial Use.
3. THIS ORDER SHALL EXPIRE IF NOT ACTED UPON WITHIN 12 MONTHS OF THE DATE OF MAKING.
4. ~~Parking for this residential venture to be on the North side of the building across from the Pioneer Club. No parking permitted on the East side being Johnson Avenue.~~
Amended Sept 10/09.

6:45 p.m. Fern Doucet re: construction of condominiums – Mr. Doucet was unable to attend and requested an on-site meeting with Council to determine exact washroom/change room location. Meeting set for Wednesday, August 26, 2009 at 6:00 p.m.

7:00 p.m. George & Cecile Fontaine attended to request Council's opinion on reverting zoning at 88 Third Street (Roll No. 5000) from Commercial to Residential. Prior to Council presenting their thoughts Councillor Campbell advised that he will not comment on same as he lives on that Street and personally has done this change. The rest of Council agreed in principle to this request. Mr. and Mrs. Fontaine were referred to the Lac du Bonnet Planning District to apply for same.

7:10 p.m. George & Cecile Fontaine and Ted & Judy Drabik attended to request Council's opinion on reverting zoning at 61 McArthur Avenue (Roll No. 43300) to accommodate construction of 10 condominium units. Discussion took place on road access and the consensus of Council was for them to utilize their own lands to accommodate same. Council agreed in principle to this request. The delegation was referred to the Lac du Bonnet Planning District to apply for same.

7:30 p.m. Richard Wilson of 88 Elm Street attended to request exemption from tax penalty due to land ownership change. Mr. Wilson advised that the District Registrar from the

Winnipeg Land Titles Office reported that it generally takes at least six months for the transfer of lands. The consensus of Council was to deny the request at the Tax Levy By-Law mandates penalty and the Municipal Act mandates that the tax notice be sent to the property owner on the Municipal Assessment Roll. Council directed that a letter be sent to the Winnipeg Land Titles Office advising of Council's concern regarding the time frame for the municipalities to receive new ownership information from their department.

Communications:

1. Manitoba Hydro – Forest Enhancement Program. The consensus of Council was to check with the Rural Municipality of Lac du Bonnet and if they concur apply for funding for the LaVerandrye Boat launch through this program for next year.
2. Manitoba Infrastructure and Transportation – photocopy of communications to the Rural Municipality of Alexander advising that funding is not available to pave PR 520. File
3. Councillor Lavoie re: naming of streets – recommend Le Vasseur Street/Avenue/Lane or Crescent. Noted.
4. Rural Municipality of Lac du Bonnet – copy of their resolution 402 requesting review of the Lac du Bonnet Planning District policies to add all members of Council's to the Planning Board. Resolution 219/09
5. Rural Municipality of Lac du Bonnet – notice of Public Hearing requesting discharge of zoning agreement for 10-8-27590. File
6. Communities In Bloom – minutes of July 15, 2009. File
7. Seniors Housing – report on upcoming and available units provided by Councillor Campbell. Noted
8. North Eastman Health Association Inc – minutes of June 22, 2009. File
9. Nola Hill, Support Our Forces Advocate – request to purchase and place ribbon, banners etc. along the Trans Canada Highway. File
10. MP Toews re: Broadband Canada re: Connecting Rural Canadians Program – preliminary information. File
11. Manitoba Intergovernmental Affairs - Assessment Services re: 2010 Board of Revision information. Noted
12. A Port In The Storm (for rural and northern communities) re; housing in Winnipeg during medical stays (like Ronald McDonald House) request for Council's attendance and support in principle. Resolution 220/09
13. Manitoba Trucking Association – notice of national trucking week September 6 to 13, 2009. File
14. Lac du Bonnet Planning District – minutes of June 22 and financial to June 30th. File.
15. Lac du Bonnet Planning District – notice of public hearing for conditional use (see hearing above)
16. Minister of Intergovernmental Affairs – receipt of Building Manitoba Fund (\$123,979.73). Noted
17. Gabrielle & Danny Lecuyer – request to hook onto Town utilities at 412 McArthur Avenue. Resolution 221/09

18. Craig Maxwell – neighborhood drainage request. Tabled
19. Vera Cardinal, Councillor for Rural Municipality of Lac du Bonnet – The Municipal Conflict of Interest and Campaign Financing Act, and comments regarding same. The consensus of Council was to have administration correspond with the Association of Manitoba Municipalities advising that in their opinion the present financial disclosures in place required by members of Council are sufficient.
20. Condominium Residents re: maintenance of Johnson Avenue and dog concern. Council directed that administration respond with snow clearing policy re: emergency areas first etc. and that there is a dog by-law in place that will be enforced if they can identify the dog's owner or advise the dog control officer when the dog is trespassing.
21. Fire n Water – minutes of July 20, 2009. File
22. Never Alone Foundation/Blue Bombers – request for CAO's attendance at Chase the Cure event. Resolution 222/09
23. JR Cousin Consultants Ltd. – minutes of infrastructure project update meeting held August 6, 2009. File
24. Association of Manitoba Municipalities – news bulletin. File
25. Lions Club of Lac du Bonnet – proposed Lion Park agreement. Tabled to "In Camera" discussions.
26. Wilderness Committee re: Hot Spots (Whitemouth River). Noted
27. Rural Municipality of Lac du Bonnet – notice of public hearings. File
28. Province of Manitoba news release re: Personal Care Home Morden/Winkler. Town communication to Minister of Health. Council directed that administration continue to pursue information from the Minister of Health in this regard. Council was advised that communications have been sent out to the Minister of Health whose representative Norman Blackie verbal advised that we are still actively under review and that we are on the government radar. Chief Administrative Officer Johnson reported that she requested that the specific questions asked in the Town communications be responded to in writing. Mr. Blackie advised that this will be done and he should have it completed by the end of this week.
29. Sport Canada – Kid Sport re: Thank you. File

Planning Board Members

Resolution 219/09

Moved by Councillor Lodge

Seconded by Councillors Plato, Lavoie, Campbell

WHEREAS a request was received from the Rural Municipality of Lac du Bonnet to review the composition of the Lac Du Bonnet Planning District Board to full members of both Councils;

NOW THEREFORE BE IT RESOLVED THAT unanimous decision of Council is to have the composition of said board remain unchanged.

"CARRIED"

Port In A Storm

Resolution 220/09

Moved by Councillor Lodge

Seconded by Councillor Lavoie

WHEREAS representatives of a port in the storm have requested the attendance and support in principal from the Council of the Town of Lac du Bonnet with meeting date to be announced;

NOW THEREFORE BE IT RESOLVED THAT the Town of Lac du Bonnet does hereby approve said request;

AND BE IT FURTHER RESOLVED THAT Bill Campbell attend to support the above.

"CARRIED"

Lecuyer Water Hook Up

Resolution 221/09

Moved by Councillor Campbell

Seconded by Councillor Lodge

WHEREAS Gabrielle & Danny Lecuyer at 412 McArthur Avenue have requested authorization to hook property described as Roll #47419, Lot 7, Plan 19190, C.T. # 2380128 onto the Town of Lac du Bonnet Utility system;

AND WHEREAS new water and sewer connections are provided for in by-law 68/07 section 3.0 and will be adhered to;

AND WHEREAS it is required that Public Works Supervisor or his designate be in attendance at the time of connection to Town Utility to ensure compliance to Town standards;

AND WHEREAS in cases where the connection to Town of Lac du Bonnet main utility line does requires access below existing infrastructure such as sidewalks and roadways, said access is to be provided through the use of an "auger" wherever feasible;

AND WHEREAS Mr. and Mrs. Lecuyer are required to return any Town property affected by said construction to a state equal to; or better than its state prior to construction;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Lac du Bonnet does hereby approve this request.

"CARRIED"

Never Alone Foundation

Resolution 222/09

Moved by Councillor Lavoie

Seconded by Councillor Plato

WHEREAS the Never Alone Foundation have requested the attendance of CAO Colleen Johnson at their Chase the Cure Welcome Home Reception to be held on Tuesday, August 25th @ 6:30 p.m. at Earl's Restaurant Polo Park;

NOW THEREFORE BE IT RESOLVED THAT the Town of Lac du Bonnet does hereby approve said request;

"CARRIED"

Unfinished Business:

1. Water Rate for pail fill. The consensus of Council was that although the Public Utilities Board has allowed for an increase through Board Order that they will not raise the rate of pail fill water at this time.
2. Councillors Plato & Campbell re: meeting with Development Officer Gugenheimer. Referred to the Town Solicitor to draft a by-law regarding grades and elevations being at Council's discretion for infill lots (level to be determined by Tim Smyrski)

and that the building incentive resolution be reviewed to possibly include that no incentive be paid out until such time as an occupancy permit is provided by the owner through the Lac du Bonnet Planning District.

3. Handivan Committee – recommendation to sign 3 year contract. Resolution 223/09.
4. Manitoba Water Stewardship – authority to have flood water re-routed back to river rather than hauling by truck to lagoon in case of emergencies/act of God. To be placed in the Town Agreement file for future reference as required.

Handivan Agreement Renewal

Resolution 223/09

Moved by Councillor Plato

Seconded by Councillor Lavoie

WHEREAS the Handivan Committee is recommending that the Town of Lac du Bonnet, the Rural Municipality and the Local Government District of Pinawa renew their agreement with The Winnipeg River Handivan (Wheelchair Service of Manitoba) for a period of 3 years;

THEREFORE BE IT RESOLVED THAT the Council of the Town of Lac du Bonnet does agree with the above.

“CARRIED”

New Business:

1. Payment of accounts – Conflict of interest was identified by Councillor Campbell. He left the Chambers and did not return until the discussion and resolution were completed. Resolutions 224/09 & 225/09
2. Financial statements for June and July 2009. Resolution 226/09
3. By-Law No. 94/09 re: Disposal of lands (Kachur) – First and second readings, Resolutions 227/09 & 228/09
4. Confirmation of joint meeting with Rural Municipality of Lac du Bonnet regarding Smith Road on Thursday, September 17, 2009, at 7:00 p.m. in Town of Lac du Bonnet Chambers.
5. Rural Municipality of Lac du Bonnet – request for shared services agreement for emergency use of the Town Lagoon. Resolution 229/09
6. Councillor Plato re: extend peat moss removal from lagoon for Grewinski Trucking. Tabled for Town Engineer input.
7. Councillor Campbell re: sucker truck tender and residential use of RV dump station. Referred to Councillor Lavoie and Administration for preparation of the sucker truck hourly rate inquiry ad; and regarding residential use of the RV dump station - administration was directed to send communications to the Rural Municipality of Lac du Bonnet to ensure the party responsible of their municipal jurisdiction is advised by them that this is not acceptable, with a copy to the Public Health Inspector.
8. Councillor Lodge re: entrance to Ball Diamonds off Smith Road. Discussed.
9. Residential garbage being placed in commercial bins – No communications are to be sent out until such time as evidence is collected by the Public Works Department.
10. Council Campbell re: Third Street Flooding – Town Engineer Jeff Dyck advised that this may have been due to the Infrastructure Project and will have all information documented and should this continue have the contractor rectify the situation.

Accounts

Resolution 224/09
Moved by Councillor Lodge
Seconded by Councillor Plato

WHEREAS ACCOUNTS for the period ending August 20, 2009 have been reviewed by Council;

THEREFORE BE IT RESOLVED THAT the following be hereby approved for payment:

Cheque No.
2029
2077

Total Amount for all cheques listed inclusive - \$1,423.28

"CARRIED"

Accounts

Resolution 225/09
Moved by Councillor Lodge
Seconded by Councillor Lavoie

WHEREAS ACCOUNTS for the period ending August 20, 2009 have been reviewed by Council;

THEREFORE BE IT RESOLVED THAT the following be hereby approved for payment:

Cheque No.
2022 - 2028
2030 - 2076
2078 - 2114

Total Amount for all cheques listed inclusive - \$111,327.41

"CARRIED"

June & July 2009 Financial Statements

Resolution 226/09
Moved by Councillor Lodge
Seconded by Councillor Campbell

BE IT RESOLVED THAT the financial statements for the period ending June and July 2009 are hereby adopted as circulated.

"CARRIED"

Kachur Disposal of Lands 1st Read

Resolution 227/09
Moved by Councillor Plato
Seconded by Councillor Lavoie

BE IT RESOLVED THAT Town of Lac du Bonnet By-Law 94/09, being a By-Law to provide for Kachur disposal of lands be hereby given first reading

"CARRIED"

Kachur Disposal of Lands 2nd Read

Resolution 228/09
Moved by Councillor Campbell
Seconded by Councillor Lodge

BE IT RESOLVED THAT Town of Lac du Bonnet By-Law 94/09, being a By-Law to provide for Kachur disposal of lands be hereby given second reading.

"CARRIED"

Shared Services Agree. Lagoon

Resolution 229/09

Moved by Councillor Lodge

Seconded by Councillor Campbell

WHEREAS the RM of Lac du Bonnet has requested the use of the Town lagoon in the case of an emergency as per the Shared Services Agreement;

THEREFORE BE IT RESOLVED THAT the Town of Lac du Bonnet does hereby approve said request;

"CARRIED"

In Camera – Resolutions 230/09 & 231/09

In Camera

Resolution 230/09

Moved by Councillor Lodge

Seconded by Councillor Campbell

BE IT RESOLVED THAT Council does now adjourn the regular order of business to sit as a Committee of the Whole in Camera and all discussions there shall be kept in confidence.

"CARRIED"

Out of In Camera

Resolution 231/09

Moved by Councillor Plato

Seconded by Councillor Lavoie

BE IT RESOLVED THAT Council does now adjourn sitting as a Committee of the Whole in Camera and resume the regular order of business.

"CARRIED"

Adjourn Meeting

Resolution 232/09

Moved by Councillor Campbell

Seconded by Councillor Lodge

BE IT RESOLVED THAT this meeting does now adjourn at 9:07 p.m. The next regular Council Meeting is scheduled for September 10, 2009 in the Town Council Chambers.

"CARRIED"

TOWN OF LAC DU BONNET



Mayor Paul Chapman



Colleen L. Johnson
Chief Administrative Officer
(subject to errors and omissions)