



RURAL MUNICIPALITY OF DE SALABERRY

Meeting Minutes

April 19, 2016 - Regular Meeting of Council - 4:45 p.m.

Present:

Reeve Marc Marion
 Deputy Reeve Patrick Catellier
 Councillor André Carbonneau - Arrived at 4:54 p.m.
 Councillor Darrel Curé
 Councillor Hans Gorter
 Councillor Gabriel Gosselin
 Councillor Ron Martel

Staff:

C.A.O. Kristine Shields
 Assistant C.A.O. Jackie Chubey
 Planning Officer Lucy Ramirez

Others in Attendance:

Marie Lefevre
 Bruno Hebert
 Ron Musick
 Garry Maynard
 J.P. Gosselin

1. Call the Meeting To Order

With a quorum present, Reeve Marc Marion called the meeting to order at 4:45 p.m.

2. Invocation - NIL

3. Confirmation of Minutes

3.1 Regular Meeting of Council - March 29, 2016

Resolution # 2016-158

Moved By: Darrel Cure
 Seconded By: Hans Gorter

WHEREAS all members of Council have received a copy of the Regular Meeting minutes of March 29, 2016;

AND WHEREAS Council waives the reading of these minutes;

NOW THEREFORE BE IT RESOLVED THAT Council of the R.M. of De Salaberry adopt, as presented, the minutes of the Regular Meeting of Council held on March 29, 2016.

CARRIED

4. Adoption of the Agenda

Resolution # 2016-159

Moved By: Ron Martel
 Seconded By: Patrick Catellier

BE IT RESOLVED THAT the Agenda for this regular meeting of Council be adopted, as amended with 13.11 McVicar Road.

CARRIED

5. Public Hearings - 5:00 p.m.

5.1 Open Public Hearing

Resolution # 2016-160

Moved By: Andre Carbonneau
Seconded By: Gabriel Gosselin

BE IT RESOLVED THAT Council of the R.M. of De Salaberry open this Public Hearing, the time being 5:00 p.m. to hear the following application:

- Variance V4-16-139200 - Kenneth and Margaret Wiens

CARRIED

5.2 Variance Application V4-16-139200

No members of the public in attendance spoke to this application.

5.3 Close Public Hearing

Resolution # 2016-161

Moved By: Andre Carbonneau
Seconded By: Darrel Cure

BE IT RESOLVED THAT the Public Hearing for Variance application V4-16-139200, having heard all those present who wish to speak in favour or against the application, be adjourned at 5:03 p.m.

CARRIED

5.4 Decision from Public Hearing

Resolution # 2016-162

Moved By: Ron Martel
Seconded By: Hans Gorter

BE IT RESOLVED THAT the council of the RM of De Salaberry approves Variation Application No. V4-16-139200 as applied for by Kenneth and Margaret Wiens to reduce the minimum side yard requirement from 25 feet to 10 feet in the "A1" - Agriculture 1 Zone, for the purpose of accommodating the construction of a garage/storage building on the lot closer to the existing driveway.

CARRIED

6. Reception of Delegations - NIL**7. Reports of Committees**

Resolution # 2016-163

Moved By: Patrick Catellier
Seconded By: Darrel Cure

BE IT RESOLVED THAT Council of the R.M. of De Salaberry accepts, as information, the following committee reports:

- 8.1. L.U.D. Committee - Minutes - 03/24/16
- 8.2. Finance Committee - Minutes - 03/29/16
- 8.3. Public Works Committee - Minutes - 03/31/16
- 8.4. Finance Committee - Minutes - 04/14/16

CARRIED

8. Reception of Petitions - NIL**9. Communications**

9.1 Miscellaneous Information**Resolution # 2016-164****Moved By: Darrel Cure
Seconded By: Ron Martel****BE IT RESOLVED THAT** Council of the R.M. of De Salaberry accepts, as information, all communications listed as Items 9.1.1. to 9.1.22. on the agenda.

CARRIED

9.2 Action**9.2.1 Letter of Concern - Mr. Vincent Dureault****Resolution # 2016-165****Moved By: Darrel Cure
Seconded By: Gabriel Gosselin****WHEREAS** Mr. Dureault attended the LUD meeting held on March 24, 2016 in St. Malo regarding access to his property;**AND WHEREAS** many issues were identified including the steep access, building constructed on the public access, placement of the sewer line in the ditch, etc.;**AND WHEREAS** the LUD committee passed a resolution recommending council engage the services of a surveyor to determine the legal boundaries of the public reserve property located adjacent to Mr. Dureault's property;**NOW THEREFORE BE IT RESOLVED THAT** Council of the R.M. of De Salaberry engage the services of a Manitoba Land Surveyor to survey the public reserve area adjacent to 61 Forest, in the LUD of St. Malo including the location of any buildings constructed on this property.

CARRIED

9.2.2 Canadian Pacific - Rail Safety Week - April 25 to May 1**Resolution # 2016-166****Moved By: Darrel Cure
Seconded By: Ron Martel****WHEREAS** Public-Rail Safety Week is to be held across Canada from April 25 to May 1, 2016;**AND WHEREAS** it is in the public's interest to raise citizens' awareness on reducing avoidable accidents, injuries and damage cause by collisions at level crossings or incidents involving trains and citizens;**AND WHEREAS** Operation Lifesaver is a public/private partnership whose aim is to work with the rail industry, governments, police services, the media and other agencies and the public to raise rail safety awareness;**AND WHEREAS** Operation Lifesaver has requested municipal councils to adopt this resolution in support of its ongoing effort to save lives and prevent injuries in communities, including our municipality;**NOW THEREFORE BE IT RESOLVED THAT** council of the RM of De Salaberry proclaims national Rail Safety Week, to be held from April 25 to May 1, 2016.

CARRIED

9.2.3 All-net - Service Tracker**Resolution # 2016-167****Moved By: Darrel Cure
Seconded By: Hans Gorter****BE IT RESOLVED THAT** Council of the R.M. of De Salaberry authorizes the purchase of service tracker through All-Net at a cost of \$1,995.00 plus applicable taxes.

DEFEATED

9.2.4 National Champion of the Trans Canada Trail Publication

Resolution # 2016-168

Moved By: Andre Carbonneau

Seconded By: Darrel Cure

BE IT RESOLVED THAT Council of the R.M. of De Salaberry supports the request from Trans Canada Trail for Reeve Marc Marion to become a National Champion for a portion of the Trans Canada Trail closest to the municipality, by voicing support for this grand, national initiative and promoting involvement with others, when possible.

CARRIED

9.2.5 Information Request - Ms. Gisele Lauf

Resolution # 2016-169

Moved By: Darrel Cure

Seconded By: Andre Carbonneau

BE IT RESOLVED THAT Council of the RM of De Salaberry accepts the March 18, 2016 email from Ms. Lauf, as information, to be referred to the L.I.D. Committee.

CARRIED

10. Accounts**10.1 Accounts Payable and Payroll**

Resolution # 2016-170

Moved By: Marc Marion

Seconded By: Patrick Catellier

BE IT RESOLVED THAT Council of the R.M. of De Salaberry acknowledges and approves payment of the following list of accounts:

General Paid List of Accounts

Cheque #20160437 to Cheque #20160559 with a total of \$178,187.14.

Cheques Cancelled Previously Approved - NILCheques Cancelled Not Previously Approved - NIL

CARRIED

11. By-Laws - NIL**12. Unfinished Business****12.1 The Organizational By-Law Review - No Action****12.2 The Procedures and Policy By-Law Review - No Action****12.3 Purchasing and Tendering Policies Review - No Action****12.4 MB Conservation and Water Stewardship - Otterburne Curling Club - 01/05/16 - No Action****12.5 Organizational Chart - No Action****12.6 2016 Budget - Request for Extension**

Resolution # 2016-171

Moved By: Darrel Cure

Seconded By: Gabriel Gosselin

WHEREAS *The Municipal Act* requires a copy of the financial plan be filed with the minister by May 15 and the tax levy bylaw by June 15 each year;

AND WHEREAS prior to adopting the financial plan, council must give public notice and hold a public hearing in respect

of the financial plan;

AND WHEREAS due to high turnover in staff, the need to hold a special services hearing and complete issuing a debenture ahead of the financial plan public hearing, will inhibit the ability to meet the legislated deadlines;

NOW THEREFORE BE IT RESOLVED THAT Council of the RM of De Salaberry respectfully request the minister approve an extension to file its 2016 financial plan and tax levy to July 15, 2016.

CARRIED

13. General Business

13.1 Actions from Committees

13.1.1 Public Works Committee - Calcium Application

Resolution # 2016-172

Moved By: Andre Carbonneau

Seconded By: Darrel Cure

BE IT RESOLVED THAT Council of the R.M. of De Salaberry offer the dust control (calcium application) program in 2016 to all property owners in the R.M. of De Salaberry to be cost shared on a 50/50 basis to a maximum application of 200 feet in front of any residential property.

CARRIED

13.1.2 Public Works Committee - 2016-2019 Waste Collection Tender

Resolution # 2016-173

Moved By: Andre Carbonneau

Seconded By: Patrick Catellier

BE IT RESOLVED THAT Council of the R.M. of De Salaberry approve the 2016 to 2019 Waste Collection tender be awarded to Bristol Hauling Ltd. and that the Chief Administrative Officer be authorized to sign an agreement with the contractor on behalf of the municipality.

CARRIED

13.1.3 L.U.D. Committee - Determine the Legal Boundaries a Road Allowance

Previously Discussed in Item 9.2.1.

13.1.4 L.U.D. Committee - School Zone Speed Limit Reduction

Resolution # 2016-174

Moved By: Darrel Cure

Seconded By: Gabriel Gosselin

BE IT RESOLVED THAT, further to the request of St. Malo School and the LUD Committee, Council of the R.M. of De Salaberry approves this request and begins the process to reduce the speed limit in the St. Malo school zone from 50 km/h to 30 km/h.

CARRIED

13.2 Upcoming Conferences/Seminars/Events

13.2.1 Transportation of Dangerous Goods Training - Winnipeg, Mb. - 05/05/16

Resolution # 2016-175

Moved By: Andre Carbonneau
Seconded By: Darrel Cure

BE IT RESOLVED THAT Council of the R.M. of De Salaberry authorizes two employees to attend the Transportation of Dangerous Goods Training on Thursday, May 5, 2016 at 9:00 a.m.;

AND FURTHER BE IT RESOLVED THAT all expenses to attend this function be covered as per the policy in effect at the time of the event.

CARRIED

13.2.2 St. Pierre Splash Pad - Fundraising Golf Tournament - 06/11/16

Resolution # 2016-176

Moved By: Patrick Catellier
Seconded By: Ron Martel

BE IT RESOLVED THAT Council of the R.M. of De Salaberry authorize 4 people to attend the St. Pierre Splash Pad Fundraising Golf Tournament on Saturday, June 11, 2016 at 1:00 p.m.;

AND FURTHER BE IT RESOLVED THAT all expenses to attend this function be covered as per the policy in effect at the time of the event.

CARRIED

13.2.3 Crow Wing Trail - Annual Meeting - 04/25/16

Resolution # 2016-177

Moved By: Hans Gorter
Seconded By: Ron Martel

BE IT RESOLVED THAT Council of the R.M. of De Salaberry authorize 2 extra representatives to attend the Crow Wing Trail Annual Meeting on Monday, April 25, 2016 at 7:00 p.m.;

AND FURTHER BE IT RESOLVED THAT all expenses to attend this function be covered as per the policy in effect at the time of the event.

13.2.4 Railway Crossing Regulations Workshop

Resolution # 2016-178

Moved By: Andre Carbonneau
Seconded By: Ron Martel

BE IT RESOLVED THAT Council of the R.M. of De Salaberry authorizes 1 staff member to attend the Railway Crossing Regulations Workshop on Thursday, May 5, 2016 at 12:00 p.m. - 4:00 p.m.

AND FURTHER BE IT RESOLVED THAT all expenses to attend this function be covered as per the policy in effect at the time of the event.

CARRIED

13.3 Staff Reports**13.3.1 Planning Officer Reports****13.3.1.1 4119-15-7508 - Revised Subdivision Report**

Resolution # 2016-179

Moved By: Ron Martel
Seconded By: Gabriel Gosselin

BE IT RESOLVED THAT Council of the RM of De Salaberry approve Revised Subdivision File No. 4119-15-7508 as

applied for by Kindred Hogs for the property described as SE 1/4 7-5-3 EPM.

AND FURTHER BE IT RESOLVED THAT all previous conditions as set out in Council Resolution 221-15, passed at the regular meeting of May 12, 2015, apply to the revised subdivision.

CARRIED

13.3.1.2 4119-16-7669 - Subdivision Report

Resolution # 2016-180

Moved By: Gabriel Gosselin
Seconded By: Ron Martel

BE IT RESOLVED THAT council of the RM of De Salaberry approve Subdivision File No. 4119-16-7669, as applied for by the Dufrost Water Supply Co-op Inc. and Patrick and Louise-Jeanne Catellier, for a property described as Pt. SW 1/4 1-5-3 EPM, with the following conditions:

- That the applicant provide the municipality with a copy of the Two Lot Plan of Subdivision drawn by a Manitoba Land Surveyor.

CARRIED

13.3.1.3 4119-13-7222 - Revising Development Agreement Report

Referred to the St. Malo Utility LID Committee and the Development/RM Building/Land Use Committee

13.4 Junior Warrior Hockey Program - Community Event Request

Resolution # 2016-181

Moved By: Darrel Cure
Seconded By: Andre Carbonneau

BE IT RESOLVED THAT Council of the R.M. of De Salaberry approves the request for Community Events sponsorship for a liquor permit from the Junior Warrior Hockey Program for a fundraising event, held at the St. Malo Arena on May 22, 2016.

CARRIED

13.5 Sale of Old Fire Truck

Discussion

13.6 Memorandum of Understanding - R.M. of Emerson-Franklin

Resolution # 2016-182

Moved By: Andre Carbonneau
Seconded By: Patrick Catellier

BE IT RESOLVED THAT Council of the R.M. of De Salaberry enter into a Memorandum of Understanding with the Rural Municipality of Emerson-Franklin for mutual aid in the event of an emergency;

AND FURTHER BE IT RESOLVED THAT the Reeve and the Chief Administrative Officer be authorized to sign the agreement on behalf of the municipality.

CARRIED

13.7 EMO - Community Impact Assessment Claim

Resolution # 2016-183

Moved By: Darrel Cure
Seconded By: Andre Carbonneau

WHEREAS the RM of De Salaberry experienced significant flooding in various areas of the municipality from approximately March 14 to April 6, 2016;

AND WHEREAS the municipality suffered damages as a result of this flooding, with nine separate sites identified as

requiring significant work at an estimated cost of \$150,000;

NOW THEREFORE BE IT RESOLVED THAT the council of the RM of De Salaberry ask the Province of Manitoba to provide funding assistance to cover the costs of restoring roads to the condition they were in prior to flooding.

CARRIED

13.8 2015 Public Water System Annual Report

Resolution # 2016-184

Moved By: Andre Carbonneau

Seconded By: Ron Martel

WHEREAS Section 32 of the Drinking Water Safety Regulation (MR 40/2007) requires public water systems serving 1000 or more people to produce an annual report about the operation of the system;

AND WHEREAS the St. Malo Public Water System provided water services to approximately 1,087 people in 2015;

AND WHEREAS all members of council have received a copy of the report, and have had opportunity to review the report;

NOW THEREFORE BE IT RESOLVED THAT council of the RM of De Salaberry accepts the report as prepared and places a copy of the report on the municipal website, and advises users of the public water system of the availability of the report to the public.

CARRIED

13.9 Full Time Public Works Appointment

Resolution # 2016-185

Moved By: Ron Martel

Seconded By: Patrick Catellier

BE IT RESOLVED THAT Council of the RM of De Salaberry appoints Julius Andrusiak as a full time public works employee, effective May 2, 2016.

CARRIED

13.10 Manitoba Conservation & Water Stewardship - Amendment to the Fee for Services Agreement

Resolution # 2016-186

Moved By: Darrel Cure

Seconded By: Gabriel Gosselin

BE IT RESOLVED THAT Council of the RM of De Salaberry amend the Fee for Services Agreement with the Province of Manitoba, Conservation and Water Stewardship, by extending the Memorandum of Agreement for disposal of the sewage and access to the St. Malo lagoon to March 31, 2017.

FURTHER that the Chief Administrative Officer be authorized to sign the agreement on behalf of the municipality.

CARRIED

13.11 McVicar Road

Resolution # 2016-187

Moved By: Hans Gorter

Seconded By: Andre Carbonneau

BE IT RESOVLED THAT council of the R.M. of De Salaberry proceed with the reconstruction of McVicar Road at an estimated cost of \$83,000 plus taxes.

AND FURTHER THAT the R.M. submit a claim to recover all costs through a DFA claim.

CARRIED

14. Notice of Motion - NIL

15. In Camera**15.1 Open In Camera**

Resolution # 2016-188

Moved By: Ron Martel
Seconded By: Darrel Cure

BE IT RESOLVED THAT council of the R.M. of De Salaberry close this portion of the meeting to the public, the time being 6:45 p.m. and as per Subsection 152 (3) of The Municipal Act to meet as a committee to discuss a matter relating to:

- ii. an employee, including the employee's salary, duties and benefits and any appraisal of the employee's performance;

And as per subsection 83(1)(d) each member of council is to keep in confidence the matters discussed at this session until the matter is discussed at a meeting of councils or of a committee conducted in public.

CARRIED

15.2 Close In Camera

Resolution # 2016-189

Moved By: Andre Carbonneau
Seconded By: Hans Gorter

BE IT RESOLVED THAT Council of the R.M. of De Salaberry revert back to regular meeting out of camera, the time being 6:50 p.m.

CARRIED

15.3 Resolutions Generated By In Camera Session**15.3.1 Public Works Manager Appointment**

Resolution # 2016-190

Moved By: Hans Gorter
Seconded By: Andre Carbonneau

BE IT RESOLVED THAT Council of the R.M. of De Salaberry appoint Cole Braden as the Public Works Manager, to be effective May 9, 2016 and that an agreement of employment be prepared as per the agreed upon terms.

AND FURTHER BE IT RESOLVED THAT the Chief Administrative Officer be authorized to sign the agreement on behalf of the municipality.

CARRIED

16. Adjournment

Resolution # 2016-191

Moved By: Andre Carbonneau
Seconded By: Ron Martel

BE IT RESOLVED THAT this regular meeting be adjourn, the time being 6:55 p.m. and the next regular meeting of Council be scheduled for May 10, 2016 at 4:45 p.m.

CARRIED

Marc Marion, Reeve

Kristine Shields, Chief Administrative Officer