



Rural Municipality of De Salaberry

Minutes of the regular council meeting of Tuesday, June 29, 2010 at 4:30 p.m.
in the Municipal Council Chambers, St. Pierre-Jolys, Manitoba

Present: Reeve Ron Musick Deputy Reeve Marc Marion
Councillors Gerry Maynard, Bruno Hebert, Germain Roy, Marc Raffard, Marc Hamonic
Youth member Kamilla Hebert
Chief Administrative Officer Luc W. Lahaie, C.M.M.A.

Reeve Ron Musick calls the meeting to order at 4:30 p.m. Councillor Germain Roy conducts the invocation.

240-10 Moved by Marc Raffard Seconded by Gerry Maynard

Be it resolved that council hereby adopts the agenda with additions. "Carried"

Delegation 4:35 p.m. Lesley Gaudry, De Salaberry Economic Development Officer Dany Robidoux from CDEM and Gerard Dube from the South East Worker Compost Co-op
Lesley presents an update on the municipality's local climate change action plan for the CLER Green House Gas Emissions Reduction Program which includes composting, municipal office building energy audit, Providence College rural transportation shuttle and an anti-idling campaign. Gerard Dube provided information on his co-op's services in providing composting consultation, improving composting methods, markets and education of composting benefits.

241-10 Moved by Bruno Hebert Seconded by Germain Roy

Be it resolved that council hereby approves the regular council meeting minutes of June 8, 2010.

"Carried"

242-10 Moved by Marc Marion Seconded by Bruno Hebert

Be it resolved that council hereby accepts the LUD of St. Malo's regular committee meeting minutes of June 24, 2010.

"Carried"

Delegation 5:30 p.m. Mayor Real Cure and Deputy Mayor Denis Fillion – Village of St. Pierre-Jolys

Village came to council and confirms the \$50 per metric tonne tipping fee for the privilege to dispose of the Village residents' garbage in the De Salaberry Landfill. They would like to see council consider allowing their residents to dispose their garbage at the gate at the same tipping fee rate as the De Salaberry municipal residents for the balance of 2010 since they are handing over partially funded landfill assets such as the Eco-Centre. They request that the municipality provide the Village with the next year's tipping fee rates annually by mid-November for budgetary considerations.

243-10 Moved Marc Marion Seconded by Marc Hamonic

Whereas the Rural Municipality of De Salaberry (RM) and the Village of St. Pierre-Jolys (Village) entered into a partnership agreement to operate a Class 2 landfill site on July 1, 1987 at the RM owned land at E ½ of NE 14-5-4E, cost sharing the daily operation on a 50/50 ratio, then later modified to 70/30 on March 12, 1996;

Whereas the Village council on February 5, 2010 informed the municipality by letter of their intention to terminate the De Salaberry-St. Pierre-Jolys Landfill Agreement, effective January 1, 2010;

Whereas the RM and Village agreed on March 15, 2010 to set July 1, 2010 as the official partnership agreement dissolution date;

Whereas the Village requested the RM to provide them with a per metric tonne (MT) rate for the Village's garbage deposited in the RM Landfill Site;

Whereas the RM studied the financial operation of the landfill and confirmed that a rate of \$50 per MT be charged to the Village to offset the costs to operate and fund future capital costs of the landfill such as current landfill cell closure costs and new cell excavating and preparation;

Whereas the RM undertook the study of the gate tipping fees schedule and approved a new fee schedule as per Resolution No. 228-10, effective July 1, 2010 with a tiered structure with separate rates for municipal residents who continue to also contribute towards the operations of the landfill site through their property taxes and a second rate for non-residents for ratepayers from the Village;

Whereas the RM was required to review their tipping fee rate schedule to keep up with the increasing environmental regulations and costs required of the RM to maintain a Class 2 Waste Disposal Ground Operating Permit with Manitoba Conservation;

Whereas the Village representatives have made a request to have their residents permitted to dispose of their garbage to the RM Landfill at the same rate as RM residents for at least the balance of 2010 since they are handing over the 30% funded landfill assets such as the Eco-Centre and landfill office;

Whereas the RM has agreed to waive the closing costs of the current Landfill Cell No. 2 where the Village contributed 30% of the garbage for the last 8 years in turn for the Village's 30% funded landfill assets;

Therefore be it resolved that the RM council hereby confirm the Village of St. Pierre-Jolys' residents gate tipping fees as listed in the Resolution No. 228-10 under "Non-resident"

"Carried"

Council breaks for lunch at 6:00 p.m. and reconvenes at 7:00 p.m.

Reeve Ron Musick opens the Public Hearing portion of the meeting at 7:00 p.m.

Application: V15-2010-193855

Applicant: Denis Clement

Proposal: To vary the front yard requirement of 25 feet to 2 feet +/- in an "UR" Urban Residential Zone for the purpose of re-building a detached 2 car garage.

Area Affected: Parcel A Plan 21190, 10 – 3rd Street, St. Malo.

Chief Administrative Officer confirms that he has not received any written objections on the proposal.

244-10 Moved by Germain Roy Seconded by Gerry Maynard

Be it resolved that council hereby approve Variation Order No. V15-2010-193855 as applied by Denis Clement.

"Carried"

Reeve Ron Musick closes the public hearing at 7:05 p.m.

**Delegation 7:05 pm Rene Catellier and Marc Maynard for the
Gosselin Road Low Pressure Sewer Project**

Rene and Marc presented a petition requesting the revival of a dormant project council initiated 3 years ago to extend a low pressure sewer line along the “south shore” of St. Malo Lake. This project was tabled due to lack of interest at the time from the local ratepayers. This proposed line would replace existing septic fields, leaking holding tanks and many unserved lots. The petition has 49 signatures, not including the Spillway Cove and area subdivision which would bring the number to 67 new service connections.

245-10 Moved by Bruno Hebert Seconded by Gerry Maynard

Be it resolved that council hereby authorizes the CAO to contact J.R. Cousin Consultants to update the Gosselin Road Low Pressure Sewer Project cost estimates.

Councillor Marc Hamonic abstains from the vote.

“Carried”

Delegation 7:30 p.m. Leo Roch and Georges Beaudry - Friends of the St. Malo Park

Leo and Georges make a presentation on a concept plan for a four season central meeting place for the Friends of the Park, to be built on the first beach inside the St. Malo Provincial Park. The organization is seeking a support and monetary contribution towards this project.

246-10 Moved by Gerry Maynard Seconded by Marc Marion

Be it resolved that council hereby approve a letter of support for the Friends of the St. Malo Park’s four season meeting place project and confirm their interest in negotiating with Manitoba Conservation in being a partner for the Friends of the St. Malo Park’s project.

“Carried”

Delegation 7:40 p.m. Albert Fillion and Don Bailey

Petition against mobile home on St. Charles Road

Albert and Don provided additional information on the petition sent to council from the residents of St. Charles Road with their concerns with the mobile home located at 68 St. Charles Road. The petitioners explain that the offer to purchase that they signed when they bought their lots confirmed that they were not permitted to locate mobile homes. The municipality confirms that no Building Restriction caveats were registered on these parcels and the Zoning By-Law does not restrict mobile homes in any of the zones in the municipality. Albert and Don have concerns with the shape the mobile home is in, the lack of 6 mil poly under the pad, the unsafe railroad ties holding up the trailer, distance setback to property lines, etc. The municipality will have the Building Committee investigate this issue further.

247-10 Moved by Marc Hamonic Seconded by Germain Roy

Be it resolved that council hereby approves the Building Permit Report of June 9, 2010 – June 29, 2010 being Permit No. 80-2010, 86-2010 to 90-2010 as per the recommendations from the Building and Development Committee.

“Carried”

248-10 Moved by Marc Hamonic Seconded by Germain Roy

Be it resolved that council hereby authorize the Building Inspector to contribute his expertise to the Economic Development Officer’s Building Forum project for up to 15 billable hours.

“Carried”

249-10 Moved by Gerry Maynard Seconded by Marc Hamonic

Be it resolved that council hereby approves CPS Subdivision File No. 4119-2010-5043 for Pt. NE ¼ 27-4-5E as applied by Eric Friesen with the following conditions:

- That the applicant verifies the site area and the site width of the proposed lots with a Manitoba Land Surveyor.

“Carried”

250-10 Moved by Bruno Hebert Seconded by Marc Raffard

Be it resolved that council hereby approves CPS Subdivision File No. 4119-2010-5061 for Pt. RL G – Rat River Settlement as applied by the R.M. of De Salaberry, Cyril Inman and Antonio Roy with the following conditions:

- That the applicant verifies the site area and the site width of the proposed lots, and obtains a Building Location Certificate, prepared by a Manitoba Land Surveyor, illustrating all buildings and/or structures, and onsite wastewater management systems on the affected land in relation to the proposed property lines;
- That the applicant obtains any necessary variations as a result of the Building Location Certificate; and
- That the applicant acquire the mines and minerals exceptions from the Crown for the portion of lot 1 that falls within the boundaries of current CT 1105419;
- That the westerly severed portion of CT 1105419 be kept separate from Proposed Lot 1 as stated in the subdivision application sketch.

“Carried”

251-10 Moved by Germain Roy Seconded by Marc Raffard

Be it resolved that council hereby approves CPS Subdivision File No. 4119-2010-5059 for Pt. RL I – Rat River Settlement as applied by Robert and Joelle Poirier with the following conditions:

- That the applicant verifies the site area and the site width of the proposed lots, and obtains a Building Location Certificate, prepared by a Manitoba Land Surveyor, illustrating all buildings and/or structures, and onsite wastewater management systems on the affected land in relation to the proposed property lines; and
- That the applicant obtains any necessary variations as a result of the Building Location Certificate.

“Carried”

252-10 Moved by Bruno Hebert Seconded by Marc Raffard

Be it resolved that council hereby approves the following written committee reports:

- Jolys Regional Library meeting of June 9, 2010
- Financial Report of June 24, 2010
- Gravel and Road Committee of June 22, 2010
- St. Malo Lake Stewardship meeting of May 19, 2010.
- Club Sportif St. Malo AGM meeting of May 19, 2010.
- Shop and Personnel Committee meeting of June 28, 2010
- Building and Development Committee meeting of June 28, 2010

“Carried”

253-10 Moved by Marc Marion Seconded by Bruno Hebert

Be it resolved that council hereby approves the Accounts Payable Report being cheque nos. 20100847 in the amount of \$650.00, 20100848 to 20100857 in the amount of \$6,279.50, 20100858 to 20100875 in the amount of \$20,384.89, 20100876 to 20100933 in the amount of \$211,891.66.

“Carried”

254-10 Moved by Gerry Maynard Seconded by Marc Marion

Be it resolved that council hereby approve the purchase of a security camera and installation hardware for \$1000 for the St. Malo Lagoon

“Carried”

255-10 Moved by Gerry Maynard Seconded by Bruno Hebert

Be it resolved that council hereby approve the release of the C4-2004-78600 performance bond to Tomato Farms.

“Carried”

256-10 Moved by Bruno Hebert Seconded by Marc Hamonic

Be it resolved that council hereby approve the naming of the new street in the Place Forest subdivision as "Willow Lane".

Carried"

257-10 Moved by Germain Roy Seconded by Bruno Hebert

Be it resolved that council hereby approve the Taxes Added Report No. 1 in the amount of \$3,731.28.

"Carried"

258-10 Moved by Marc Marion Seconded by Marc Raffard

Be it resolved that council hereby send a letter to the St. Malo and District Wildlife Association to open discussions on possibly mining gravel from the St. Malo Wildlife Management Area at W of 6-4-5E.

"Carried"

259-10 Moved by Gerry Maynard Seconded by Bruno Hebert

Be it resolved that council hereby authorize crediting St. Malo Utility Account No. 28601 in the amount of \$516.24 due to possible water meter mechanical malfunction.

"Carried"

260-10 Moved by Bruno Hebert Seconded by Germain Roy

Be it resolved that council hereby amend the Drainage Committee policy by delegating the authority to the Committee to complete and send away Applications for License to Construct Water Control Works and to approve the signing of said Licenses to Construct Drainage or Other Works once signed by the Minister of Water Stewardship.

"Carried"

261-10 Moved by Marc Marion Seconded by Marc Hamonic

Be it resolved that council hereby approve the issuance of a Noise Permit to Aline & George Pilotte for Saturday, August 14, 2010 from 7:00 p.m. to 3:00 a.m. at 188 St. Malo Street for a 10th anniversary celebration.

"Carried"

262-10 Moved by Bruno Hebert Seconded by Marc Hamonic

Be it resolved that council hereby approve Marc Maynard Backhoe's tender no. 119533 for the sewer connection to Melanie Martel on 1st Street, St. Malo.

"Carried"

263-10 Moved by Gerry Maynard Seconded by Marc Hamonic

Be it resolved that council hereby authorizes Manitoba Hydro to make the following changes to the street lighting system in the LUD of St. Malo:

- 100W HPS luminaire on shared wood pole on Birch Trail
- 100W HPS luminaire on shared wood pole on Willow Lane

Further that this resolution constitutes an amendment to the street lighting contract now in force between Manitoba Hydro and the R.M. of De Salaberry dated June 29, 2010.

"Carried"

264-10 Moved by Gerry Maynard Seconded by Marc Raffard

Whereas the producers of the Rural Municipality of De Salaberry have suffered great losses due to heavy rains and clogged Provincial drains;

Whereas municipal drains are continuously maintained to the cost of hundreds of thousand dollars yearly;

Whereas Provincial drains are not maintained and have been neglected for decades in the R.M. of De Salaberry;

Therefore be it resolved that the R.M. of De Salaberry petition the Province of Manitoba to accelerate their maintenance program and/or compensate the producers for their losses due to the Province's cutbacks and negligence.

"Carried"

265-10 Moved by Marc Marion Seconded by Marc Raffard

Be it resolved that council of the R.M. of De Salaberry hereby supports the R.M. of Westbourne's request for Federal and Provincial Disaster Assistance for the disastrous agricultural situation that their area is currently suffering from due to extreme weather conditions, mainly from excessive rains causing flooding of fields.

"Carried"

266-10 Moved by Gerry Maynard Seconded by Bruno Hebert

Be it resolved that council hereby adjourns the meeting at 10:20 p.m.

"Carried"

Reeve

Chief Administrative Officer