

RURAL MUNICIPALITY OF SHELL RIVER

Minutes of the regular meeting of Council of the RM of Shell River held Tuesday, May 14, 2013 in the Council Chambers of the municipal office.

PRESENT: Reeve – Albert Nabe
Councillors – Louise Smigelsky, Jack Lenderbeck,
Joseph Senderewich (left at 3:30 PM), Craig Mohr
Chief Administrative Officer – Dione Cherneski

ABSENT: Councillor – Doug Cranwell

CALL TO ORDER: Meeting called to order at 1:34 PM

ADOPTION OF AGENDA: Adopt agenda as presented or amended

#180-13 Mohr/Lenderbeck: **BE IT RESOLVED THAT** the agenda for the regular meeting of May 14, 2013 be adopted as amended by: **Adding: New Business:** 4. CPC Local Area Manager/Changes to the San Clara Post Office Effective June 10, 2013; **Boards and Commissions:** AMM (a) (iii) Reminder re Elections for AMM Board of Director, 1. Recreation Commission (b) – **CANCELLED**; Next Meeting June 3, 7. Lake of the Prairies Conservation District (a) ; Apr.18 and May 9 Minutes; May 9 Managers Report; **Committees of Council:** 2. Public Works and Equipment (e) Dust Control; **Correspondence:** 7. World Oceans Day - Respectfully Request issue of a News Release and Sample, 8. MAFRI - 2013 Municipal Grasshopper Assistance Policy.

Carried 5/0

MINUTES: Regular Meeting of April 23, 2013
Financial Plan Public Hearing of May 7, 2013
Special Meeting of May 7, 2013

#181-13 Smigelsky/Senderewich: **BE IT RESOLVED THAT** the minutes of the regular meeting held April 23, 2013 be adopted as amended.

Carried 5/0

#182-13 Senderewich/Mohr: **BE IT RESOLVED THAT** the minutes of the 2013 Financial Plan public hearing held May 7, 2013 be adopted as presented.

Carried 5/0

#183-13 Lenderbeck/Mohr: **BE IT RESOLVED THAT** the minutes of the special meeting held May 7, 2013 be adopted as presented.

Carried 5/0

FINANCES:

Accounts Payable

Unaudited Financial Statement to April 30, 2013 (review)

#184-13 Senderewich/Lenderbeck: **WHEREAS** the Finance Committee has reviewed the list of accounts; **NOW THEREFORE BE IT RESOLVED THAT** the accounts are approved for payment in the amount of \$28,479.12, cheques #16884 to #16918. Cheque #16914 is VOID.

Carried 5/0

HEARING: 2:00 PM – Conditional Use Hearing C-04-2013-182 for SE ¼ Sec. 20-26-28W (Klemetski)

#185-13 Smigelsky/Mohr: **BE IT RESOLVED THAT** the Council meeting adjourns to go into the Public Hearing for Conditional Use Hearing C-04-2013-182.

Carried 5/0

#186-13 Senderewich/Lenderbeck: **BE IT RESOLVED THAT** the Hearing for Conditional Use C-04-2013-182 hereby adjourns at 2:11 PM.

Carried 5/0

DELEGATIONS: 2:15 PM – Kevin Arthur/Parkway Co-op re Fuel Tender
2:30 PM – Gaye Lenderbeck/Roblin Centennial Celebrations

2:15 PM – Kevin Arthur, GM, Parkway Co-op

Kevin attended the meeting to ask Council to consider Co-op when it comes to our equipment fuel needs, mentioning that they are taxpayers in the municipality with the plant being located right across the highway from our municipal shop. He brought information to Council on Co-op fuels and lubricants, mentioning the RM would receive

5% equity back on fuel and 10% back on oil purchases. The RM currently uses the card lock for regular gasoline for the ½ ton truck.

Albert told Kevin that we currently purchase our equipment fuel through the MTCML Trading Company who tender for fuel on our behalf. We also receive funds back through them for various municipal purchases. Kevin said the Co-op would not tender to the MTCML, they want to deal directly with their members.

2:24 PM – Gaye Lenderbeck, Roblin Centennial Celebrations

Gaye attended the meeting to formally invite the RM to participate in any of the Town's Centennial Celebrations or come up with an event of our own to host during the 10 day celebration. The RM does intend to enter a float in the parade so we need to inform Patti Hunter of this. There are pancake breakfasts scheduled every morning during the Centennial; a host is needed for the one being held on Thursday, July 18 if the RM is interested. Gaye also said the Centennial Committee is still looking for individual or group volunteers as well.

IN CAMERA:

1. Audit of Council Indemnities
2. Councillor Cranwell Request/Access to Information

#187-13 Lenderbeck/Mohr: BE IT RESOLVED THAT we resolve into "Committee of the Whole" under the authority of Section 152 (3) (b) (iii) of *The Municipal Act* time being 2:38 PM; **FURTHERMORE THAT** all items discussed are confidential.

Carried 5/0

#188-13 Senderewich/Lenderbeck: BE IT RESOLVED THAT Council resumes the former order of business, time being 2:56 AM.

Carried 5/0

UNFINISHED BUSINESS:

1. (i) Request for Final Council Resolution re Mitchells East and Cupar's Creek
- (ii) Request to Reduce Invoice

#189-13 Smigelsky/Mohr: WHEREAS \$1,416.00 of Invoice No. 5487 remains unpaid; **AND WHEREAS** Lorne Misanchuk, Regional Land Manager, attended the municipal office May 2 to review the unpaid invoice and has requested Council consider waiving the remaining balance being:

- 1) \$560.00 for 280 yds of material,
- 2) \$120.00 for 8 hours of labour related to the water pump rental, and
- 3) \$736.00 for 12 hours for the grader and packer;

THEREFORE BE IT RESOLVED THAT Council of the RM of Shell River agree to cancel the remaining balance owing on Invoice No. 5487 in the amount of \$1,416.00.

Defeated 0/4

NEW BUSINESS:

1. Cupar's Creek Civic Addressing
2. Town of Roblin's 100th Anniversary Gift
3. FLIPPR/Development of Tees Lake
4. CPC Local Area Manager/Changes to the San Clara Post Office Effective June 10, 2013

#190-13 Lenderbeck/Smigelsky: BE IT RESOLVED THAT Council approve the cost of the plaque presented to the Town of Roblin to commemorate their 100th Anniversary Banquet held May 1, 2013 in the amount of \$108.95 plus taxes.

Carried 4/0

BY-LAWS:

- | | |
|-----------------|---|
| By-Law No. 3-13 | Zoning By-Law (2 nd & 3 rd Readings) |
| By-Law No. 4-13 | Tax Levy By-Law (2 nd & 3 rd Readings) |
| By-Law No. 5-13 | To Exempt Certain Buildings and Contiguous Land from Municipal Taxation (1 st Reading) |
| By-Law No. 6-13 | To Provide for the Regulation and Control of Animals within the Limits of the RM (Review/Comment) (1 st reading) |

#191-13 Smigelsky/Mohr: BE IT RESOLVED THAT By-Law No. 4-13 be read a second time. Carried 4/0

#192-13 Lenderbeck/Smigelsky: BE IT RESOLVED THAT By-Law No. 4-13 being the 2013 Tax Levy By-Law be read a third time and passed.

| | FOR | AGAINST | ABSTAINED | ABSENT |
|-------------------------------|-----|---------|-----------|--------|
| Reeve Albert Nabe | ✓ | | | |
| Councillor Louise Smigelsky | ✓ | | | |
| Councillor Doug Cranwell | | | | ✓ |
| Councillor Joseph Senderewich | | | | ✓ |
| Councillor Jack Lenderbeck | ✓ | | | |
| Councillor Craig Mohr | ✓ | | | |

Carried 4/0

#193-13 Mohr/Lenderbeck: BE IT RESOLVED THAT By-Law No. 5-13 being a by-law to exempt certain buildings and contiguous land from municipal taxation be read a first time. Carried 4/0

#194-13 Mohr/Lenderbeck: BE IT RESOLVED THAT By-Law No. 6-13 being a by-law to provide for the regulation and control of animals within the limits of the RM of Shell River be read a first time. Carried 4/0

REPORTS:

Boards & Commissions:

1. AMM

- (a) (i) 2013 JDM Host Information (ii) 2013 Meeting Notice and 2012 Minutes (iii) Reminder re Elections for AMM Board of Directors
- (b) More 2012 Resolution Responses
- (c) Amalgamation Letter to Citizens
- (d) Apr.29 News Bulletin
- (e) Member Advisory (i) Bill 33–The Municipal Modernization Act (ii) Presentation on Bill 33

2. Recreation Commission

- (a) \$45,000 Awarded from Community Places Program for Arena Washroom Upgrade
- (b) Report on May 13 Meeting – **CANCELLED**; Next Meeting June 3

3. Economic Development Committee

- (a) Report on May 8 Meeting, Agenda and Minutes
- (b) Report on Bug Chucker Cup Meeting May 8 Meeting; Apr.12 Minutes; Financials/Budget
- (c) EDAM – 13 Ways to Kill a Community
- (d) (i) AMM/Province Announces ‘Partner 4 Growth Program’ (ii) MAFRI/Partner 4 Growth Program
- (iii) Letter of Support re Partners 4 Growth Program

4. Roblin Planning District

- (a) (i) Follow up to Public Hearing (ii) Proposal to Subdivide Pt. SE ¼ 20-26-28W (Klemetski)

5. Parkland Tourism

- (a) Apr. 25 Agenda; Feb.22 Minutes from Meeting with Secretariat; Sept.27 Minutes; Royal Manitoba Winter Fair Info; Activities 2012-2013; Fiscal Year Financial Statement (Apr.1/12-Mar.31/13)
- (b) Manitoba Tourism Awards

6. Parkland Library

- (a) Apr. 29 Minutes

7. Lake of the Prairies Conservation District

- (a) Report on May 9 Meeting; Apr.18 and May 9 Minutes; May 9 Managers Report

8. Manitoba Good Roads Association

- (a) 2013 MGRA Judging Competition Nomination Letters

9. Chamber of Commerce

- (a) Apr.3 Minutes

#195-13 Lenderbeck/Mohr: WHEREAS new funding support has recently been established to assist rural regions in strengthening and diversifying economic activity based on regional economic advantages; **AND WHEREAS** the Province will provide a 50/50 cost shared funding grant of up to \$8,000 to communities to identify economic opportunities; **AND WHEREAS** eligible projects can focus on innovative ways to

increase community business services, attract new industry sectors to a region, develop tourism experiences and find sustainable and green economic opportunities; **AND WHEREAS** the Roblin/Shell River Economic Development Office would like to undertake a regional economic analysis process (REAP) which is an eligible project; **THEREFORE BE IT RESOLVED THAT** Council of the RM of Shell River support the Roblin/Shell River Economic Development's *Partners 4 Growth Program* grant application and to partner in the REAP to identify economic priorities and develop an action plan for our community.

Carried 4/0

#196-13 Smigelsky/Lenderbeck: WHEREAS application C-04-2013-182 has been made for a Conditional Use on SE 20-26-28 to allow for a non-farm dwelling in an AG-Agricultural Zone; **AND WHEREAS** there were no objectors; **THEREFORE BE IT RESOLVED THAT** Council approves of the Conditional Use; **FURTHERMORE THAT** all other necessary municipal and provincial government regulations must be approved and complied with.

Carried 4/0

#197-13 Mohr/Smigelsky: WHEREAS an application has been made to subdivide Pt. SE ¼ Sec. 20-26-28W by Donald and Jacqueline Klemetski; **AND WHEREAS** the intent of the application is to subdivide a 2.0 acre lot which contains the existing yard site with residence with the proposed lot to be retained by the current renter; **AND WHEREAS** the government circulation had been completed by Manitoba Intergovernmental Affairs Community Planning Services Report & Recommendations have been received; **AND WHEREAS** Land Titles requires a one lot plan of subdivision; **AND WHEREAS** Manitoba Conservation – Environment requires additional information regarding the decommissioning of the existing sewage ejector system; **AND WHEREAS** Community Planning recommends the owners contact Dave Yunker, Environment Officer, regarding their requirements and recommend approval subject to a Conditional Use Order being issued for the location of a non-farm residence with the AG zone; **THEREFORE BE IT RESOLVED THAT** the RM of Shell River approves of the subdivision application 4-182-13-7050 for Pt. S.E. ¼ Sec. 20-26-28W providing all the concerns from the government agencies are met and all other municipal and provincial regulations are complied with.

Carried 4/0

Committees of Council:

1. Legislative and Finance

- (a) Follow up to In Camera: Councillor Doug Cranwell/Request for Copy of Cancelled Cheque and Corresponding Bank Statement
- (b) (i) Beaver Management Program (\$2,000) (ii) Beaver Dam and Lodge Removal Authorization
- (c) Municipal Amalgamation Bulletin #2013-4
- (d) Assessment Services/Tax Impact Report
- (e) Vic Toews/Economic Action Plan 2013
- (f) Minister Ron Lemieux/Letter and Brief Summary re Bill 33, *The Municipal Modernization Act*
- (g) CLPA 1st Quarter Municipal Payout (\$8,127.323)

2. Public Works and Equipment

- (a) **3:00 PM** – Dennis Beck/Transportation Update
- (b) 2013 Graveling Agreement
- (c) Packer Tender
- (d) Request to use Public Works Yard/Town of Roblin Centennial Celebrations Snowbirds Airshow - **TABLED**
- (e) Dust Control

3. Health and Safety Committee

- (a) Slight Revisions to Policies to meet COR

4. Environmental Health

- (a) EcoCentre (i) Request for Monthly Increase - **TABLED** (ii) Annual Training and Re-Certification (alternate location)

5. Emergency Measures

- (a) Daily Flood Reports
- (b) Chris Popowich/Spring Flooding
- (c) Town of Roblin Invoice No. 2013-36G re Survey and Design Services, Goose Lake Drainage/Outlet Project

6. Protective Services

- (a) RSRFR/Request to Purchase Side by Side ATV and Trailer

#198-13 Mohr/Lenderbeck: **WHEREAS** Section 263(2) of *The Municipal Act* reads as follows:

“The chief administrative officer must provide access to any other municipal record in the possession of the municipality if he or she is authorized by the council to provide access to the record.”

AND WHEREAS on April 22, 2013, Councillor Cranwell has submitted a written request for a copy of cancelled cheque no. 16522 to Albert Nabe in the amount of \$4,890.30 and the corresponding bank statement; **THEREFORE BE IT RESOLVED THAT** Council of the RM of Shell River authorize the CAO to provide a copy of the records.

Defeated 0/4

#199-13 Lenderbeck/Smigelsky: **WHEREAS** Section 8.6 of Shell River’s Procedural By-law #8-11 states that the council shall observe a curfew whereby the item on the agenda under discussion four hours after the start of the meeting will be the last item dealt with on that day unless by majority vote the council decides to extend the time of adjournment; **AND WHEREAS** we have reached that four hour limit on Item #2 under Committee of Council; **NOW THEREFORE BE IT RESOLVED THAT** a ½ hour extension be allowed.

Carried 4/0

#200-13 Mohr/Smigelsky: **BE IT RESOLVED THAT** the Reeve and CAO are hereby authorized to sign the 2013 Graveling Agreement with Trisum Logging on behalf of the RM of Shell River.

Carried 4/0

#201-13 Smigelsky/Lenderbeck: **WHEREAS** the RM tendered for a packer; **AND WHEREAS** only one tender was received; **THEREFORE BE IT RESOLVED THAT** the tender received from Brandt Tractor Ltd. in the amount of \$25,500 FOB Shell River (not installed) plus taxes be accepted.

Carried 4/0

#202-13 Lenderbeck/Smigelsky: **BE IT RESOLVED THAT** the RM of Shell River purchase Magnesium Chloride from Fort Distributors Ltd. at a cost of \$0.28 supplied and applied; **AND FURTHER THAT** residents have the option to purchase the said dust control for their home sites for the same cost.

Carried 4/0

#203-13 Lenderbeck/Smigelsky: **BE IT RESOLVED THAT** Council of the RM of Shell River designate the Safety Committee as executives for the safety program with the authority to change the safety policies and procedures as needed.

Carried 4/0

#204-13 Mohr/Smigelsky: **BE IT RESOLVED THAT** Town of Roblin Invoice No. 2013-36G in the amount of \$1,612.50 being 50% of charges related to the survey and design services of Ed MacKay Consulting of H2O Management for the Goose Lake Drainage/Outlet Project is hereby approved for payment.

Carried 4/0

#205-13 Mohr/Lenderbeck: **WHEREAS** the Roblin, Shell River Fire & Rescue department has advised that the purchase of a side by side ATV and trailer would aid the department in open ground and wild-land firefighting, snowmobile and ATV rescues and ground search and rescue; **AND WHEREAS** there are funds available in the Fire Equipment Reserve Fund (jointly held with the Town of Roblin) to cover the cost of this purchase; **THEREFORE BE IT RESOLVED THAT** the RM of Shell River approves Roblin, Shell River Fire & Rescue’s request to purchase a side by side ATV and trailer an estimated cost of \$22,000.00 with funds from the Fire Equipment Reserve.

Carried 4/0

COMMUNICATIONS/CORRESPONDENCE:

| <u>From</u> | <u>Subject</u> |
|-----------------------------------|--|
| 1. CLPA | Copy of Letter to Marcel Gregoire re Yard site and Private Garden Permit |
| 2. FCM | - President’s Corner - 2013 Annual Conference Welcomes Rural Municipalities - News Week of Apr.22 and Apr.29 |
| 3. Robert Sopuck | Call for Proposals re Economic Opportunities for Women |
| 4. New Horizons for Seniors | Information Session in Dauphin – <i>May 14 @ 9:00 AM</i> |
| 5. Natural Resources Canada | Upgrades to ENERGY STAR Portfolio Manager |
| 6. Recreation & Regional Services | Parkland May Newsletter; March CPRA Newsletter |
| 7. World Oceans Day | Respectfully Request issue of a News Release and |

8. MAFRI

Sample
2013 Municipal Grasshopper Assistance Policy

NOTICE OF MOTION:

COUNCILLORS & CAO PRIVILEGES:

ADJOURN:

#206-13 Mohr/Lenderbeck: BE IT RESOLVED THAT we hereby adjourn at 6:05 PM,
with the next regular meeting to be held May 28, 2013 at 1:30 PM.

Carried 4/0

Coming Events:

May 15 – Clinic Board Meeting @ 9:00 AM

May 16 – Planning Meeting @ 9:00 AM

May 16 – Meeting with Ed MacKay @ 10:30 AM (Town Office)

May 16 – S.A.V.E.D. Meeting @ 7:30 PM

May 22 – Bug Chucker Cup Meeting @ 10:00 AM

May 28 – Council Meeting @ 1:30 PM

Albert Nabe
Reeve

Dione Cherneski
Chief Administrative Officer