

**RURAL MUNICIPALITY OF WOODLANDS
COUNCIL MINUTES**

The regular meeting of Council of the Rural Municipality of Woodlands was held in the Municipal Office on Tuesday, December 9, 2014 at 9:30 a.m. C.S.T. with Reeve Trevor King in the chair, and the following Councillors present: Lorna Broadfoot, Ila Buchanan, Carl Fleury, Gavin Jones, Orval Procter and Wayne Yule.

Also present: Lynn Kauppila, Chief Administrative Officer, as recording secretary.

Councillor Gavin Jones was excused at 3:20 p.m. with reason.

CALLED TO ORDER

With a quorum present, Reeve King called the meeting to order at 9:35 a.m.

ADOPTION OF AGENDA

Adopt Agenda

Resolution No. 578/14

Broadfoot-Buchanan

BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands adopt the agenda for the regular meeting of December 9, 2014 with the addition of the following:

Recreation:

CFRY Meadow Lea/Lake Francis Talent Night donation request (res)

Correspondence:

Thank you to Brandt and Toromont for invite to hospitality events

Economic Development:

Board appointment to Community Futures Manitoba (res)

Community pastures discussion.

Carried
7 For

<u>Public Hearing:</u>	10:30 a.m.	Kevin Cornell and Susan Cornell – Variation Order V14-06 SE 28-14-2W
	10:45 a.m.	Corey Werbicki and Sarah Werbicki – Conditional Use C14-13 SE 34-13-1W
	11:00 a.m.	Les Smith – Subdivision application - NE 11-13-1W

<u>Delegations:</u>	9:40 a.m.	Justin Sowa – By-law Enforcement Officer Report
	1:00 p.m.	Kelvin Shuvera, MIT – Council’s concerns/options re PTH 6 and 82N, Reg and Aenone Studler

Planning & Economic Development:

READING AND CONFIRMATION OF MINUTES

Adopt Minutes

Resolution No. 579/14

Fleury-Yule

BE IT RESOLVED THAT the Council of the Rural Municipality of Woodlands adopt the minutes of the regular meeting held on November 12, 2014 and special meeting of November 18, 2014.

Carried
7 For

FINANCE

Resolution No. 580/14

Report of Finance
Committee

Fleury-Procter

BE IT RESOLVED THAT the report of the Finance Committee be received, that the following accounts be paid: General cheque numbers 25978 through 26010 in the amount of \$30,387.89 and that payments made after the November 12, 2014 meeting, cheque numbers 25872 through 25977 in the amount of \$1,758,477.33 and payroll number 43 in the amount of \$19,901.01 and payroll number 46 in the amount of \$16,886.57 be approved with the exception of the following:

Council and L.U.D. of Warren Committee Members, Fire Chief retainer, Deputy Fire Chief retainer and Fire Department Training Officer retainer cheque number 25953 to cheque number 25965 and cheque number 25966 to cheque number 25972.

Carried
7 For

Resolution No. 581/14

Report of Finance
Committee

Fleury-Yule

BE IT RESOLVED THAT the Council of the Rural Municipality of Woodlands authorize the payments to members of Council and L.U.D. of Warren Committee Members, Fire Chief retainer, Deputy Fire Chief retainer and Fire Department Training Officer retainer cheque number 25953 to cheque number 25965 in the amount of \$11,588.35 and cheque number 25966 to cheque number 25972 in the amount of \$1,897.79.

Carried
7 For

Resolution No. 582/14

Appoint Tax Sale
Manager

Broadfoot-Jones

BE IT RESOLVED THAT pursuant to By-law No. 2577/10 of the Rural Municipality of Woodlands, TAXervice Inc. be appointed to conduct tax sales for the Rural Municipality of Woodlands; and

BE IT FURTHER RESOLVED THAT pursuant to By-law No. 2577/10 of the Rural Municipality of Woodlands, Donna Zinkiew, General Manager of TAXervice Inc., be appointed Tax Sale Manager for the Rural Municipality of Woodlands.

Carried
7 For

Resolution No. 583/14

Interim Financing

Fleury-Buchanan

WHEREAS the Council of the Rural Municipality of Woodlands (herein referred to as the Corporation) deems it necessary to borrow the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) to meet the current expenditures of the Corporation for the year 2015 until such time as the taxes levied therefore are collected; and

WHEREAS the total of taxes collected by the Corporation in 2014 was the sum of \$5,283,159.55; and

WHEREAS the amounts (if any) heretofore borrowed and outstanding for the purposes and the amount hereby authorized to be borrowed do not exceed the total amount of taxes so collected as aforesaid;

NOW THEREFORE it is hereby enacted by the Corporation as follows:

THAT the Reeve and Chief Administrative Officer of the Corporation be and they are hereby authorized to borrow under the Seal of the Corporation from TD Commercial Banking the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) for the purposes aforesaid and pay or agree to pay interest thereon, either in advance or at maturity and in either case after maturity, at the current bank loan rate;

THAT a promissory note or notes under the Seal of the Corporation and signed by the Reeve and Chief Administrative Officer thereof duly executed and given to the said bank for the amount so borrowed with interest as aforesaid;

THAT the Corporation hereby mortgages, assigns, transfers, pledges and hypothecates to the said bank the taxes of the Corporation for the year 2015 for Municipal or Municipal Commissioner purposes as additional security for the repayment of the amount so borrowed for any of such respective purposes;

THAT the Corporation shall deposit said taxes with said bank as collected in a special account as collateral security for payment of the amount so borrowed and interest, but the bank shall not be restricted to the said taxes for payment of the sum borrowed hereunder, nor shall it be bound to wait for repayment of the said sum until said taxes are collected or be required to see that they are deposited or applied as aforesaid;

THAT the amount so borrowed and interest shall be payable within the year 2015;

THAT the Reeve and Chief Administrative Officer are hereby authorized to give to the said bank in the name, on behalf of and under the Seal of the Corporation as security for the monies so borrowed, and interest thereon, a covenant or agreement containing a clause that all taxes levied or to be levied by the Corporation for the present year be and they are hereby pledged, hypothecated, mortgaged, transferred and assigned to the bank as security for the said loan and interest thereon and are charged as a first charge with repayment of such loan and interest or a clause to like effect, and that said taxes shall be deposited forthwith on being collected in said bank to the credit of the Corporation in a special account as collateral security for said advance.

Carried
7 For

Resolution No. 584/14

Interim Operating
Budget

Procter-Fleury

WHEREAS in accordance with Section 163 of “The Municipal Act” a council may adopt an interim operating budget to have effect only until the council adopts the operating budget for the fiscal year 2015;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands adopt the interim operating budget as described:

OPERATING REQUIREMENTS	
General Government Services	\$231,000.00
Protective Services	79,800.00
Transportation Services	388,500.00
Environmental Health Services	54,600.00
Public Health & Welfare Services	18,900.00
Environmental Development Services	16,800.00
Economic Development Services	52,500.00
Recreation & Cultural Services	63,000.00
Fiscal Services	126,000.00
LUD of Warren	42,000.00
Warren Utility Operating	42,000.00
Woodlands Utility Operating	<u>31,500.00</u>
Total Operating Requirements	<u>\$1,146,600.00</u>

Carried
7 For

Resolution No. 585/14

Add O/S Utility
A/R to Tax Roll

Buchanan-Broadfoot

BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands authorize the addition of utility accounts receivables to the tax roll as per the attached Schedule “C”.

Carried
7 For

Financial Statements Resolution No. 586/14
 Yule-Buchanan
 BE IT RESOLVED THAT the financial statements for October 31, 2014 are hereby received by Council as information.

Carried
7 For

GENERAL

CAO Report Resolution No. 587/14
 Broadfoot-Buchanan
 BE IT RESOLVED THAT the Chief Administrative Officer Report dated December 9, 2014 be received by Council of the Rural Municipality of Woodlands as information.

Carried
7 For

PLANNING

Adjourn for Public Hearing Resolution No. 588/14
 Broadfoot-Procter
 THAT we do now adjourn this regular meeting for a Public Hearing.

Carried
7 For

Reconvene Regular Meeting Resolution No. 589/14
 Fleury-Yule
 BE IT RESOLVED THAT the Rural Municipality of Woodlands now reconvenes its regular meeting.

Carried
7 For

Var.Order V14-06 K & S Cornell SE 28-14-2W Roll No. 73275 Resolution No. 590/14
 Fleury-Yule
 WHEREAS Kevin Cornell and Susan Cornell (herein, “the Owners”), have applied for a subdivision of the parcel legally described as part of SE Sec. 28, Twp. 14, Rge. 2W, Roll No. 73275, Certificate of Title Number 2648454; and

WHEREAS the Owners hold title to these 85.32 acres located approximately one-half mile north west of the hamlet of Woodlands; and

WHEREAS the intent of the application is to create nine new lots and a public road from the aforementioned holding for Rural Residential purposes; and

WHEREAS the land is designated Rural Residential within the Development Plan and appears to conform to the policy; and

WHEREAS the land is currently zoned Rural Residential (RR) in the Zoning By-law and the lots proposed meet the minimum site requirements for residential development; and

WHEREAS the residual parcel created by the subdivision of the land will result in a parcel of 52.98 acres, zoned AR, which is smaller than the minimum of 80 acres permitted under 2562/08 and 2648/14; and

WHEREAS Community Planning Services (CRP) File #4206-14-5336 states that CRP has no concerns with the application;

THEREFORE BE IT RESOLVED THAT Council permits the residual parcel to exist at a size of approximately 52.98 acres, smaller than the otherwise required 80 acres. Council thereby approves the Application for Variation Order.

Carried

Adourn for
Public Hearing
Resolution No. 591/14
Fleury-Procter
THAT we do now adjourn this regular meeting for a Public Hearing.

Carried
7 For

Reconvene
Regular Meeting
Resolution No. 592/14
Buchanan-Broadfoot
BE IT RESOLVED THAT the Rural Municipality of Woodlands now reconvenes its regular meeting.

Carried
7 For

Cond. Use C14-13
C & S Werbicki
SE 34-13-1W
Resolution No. 593/14
Jones-Broadfoot
WHEREAS:
a) Corey Werbicki and Sarah Werbicki (herein, “the Owners”) are the owners of the property legally described as part of SE 34-13-1 WPM, roll #19700; and
b) The property is zoned as “AG” Agriculture General Zone in the Municipality’s Zoning By-law No. 2562/08; and
c) Table 6.1-1 of the AG Zone requires a conditional use for Home Based Businesses; and
d) The Owners have applied for a conditional use under Table 6.1-1 to permit the establishment of a Home Based Business for a contractor’s yard, home-based business, and/or small-scale industrial operation as conditional uses; and
e) The Municipality held a public hearing on December 9th, 2014, to receive representations of the applicant and any other person;

THEREFORE BE IT RESOLVED THAT upon completion of the hearing and consideration of the application and the representations made, in accordance with Section 106 of the Planning Act, Council does hereby order:

Approval of application C14-13 and conditional use of Section 6.1.2 of Zoning By-law No. 2562/08 for the operation of the tow truck business as described in the completed application, with a maximum vehicular storage permitted of 50 vehicles, with conditions as set out in Zoning By-law 2562/08.

Carried
7 For

GENERAL

Appointment to
Board of
Community
Futures MB
Resolution No. 594/14
Procter-Fleury
BE IT RESOLVED THAT Council approves Councillor Ila Buchanan’s appointment to the board of Community Futures Manitoba.

Carried
7 For

Contribution to
Interlake Comm.
Foundation
Resolution No. 595/14
Fleury-Buchanan
BE IT RESOLVED THAT the Rural Municipality of Woodlands shall make a financial contribution to the Interlake Community Foundation Inc. in the amount of \$3,000.00.

Carried
7 For

South West Dist.
Palliative Care
Grant
Resolution No. 596/14
Procter-Fleury
BE IT RESOLVED THAT the Rural Municipality of Woodlands approves a grant to South West District Palliative Care Inc. in the amount of \$2,500.00.

Carried
7 For

Resolution No. 597/14

Stonewall &
District Christmas
Cheer Board
Donation

Fleury-Broadfoot

BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands authorizes a donation to Stonewall & District Christmas Cheer Board in the amount of \$300.00.

Carried
7 For

Resolution No. 598/14

Meadow Lea/Lake
Francis Talent
Night Sponsorship

Procter-Jones

BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands authorize a \$100.00 sponsorship to the CFRY Meadow Lea/Lake Francis Talent Night being held on January 17, 2015.

Carried
7 For

Resolution No. 599/14

Grant to WITC to
Cover 2014
Insurance

Jones-Broadfoot

BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands authorizes a grant in the amount of \$1,159.14 to West Interlake Trading Company to cover their 2014 insurance.

Carried
7 For

Resolution No. 600/14

Janitorial Services
Policy for Office

Broadfoot-Jones

WHEREAS the Janitorial Services Policy, adopted by Resolution No. 450/06 on October 12, 2006, be amended to allow for the Janitor to provide cleaning services in the municipal office after regular business hours;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands adopts the Janitorial Services Policy – R.M. Office – attached hereto as Schedule “B”.

Carried
7 For

Resolution No. 601/14

Bldg. Inspector
Salary Adjustment

Fleury-Buchanan

WHEREAS Council of the Rural Municipality of Woodlands entered into an agreement with the Rural Municipality of St. Francois Xavier for the hiring of a Building Inspector and to provide building inspection services to the Rural Municipality of Woodlands;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands approves the salary adjustment for Ken Cutts, Building Inspector as outlined on the attached Schedule “A” dated December 4, 2014, effective November 1, 2014, subject to Rural Municipality of St. Francois Xavier approval.

Carried
7 For

Resolution No. 602/14

Grant Leave of
Absence to
Councillor Jones

Buchanan-Procter

WHEREAS subsection 94(1)(a) of “The Municipal Act” authorizes a municipality to grant leave of absences for a Council member to be absent for three consecutive regular council meetings; and

WHEREAS subsection 6.0 and 6.01 of By-law No. 2651/14 allows for any member of council to participate in a meeting of council by means of a communication facility, and shall do so only with prior approval of council and on terms and conditions set by council;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands grants Councillor Gavin Jones leave of absence from the regular Council meetings in January, February and March in 2014; and

FURTHER BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands approve Councillor Gavin Jones request to participate in a meeting of council being held in January, February and March in 2015 by means of a communication facility.

Carried
7 For

Resolution No. 603/14

Progress Payment
For Civic
Addressing and
Parcel Map
Updates

Buchanan-Yule

BE IT RESOLVED THAT the Council of the Rural Municipality of Woodlands authorize payment of Invoice No. Q12002 from Data Link Mapping Technologies dated December 4, 2014 in the amount of \$5,100.00 plus applicable taxes, being the first progress payment for civic addressing and parcel map updates.

Carried
7 For

Resolution No. 604/14

Accept Estimate
For Survey
NW 13-14-3W

Jones-Fleury

BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands accept the estimate from Isaac & Denchuk, Manitoba Land Surveyors dated November 19, 2014 to complete a survey and post corners of Part NW ¼ Section 13-14-3W at a cost of \$2,300.00 plus GST; and

FURTHER BE IT RESOLVED THAT if any additional pins are requested the fee would be \$50.00 per pin and any missing or disturbed section outline monuments would be restored at additional costs as per the Survey Monument Restoration Program rates.

Carried
7 For

Resolution No. 605/14

Support ALMS
Endeavors to
Lobby Province of
MB to Maintain
Max. Outflow of
Fairford Dam

Fleury-Broadfoot

WHEREAS the human and economic interests of Aboriginal People, farmers, ranchers, residents and property owners are paramount to the well-being on Manitobans who live near the Assiniboine River, Lake Manitoba, Dauphin River and Lake St. Martin; and

WHEREAS recent history has shown that spring and summer flooding should be expected and planned for; and

WHEREAS Lake Manitoba must be at a level of 811.5 feet above sea level (asl) or lower to provide a suitable safety margin to minimize damage from spring flooding; and

WHEREAS proactive action now to protect the region will help to save Manitobans from future human and economic suffering; and

WHEREAS the Fairford Dam is the only outlet for water from Lake Manitoba; and

WHEREAS the Fairford Dam outlet capacity can be expanded through winter works projects; and

WHEREAS out of respect for our Dauphin River neighbours and their issue of frazzle ice, we support that the Fairford Dam should be held at 10,000 CFS until no later than December 10, 2014; and

WHEREAS the Association of Lake Manitoba Stakeholders (ALMS) have organized to petition the Government of Manitoba no later than December 10, 2014, in the interest of a balanced public policy to protect all its Citizens, remove the winter operation rules and return the Fairford Dam to its maximum outflow. To use all its know-how, including such technology as its Amphibex machines, and other such tools, to maintain the maximum outflow of the Fairford Dam throughout the winter, spring and summer until Lake Manitoba is at a level 811.5 feel asl or lower and to take further immediate action to increase the overall capacity of the Fairford Dam to ensure a maximum rate of flow can be maintained through the winter, ideally in excess of 14,000 cfs, and avoid winter “run down” as well as provide for future flood fighting capacity for future generations of Manitobans;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Woodlands fully supports ALMS in their endeavors to lobby the Province of Manitoba to maintain the maximum outflow of the Fairford Dam.

Carried
1 Absent
6 For

Resolution No. 606/14

Agreement 467/14
C & M Peters
Right-of-Way
Agreement

Fleury-Yule

WHEREAS subsection 250(2)(d)(i) of “The Municipal Act” authorizes a municipality to enter into an agreement with a person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands enter into a Right-of-Way agreement with Cornelius Peters and Myrna Peters as per terms as set out in Agreement No. 467/14 to provide access to the land over the CNR ROW Plan 1038 WLTO at a designated location; and

FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to execute the agreement.

Carried
1 Absent
6 For

Resolution No. 607/14

Assiniboine River
Lake MB Basins
Flood Mitigation
Study Round 2
Open House

Broadfoot-Procter

BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands approve the attendance of Council Members at the Assiniboine River and Lake Manitoba Basins Flood Mitigation Study Round 2 Open House being held on Wednesday, December 10, 2014 at the Herman Prior Seniors Service Centre on 40 Royal Road North in Portage la Prairie from 1:00 p.m. to 3:00 p.m.

Carried
1 Absent
6 For

Resolution No. 608/14

Agreement 471/14
RM of Rockwood/
Artistic
Landscaping for
Operation and
Maintenance of
Argyle Waste
Disposal Site

Fleury-Buchanan

WHEREAS subsection 250(2)(d)(i) of “The Municipal Act”, authorizes a municipality to enter into an agreement with a person;

THEREFORE BE IT RESOLVED THAT Council of the R.M. of Woodlands enter into an agreement with the Rural Municipality of Rockwood and Artistic Landscaping for the operation and maintenance of the Argyle Waste Disposal site, as set out in Agreement No. 471/14; and

FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to execute the agreement.

Carried
1 Absent
6 For

Resolution No. 609/14

Appoint LUD
Member to
Utilities Committee

Procter-Fleury

THAT upon the recommendation of the Committee of the L.U.D. of Warren, Council of the R.M. of Woodlands appoint Raymond Walker to the Utilities Committee; and

FURTHER BE IT RESOLVED THAT Robert Murray be appointed as alternate.

Carried
1 Absent
6 For

Resolution No. 610/14

Approve Quote
Bobcat Service
Warren to Cut
Branches on
Streets in Warren

Procter-Fleury
WHEREAS some streets within the L.U.D. of Warren have become overgrown with tree branches, making it difficult for snow removal; and

WHEREAS a quote was received from Bobcat Service Warren to cut overhanging branches from streets and sidewalks;

THEREFORE BE IT RESOLVED THAT upon the recommendation of the Committee of the L.U.D. of Warren, Council of the R.M. of Woodlands approve the quote from Bobcat Service Warren to cut branches on several streets in the amount of \$1,748.25.

Carried
1 Absent
6 For

COMMUNICATIONS

<u>FROM</u>	<u>SUBJECT</u>	<u>DISPOSITION</u>
News Media Services	Province issues severe wind alerts for Lake Winnipeg, areas of Lake Manitoba and Dauphin Lake	rec'd for info
FCM Communique Canada Post	News week of Nov. 3, 2014 (F-615) Reduction in weekday business hours at Woodlands Post Office (P-1660)	rec'd for info rec'd for info
FCM Communique	FCM launches Hometown Proud Campaign (F-615)	rec'd for info
Nature Conservancy Canada News Media Services	Frequently Asked Questions(N-1499) Manitoba's largest ever land donation to protect iconic Lake MB wetland	rec'd for info rec'd for info
News Media Services	Manitoba Government meets commitment to hire 50 physician assistants	rec'd for info
News Media Services	Manitoba Government announces infrastructure innovations council members	rec'd for info
News Media Services	Manitoba Government introduces new legislation that would clarify, strengthen role of Conservation Officers	rec'd for info

Resolution No. 611/14

Adjournment

Buchanan-Broadfoot
BE IT RESOLVED THAT we do now adjourn this meeting at 4:15 p.m. to meet again Tuesday, December 23, 2014 at 4:30 p.m.

Carried
1 Absent
6 For

Reeve
Trevor King

Chief Administrative Officer
Lynn Kauppila, CMMA

The following is a breakdown of Councillor indemnities and expenses for the month of November 2014:

	<u>Monthly Indemnities</u>	<u>Time</u>	<u>Mileage</u>	<u>Misc.</u>
Trevor King	780.90	501.89	249.00	668.99
Lorna Broadfoot	694.11	722.85	144.50	456.98
Ila Buchanan	694.11	995.83	308.50	657.75
Carl Fleury	694.11	999.87	414.00	532.19
Gavin Jones	694.11	734.40	271.00	438.00
Orval Procter	694.11	707.85	128.00	470.63
Wayne Yule	694.11	764.52	210.00	432.75