

RURAL MUNICIPALITY OF CORNWALLIS

Minutes of the Regular Meeting of Council held in the Council Chambers of the Municipality on Tuesday, May 18, 2010.

PRESENT: Reeve Reg Atkinson
Councillor Bob Brown, Ward Two
Councillor Emil Egert, Ward One
Councillor Sam Hofer, Ward Three
Councillor Heather Dagleish, Ward Four
Councillor Mike Cranford, Ward Five
Councillor Valerie Thoman, Ward Six

ADMINISTRATION PRESENT:

Chief Administrative/Finance Officer, Donna Anderson
Administrative Assistant, Shelley Livingstone

CALL TO ORDER – Reeve Reg Atkinson

The meeting was called to order at 6:55 P.M.

CONFIRMATION OF MINUTES

Resolution No. 99/2010

Cranford/Dagleish

Be it resolved that the minutes of the April 20, 2010 Regular Meeting and May 4, 2010 Special Meeting of Council be approved as circulated and posted.

Carried 7-0

Resolution No. 100/2010

Egert/Brown

Be it resolved that the minutes of the April 30, 2010 Transportation Committee Meeting be approved as circulated and posted.

Carried 7-0

ADOPTION OF THE AGENDA

Resolution No. 101/2010

Dagleish/Cranford

Be it resolved that the Agenda be adopted as presented.

Carried 7-0

RECEPTION OF PUBLIC HEARINGS AND DELEGATIONS

Councillor Egert declared a conflict and vacated the chamber.

Resolution No. 102/2010

Hofer/Brown

Be it resolved that the Council adjourn to a public hearing.

Carried 6-0 Absent: Councillor Egert

PUBLIC HEARING

Public Hearings under the RM of Cornwallis Zoning By-law No.1558/09/99 as amended, were held for the following applications:

- a. Conditional Use Application No. C-01-10-C, Strilkiwski Contracting Ltd, Pt. W ½ 7-10-17 WPM, Ward 3

Conditional Use Application C-01-10-C, Strilkiwski Contracting Ltd., Pt. W ½ 7-10-17 WPM, Ward 3

Mr. Gerald Strilkiwski spoke in favour of his Conditional Use Application C-01-10-C.

Resolution No. PH03/2010

05-18-2010

Hofer/Dalgleish

Be it resolved that the public hearing to hear representation concerning Conditional Use Application No. C-01-10-C, Pt. W ½ 7-10-17 WPM be closed.

Carried 6-0

IN THE MATTER OF THE CONDITIONAL USE APPLICATION NO. C-01-10-C

Resolution No. 103/2010

Hofer/Cranford

Whereas Gerald Strilkiwski has applied for a Conditional Use Order to allow for Sand and Gravel Operations in the "AG80" Agricultural General Zone at Pt. W ½ 7-10-17 WPM; and

Whereas the Council has held a public hearing to hear representation in favour and in opposition to the application;

Now therefore in consideration of any representation made at the hearing and of the application itself, the Council hereby approves the application as submitted and authorize that Conditional Use Order No. C-01-10-C be issued subject to the following conditions:

1. The applicant obtains valid pit registration under the authority of the Mines and Minerals Act prior to the commencement of extraction activities.
2. That the land shall be rehabilitated following the completion of the aggregate extraction activities and that such rehabilitation shall be in accordance with Manitoba Quarry Minerals Regulation 65/92.
3. That gravel extraction is conducted in accordance with the Municipality's Aggregate Mining and Transportation By-law.
4. Any other such conditions as deemed necessary to secure the objectives of the development plan or zoning by-law.

Carried 6-0

Councillor Egert returned to the Council Chamber.

DELEGATIONS

Chief Brent Dane – Brandon Fire Department

Resolution No. 104/2010

Hofer/Brown

Be it resolved that a presentation by Fire Chief Brent Dane of the City of Brandon be hereby received.

Carried 7-0

Ryan Rae – Sprucewoods / Shilo Rodeo Club

Resolution No. 105/2010

Cranford/Egert

Be it resolved that a presentation by Mr. Ryan Rae be hereby received.

Carried 7-0

Other Planning Matters

Proposal to Subdivide Pt. SE ¼ 32-10-18 WPM, Roy, Ward 3

Resolution No. 106/2010

Hofer/Brown

Be it resolved that a proposal to Subdivide Pt. SE ¼ 32-10-18 WPM, being Application No. 4116-10-470 be hereby approved subject to the following conditions recommended by the Brandon and Area Planning District:

1. That a conditional Use Order be obtained to permit the non-farm dwelling;
2. That the Onsite Waste Management System be brought into compliance with the requirements of Manitoba Conservation;
3. Any other such conditions and requirements as are necessary by other government agencies.

Carried 7-0

Proposal to Subdivide Pt. NW ¼ 1-10-19 WPM, Rudani, Ward 1

Resolution No. 107/2010

Egert/Cranford

Be it resolved that a proposal to Subdivide Pt. NW ¼ 1-10-19 WPM, being Application No. 4116-10-471 be hereby approved subject to the following conditions recommended by the Brandon and Area Planning District:

1. That Variation Orders be obtained to reduce the minimum required site area for both parcels from the minimum of 80 acres to 68.32 acres and 54.98 acres;
2. Any other such conditions and requirements as are necessary by other government agencies.

Carried 7-0

Conditional Use Order Application No. C-2-09-C, W.D. Paige, S.L. Paige-Friesen and L.E. Friesen, Pt. SW ¼ 28-10-18 WPM, Ward 3

Resolution No. 108/2010

Dagleish/Brown

Be it resolved that Conditional Use Application No. C-02-09-C be removed from the table.

Carried 7-0

Resolution No. 109/2010

Cranford/Brown

That we do hereby table Conditional Use Application No. C-02-09-C.

Carried 6-1

Opposed: Hofer

GENERAL BUSINESS

Sprucewoods/Shilo Rodeo Club – Request for Sponsorship

Resolution No. 110 /2010

Dagleish/Brown

Be it resolved that the R.M. of Cornwallis hereby designates the Annual Sprucewoods/Shilo Rodeo scheduled for July 16 & 17, 2010 to be a community event in the meaning of the *Liquor Control Act*.

Carried 7-0

Sprucewoods/Shilo Rodeo Club – Request for Insurance Coverage

Resolution No. 111/2010

Dagleish/Cranford

Be it resolved that the request from the Sprucewoods/Shilo Rodeo Club for insurance coverage under the Insurance policy for Cornwallis be tabled to obtain further information.

Carried 7-0

REPORTS OF COMMITTEES

None

RECEPTION OF PETITIONS

None

COMMUNICATIONS

Resolution No. 112/2010

Brown/Cranford

Be it resolved that the following communications be received and filed:

<u>Date</u>	<u>Item</u>
April 12	Stu Briese, MLA Ste. Rose – Waste-Water Management Petition
April 19	MB Water Stewardship – City of Brandon License Approval
May 3	The Municipal Board – Copy of Correspondence re: Proposal to Annex File No. 09E2-0003
May 4	Brandon & Area Planning District – Notice of City of Brandon Development Plan Ammendment Application
May 4	The Municipal Board – Subdivision Appeal – Du Myr Ltd. – Notice of Hearing.

Carried 7-0

ACCOUNTS & FINANCE

Approval of Accounts

Resolution No. 113/2010

Egert/Dagleish

Be it resolved that the following payroll and general accounts be approved for payment as follows:

22-Apr 6,911.94
 22-Apr 4,151.46
 22-Apr 2,856.76
 29-Apr 44,150.18
 30-Apr 471.59
 6-May 61,254.27
 6-May 2,682.58
 6-May 3,017.78
 30-Apr 25.00
 12-May 22,996.65

TOTAL \$ 148,518.21 ; and

Be it further resolved that council indemnity accounts in the sum net total amount of \$ 5,442.02 be approved for payment as follows:

	Reg Atkinson	Emil Egert	Bob Brown	Sam Hofer	Heather Dagleish	Mike Cranford	Valerie Thoman
Basic Indemnity	824.25	625.50	625.50	625.50	625.50	625.50	625.50
Council/Ward Indemnity		662.22	123.11	50.94	84.90		
Council/Ward Mileage		270.60	111.52		18.04		
Convention & Delegation Indemnity	772.59	288.66	195.27		297.15		152.82
Convention & Delegation Mileage	328.82	73.80	17.22		63.96		30.75
Meals/Expenses	41.96	41.96	41.96				
Gross Total	1,967.62	1,962.74	1,114.58	676.44	1,089.55	625.50	809.07
Less: CPP			(16.71)	(7.89)	(18.81)	(6.20)	(11.25)
Less: Income Tax	(1,742.62)	(500.00)	(150.00)		(200.00)	(150.00)	
Net Total	225.00	1,462.74	947.87	668.55	870.74	469.30	797.82

Carried 7-0

Councillor Brown disclosed an interest in the accounts to be approved for payment and withdrew from the Council Chamber.

Resolution No.114/2010

Egert/Thoman

Be it resolved that the following payroll accounts be approved for payment as follows:

22-Apr 993.15
 6-May 855.30

TOTAL \$ 1,848.45

Carried 6-0 Absent: Councillor Brown

Councillor Brown returned to the Council Chamber.

Authorize Expenditures

Authorize Attendance – AMM June District Meeting, Kenton, MB, Monday June 14, 2010

Resolution No. 115/2010

Egert/Cranford

Be it resolved that all Council members be hereby authorized to attend at municipal expense in accordance with established policy a June 14, 2010 meeting of the Western District of the Association of Manitoba Municipalities scheduled for Kenton, Manitoba.

Carried 7-0

Financial Statements

Three months ended March 31, 2010

Resolution No. 116/2010

Hofer/Dalgleish

Be it resolved that the financial statement for the three months ended March 31, 2010 be hereby received as presented.

Carried 7-0

Tenders and Request for Proposal

Councillor Egert declared a conflict and vacated the chamber.

Award Curries Landing Road Upgrade

Resolution No. 117/2010

Hofer/Brown

Whereas Council invited proposals to upgrade Curries Landing Road; and

Whereas the following proposals were received;

Bidder	Description	Total Inclusive of Applicable Taxes
Ballingall Brothers Ltd.	Loading, and delivering clay supplied by the RM from Abey's pit on 3.3 miles . Clay delivered at 3000 c/yds per mile. 650 c/yds per mile of road gravel.	\$ 61,604.55
Tri-Wave Construction	Clay 3 miles at 3000 c/yds per mile and 650 c/yds per mile of road gravel. Leveling using Cat D5H.	\$ 64,830.00
Gravier Collet Gravel Inc.	7500 yards of clay and 1600 yards of gravel on a 2.5 miles of roadway	\$ 67,630.00
Cumming & Dobbie Alternate Price	Supply, Load, Place, compact Pit Run Clay 1.5 miles south of 457	\$ 37,800.00
	Supply, Load, Place, compact Pit Run Clay approximately 2 miles north of 457	\$ 56,700.00
	Supply and place traffic gravel over clay cap	\$11.55 / yd
Cumming & Dobbie	1. Load & Haul Clay South of 457	\$5.25 / yd
	2. Load & Haul Clay North of 457	\$6.30 / yd
	3. Supply & place Traffic Gravel over clay cap	\$11.55 / yd

Therefore be it resolved that the Council hereby awards the project to Ballingall Brothers Ltd. in the amount of \$61,604.55 taxes inclusive.

Carried 6-0 Absent: Councillor Egert

BY-LAWS

None

UNFINISHED BUSINESS

None

GENERAL BUSINESS Continued

Pioneer Power & Equipment – Request

Resolution No. 118/2010

Cranford/Hofer

Be it resolved that the request from Pioneer Power & Equip Club to use the Riverbend Park south entrance for the tractor pull during the Annual Fall Show July 31, 2010 to August 1, 2010 be hereby approved.

Carried 7-0

City of Brandon – Mosquito Abatement Program

Resolution No. 119/2010

Brown/Dalgleish

Be it resolved that in so far as it is within the Municipality's jurisdiction, the City of Brandon be hereby authorized to conduct its mosquito abatement program within the limits of the Rural Municipality of Cornwallis during the 2010 season; and

Be it further resolved that the Municipality's general insurer be notified of this approval.

Carried 7-0

Federal Gas Tax Funding Extension Agreement – 2010/11 to 2013/14

Resolution No. 120/2010

Hofer/Egert

Be it resolved that the signing officers for the Rural Municipality of Cornwallis be hereby authorized to sign a Federal Gas Tax Funding Extension Agreement as presented to the Municipality by letter dated May 6, 2010 from the Honourable Ron Lemieux, Minister of Local Government.

Carried 7-0

Burning By-Law, Request for Review

Resolution No. 121/2010

Dalgleish/Egert

Be it resolved that Administration is instructed to review and make recommendation of changes to the Rural Municipality of Cornwallis burning by-law which regulates open and nuisance burning in designated areas of the Municipality.

Carried 7-0

Irrigation Pivot By-Law, Request for Review

Resolution No. 122/2010

Dalgleish/Brown

Be it resolved that By-law 1546/14/98 be referred to the Legislative & Finance Committee for review.

Carried 7-0

Michael Bugg – Expression of Interest in RM of Cornwallis Land NE 36-10-19 (Ward 2)

Resolution No. 123/2010

Thoman/Dalgleish

That the expression of interest from Michael Bugg for the property known as Pt. NE 36-10-19 WPM be referred to the Legislative & Finance Committee.

Carried 7-0

City of Brandon Fire Agreement

Resolution No. 124/2010

Hofer/Thoman

Be it resolved that Administration be authorized to enter into Agreement with the City of Brandon Fire and Emergency Services as presented by Chief Dane.

Carried 7-0

INQUIRIES

None

NOTICE OF MOTION

None

ADJOURN

Resolution No. 125/2010

Hofer/Dalgleish

Resolved that this meeting be adjourned.

Carried 7-0

Adjourn time: 8:50 P.M.

Approved: _____ 2010

REEVE

CHIEF ADMINISTRATIVE/FINANCE OFFICER