

RURAL MUNICIPALITY OF CORNWALLIS

Minutes of the Regular Meeting of Council held in the Council Chambers of the Municipality on Tuesday, June 15, 2010.

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

ABSENT: Councillor Bob Brown, Ward Two

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 7:01 P.M.

CONFIRMATION OF MINUTES

Resolution No. 126/2010

Hofer/Dalglish

Be it resolved that the minutes of the May 18, 2010 Regular Meeting of Council be approved as circulated and posted.

Carried 6-0

ADOPTION OF THE AGENDA

Resolution No. 127/2010

Egert/Cranfor

Be it resolved that the amended Agenda be adopted as presented.

Carried 6-0

RECEPTION OF PUBLIC HEARINGS AND DELEGATIONS

Resolution No. 128/2010

Dalglish/Thoman

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

Carried 6-0

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. Variation Application No. V-01-10-C, Part of NE ¼ 16-9-17W, Macialek (encl) Ward 1

Variation Application No. V-01-10-C, Part of NE ¼ 16-9-17W, Macialek (encl) Ward 1

Mr. Shane Macialek spoke in favour of his Variation Application V-01-10-C.

Resolution No. PH04/2010

Egert/Dalglish

Be it resolved that the public hearing to hear representation concerning Variation Application No. V-01-10C, Pt. of NE ¼ 16-9-17WPM be closed.”

Carried 6-0

IN THE MATTER OF THE VARIATION APPLICATION NO. V-01-10-CC

Resolution No. 129/2010

Egert/Hofer

Whereas Shane and Cathy Macialek have applied to vary the application of the Municipality's Zoning By-law No. 1558/09/99, as amended, with respect to Part of NE ¼ 16-9-17WPM as follows:

To reduce the minimum required front yards of 125 feet (37.1m) to (a) 62.5 feet (19.05m) and (b) 90 feet (27.43m) respectively, in order to accommodate a proposed construction of a detached storage building at 62.5 feet (19.05m) and a dwelling at 90 feet (27.43m) at the proposed location on his rural non-farm parcel in the "AG 80" Agricultural General Zone.

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

Whereas the Council is satisfied that varying the application of specific provisions of the zoning by-law with regard to the affected property in the manner specified in the order

- (a). will be compatible with the general nature of the surrounding area,
- (b). will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area,
- (c). is the minimum modification of a zoning by-law required to relieve the injurious affect of the zoning by-law on the applicant's property, and
- (d). is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law.

Now therefore be it resolved that in consideration of the foregoing and of any representation made at the hearing and of the application itself, the Council hereby approves the application with the above change (40 feet to 62.5 feet) and authorize that Variation Order No. V-01-10-C be issued.

Carried 6-0

#### DELEGATIONS

##### Peter Tines – Meadows of Chater

##### Resolution No. 130/2010

Hofer/Thoman

Be it resolved that a presentation by Peter Tines be hereby received.

Carried 6-0

##### Other Planning Matters

##### Proposal to Subdivide, Pt. NE ¼ 17-10-19 WPM, Mantei, Ward 2

##### Resolution No. 131/2010

Hofer/Dalgleish

Be it resolved that Proposal to Subdivide Application No. 4116-09-460, being a proposal to subdivide Pt. NE ¼ 17-10-19 WPM, be hereby approved subject to the following conditions:

- a. That a Conditional Use Order be obtained to allow the creation of the non-farm parcel.
- b. Any other such conditions and requirements as are necessary.

Carried 6-0

#### REPORTS OF COMMITTEES

Reeve Atkinson reported on the Annexation hearing that was held at the City of Brandon.  
Councillor Dalgleish reported on the upcoming Brandon Salutes Homecoming festivities at CFB Shilo.  
Reeve Atkinson and Councillor Dalgleish reported on the June District meeting that was held at Kenton, MB.

#### RECEPTION OF PETITIONS

None

#### COMMUNICATIONS

##### Resolution No. 132/2010

Hofer/Thoman

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

<u>Date</u>	<u>Item</u>
May 15	Property Owners, Waggle Springs Road
May 18	MB Infrastructure & Transportation, cc: letter re: de Gobeo drainage
Undated	Du Myr Ltd, cc: Municipal Board Submission
May 12	MB Infrastructure & Transportation Greyhound bus service
May 19	Stu Briese, MLA Ste. Rose – Bill 230
May 20	RM of Blanshard – Request for Support

06-15-2010

Carried 6-0

ACCOUNTS & FINANCE

Approval of Accounts

Resolution No. 133/2010

Egert/Cranford

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

20-May	46,946.46
20-May	2,377.50
20-May	2,940.28
31-May	25.00
31-May	900.74
3-Jun	59,873.80
3-Jun	2,370.94
3-Jun	3,657.64
9-Jun	75,616.10

TOTAL \$ 194,708.46 ; and

Be it further resolved that council indemnity accounts in the sum net total amount of \$ 4,401.97 be approved for payment as follows:

	Reg Atkinson	Emil Egert	Bob Brown	Sam Hofer	Heather Dalglish	Mike Cranford	Valerie Thoman
Basic Indemnity	824.25	625.50	625.50	625.50	625.50	625.50	625.50
Council/Ward Indemnity		212.25	110.37	50.94	76.41		
Council/Ward Mileage		98.40	93.48	28.70	43.05		
Convention & Delegation Indemnity	229.23	118.86	101.88		118.86		50.94
Convention & Delegation Mileage	101.68	49.20	27.47		41.00		
Meals/Expenses	25.00	25.00	25.00				
Gross Total	1,180.16	1,129.21	983.70	705.14	904.82	625.50	676.44
Less: CPP			(13.21)	(7.89)	(12.65)	(6.20)	(7.89)
Less: Income Tax	(955.16)	(300.00)	(150.00)		(200.00)	(150.00)	
<b>Net Total</b>	<b>225.00</b>	<b>829.21</b>	<b>820.49</b>	<b>697.25</b>	<b>692.17</b>	<b>469.30</b>	<b>668.55</b>

Carried 6-0

Resolution No.134/2010

Egert/Dalglish

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

20-May	1,120.38
3-Jun	1,094.48
Total	\$2,214.86

Carried 6-0

Authorize Expenditures

Sprucewoods-Shilo Rodeo Grant Request

Resolution No. 135/2010

Dalglish/Hofer

Be it resolved that the R.M. of Cornwallis sponsor the Annual Sprucewood – Shilo Rodeo scheduled for July 16 and 17, 2010 in the amount of \$250.00.

Carried 6-0

Financial Statements

Four months ended April 30, 2010

Resolution No. 136/2010

Egert/Cranford

Be it resolved that the financial statement for the four months ended April 30, 2010 be hereby received as presented.

Carried 6-0

BY-LAWS

None

UNFINISHED BUSINESS

None

GENERAL BUSINESS

Sprucewoods/Shilo Rodeo Club – Insurance Request

Resolution No. 137/2010

Dagleish/Hofer

Whereas the Municipality's Insurance provider has confirmed that the Municipality's Liability Insurance coverage may be extended to include the Sprucewoods/Shilo Rodeo Club for the annual rodeo on July 16 & 17, 2010, at no additional cost.

And whereas it is understood that this coverage does not include event participants.

Therefore be it resolved that we do hereby instruct the Municipality's Insurance Provider to extend the Municipality's liability insurance coverage to include the Sprucewoods/Shilo Rodeo Club for the Annual Rodeo to be held on July 16 & 17, 2010.

Be it further resolved that this coverage may be extended to cover any trail ride that the club may host.

Carried 6-0

Sandra & Keith Barnstable – Request for second dwelling

Resolution No. 138/2010

Egert/Cranford

Be it resolved that the request for second dwelling received from Sandra and Keith Barnstable dated June 7, 2010 be hereby referred to the Brandon and Area Planning District.

Carried 6-0

Spiller, Tim & Ali – Road Request

Councillor Dagleish declared a conflict of interest and vacated the Council Chamber.

Resolution No. 139/2010

Hofer/Cranford

Be it resolved that administration be instructed to draft a by-law to open a municipal road on the property known as 4-3-20746 and registered at Brandon Land Titles under title number 1429928.

Carried 5-0

Councillor Dagleish returned to the chamber.

MTS – Right of Way Agreement (Ward 1)

Resolution No. 140/2010

Egert/Hofer

Be it resolved that we do hereby authorize the Municipality's signing officers to execute the MTS Right-of-Way Agreement with MTS Allstream Inc. for that portion of the SW ¼ Section 15-9-17 WPM lying south of the Assiniboine river containing one hundred and sixteen acres more or less. Exc. Sly 1666.5 feet.

Carried 6-0

Chris & Silke De Gobeo – Request to remove topsoil from the proposed roadway.

Resolution No. 141/2010

Hofer/Thoman

Be it resolved that we do hereby approve the request from Chris de Gobeo to remove the topsoil and large exposed rocks from the proposed roadway and ditch location.

Carried 6-0

INQUIRIES

None

NOTICE OF MOTION

None

ADJOURN

Resolution No. 142/2010

Resolved that this meeting be adjourned.

Carried 6-0

Adjourn time: 7:56 P.M.

Approved: \_\_\_\_\_ 2010

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REEVE

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CHIEF ADMINISTRATIVE/FINANCE OFFICER