

RURAL MUNICIPALITY OF CORNWALLIS

Minutes of the Regular Meeting of Council held in the Council Chambers of the Municipality on Tuesday, August 17, 2010.

PRESENT: Reeve Reg Atkinson
Councillor Emil Egert, Ward One
Councillor Bob Brown, Ward Two
Councillor Sam Hofer, Ward Three
Councillor Heather Dalglish, Ward Four
Ward Six, Vacant

ABSENT: Councillor Mike Cranford, Ward Five

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 6:56 P.M.

CONFIRMATION OF MINUTES

Resolution No. 164/2010

Dalglish/Hofer

Be it resolved that the minutes of the July 20, 2010 Regular Meeting of Council and July 20, 2010 Transportation Committee Minutes be approved as circulated and posted.

Carried 5-0

ADOPTION OF THE AGENDA

Resolution No. 165/2010

Hofer/Egert

Be it resolved that the Agenda be adopted as presented

Carried 5-0

RECEPTION OF PUBLIC HEARINGS AND DELEGATIONS

None

DELEGATIONS

None

Other Planning Matters

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

Resolution No. 166/2010

Egert/Hofer

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

Carried 5-0

Resolution No. 167/2010

Egert/Hofer

Whereas W.D. Paige, S.L. Paige-Friesen and L.E. Friesen applied for a Conditional Use Order to allow for a home based business with outside storage in the “AG80” Agricultural General Zone at Southerly 1320 feet perpendicular of SW ¼ 28-10-18 WPM as may be more particularly described on Certificate of Title No. 2085988; and

Whereas a public hearing to hear representation in favour and in opposition of the application was held on March 17, 2009;

Now Therefore be it resolved that in consideration of any representation made at the hearing and of the application itself, the Council hereby approves that Conditional Use Order No. C-02-09-C be issued subject to the following conditions:

1. Applicant obtaining all necessary permits from the Highway Traffic Board;
2. An outside storage area will be screened from public view by a combination of tree plantings, fencing and placement behind storage buildings.

Carried 5-0

REPORTS OF COMMITTEES

None

RECEPTION OF PETITIONS

None

COMMUNICATIONS

Resolution No. 168/2010

Hofer/Egert

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

<u>Date</u>	<u>Item</u>
July 21	Yogesh Goradia – Objection to temporary road proposed by Gravel Plus
July 19	The Municipal Board – Subdivision Appeal by Du Myr Ltd.
July 21	MB Infrastructure & Transportation – De Gobeo Subdivision
July 19	The Municipal Board – Subdivision Appeal by David Mantei
July 22	1 st Regiment Royal Canadian Horse Artillery
Undated	Brandon University School of Medicine Update
July 27	MB Hydro – Bipole III Transmission Project: Round Four
July 29	MB Infrastructure & Transportation – Highway Traffic Board Hearing
Aug 4	Burns Maendel – Rutz Subdivision
Aug 6	National Defence – CFB Shilo – Update on Fire Agreement

Carried 5-0

ACCOUNTS & FINANCE

Approval of Accounts

Resolution No. 169/2010

Egert/Dalgleish

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

17-Jun	2,510.90	
17-Jun	3,245.12	
30-Jun	280.50	
17-Jun	27,785.55	
24-Jun	71,858.07	
30-Jun	63,699.81	
30-Jun	846.62	
1-Jul	2,954.82	
1-Jul	2,366.84	
14-Jul	38,649.64	
	TOTAL	\$ 214,197.87 ; and

Be it further resolved that council indemnity accounts in the sum net total amount of \$ 4,814.15 be approved for payment as follows:

	Reg Atkinson	Emil Egert	Bob Brown	Sam Hofer	Heather Dalgles h	Mike Cranford	Valerie Thoman
Basic Indemnity	824.25	625.50	625.50	625.50	625.50	625.50	625.50
Council/Ward Indemnity		135.84	106.13	84.90	42.45		
Council/Ward Mileage		73.80	93.48	28.70	13.94		
Convention & Delegation Indemnity	390.54	390.54	144.33	25.47	356.58		42.45
Convention & Delegation Mileage	133.25	176.30	15.58	4.10	102.91		6.15
Meals/Expenses	25.00	25.00	25.00				
Gross Total	1,373.04	1,426.98	1,010.02	768.67	1,141.38	625.50	674.10
Less: CPP			(14.47)	(9.85)	(19.37)	(6.20)	(7.61)
Less: Income Tax	(1,148.04)	(500.00)	(150.00)		(200.00)	(150.00)	
Net Total	225.00	926.98	845.55	758.82	922.01	469.30	666.49

Carried 5-0

Councillor Brown declared an interest and vacated the chamber.

Resolution No.170/2010

Egert/Hofer

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

June 17	1123.20
July 1	967.70
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Total	2,090.90

Carried 4-0 Absent: Councillor Brown

Councillor Brown returned to the chamber.

Authorize Expenditures

Councillor Egert declared a possible perceived conflict.

Resolution No. 171/2010

Egert/Hofer

Whereas Council invited tenders to haul and place clay and/or clay mix on Spring Valley Road; and

Whereas the following tenders were received;

Bidder	Description	Quoted Price
Ballingall Brothers Ltd. (McPherson Pit)	Load & Haul based on 10,000 c/yds Cat Rental if required \$135.00 hour	\$7.70 / cu yd All taxes extra
Ballingall Brothers Ltd. (Wawanesa Pit)	Load & Haul based on 10,000 c/yds Cat Rental if required \$135.00 hour	\$11.50 / cu yd All taxes extra
Gravier Collet Gravel Inc.	Loading Hauling Hauling Flat rate (within 5 miles) Clam dump trailers used.	\$1.00 / cu yd \$0.28 / cu yd / mile \$50.00 Load All taxes extra
Cumming & Dobbie	Load, haul and place approx 10,000 cu/yds of clay. Clay hauled with end dump trailers and spread with 955L tracked loader.	\$68,500.00 All taxes extra.

Therefore be it resolved that the Council hereby awards the project to Gravier Collet Gravel Inc.

Carried 5-0

Financial Statements

Six months ended June 30, 2010

Resolution No. 172/2010

Egert/Dalgleish

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

Carried 5-0

BY-LAWS

Irrigation Pivot By-Law, Second and Third Reading

Resolution No. 173/2010

Egert/Hofer

Be it resolved that we do hereby give second reading to by-law 1620/06/2010.

Carried 5-0

Resolution No. 174/2010

Dalgleish/Brown

Be it resolved that we do hereby give third and final reading to by-law 1620/06/2010.

Carried 5-0

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 1620/06/2010 third reading.

Councillor Egert declared an interest and vacated the chamber.

UNFINISHED BUSINESS

Development Agreement – Gravel Plus Inc./City of Brandon/ RM of Cornwallis

Resolution No. 175/2010

Brown/Dalgleish

Be it resolved that the development agreement – Gravel Plus Inc. / City of Brandon / RM of Cornwallis be returned to the table.

Carried 4-0 Absent: Councillor Egert

Resolution No. 176/2010

Hofer/Brown

Be it resolved that the Municipality's signing officers be hereby authorized to execute an Agreement with Gravel Plus Inc. and The City of Brandon for the development of the Road Allowance now known as Patricia Avenue East as generally in accordance with a draft presented to Council this date.

Defeated 4-0 Absent: Councillor Egert

Councillor Egert returned to the chamber

GENERAL BUSINESS

MTS – Municipal Rights-of-Way Application, Ward 4

Resolution No. 177/2010

Dalgleish/Brown

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 the installation of fibre cable to the MTS building located beside the Spruce Woods Community Hall as indicated in application file number 9755408.

Carried 5-0

INQUIRIES

Councillor Hofer reported about price quotes regarding a key lock system for the Chater Well.
Councillor Dalglish inquired as to where Administration was at with the purchase of a fuel tank.

NOTICE OF MOTION

Councillor Brown made notice of motion to bring forth a motion to investigate getting a quarry lease.

ADJOURN

Resolution No. 178/2010

Hofer/Dalglish

Resolved that this meeting be adjourned.

Carried 5-0

Adjourn time: 7:33 P.M.

Approved: _____ 2010

REEVE

CHIEF ADMINISTRATIVE/FINANCE OFFICER