

RURAL MUNICIPALITY OF CORNWALLIS

Minutes of the Regular Meeting of Council held in the Council Chambers of the Municipality on Tuesday, June 21, 2011.
The May Regular Meeting of Council was cancelled due to flooding and was not re-scheduled.

PRESENT: Deputy Reeve Heather Dalgleish
Councillor Emil Egert, Ward One
Councillor Bob Brown, Ward Two
Councillor Sam Hofer, Ward Three
Councillor Kurt Wasserberg, Ward Five
Councillor Ward Greer, Ward Six

ABSENT: Reeve Reg Atkinson

ADMINISTRATION PRESENT:

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

CALL TO ORDER – Deputy Reeve Heather Dalgleish

The meeting was called to order at 7:00 P.M.

CONFIRMATION OF MINUTES

Resolution No.91/2011

Wasserberg/Greer

Be it resolved that the minutes of the April 19, 2011 Regular Meeting of Council and the May 30, 2011 Special Meeting of Council, Protective Services Committee and Transportation Committee meetings be approved as circulated and posted.

Carried 6-0

ADOPTION OF THE AGENDA

Resolution No. 92/2011

Brown/Wasserberg

Be it resolved that the Agenda be adopted with the approved additions:

4.C. ii Second Dwelling at SE ¼ 10-9-17 W

Carried 6-0

RECEPTION OF PUBLIC HEARINGS AND DELEGATIONS

Resolution No. 93/2011

Egert/Hofer

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

Carried 6-0

PUBLIC HEARING

A Public Hearing under the RM of Cornwallis Zoning By-law No. 1558/09/99 as amended was held for the following application:

- a. Conditional Use Application No. C-02-11-C Pt. SW ¼ 33-10-18 Kause & Louttit, Ward 1

Conditional Use Application No. C-02-11-C Pt. SW ¼ 33-10-18 Kause & Louttit, Ward 1

IN THE MATTER OF THE CONDITIONAL USE APPLICATION NO. C-02-11-C

7:05 P.M.

Ben Kause spoke in favour of his application.

Resolution No. PH05/2011

Wasserberg/Egert

Be it resolved that the public hearing to hear representation concerning Conditional Use Application No. C-02-10-C Pt. SW ¼ 3-10-18 W be closed.

Carried 6-0

Matters from Public Hearings

IN THE MATTER OF THE CONDITIONAL USE APPLICATION NO. C-02-11-C

Resolution No.94/2011

Egert/Wasserberg

Whereas Ben Kause and Eleanor Louttit are applying to allow for a home based business with outside storage in the “AG80” Agricultural General Zone;

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

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 as submitted and authorize that Conditional Use Order C-02-11-C be issued, subject to the following conditions:

1. That the applicants establish a permanent residence on the property prior to establishing the home based business.
2. Establish minimum setback distance of 38.1 meters (125 ft) from the roadways and property lines for display/storage of vehicles.
3. There number of vehicles that may be displayed publicly at one time shall be six.
4. The number of vehicles which may be stored outside shall not exceed nine and shall be screened from public view by means of a six foot fence.

Carried 6-0

DELEGATIONS

Wes Turk – MIT – PTH 110 update

Resolution No. 95/2011

Hofer/Brown

Be it resolved that a presentation by Wes Turk, Manitoba Infrastructure and Transportation be hereby received.

Carried 6-0

Bill Martin – Assessment – 2012 Reassessment update

Resolution No.96/2011

Egert/Wasserberg

Be it resolved that a presentation by George Forest, Municipal Assessor be hereby received.

Carried 6-0

Other Planning Matters

Application for Second Dwelling, Pt. NE ¼ 17-10-19W, Mantei, W2

Resolution No.97/2011

Brown/Hofer

Be it resolved that the Council of the Rural Municipality of Cornwallis hereby confirms that it is satisfied that a proposal for a second dwelling at Pt. NE ¼ 17-10-19W as outlined in correspondence from the Brandon and Area Planning District dated June 6, 2011 is in compliance with Part 5, Section 3(1)(c) of By-law No. 1558/09/99, as amended.

Carried 5-1 Opposed: Wasserberg

Application for Second Dwelling, Pt. SE ¼ 10-9-17W, Thompson, Ward 1

Resolution No. 98/2011

Egert/Brown

Be it resolved that the Council of the Rural Municipality of Cornwallis hereby confirms that it is satisfied that a proposal for a second dwelling at Pt. SE ¼ 10-9-17W as outlined in correspondence from the Brandon and Area Planning District dated June 15, 2011 is in compliance with Part 5, Section 3(1)(c) of By-law No. 1558/09/99, as amended.

Carried 6-0

REPORTS OF COMMITTEES

None

RECEPTION OF PETITIONS

None

COMMUNICATIONS

Resolution No.99/2011

Brown/Greer

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

<u>Date</u>	<u>Item</u>
April 13	Copy ltr to Municipal Board from City of Brandon re: Annexation
April 19	Minister of Local Government
April 21	MB Infrastructure & Transportation – Hwy Access Permit
April 27	The Municipal Board – Confirmation of Closed File – Annexation Proposal 1 st Street
May 19	MB Infrastructure & Transportation – Hwy Traffic Board Hearing June 15 th
June 2	City of Brandon – Land Development East of 1 st Street
May 11	Office of the Fire Commissioner – Manitoba Farm Building Code

Carried 6-0

ACCOUNTS & FINANCE

Approval of Accounts

Resolution No.100/2011

Egert/Greer

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

20-Apr	9800.43
28-Apr	22975.94
5-May	7138.4
17-May	49704.77
19-May	11659.68
26-May	9960.74
9-Jun	60779.77

Direct Deposit Payroll
Apr 21, May 5 & 19,
June 2 & 16

33,617.89

TOTAL \$ 205,637.62 ; and

Be it further resolved that council indemnity accounts in the sum net total amount of \$ 18,095.18 be approved for payment as follows:

APRIL	Reg Atkinson	Emil Egert	Bob Brown	Sam Hofer	Heather Dalglish	Kurt Wasserberg	Ward Greer
Basic Indemnity	834.14	633.00	633.00	633.00	633.00	633.00	633.00
Council/Ward Indemnity		300.65	1,030.80	446.68	17.18		
Council/Ward Mileage		164.00	542.43	137.35	14.35		
Convention & Delegation Indemnity	2,070.19	1,700.82	60.13	0.00	747.33	223.34	111.67
Convention & Delegation Mileage	763.83	478.06	18.04	0.00	72.16	51.25	18.04
Meals/Expenses	25.00	41.96	25.00	25.00	25.00	0.00	25.00
Gross Total	3,693.16	3,318.49	2,309.40	1,242.03	1,509.02	907.59	787.71
Less: CPP			(43.69)	(22.43)	(32.92)		(11.37)
Less: Income Tax	(2,193.16)	(1,300.00)	(150.00)		(200.00)	(20.00)	(150.00)
Net Total	1,500.00	2,018.49	2,115.71	1,219.60	1,276.10	887.59	626.34

MAY	Reg Atkinson	Emil Egert	Bob Brown	Sam Hofer	Heather Dalglish	Kurt Wasserberg	Ward Greer
Basic Indemnity	834.14	633.00	633.00	633.00	633.00	633.00	633.00

Council/Ward Indemnity		103.08	244.82	34.36	17.18		
Council/Ward Mileage		57.40	206.64	22.55	21.32		
Convention & Delegation Indemnity	2,834.70	841.82	206.16	884.77	1,005.03	25.77	25.77
Convention & Delegation Mileage	902.00	308.73	63.96	168.10	134.48	18.04	18.04
Meals/Expenses	25.00	75.88	25.00	25.00	25.00	0.00	25.00
Gross Total	4,595.84	2,019.91	1,379.58	1,767.78	1,836.01	676.81	701.81
Less: CPP			(22.57)	(38.02)	(41.42)		(8.54)
Less: Income Tax	(3,095.84)	(800.00)	(150.00)		(200.00)	(20.00)	(150.00)
Net Total	1,500.00	1,219.91	1,207.01	1,729.76	1,594.59	656.81	543.27

Carried 6-0

Councillor Brown declared an interest and vacated the chamber.

Resolution No.101/2011

Egert/Hofer

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

Direct Deposit Payroll of Apr 21, May 5 & 19, June 2 & 16 in the amount of \$5,332.04.

Carried 5-0

Councillor Brown returned to the chamber.

Councillor Egert declared an interest and vacated the chamber.

Resolution No.102/2011

Wasserberg/Brown

Be it resolved that the following general account be approved for payment as follows:

9-Jun	200,871.86		
	TOTAL	\$	200,871.86

Carried 5-0

Councillor Egert returned to the chamber.

Authorize Expenditures

Council Cell phone reimbursement adjustment April, May & June

Resolution No. 103/2011

Brown/Wasserberg

Be it resolved that we do hereby reimburse Council members actual cell phone costs for the months of April, May and June 2011 due to increased cell phone usage resulting from the flood.

Carried 6-0

Financial Statements

Three months ended March 31, 2011

Resolution No. 104/2011

Egert/Hofer

Be it resolved that the financial statement for the three months ended March 31, 2011 be hereby received as presented.

Carried 6-0

Four months ended April 30, 2011

Resolution No.105/2011

Egert/Hofer

Be it resolved that the financial statement for the four months ended April 30, 2011 be hereby received as presented.

Carried 6-0

BY-LAWS

None

UNFINISHED BUSINESS

None

GENERAL BUSINESS

MB Hydro – Streetlight Installation at PTH #1 & Curtis Rd

Resolution No. 106/2011

Hofer/Wasserberg

Be it resolved that the Municipality's signing officers be hereby authorized to execute an Agreement with Manitoba Hydro for the installation and monthly operating costs for the installation of a 150W HPS streetlight at the corner of PTH #1 and Curtis Road.

Carried 6-0

Fred Gilbert Trucking - Request for price increase on gravel contract for 2011

Councillor Egert declared an interest and vacated the chamber.

Resolution No. 107/2011

Wasserberg/Greer

Be it resolved that we do hereby defer this to the July Council Meeting.

Carried 5-0

Councillor Egert returned to the chamber.

City of Brandon – 911 Services Agreement

Resolution No. 108/2011

Wasserberg/Greer

Be it resolved that the Municipality's signing officers be authorized to complete an Agreement with the City of Brandon for 911 Services as according to the Draft Agreement presented to Council and dated May 17, 2011.

Carried 6-0

Roy, Johnston & Co. LLP – Release of Caveat Lot 3 Plan 35050 SE ¼ 12-10-17W

Resolution No. 109/2011

Egert/Brown

Be it resolved that the Rural Municipality of Cornwallis has no objection to the removal of the Caveat on the property known as Lot 3 Plan 35050 BLTO in SE ¼ 12-10-17W under title number 1525852;

Further be it resolved that Administration be instructed to proceed with the caveat removal.

Carried 6-0

MB Emergency Measures Organization – DFA Advance

Resolution No. 110/2011

Wasserberg/Egert

Be it resolved we do hereby request a Disaster Financial Assistance advance on the municipalities' 2011 Spring Flood Claim.

Carried 6-0

Problem Beaver Management Program – Increase in Subsidy Amount

No action

Hwy Traffic Board Application for Speed Reduction – Hwy 340

Resolution No. 111/2011

Greer/Wasserberg

Be it resolved that we do hereby authorize administration to submit an application to the Highways Traffic Board to have the speed limit reduced to 70km per hour and/or a no passing zone on the stretch of Hwy 340 from the intersection of Hwy 340 and Thompson Road north to Veterans Way.

Carried 6-0

Rutz Development Plan – Authorization to Sign

Chair Councillor Dalgleish declared a perceived interest and vacated the chamber.

Councillor Bob Brown presided as the chair.

Resolution No. 112/2011

Wasserberg/Hofer

Be it resolved that the Municipality's signing officers be hereby authorized to enter into an Agreement with Victor Rutz and Lydia Rutz, the owners of property generally described as Certificate of Title No. 2306647 Lots 2, 3, 5 and 6 Plan 2139 BLTO Exc Firstly: out of said Lots 3 and 5 Plan 40341 BLTO and Secondly All mines and minerals as reserved in the Grant from the Crown in NE ¼ 12-10-17 WPM for the development of the lands in accordance with the terms included in a draft agreement prepared by McCandless Tramley and presented to Council this date subject to such minor modifications as the Municipality's legal counsel may deem necessary.

Carried 5-0

INQUIRIES

Councillor Brown presented a quick overview of the flood conditions in Ward 2.

Councillor Egert reported that Ward 1 had 39 flood related road sites, 16 had been repaired and completed and 6 of those are now gone again.

An inquiry was made regarding drainage issues and access off the new 110 Hwy near the Lori Rd junction.

NOTICE OF MOTION

None

ADJOURN

Resolution No. 113/2011

Egert/Brown

Resolved that this meeting be adjourned.

Carried 6-0

Adjourn time: 9.10 P.M.

Approved: _____ 2011

DEPUTY REEVE

CHIEF ADMINISTRATIVE/FINANCE OFFICER