

MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE RURAL MUNICIPALITY OF ALEXANDER HELD IN THE COUNCIL CHAMBERS IN ST. GEORGES, MANITOBA ON TUESDAY, AUGUST 10th, 2010 AT 10:00 A.M.

1. Call the Meeting to Order – 10:00 a.m.

Council Members: Deputy Reeve: Ed Forsyth
Councillors: Diane Dubé
Alvin Yosyk

CAO: James Fenske
Asst. CAO: Michele Stefaniuk

Notification of Absence: Reeve: George Harbottle

2. Approval of Minutes

a) Minutes of the Regular Meeting of Council Dated July 27th, 2010 1.1

#399/10 Moved by: Diane Dubé
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Minutes of the July 27th, 2010 Council Meeting be adopted as presented. (CARRIED)

b) Minutes of the Council Committee Meeting Dated July 27th, 2010 1.1

#400/10 Moved by: Ed Arnold
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Minutes of the July 27th, 2010 Council Committee Meeting be adopted as presented. (CARRIED)

3. Variations/Conditional Use

a) **10:15 a.m.** Variation – 14 Belfast Avenue 13.4

#401/10 Moved by: Alvin Yosyk
Seconded by: Ed Arnold

BE IT RESOLVED that the Council of the RM of Alexander do now adjourn the Regular Meeting to form into a Variation Board at 10:15 a.m. (CARRIED)

See Variation Minutes

#402/10 Moved by: Alvin Yosyk
Seconded by: Diane Dubé

BE IT RESOLVED that Council reconvene into Regular Meeting of Council at 10:21a.m. (CARRIED)

4. Delegations

- a) **10:30 a.m.** Delegation – LLL Development
- Chubb Chabot appeared before Council to discuss his proposal to subdivide, the submitted drainage plan, and information from MB. Water Stewardship and MB. Conservation. A general discussion occurred regarding the proposed retention ponds, and the construction of a road into the proposed development.

5. Public Hearings - NIL

6. Correspondence

- a) Minister of Local Government – 2010 General Assistance Payment 3.1.1.j
 - Received as Information
- b) House of Commons – Inky Mark – Disastrous Agricultural Situations 3.1.1.b
 - Received as Information
- c) Canadian Red Cross – Severe Weather Relief & Recovery 3.1.1.a
 - Received as Information
- d) NEHA – Jim Hayes Resignation 15.4
 - Received as Information

7. Committee/Administrative Reports

a) Legislative and Finance

- 1) Approval of Accounts 4.1.1
 - i. Expenses

#403/10 Moved by: Alvin Yosyk
Seconded by: Ed Arnold

WHEREAS the Reeve Harbottle's and Councillor Arnold, Dubé, and Forsyth's expenses of the Rural Municipality of Alexander, for the period ending July 2010, have been examined and found to be in order;

NOW THEREFORE BE IT RESOLVED THAT General Cheque Nos. 2010-0723 through 2010-0726 inclusive for a total amount of \$1,276.60 be hereby approved for payment.

(CARRIED)

- 2) June 2010 Financial Statement 4.4.a

#404/10 Moved by: Alvin Yosyk
Seconded by: Ed Arnold

BE IT RESOLVED that the June 2010 Financial Statement be adopted as presented.

(CARRIED)

- 3) Request to Waive Penalties 14.4.e

#405/10 Moved by: Ed Arnold
Seconded by: Diane Dubé

BE IT RESOLVED that the Council of the Rural Municipality of Alexander approve the refund of tax sale costs incurred on Roll #227938 in the amount of \$544.00.

(DEFEATED)

- 4) Appointment of Auditor 4.18

#406/10 Moved by: Ed Arnold
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Rural Municipality of Alexander accept the submitted audit services proposal from The Exchange Group for a quoted base fee of \$7,000 plus a 3% administrative fee and applicable taxes for the 2010, 2011 and 2012 audit years.

(CARRIED)

5) Edgewater Development Corporation Minutes

1.3

#407/10 Moved by: Diane Dubé
Seconded by: Ed Arnold

BE IT RESOLVED that the Council of the Rural Municipality of Alexander receives the minutes of the meetings of the Edgewater Development Corporation/La corporation de développement de beauvillage dated:

1. General Meeting March 2, 2010
2. Board of Directors Meeting March 31, 2010
3. Board of Directors Meeting April 16, 2010
4. Board of Directors Meeting July 6, 2010
5. Board of Directors Meeting August 3, 2010

(CARRIED)

6) Brandon University School of Medicine

3.1.2.k

#408/10 Moved by: Alvin Yosyk
Seconded by: Ed Arnold

BE IT RESOLVED that the Rural Municipality of Alexander support the Assiniboine Municipal Health Committee and the AMM in lobbying the Province of Manitoba for the creation and operation of a rural medical school at Brandon University.

(CARRIED)

7) Disaster Financial Assistance

3.1.2.c

#409/10 Moved by: Ed Arnold
Seconded by: Alvin Yosyk

WHEREAS communities in the Red River Valley, including the City of Winnipeg, the southern Interlake and Westman suffered significant public and private sector damages due to the storm of May 28th and 29th with the Province of Manitoba declaring the event an official disaster.

AND WHEREAS the Disaster Financial Assistance Program that has now been established for this storm event exists to assist both municipalities and private property owners with damages that are uninsurable, such as overland flooding;

AND WHEREAS due to the overwhelming rain event experienced at the end of May, many homeowners in the City of Winnipeg suffered a combination of sewer back up and overland flooding;

AND WHEREAS the Premier of Manitoba has publically stated that the province will fund overland flooding claims through their Emergency Measures Organization, with 90% of the funds being derived from the federally funded DFA program;

AND WHEREAS at a recent public meeting in North Kildonan, provincial EMO staff indicated that they would deny basement damage claims of overland flooding where sewer back up was also involved;

AND WHEREAS in a provincial news Release of Tuesday, July 20, 2010, the Minister responsible for the Manitoba Emergency Measures Organization, Steve Ashton was quoted as saying that “where there is a combination of overland flooding and sewer backup, Manitoba is prepared to pay its fair share of assistance if the federal government agrees to this change in DFA eligibility.”;

AND WHEREAS the storm that hit Manitoba was the kind of extraordinary event that the DFA program was designed for and that non-insurable coverage, such as

overland flooding, should not be denied due to the existence of an insurable loss, such as sewer back up;

THEREFORE BE IT RESOLVED that the Rural Municipality of Alexander call on both the Federal and Provincial governments to immediately live up to their longstanding commitment to provide disaster financial assistance for overland flooding by ending the unfair and unjust practice of denying flooded basement damage claims that were the result of both overland flooding and sewer back up.

(CARRIED)

8) Muck Jam Committee Concert

3.1.2.f

#410/10

Moved by: Diane Dubé
Second by: Alvin Yosyk

BE IT RESOLVED that the Council of the Rural Municipality of Alexander approves the use of the facilities on the SE 17-18-10E, commonly known as Muck Hill, on September 18, 2010 by the Muck Jam Committee for the purposes of conducting a "Local Fund Raising Concert" subject to the following conditions:

1. The Muck Jam Committee obtaining written approval of the property owner, Her Majesty the Queen in the name of the Province of Manitoba, for the use of the property for the purposes of a Public Concert where alcohol will be served; and
2. The Muck Jam Committee obtaining from the residential Property Owner written acceptance of the event taking place within 1,000 ft of the Concert Site; and
3. The Muck Jam Committee obtaining, from the appropriate authorities, written approvals of the Committee's plans for:
 - a) The provision of Food Services; and
 - b) The provision of Potable Water; and
 - c) The provision of Wastewater Collection and Disposal Services; and
 - d) The Collection and Disposal of Solid Waste;
 - e) The provision of a security plan; and
 - f) The provision of a Site Emergency Evacuation Plan;
4. The Muck Jam Committee obtaining written approval from the M.L.C.C. for the serving of liquor at the "Local Fund Raising Concert" on the proposed site; and
5. The Muck Jam Committee obtaining the appropriate Liquor License from the M.L.C.C. and the Muck Jam Committee adhering to all the conditions on the Liquor License; and
6. The Muck Jam Committee obtaining and providing to the Administration of the Municipal proof that the Muck Jam Committee has "Liability Insurance" for the "Local Fund Raising Concert", which names the Rural Municipality of Alexander as an "Additionally Named Insured"; and
7. The Muck Jam Committee obtaining and providing to the Administration of the Municipal proof that the Muck Jam Committee has "Event Insurance" for the "Local Fund Raising Concert", which names the Rural Municipality of Alexander as an "Additionally Named Insured"; and
8. The Muck Jam Committee agreeing in writing that the Committee members will be financial responsible for the payment of all additional costs to the Rural Municipality of Alexander for the provision of services by the Police Force of Jurisdiction, Fire Service of Jurisdiction, the Northeast Regional Health Authority and the Rural Municipality of Alexander; and

AND BE IT FURTHER RESOLVED that the Council of the Rural Municipality of Alexander directs the Administration to advise the Muck Jam Committee that all these approvals must be presented to the Administration of the Rural Municipality of Alexander on or before 10th day of September, 2010 or the approval will be withdrawn and the site will be secured, at cost to the Muck Jam Committee on September 18, 2010.

(CARRIED)

9) Red River North Trail – Letter of Support – Concrete Bench 3.1.2.p

#411/10 Moved by: Ed Arnold
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Rural Municipality of Alexander support the Red River North Trail Association fundraiser project for the installation of concrete benches along the trails to enhance the area and provide rest stops for the users.
(CARRIED)

b) Personnel & Policy

c) Protective Services

1) PBLE – July 2010 Report 15.6

#412/10 Moved by: Ed Arnold
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Council of the RM of Alexander receive the PBLE July Report.
(CARRIED)

d) Public Works/Operations

e) Environmental Health

f) Economic Development

1) Proposal to Subdivide – RL 50-18-10 – Cure 13.6

#413/10 Moved by: Ed Arnold
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Council of the Rural Municipality of Alexander approves the Proposal to Subdivide R.L. 50, 18-10 EPM subject to the following:

1. That the Developer undertake the rezoning of the proposed development lands to either RMHS (Residential Mobile Home Subdivision) or RG (General Residential) in order to ensure compliance to the Development Plan.
2. That a Building Location Certificate be prepared for the proposed residual parcel showing the location of all buildings and the sewage disposal system in relation to the proposed lot lines.
3. That all required variation orders are obtained as a result of the Building Location Certificate.
4. The registration of all easements as required by Manitoba Hydro and MTS.
5. That the Developer submit to Manitoba Water Stewardship, Office of Drinking Water, for the purposes of approval, their plan for the provision of potable water including, as necessary, an evaluation of the capacity of the local water supply.
6. That the Developer submit to Manitoba Conservation, Environment, for the purposes of approval, their plan for the provision of Wastewater including an evaluation, as necessary, of the capacity of the Wastewater Treatment System.
7. That the applicant enter into a development agreement with the RM of Alexander to cover but not necessarily limited to the following:
 - a) All costs incurred by the municipality be the responsibility of the owner as per Municipal By-law 02/99 (Legal, Advertising, Engineering, etc.);
 - b) The payment of Dedication Fees in the amount of \$700.00 per new lot created;
 - c) No construction is to commence prior to all conditions being met;
 - d) The obtaining of building permits prior to the commencement of construction;
 - e) The payment of all subdivision fees to the RM of Alexander;
 - f) The successful rezoning of the developing lands to meet the requirements of the Development Plan;

- g) The provision of an approved plan for the provision of Potable Water;
- h) The provision of an approved plan for the provision of Wastewater Treatment Services;
- i) The approval of all infrastructure installation, roads, water and wastewater, by an authority appointed by the RM of Alexander including but not necessarily limited to:
 - i. The installation of Street Lighting as per the standards established by Manitoba Hydro;
 - ii. The installation of all signage including Subdivision Signage, Street Signage and Civic Address Signage;
 - iii. The installation of all Culverts;
- j) The development agreement be registered as a caveat on the titles.

(CARRIED)

2) Proposal to Subdivide – Bear Paw Estates Drainage Plan 13.6

#414/10 Moved by: Diane Dubé
Seconded by: Ed Arnold

BE IT RESOLVED that the Council of the Rural Municipality of Alexander approves the Drainage Plan for the Bear Paw Estates Plan of Subdivision, submitted June 2010, subject to the following:

1. The provision of a full copy of the “Revised Drainage Report” including the derivation of the 5 and 25 Year Design Storms.
2. The provision of the Detailed Design Drawings for the development showing:
 - a) A clear separation between the two storage areas and the south ditch of the Road Allowance; and
 - b) A flap gate on the downstream end of the 500 mm outlet culvert from the western storage area; and
 - c) The Developers proposed method for addressing the safety concern of a “dry pond” on private land.

(DEFEATED)

3) Hillside Beach Dredging 4.19

#415/10 Moved by: Ed Arnold
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorize the added expense of \$5,000 for the dredging project at Hillside Beach.

(CARRIED)

g) Recreation and Culture - NIL

8. By-Laws

a) By-Law 10/10 – 2nd and 3rd reading 1.2

#416/10 Moved by: Diane Dubé
Seconded by: Ed Arnold

BE IT RESOLVED that the Council of the Rural Municipality of Alexander give Municipal By-law 10/10, being a by-law of the Rural Municipality of Alexander to regulate travel trailers and tourist camps within the RM of Alexander, 2nd reading.

(CARRIED)

#417/10 Moved by: Alvin Yosyk
Seconded by: Diane Dubé

BE IT RESOLVED that the Council of the Rural Municipality of Alexander give Municipal By-law 10/10, being a by-law of the Rural Municipality of Alexander to regulate travel trailers and tourist camps within the RM of Alexander, 3rd reading.

(CARRIED)

9. Notice of Motion

Notice of motion was filed by Councillor Dubé to rescind Resolution No. 553/09 at the next Regular Meeting of Council.

Resolution No. 553/09 reads:

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorizes the use of the Public Reserve – Cap Doré for the installation of landscaping as per the Landscape Plan prepared by Hilderman Thomas Frank Crem subject to the CDC maintaining the southern portion of the Public Reserve as ground level grass only;

AND BE IT FURTHER RESOLVED that the applicant be advised that the applicant shall be responsible to maintain the Public Reserve.

10. Committee of the Whole (In-camera)

11. Adjournment

#419/10 Moved by: Alvin Yosyk
 Seconded by: Ed Arnold

BE IT RESOLVED that Council do now adjourn at 1:12 p.m. to meet again in St. Georges on August 24th, 2010.

(CARRIED)

GEORGE HARBOTTLE
Reeve

JAMES FENSKE
Chief Administrative Officer

FOR INFORMATION ONLY

NON ACTION NOTIFICATIONS/MINUTES/BULLETINS

- | | |
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| 1. NEHA – Publication | 3.1.2.k |
| 2. FCM – e-bulletin (3) | 3.1.2.j |
| 3. Municipal World – e-bulletin | 3.1.2.k |
| 4. West Nile Virus Update (2) | 3.1.1.g |
| 5. Formal Objection – Camp Cedarwood | 3.1.2.k |
| 6. Compliment – St Georges Nuisance Ground | 3.1.2.k |
| 7. Thank You – Myles Whitford | 3.1.2.k |

CORPORATE CORESPONDENCE

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| 1. Bird River Water Testing | 3.1.2.e |
| 2. High Speed Internet – Bird River | 3.1.2.e |
| 3. Edgewater Development Corp. Employment Contract | 4.9 |
| 4. Honourable Ashton & Struthers – Excessive Moisture Resolution | 3.1.1.a |
| 5. Crown Lands Sale Permit No. 17220 | 3.1.2.n |
| 6. MARRC – EcoCentre Renewal Agreement | 4.9 |
| 7. Reliable Tire Recycling – Renewal Agreement | 4.9 |
| 8. Development Agreement – Heatherdale Trailer Park | 4.9 |
| 9. MB Hydro Agreement – Streetlights at Traverse Bay Road North | 4.9 |