

3. Delegations

a) 10:15 a.m. – Jarosiewicz – Sale of Public Reserve

Ed Jarosiewicz appeared before Council to discuss his request to purchase the adjacent RM of Alexander property located between Lot 2 and Lot 3, Block 1, Plan 15333.

529/09

Moved by: Ed Arnold
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the Rural Municipality of Alexander directs the Administration to initiate the process for the Sale of the Public Reserve between Lot 2, Block 1, Plan 15333 (Jarosiewicz) and Lot 3, Block 1, Plan 15333 (Arbez) subject to the following:

1. Where desired the property is to split between both adjacent property owners; and
2. The property must be consolidated with the adjacent lot; and
3. The purchaser shall be responsible for all costs related to the sale including but not necessarily limited to:

All costs related to the closure of the Public Reserve;

- a) All legal costs related to the sale of the property.

(DEFEATED)

b) 10:20 a.m. – Vic Janzen – Proposal to Subdivide

Vic Janzen appeared before Council to discuss condition 3) of Council Resolution No. 420/09 that a 30 foot buffer be required in the proposed subdivision, and located between the proposed development and Plan Nos. 7761 and 10770.

c) 10:30 a.m. - T. Isfeld – PBLE Written Order

Tim Isfeld appeared before Council to discuss the written order he received from PBLE. Pictures and a letter were provided to Council explaining the background of the trailer placement on the property. Council advised that administration would contact the municipal solicitor for clarification and upon receipt of clarification the Council would review and make a decision.

d) 10:45 a.m. – John and Linda Poitras and Percy Stevenson – Public Reserve – Cape Dore
John and Linda Poitras and Percy Stevenson appeared before Council to discuss their concerns with the development of the public reserve in the Cap Dore subdivision.

e) 11:00 a.m. - Grand Beach and Area Development Corporation

Ron Joyce appeared before Council to discuss the 2009 grant request from the Grand Beach and Area Development Corporation. The original grant request sent in December 2008 had not been received at the RM of Alexander office. Ron Joyce provided a copy of the letter sent to the municipality and requested that Council consider their request for a grant in 2009.

530/09

Moved by: Ed Arnold
Seconded by: Diane Dubé

BE IT RESOLVED that the RM of Alexander authorize a grant for 2009 in the amount of \$3,500.00 to the Grand Beach and Area Development Corporation;

AND BE IT FURTHER RESOLVED that this be charged to grants.

(CARRIED)

4. Public Hearings - NIL

5. Variations - NIL

6. Correspondence

a) Minister of IGA – Federal Gas Tax Funding Payment

- Received as Information

b) MB IGA – 2009 Spring Flood Claim Submission # 1

- Received as Information

7. Committee/Administrative Reports

a) Legislative and Finance

1. Approval of Accounts

#531/09 Moved by: Ed Forsyth
Seconded by: Ed Arnold

WHEREAS the Reeve and Councillors' expenses of the Rural Municipality of Alexander, for the period ending November 2009, have been examined and found to be in order;

NOW THEREFORE BE IT RESOLVED THAT General Cheque Nos. 20090943 through 20090947 inclusive for a total amount of \$2,528.01 be hereby approved for payment.

(CARRIED)

532/09 Moved by: Ed Forsyth
Seconded by: Ed Arnold

BE IT RESOLVED that the Financial Statement for the month ending November 30th, 2009 be adopted and filed.

(CARRIED)

2. Telus Lease Agreement – NW ¼ 26-18-7/SW ¼ 35-18-7

533/09 Moved by: Ed Arnold
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorizes the appropriate signing authorities of the Rural Municipality of Alexander to sign the lease agreement with TM Mobile Inc. ("TELUS") for the lease of a portion of Part Parcel A Plan No. ____ (Dep. No. 0210/09).

(CARRIED)

3. Telus – Lease Agreement – NE ¼ 26-19-7/NW ¼ 25-19-7

534/09 Moved by: Ed Forsyth
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorizes the appropriate signing authorities of the Rural Municipality of Alexander to sign the lease agreement with TM Mobile Inc. ("TELUS") for the lease of a portion of Part Parcel A Plan No. ____ (Dep. No. 0211/09).

(CARRIED)

4. Tembec Plant – Payment of Consulting Fee

#535/09 Moved by: Ed Forsyth
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorizes a maximum expenditure of \$2,000.00 to assist in the provision of consulting services for the possible preparation of a proposal for the continued operation of the Tembec Pulp and Paper Mill.

(CARRIED)

5. Tembec Lock Out

536/09 Moved by: Diane Dubé
Seconded by: Ed Forsyth

WHEREAS TEMBEC has locked out its employees for a period exceeding 90-days;

AND WHEREAS TEMBEC has been unwilling to divulge its decision regarding the future of its Powerview-Pine Falls Operations, which has had a detrimental and devastating impact on the employees, the community and the Northeast Region;

AND WHEREAS 90-days represents a sufficient period of time for TEMBEC to determine the future of its operation in Powerview-Pine Falls regardless whether that decision is to continue operations, close operations or sell its plant to a willing purchaser;

NOW THEREFORE BE IT RESOLVED that the Council of the Rural Municipality of Alexander requests that the Government of Manitoba request from the Executive of TEMBEC a final decision regarding the future operating plan for TEMBEC's Powerview-Pine Falls Operation.

(CARRIED)

6. Administration Position Profiles – Receptionist/Municipal Clerk

537/09 Moved by: Ed Arnold
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the Rural Municipality of Alexander approves the Position Profiles for the positions of Receptionist\Clerk Typist and Municipal Clerk; as part of the permanent compliment of the Rural Municipality of Alexander.

(CARRIED)

7. WRECD – EMO Agreement

538/09 Moved by: Ed Forsyth
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorizes the appropriate authorities of the Rural Municipality of Alexander to sign the agreement with the Town of Powerview-Pine Falls regarding the provision of Emergency Measures Services through the Winnipeg River Emergency Control District, a Joint Council Committee of both jurisdictions.

(CARRIED)

8. Office and Public Works – Christmas Closure

539/09 Moved by: Diane Dubé
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorize the closure of the Municipal Office and the Public Works Department from December 24th 2009 at 12:00 p.m. through to January 3rd, 2010 inclusive.

(CARRIED)

9. Funding Consideration – École Powerview School Drama Club

540/09 Moved by: Ed Forsyth
Seconded by: Diane Dubé

BE IT RESOLVED that the RM of Alexander authorize a grant in the amount of \$1,000.00 to the École Powerview School Drama Club;

AND BE IT FURTHER RESOLVED that this be charged to grants.

(CARRIED)

10. Deadline for Completion of Work

541/09 Moved by: Ed Forsyth
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorizes the owner of 52 Birchwood Drive be given until May 31, 2010 to bring the non-conforming structures into compliance.

(CARRIED)

11. Water Treatment Plant

542/09 Moved by: George Harbottle
Seconded by: Alvin Yosyk

WHEREAS the Rural Municipality of Alexander has for some 10 years worked towards the construction of a Water Treatment Plant and Distribution System within Ward 3 and part of Ward 4 of the Municipality;

AND WHEREAS the Rural Municipality of Alexander had prepared a By-Law with the advice of Manitoba Municipal Finance allowing for the undertaking of the Financing and Construction of a Water Treatment Plant and Distribution System within Ward 3 and part of Ward 4 of the Municipality with a Public option of CHOICE by the ratepayers and or property owners of connecting to the system;

AND WHEREAS this By-Law was rejected by the Manitoba Municipal Board and the Municipality was then instructed by the Municipal Board to include all ratepayers and or property owners within a Local Improvement District without the option of CHOICE under By-Law 23/08;

AND WHEREAS the Municipality has received little or no support for this option;

AND WHEREAS the Municipality has held public information sessions and a Public Hearing in November 2008;

AND WHEREAS the Manitoba Municipal Board has held Board Hearings over that period of time with no recommendation or decision regarding the conclusion of By-Law 23/08 within the period of one year;

AND WHEREAS the mandate of the current Council of the Rural Municipality of Alexander is expiring in October 2010 and regular Civic Election is to be held;

BE IT RESOLVED that the Rural Municipality of Alexander immediately rescind and or withdraw By-Law 23/08 and that the Province of Manitoba and Municipal Board be advised accordingly;

BE IT FURTHER RESOLVED that the Rural Municipality of Alexander advise Manitoba and Canada that the Man-Can Infrastructure Funding in the sums to be shared equally by Canada, Manitoba and the Municipality in the amounts of \$400,000.00 approved in 2005 and \$2,700,000.00 approved in 2006 be nullified, rescinded and available to those Municipal jurisdictions who have the need and the appropriate approval to undertake and utilize same.
(CARRIED)

12. Caretaker Proposal
▪ Tabled

b) Personnel & Policy

1. CAO Report

543/09 Moved by: Diane Dubé
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the RM of Alexander receive the Chief Administrative Officer's Report.

(CARRIED)

2. Municipal Finance Policy 2009-004 – Procurement & Disposal of Material

544/09 Moved by: Diane Dubé
Seconded by: Ed Arnold

BE IT RESOLVED that the Council of the Rural Municipality of Alexander approves the Statement of Municipal Policy 2009 – 004, being a policy of the RM of Alexander to establish the regulation governing the procurement and disposal of material.

(CARRIED)

c) Protective Services

1. Emergency Measures Provincial Exercise – 2010 Budget Expenditure

545/09 Moved by: Ed Arnold
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the Rural Municipality of Alexander directs the Administration to budget \$1,000.00 for the participation of the Winnipeg River Emergency Control District in the 2010 Provincial Emergency Measures Exercise; Shooting Star.
(CARRIED)

2. BRFD – Meeting Minutes November 12, 2009

546/09 Moved by: Diane Dubé
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the RM of Alexander receive the Minutes of the Bird River Fire Department November 12th, 2009 meeting.
(CARRIED)

3. BRFD – Meeting Minutes November 26, 2009

547/09 Moved by: Alvin Yosyk
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the RM of Alexander receive the Minutes of the Bird River Fire Department November 26th, 2009 meeting.
(CARRIED)

4. Animal Control Officer – November Report

548/09 Moved by: Diane Dubé
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the RM of Alexander receive the Report of The Animal Control Officer for the month of November, 2009.
(CARRIED)

5. PVPF Fire Department – October Fire Report

549/09 Moved by: Ed Arnold
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the RM of Alexander receive the Report of The PVPF Fire Department for the month of October, 2009.
(CARRIED)

6. PBLE – November Report – Dennis Letter

550/09 Moved by: Alvin Yosyk
Seconded by: Ed Arnold

BE IT RESOLVED that the Council of the RM of Alexander receive the Report of Prairie By-Law Enforcement for the month of November, 2009.
(CARRIED)

d) Public Works/Operations

1. Belair Properties – AECOM Drainage Plan Agreement

551/09 Moved by: Ed Arnold
Seconded by: Alvin Yosyk

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorizes the appropriate authorities of the RM of Alexander to sign the agreement with AECOM for the provision of a detailed Drainage Design for the Belair Properties Development.
(CARRIED)

2. Lester Beach – Construction of Stairs Survey
552/09 Moved by: Diane Dubé
Seconded by: Ed Arnold

BE IT RESOLVED that the Council of the Rural Municipality of Alexander directs the Administration to have a survey undertaken of the Public Reserve between 86 Lester Blvd and 84 Lester Blvd in order to stake out the total Public Reserve and provide to the Municipality a Building Location Certificate showing the location of the Upper Platform for the Stairs.

(CARRIED)

e) Environmental Health - NIL

f) Economic Development

1. Cap Doré – Use of Public Reserve

553/09 Moved by: Ed Arnold
Seconded by: Alvin Yosyk

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.

(CARRIED)

2. Proposal to Subdivide – Vincent – Lot 8, 18-10

554/09 Moved by: Ed Arnold
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the Rural Municipality of Alexander approve the Proposal to Subdivide Pcl. A, Plan 41921, Lot 8, 18-10 EPM subject to the following:

1. That the applicant acquire title/ownership to that portion of the closed public roadway (road plan 2403) forming portions of the proposed parcels 1 through 4;
2. The applicant obtaining the approval from Manitoba Infrastructure and Transportation with regard to the provision of access from the Subdivision onto PTH No. 11;
3. That the proposed subdivision be reconfigured to provide for a public access road or a private road created through a Crossing Agreement/Dedication of Right of Way Agreement to be registered as a caveat on all create titles and appended as a Schedule to a Development Agreement between the RM of Alexander and the Developer;
4. That site width variation orders be obtained for the proposed parcels 1, 3 and 4;
5. That site area variation orders be obtained for proposed parcels 1, 2, 3 and 4;
6. 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;
7. That all required variation orders be obtained as a result of the Building Location Certificate;
8. 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 approval of all infrastructure installation, roads, water and wastewater, by an authority appointed by the RM of Alexander.
 - g) The acceptance of a Crossing Agreement/Dedication of Right of Way Agreement by the RM of Alexander and the registration of said agreement as a caveat on all titles created within the Plan of Subdivision;
 - h) The approval of a Drainage Plan and Lot Grade Plan for the Plan of Subdivision by an appointed authority of the RM of Alexander;
 - i) Confirmation that the St. Georges Lagoon has the capacity to handle the additional volume of wastewater.

(CARRIED)

3. Proposal to Subdivide – Pt E ¼ 33-19-7 EPM – Janzen

555/09 Moved by: Ed Arnold
Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the Rural Municipality of Alexander authorize an amendment to Resolution No. 420/09, Condition No. 3 to read:

3) That a separation of 30 feet be provided, as a common element as a part of the bare land condominium plan, between the proposed development and Plan Nos. 7761 and 10770.

(CARRIED)

g) Recreation and Culture

1. Regional Arts Council – Request for Funding/Appt. of Municipal Representation

556/09 Moved by: Ed Forsyth
Seconded by: Ed Arnold

BE IT RESOLVED that the Council of the Rural Municipality of Alexander directs the Administration to include within the 2010 – 2011 Annual and Projected Budgets \$8,934.00, equal to \$3.00\capita, as an Operational Grant to support the day-to-day operations of a Northeast Region Regional Arts Council.

AND FURTHER THAT the Council of the Rural Municipality accepts the position that the Council is responsible to appoint a member to the Board of the proposed Northeast Region Regional Arts Council, whether this individual is a member of Council or a member of the Community.

(CARRIED)

8. By-laws

1. By-law 15/09 Establish Purchasing and Spending Authorities - 2nd and 3rd Reading

557/09 Moved by: Ed Arnold
Seconded by: Diane Dubé

BE IT RESOLVED that the Council of the Rural Municipality of Alexander give Municipal By-law 15/09, being a by-law of the RM of Alexander to Establish Purchasing and Spending Authorities 2nd reading.

(CARRIED)

558/09 Moved by: Alvin Yosyk
Seconded by: Ed Forsyth

BE IT RESSOLVED that the Council of the Rural Municipality of Alexander give Municipal By-law 15/09, being a by-law of the RM of Alexander to Establish Purchasing and Spending Authorities 3rd reading.

(CARRIED)

2. By-law 16/09 To amend By-law 08/98 changing distance between buildings from 30 to 10 feet for Zoning RR2 and RR5 – 1st Reading

559/09 Moved by: Diane Dubé
Seconded by: Ed Arnold

BE IT RESOLVED that the Council of the RM of Alexander give By-Law 16/09, being a By-Law to amend By-Law 08/98 changing distance between buildings from 30 to 10 feet for Zoning RR2 and RR5, 1st Reading.

(CARRIED)

9. Committee of the Whole (In-camera)

560/09 Moved by: Ed Forsyth
 Seconded by: Ed Arnold

BE IT RESOLVED that Council move into the Committee of the Whole at 2:30 P.M.
(CARRIED)

561/09 Moved by: Alvin Yosyk
 Seconded by: Diane Dubé

BE IT RESOLVED that Council move out of the Committee of the Whole at 2:34 P.M.
(CARRIED)

562/09 Moved by: Alvin Yosyk
 Seconded by: Ed Forsyth

BE IT RESOLVED that the Council of the Rural Municipality of Alexander directs the Administration to direct Mr. Orvel L. Currie, D'arcy & Deacon, LLP, in the case of Beaulieu vs RM of Alexander to:

1. Respond to a Notice of Appeal; and
2. To pursue costs at both the Court of Queens Bench and the Court of Appeal.

(CARRIED)

10. Adjournment

563/09 Moved by: Ed Forsyth
 Seconded by: Alvin Yosyk

BE IT RESOLVED that Council do now adjourn at 2:36 p.m. to meet again in St. Georges on December 15th, 2009.

(CARRIED)

GEORGE HARBOTTLE
Reeve

JAMES FENSKE
Chief Administrative Officer

FOR INFORMATION ONLY

Non Action Notifications/Minutes/Bulletins

List of Items and their location (Attached on Memory Stick or Chambers)
(Not on Agenda unless request by a member of Council)

1. IPAC – 150th Canada Conference
2. FCM – Members' Advisory
3. Sunrise – November 19th Meeting
4. AMBM – Support Request
5. NEHA – November 17th Minutes
6. INSIGHT – Remediation and Reclamation Conference
7. Association For Community Living (Beausejour) – Thank You
8. Council Committee Report – Ed Arnold
9. Council Committee Report – Ed Arnold
10. SRGMP – Agenda and Minutes
11. MMM Group – Annual Reception
12. All-net – AMM Annual Conference
13. WRPD – October 20th, Meeting
14. RRBC – Meeting - Morris
15. AIDE – Pamphlet
16. CED – Training/Workshop
17. Caisse – December 3rd Special Meeting
18. AITC-M – Thank You
19. Allard Library – November 21st Meeting
20. Chevrefils District Waterworks CO-OP – Financial Statements
21. Reply – Bill Blaikie – Tim Horton Children Camp
22. CTR – Leadership Development 2009
23. Capturing Opportunities – Conference
24. Municipal World – Photo Contests
25. NEHA – Meeting Minutes
26. Safe Work – Registration Brochure for Conference
27. Minister Responsible for Seniors – Congratulation/Age Friendly
28. MB Infrastructure – Proposed Fence Pt RL 19-18-10E
29. MB Infrastructure – Proposed Access Removal and Relocation Pt Ne1/4 5-17-8E
30. EBRWC – Minutes October 19, 2009
31. Canadian Training Resources – Leadership Development 2009
32. December Madness & Fun Schedule
33. LS School Division – Minutes
34. MPSC – Monthly Bulletin December
35. First Nations Voice – Chiefs Target Hydro
36. REM – Shelly Napier – MB Emergency Management Course
37. MB Gov. Community Planning – Proposed Subdivision Pt. SW ¼ 16-18-7 EPM
38. Animal Welfare Program – Animal Care Line
39. Dan Lester – Info on NEV – LSV – possible pilot area – Lester Beach
40. Frontline Security – Publication
41. Government Buyer – Publication
42. InfraStructure – Publication
43. IRON Furniture – Publication
44. Horizons – Publication
45. Municipal World - Publication

CORPORATE CORESPONDENCE

46. Orvel – Letter re: property transfer
47. Data Link Mapping Technologies – Letter
48. Western Economic Diversification Canada – Letter re: Offer of Financial Assistance
49. AECOM – Letter re: Belair Properties Drainage Design
50. North West Digital – Letter – Digital Signage
51. Nathasha Smith – Letter – Fitness Facility
52. Birch & Pine Properties Association – 2010 & 2011 Budgets