

**RURAL MUNICIPALITY OF WOODLANDS
COUNCIL MINUTES**

The regular meeting of Council of the Rural Municipality of Woodlands was held in the Municipal Office on Tuesday, June 25, 2013 at 4:30 p.m. D.S.T. with Reeve Don Walsh in the chair, and the following Councillors present: Carl Fleury, Gavin Jones, Trevor King, Doug Oliver and Garry Peltz.

Also present: Karen Rothwell, Assistant Chief Administrative Officer, as recording secretary.

Councillor Ila Buchanan was absent with reason.

CALLED TO ORDER

With a quorum present, Reeve Walsh called the meeting to order at 4:20 p.m.

ADOPTION OF AGENDA

Adopt Agenda Resolution No. 318/13
Fleury-Oliver
BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands adopt the agenda for the regular meeting of June 25, 2013 with the addition of the following:

Protective:

- Honourable Steve Ashton – Request a response to our letter of May 14 re: cost-sharing relocation of hydro poles in Twin Beach area

Transportation:

- MGRA - Request for more submissions in all categories
- MIT – Approval to establish various roads as Grant-in-Aid
- Judy and Glen Nichol – Request refund for dust control

Planning:

- Chad and Karen Tristram – Request grade level approval for new garage
- MIT – Proposed Access – Warren Access Road – Pt SE ¼ 32-13-1W
- MIT – PTH 6 – preapproval to proceed with project (3 res).

Carried
1 Absent
6 For

READING AND CONFIRMATION OF MINUTES

Adopt Minutes Resolution No. 319/13
Jones-Peltz
BE IT RESOLVED THAT the Council of the Rural Municipality of Woodlands adopt the minutes of the regular meeting held on June 11, 2013.

Carried
1 Absent
6 For

Public Hearing: 5:00 p.m. Alfred Billingham/Lance Goodman – Variation Order V13-05, Lot 21/22, Block 2, Plan 2493, Erinview, MB
5:10 p.m. Michael Fitzpatrick – Variation Order V13-04, Lot 14, Block 2, Plan 41529, 5 Spruce Lane, Warren
5:20 p.m. Ray & Debra Bouchard – Variation Order V13-06, Lot 2, Plan 48886 Twin Lakes Beach

Delegations: 4:30 p.m. Jeff Hildebrand, MTS ROW Agent – Request easement on SE ¼ 28-14-2 (old CN rail bed)

Planning & Economic Development:

FINANCE

Resolution No. 320/13

Report of Finance
Committee

Jones-King

BE IT RESOLVED THAT the report of the Finance Committee be received, that the following accounts be paid: General cheque numbers 23397 through 23414 in the amount of \$96,120.37 and payments made after the June 11, 2013 meeting cheque numbers 23374 through 23396 in the amount of \$50,162.21 and payroll number 23 in the amount of \$19,129.80 be approved.

Carried
1 Absent
5 For
1 Abstained
Doug Oliver

Resolution No. 321/13

Add O/S A/R to
Tax Roll

Peltz-King

WHEREAS section 294.1(1) of the Municipal Act states “drain” means a culvert, drain, drainage ditch, dyke or floodway, constructed or maintained by a municipality; and

WHEREAS section 294.1(2) provides that a municipality has jurisdiction over every drain within its boundaries; and

WHEREAS section 294.1(3) provides that a municipality must maintain every drain within its boundaries to a standard that is appropriate for the use to which the municipality expects the drain to be put; and

WHEREAS section 294.1(4) provides that a municipality may require a person who without written authority from the municipality obstructs a drain to remove the obstruction, and if the person fails to do so, the municipality may remove the obstruction and recover any expense it incurs from the person who caused the obstruction

- (a) by levying and collecting the amount of the expense as a tax; or
- (b) by any other means; and

WHEREAS the charges owing to the municipality as listed in Schedule “A” have not been paid;

THEREFORE BE IT RESOLVED THAT Council of the R.M. of Woodlands authorize that the unpaid charges as per attached Schedule “A” be added to the tax rolls and charged against the land and shall be collected in the same manner in which ordinary taxes upon the land are collectable and with like remedies.

Carried
1 Absent
6 For

GENERAL

Resolution No. 322/13

CAO Report

King-Oliver

BE IT RESOLVED THAT the Chief Administrative Officer Report dated June 25, 2013 be received by Council of the Rural Municipality of Woodlands as information.

Carried
1 Absent
6 For

FINANCE

Resolution No. 323/13

Amend Reduction
& Administration
Process Payment
Jeremy Mailey

Oliver-Fleury

WHEREAS Jeremy Mailey provided a security deposit in the amount of \$5,000.00 to hold until the house that was brought in illegally and located on NE 35-14-2W was removed to be refunded upon the removal of the house before October 1, 2012; and

WHEREAS the house was not removed by October 1, 2012 and the Municipality reduced the security deposit in the amount of \$2,594.80 to cover various costs; and

WHEREAS Jeremy Mailey has requested the reduction be amended as certain costs were not applicable to this issue;

THEREFORE BE IT RESOLVED THAT Council of the Municipality authorizes the reduction to be amended and administration process payment to Jeremy Mailey in the amount of \$1,200.00.

Carried
1 Absent
6 For

GENERAL

Resolution No. 324/13

Agreement 416/13
R2G2 Excavators
Twin Lakes Beach

Jones-Fleury

WHEREAS subsection 250(2)(d)(i) of “The Municipal Act” authorizes a municipality to enter into an agreement with a person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands enter into an agreement with R2G2 Excavators Inc. as per terms as set out in Agreement 416/13, for removal of damaged trees, debris and demolish two (2) structures within the Woodlands portion of Twin Lakes Beach area; and

FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to execute the agreement.

Carried
1 Absent
6 For

Resolution No. 325/13

Agreement 410/13
Joe MacDonald
Agreement 415/13
Joe Jeffery
Gravel Hauling

Oliver-Peltz

WHEREAS subsection 250(2)(d)(i) of “The Municipal Act”, authorizes a municipality to enter into an agreement with a person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands enter into agreements for gravel hauling as follows:

- Joe MacDonald - As set out in Agreement No. 410/13
- Joe Jeffery - As set out in Agreement No. 415/13; and

FURTHER BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to execute the agreement.

Carried
1 Absent
6 For

Resolution No. 326/13

In Camera

Oliver-Jones

WHEREAS subsection 152(3) of “The Municipal Act” provides that a Council may close a meeting to the public to meet as a committee to discuss certain matters;

NOW THEREFORE BE IT RESOLVED THAT Council close the meeting to the public to meet as a committee to discuss:

personnel matter.

Carried
1 Absent
6 For

Resolution No. 327/13

Out of Camera

Jones-Fleury

WHEREAS section 15.13 of By-law No. 2593/10 of the Rural Municipality of Woodlands provides that a member of council must keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) of “The Municipal Act” until the council passes a resolution allowing the matter to be discussed publicly; and

WHEREAS subsection 152(4) of “The Municipal Act” provides for the Council to only pass a resolution to re-open a closed meeting to the public;

THEREFORE BE IT RESOLVED THAT the Council re-open the meeting to the public.

Carried
1 Absent
6 For

PLANNING

Resolution No. 328/13

Adjourn For
Public Hearing

Oliver-Fleury

THAT we do now adjourn this regular meeting for a Public Hearing.

Carried
1 Absent
6 For

Resolution No. 329/13

Re-convene
Regular Meeting

King-Peltz

BE IT RESOLVED THAT Council now re-convene the regular meeting.

Carried
1 Absent
6 For

GENERAL

Resolution No. 330/13

Contribution to
Interlake Pioneer
Trail Inc.

Peltz-Jones

BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands authorize a contribution to the Interlake Pioneer Trail Inc. in the amount of \$200.00.

Carried
1 Absent
6 For

PLANNING

Resolution No. 331/13

Var. Order V13-05
Alfred Billingham
21/22-2-2493
Erinview

Jones-King

WHEREAS

- a) Alfred Billingham is the owner of the property legally described as Lots 21/22, Block, 2, Plan 2493, located in the hamlet of Erinview;
- b) The property is zoned as “AG” Agriculture General Zone in the Municipality’s Zoning By-law No. 2562/08;
- c) Table 6.1-2 of the Zoning By-law states that the minimum side yard setback shall be 25’ and the minimum rear yard setback shall be 30’;
- d) With permission of the owner, the applicant, Lance Goodman has applied to vary the minimum requirement from 25’ to 15’ and the rear yard requirement from 30’ to 21’ to accommodate the placement of a mobile home;

- e) The Municipality held a public hearing on June 25, 2013, to receive representations of the applicant and any other person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands approve Variation Order No. V13-05 to vary the minimum requirement from 25’ to 15’ and the rear yard requirement from 30’ to 21’ to accommodate the placement of a mobile home.

Carried
1 Absent
6 For

Resolution No. 332/13

Var. Order V13-04 Fleury-Oliver
Mike Fitzpatrick
14-2-41529
5 Spruce Lane

WHEREAS:

- a) Michael Fitzpatrick, is the owner of the property legally described as Lot 14, Block 2, Plan 41529, located at #5 Spruce Lane in Warren;
- b) The property is zoned a “RG” Residential General Zone in the Municipality’s Zoning By-law No. 2562/08;
- c) Section 3.4 of the Zoning By-law allows for a 6’ projection into required rear yard for decks;
- d) The applicant has applied to increase the maximum projection 50 11’ into the required rear yard for the construction of a deck;
- e) The Municipality held a public hearing on June 25, 2013, to receive representations of the applicant and any other person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands approve Variation Order No. V13-04 to increase the maximum projection to 11’ into the required rear yard for the construction of a deck.

Carried
1 Absent
6 For

Resolution No. 333/13

Adjourn For
Public Hearing

Fleury-Jones

THAT we do now adjourn this regular meeting for a Public Hearing.

Carried
1 Absent
6 For

Resolution No. 334/13

Re-convene
Regular Meeting

Jones-Oliver

BE IT RESOLVED THAT Council now re-convene the regular meeting.

Carried
1 Absent
6 For

Resolution No. 335/13

Var. Order V13-06 Fleury-Peltz
R & D Bouchard
Lot 2, Plan 48886
Twin Beaches

WHEREAS:

- a) Ray & Debra Bouchard are the owners of the property legally described as Lot 2, Plan 48886, located at Twin Beaches;
- b) The property is zoned as “SR” Seasonal Recreation Zone in the Municipality’s Zoning By-law No. 2562/08;
- c) Table 6.3-2 of the Zoning By-law states that the minimum side yard setback shall be 5’;
- d) The applicants have applied to vary the minimum requirement from 5’ to 2.5’ to accommodate the placement of an accessory structure;
- e) The Municipality held a public hearing on June 25, 2013, to receive representations of the applicant and any other person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands approve Variation Order No. V13-06 to vary the minimum requirement from 5' to 2.5' to accommodate the placement of an accessory structure.

Carried
1 Absent
6 For

Resolution No. 336/13

Subdivision
D & P Allard
Lot 31 Plan 48886
Twin Lakes Beach

Jones-Peltz

WHEREAS the applicants, Denise & Paul Allard, have applied for a subdivision of the parcel legally described in CT 2375749 as Lot 31, Plan 48886 WLTO; and

WHEREAS the owner holds title to the 2.89 acre parcel located on Twin Lakes Beach Road; and

WHEREAS the intent of the subdivision is to subdivide the parcel into five seasonal recreation lots; and

WHEREAS the Development Plan policy 3.4.2.2.3 provides for rural residential development involving water orientation and/or recreational focus and policy 2.3.6 also notes considerations relating to hazard lands, flooding & erosion; and

WHEREAS the proposal generally conforms with the Seasonal Recreational Zone Requirements of the Zoning By-law; and

WHEREAS Infrastructure & Transportation, Hydrological Forecasting recommends against the approval of this subdivision due to flooding hazards, however, if approved, the provision of flood protections for all permanent structures should be a condition of approval; and

WHEREAS Hydrological Forecasting notes that main floor elevations should be equal to or greater than 250.4 meters; and

WHEREAS Community Planning Services File #4206-13-5251 notes that the application for subdivision should give consideration to flooding and historic resources considerations;

THEREFORE BE IT RESOLVED THAT final approval be granted with the following conditions(s):

- That the applicant enter into a development agreement with the Municipality pertaining to servicing and design standards including but not limited to flood protection.

Carried
1 Absent
6 For

GENERAL

Resolution No. 337/13

Agreement 417/13
Riddell Farm
Enterprises Ltd.
Servicing &
Development of
Residential
Subdivision

Fleury-Peltz

WHEREAS subsection 250(2)(c) of “The Municipal Act” authorizes a municipality to enter into an agreement with a person;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands enter into an agreement with Riddell Farm Enterprises Limited, as set out in Agreement 417/13, for provision of servicing and development of a residential subdivision; and

FURTHER BE IT RESOLVED THAT the Chief Administrative Officer and Reeve be authorized to execute the agreement.

Carried
1 Absent
6 For

Resolution No. 338/13

Agreement 418/13 Fleury-Oliver

Silverbridge Land WHEREAS subsection 250(2)(c) of "The Municipal Act" authorizes a municipality to
Devel. Inc. & enter into an agreement with a person;
Riddell FarmEnterprises Ltd. THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of
Provision of Woodlands enter into an agreement with Silverbridge Land Development Inc. and
Servicing & Riddell Farm Enterprises Ltd., as set out in Agreement 418/13, for provision of
Development of servicing and development of a residential subdivision; and
Residential Sub-
DivisionFURTHER BE IT RESOLVED THAT the Chief Administrative Officer and Reeve
be authorized to execute the agreement.Carried
1 Absent
6 ForResolution No. 339/13

Pmt for Develop. Jones-King

Plan & Zoning BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands authorize
By-law Review payment to RLB Consulting in the amount of \$35,012.25 representing 50% of the
total cost for the Development Plan and Zoning By-law Review.Carried
1 Absent
6 ForResolution No. 340/13

Intent to Sell Land Peltz-King

For PTH #6 Re- WHEREAS Manitoba Infrastructure & Transportation (MIT) has provided
Alignment at preliminary plans for the re-alignment of PTH #6 and associated changes to the access
Lake Francis to the community of Lake Francis; andWHEREAS the project requires MIT to acquire land from the Rural Municipality of
Woodlands; andWHEREAS Crown Lands and Property Agency will prepare a Letter of Intent laying
out the terms and conditions of purchase and a price per acre based on fair market
value;THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of
Woodlands confirm their intent to sell the land necessary for PTH #6 re-alignment at
Lake Francis.Carried
1 Absent
6 ForResolution No. 341/13

Support Oliver-Fleury

Re-alignment of WHEREAS Manitoba Infrastructure & Transportation (MIT) has provided
PTH #6 at Lake preliminary plans for the re-alignment of PTH #6 and associated changes to the access
Francis to the community of Lake Francis; andWHEREAS MIT's next step is to begin discussions with affected landowners in order
to finalize the plans for the project;THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of
Woodlands confirm their support of the re-alignment of PTH #6 at Lake Francis and
that MIT proceed with discussing the project with affected landowners.Carried
1 Absent
6 ForResolution No. 342/13

Authorize MIT Fleury-Oliver

Initiate Work on WHEREAS Resolution #146/13 confirmed the Municipality's intent to sell
10.47 Acres for approximately 10.47 acres of land to the Province of Manitoba for the re-alignment of
PTH #6 PTH #6 and associated access changes at the community of Woodlands; and
Re-alignment at
WoodlandsWHEREAS Manitoba Infrastructure and Transportation (MIT) intends to begin the
grading on the re-alignment work this summer; and

WHEREAS the final paperwork for the land purchase has yet to be completed;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands authorize MIT to initiate work on the 10.47 acres prior to the land purchase being finalized.

Carried
1 Absent
6 For

Resolution No. 343/13

2013 Children's
Wish Donation

King-Fleury

BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands authorize a \$300.00 contribution to the 2013 Children's Wish Trail Ride and Family Fun Day being held August 17, 2013.

Carried
1 Absent
6 For

Resolution No. 344/13

Purchase 2006
Cat Wheel Loader

Peltz-Oliver

BE IT RESOLVED THAT upon the recommendation of the Transportation Committee the Council of the Rural Municipality of Woodlands authorizes the purchase of a 2006 Caterpillar 924GZ Wheel Loader Serial No. RTA00325 as per quote dated June 14, 2013 from Toromont Cat at a cost of \$77,000.00, all applicable taxes extra; and

FURTHER BE IT RESOLVED THAT this expenditure be borne by the Machinery Replacement Reserve.

Carried
1 Absent
6 For

Resolution No. 345/13

MTS Rights-of-
Way Application
File 7842/9775738

Jones-Oliver

WHEREAS the R.M. of Woodlands is in receipt of a Municipal Rights-of-Way Application Form from MTS Telecom Services; and

WHEREAS MTS Telecom Services has requested permission to place new cable on ROW in the toe of the north back slope of Main Street in Woodlands and place new cable and related vaults of ROW along and under Road 82N and crossing Roads 2 to 8 as per File No. 7842/9775738; and

WHEREAS MTS Telecom Services needs to complete these works to provide upgraded telecom service to the Oswald area as shown on Plan No. 9775738-Approval 1-8;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Woodlands approves the Municipal Rights-of-Way Application from MTS Telecom Services being File No. 7842/9775738 with notification given to the Municipality 48 hours prior to the commencement of the work; and

FURTHER BE IT RESOLVED THAT the Chief Administrative Officer be authorized to execute the MTS Telecom Services Rights-of-Way Application.

Carried
1 Absent
6 For

Resolution No. 346/13

Install Lights
Poplarwood Dr.

Peltz-Jones

WHEREAS Manitoba Hydro has requested approval for the installation of 4-100 w Cobra roadway lights to be installed along the extension of Poplarwood Drive; and

WHEREAS the L.U.D. of Warren will be responsible for the monthly hydro bill;

THEREFORE BE IT RESOLVED THAT upon the recommendation of the Committee of the L.U.D. of Warren, Council of the R.M. of Woodlands approve the installation of the lights.

Carried
1 Absent
6 For

COMMUNICATIONS

<u>FROM</u>	<u>SUBJECT</u>	<u>DISPOSITION</u>
News Media Services	More stall, equipment will benefit patients	rec'd for info
Public Utilities Board	News Release (P-1399)	rec'd for info
Children and Youth Opportunities	Teulon Canada Day Celebration July 1 (C-394)	rec'd for info
News Media Services	New program helping more Manitobans access cancer services sooner	rec'd for info
News Media Services	Another first for geothermal in MB	rec'd for info
News Media Services	Major investment in smaller class sizes will mean more one-on-one attention for students	rec'd for info

Resolution No. 347/13

Adjournment

King-Oliver

BE IT RESOLVED THAT we do now adjourn this meeting at 7:15 p.m. to meet again Tuesday, July 9, 2013 at 9:30 a.m.

Carried
1 Absent
6 For

Reeve
Donald Walsh

Assistant Chief Administrative Officer
Karen Rothwell, C.M.M.A.