

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

TUESDAY, August 29, 2006

Present: Reeve John D. Holland
Councillor Bob Bodnaruk
Councillor Karen Lalonde
Councillor Robert Osiowy
Councillor William F. Paulishyn
Councillor Douglas Shaver
Dave Donaghy, CAO
Colleen Draper, Recording Secretary

Reeve Holland called the meeting to order at 6:30 p.m. and began proceedings with invocation.

AGENDA

- 06-483 HOLLAND BODNARUK BE IT RESOLVED THAT the Agenda be amended as follows:
Add:
- 2005 DFA claim extension
 - Dundee Garson Road additional basework
 - Main Street garbage cans
 - Museum negotiations (in camera)
 - Telephone Service Failure
- CARRIED (6-0)

MINUTES

- 06-484 OSIOWY LALONDE WHEREAS the minutes of the Council meeting held August 8, 2006 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby amended as follows:
Add "following Traffic Board Hearing" after reference to Councillor Bodnaruk arriving at 1:00 p.m.
- CARRIED (6-0)
- 06-485 HOLLAND SHAVER WHEREAS the minutes of the Council meeting held August 23, 2006 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby approved.
- CARRIED (5-0)

Councillor Bodnaruk abstained from voting as he was not in attendance at this meeting.

REPORTS - ELECTED OFFICIALS

Councillor Osiowy reported on a water failure at Pleasantview Lodge after a break in the pump was discovered. The water was tested and coliform levels were found to be high. The well was shocked and water situation rectified.

Councillor Paulishyn reported that the Colony Bridge and Road work is coming along.

STANDING COMMITTEE & DEPARTMENT REPORTS

Committee of the Whole minutes of August 4, 2006 - received as information.

Water and Waste Committee

06-486 PAULISHYN SHAVER BE IT RESOLVED THAT Council approve the recommendation of the Water and Waste Committee to authorize the construction of the Lagoon Haul Road on Willowdale Road, from Springfield Road to Cedar Lake Road, at a cost of not more than \$92,000.00.

CARRIED(6-0)

Public Health, Safety and Protective Services minutes of August 9, 2006 - received as information.

Animal Control Report for July, 2006 - received as information.

BY-LAWS

By-Law No. 06-21

06-487 OSIOWY LALONDE BE IT RESOLVED THAT second reading be given to By-law No. 06-21 being a by-law to authorize a Flood Protection Agreement with Timothy G. Pedden Lot 1, 2 & 3 within NW ¼ 4-11-7 EPM as shown on Plan of Subdivision Deposit No. 188/203.

CARRIED (6-0)

06-488 PAULISHYN SHAVER BE IT RESOLVED THAT third and final reading be given to By-law No. 06-21 being a By-law to authorize a Flood Protection Agreement with Timothy G. Pedden Lot 1, 2 & 3 within NW ¼ 4-11-7EPM as shown on Plan of Subdivision Deposit No. 188/203.

	For	Against	Absent	Abstain	Reason
Holland	X				
Bodnaruk	X				
Lalonde	X				
Osiowy	X				
Paulishyn	X				
Shaver	X				

CARRIED (6-0)

CONSENT AGENDA

06-489 BODNARUK SHAVER WHEREAS a consent agenda has been submitted consisting of 25 items;
BE IT RESOLVED THAT the said consent agenda be adopted as circulated, except for items 8.13, 8.22 and 8.23

CARRIED (6-0)

Manitoba Floodway Appeal

A brief discussion took place regarding floodway drop structures and the Floodway Expansion liaison committee.

DELEGATIONS

Brenda Sawatzky attended Council regarding the change in Oakwood Transfer Station hours. A petition was presented to Council. Several concerns were brought forward including:

- days open are not convenient for people who work on weekends
- build up of garbage is attracting bears, skunks and other wildlife that carry diseases
- residents were not notified of the change ahead of time
- traffic has increased dramatically on Oakwood Road making it unsafe for walking, biking, etc.

Council informed the delegate that the issue would be discussed later in the meeting.

Mark Miller addressed Council regarding the Costume Museum purchase. He expressed concern with the Council making such a big decision before the next election. He felt that Council should be more open with the residents regarding their decision to buy the museum.

Council advised the delegate that all decisions regarding the museum purchase have been in camera because of the nature of the discussions and information will be provided as soon as it is available.

BY-LAWS CONT'D

By-Law No. 06-14

Curwood Ateah of Landmark Planning and Dan Doucet, Development Officer, attended Council regarding By-law No. 06-14. A brief discussion took place regarding car brokers and conditional uses.

06-490 OSIOWY
LALONDE

WHEREAS the RM of Springfield gave the RM of Springfield By-law No. 06-14 first reading on May 9, 2006;
AND WHEREAS the RM of Springfield held a public hearing on June 15, 2006 to receive representations from any person regarding the RM of Springfield By-law No. 06-14;
AND WHEREAS Section 74(2) and Section 74(3) of *The Planning Act* states:

"74(2) If, after the public hearing, the board or council proposes to alter the by-law, a second public hearing must be held to receive representations on the alterations to the by-law.

74(3) A second public hearing is not required if the alteration is a minor one that does not change the intent of the by-law."

AND WHEREAS the Council of the RM of Springfield is of the opinion that the following textual and mapping amendments do not change the intent of the RM of Springfield By-law No. 06-14;

NOW THEREFORE prior to giving the RM of Springfield By-law No. 06-14 second reading, the Council of the RM of Springfield makes the following textual and mapping changes to RM of Springfield By-law No. 06-14:

I. The following textual provisions contained in the RM of Springfield By-law No. 06-14, are hereby amended:

1) That the following subsection be added after Subsection 59.7(3) [RM: Residential Multiple Family Zoning District - Additional Regulations for Permitted and Conditional Uses] on Page 110:

"4) A Semi-Detached Dwelling and Two Family Dwelling shall be developed in accordance with Section 58.0 of this By-law."

2) That within Subsection 28(1) [Access to Sites] on Page 65 the reference to "Main Market Roads" be deleted.

3) That within Subsection 54.2(6) [Natural Resource Development Regulations] on Page 103, Subsection 65.6(6) [CH: Commercial Highway Zoning District - Additional Regulations for Permitted and Conditional Uses] on Page 121, Subsection 74.6(4) [SNR: Sensitive and Natural Resource Zoning District - Additional Regulations for Conditional Uses] on Page 133, Subsection 82.7(7) [AGL: Agricultural General (Limited) Zoning District - Additional Regulations for Permitted and Conditional Uses] on Page 148, and Subsection 84.7(10) [AI: Agricultural Intensive Zoning District - Additional Regulations for Permitted and Conditional Uses] on Page 154 the reference to "*The Highways and Transportation Department Act*" be changed to "*The Highways and Transportation Act*".

- 4) That the following Subsection be added after Subsection 38.4(7) [Dwelling Setbacks] on Page 84:

"8) Buildings, structures and hedges adjacent to Provincial Trunk Highways, Provincial Roads and Provincial Access Roads shall be setback in accordance with *The Highways Protection Act* and *The Highways and Transportation Act*."
- 5) That under Subsection 82.7(10) (b) [AGL: Agricultural General (Limited) Zoning District - Additional Regulations for Permitted and Conditional Uses] on Page 148 and Subsection 83.7(11) (b) [AG: Agricultural General Zoning District - Additional Regulations for Permitted and Conditional Uses] on Page 152 the reference to "Section 62.0" be changed to Section 62.4".
- 6) That under Subsection 82.7(9) (f) [AGL: Agricultural General (Limited) Zoning District - Additional Regulations for Permitted and Conditional Uses] on Page 148 and Subsection 83.7(10) (h) [AG: Agricultural General Zoning District - Additional Regulations for Permitted and Conditional Uses] on Page 151 the reference to "Non-Commercial Farm" be deleted.
- 7) That under Subsection 68.3 [MB: Industrial Business Zoning District - Conditional Uses] on Page 125 and [MG: Industrial General Zoning District - Conditional Uses] on page 127, the reference to "Personal Service Shop" be deleted.
- 8) That under [MG: Industrial General Zoning District - Conditional Uses] on page 127, "Trucking Operation" be added as a conditional use.
- 9) That under Subsection 70.4 [MX: Industrial Extractive Zoning District - Site Regulations for Conditional Uses] on Page 129 be changed to read "Site Regulations Permitted and Conditional Uses".
- 10) That under Subsection 70.6 [MX: Industrial Extractive Zoning District - Additional Regulations for Conditional Uses Only] on Page 129 be changed to read "Additional Regulations for Permitted and Conditional Uses".

- 11) That the following subsection be added after Subsection 70.6(2) [MX: Industrial Extractive Zoning District - Additional Regulations for Conditional Uses Only] on Page 129:

"3) All Mineral Explorations and Natural Resource Developments shall comply with Manitoba Mines and Mineral Act and Manitoba Regulations 64/92 (Mineral Disposition and Mineral Lease) and 65/92 (Quarry Minerals)."

- 12) That under Subsection 70.4 [MX: Industrial Extractive Zoning District - Site Regulations for Permitted and Conditional Uses] on Page 129 and under Subsection 70.5 [MX: Industrial Extractive Zoning District - Site Regulations Accessory Uses, Buildings and Structures] on Page 129, the Front Yard, Rear Yard, Side Yard and Corner Side Yard requirements be changed to:

"min. 30.48 m. (100.00 ft.)"

- 13) That under Subsections 62.2[RR: Rural Residential Zoning District - Permitted Uses] and 62.3[RR: Rural Residential Zoning District - Conditional Uses] on Page 115 Car Broker and Home Industry be changed from a Permitted Use to a Conditional Use.

- 14) That the following Subsection be added after Subsection 48(13)[Car Brokers] on Pages 93 and 94:

"14) The maximum number of passenger vehicles for sale at any one time shall be limited to six vehicles."

- II. The following mapping provisions contained in the RM of Springfield By-law No. 06-14 (Part IV Zoning District Maps), are hereby amended:

- 1) Area 1 from "CH: Commercial Highway" to "MG: Industrial General".
- 2) Area 2 from "MB: Industrial Business" to "MG: Industrial General".
- 3) Area 3 from "AG: Agricultural General" to "MX: Industrial Extractive".
- 4) Area 4 from "AG: Agricultural General" to "MX: Industrial Extractive".
- 5) Area 5 from "RR5: Rural Residential" to "AG: Agricultural General".
- 6) Area 6 from "UR: Urban Reserve" to "RT: Residential Two Family".
- 7) Area 7 from "PR: Parks and Recreation" to "CR: Commercial Recreation".

- 8) Area 8 from "MX: Industrial Extractive" to "MG: Industrial General".
- 9) Area 9 from "RM: Residential Multiple Family" to "RS: Residential Single Family".
- 10) Area 10 from "RS: Residential Single Family" to "RC: Residential Comprehensive".
- 11) Area 11 from "AG: Agricultural General" to "AI: Agricultural Intensive".
- 12) Area 12 from "MX: Industrial Extractive" to "CR: Commercial Recreation".
- 13) Area 13 from "UR: Urban Reserve" to "RS: Residential Single Family".

06-491 HOLLAND
BODNARUK

WHEREAS the RM of Springfield gave By-law No. 06-14 first reading on May 9th, 2006;
AND WHEREAS the RM of Springfield held a public hearing on June 15th, 2006 to receive representations from any person regarding the RM of Springfield By-law No. 06-14;
AND WHEREAS Section 74(2) and Section 74(3) of The Planning Act states:

"74(2) If, after the public hearing, the board or council proposes to alter the by-law, a second public hearing must be held to receive representations on the alterations to the by-law.

74(3) A second public hearing is not required if the alteration is a minor one that does not change the intent of the by-law."

AND WHEREAS the Council of the RM of Springfield is of the opinion that the textual and mapping amendments approved by resolution August 29th, 2006 do not change the intent of the By-law No. 06-14;
BE IT RESOLVED THAT second reading be given to By-law No. 06-14, as amended, being a Zoning By-law for the Rural Municipality of Springfield.

CARRIED (6-0)

UNFINISHED BUSINESS

Oakwood Transfer Station Hours

A report from the Water and Waste Committee was received. Options such as increased hours and changing days opened were considered.

Councillor Shaver requested a recorded vote.

06-492 SHAVER BE IT RESOLVED THAT hours at the Oakwood Transfer
 BODNARUK Station be adjusted as follows:
 - add 6 hours on Wednesday afternoons
 - effective September 6

	For	Against	Absent	Abstain	Reason
Holland	X				
Bodnaruk	X				
Lalonde	X				
Osiowy	X				
Paulishyn		X			
Shaver	X				

CARRIED (5-1)

Pre-authorized Payments for Youth Centre

The CAO advised that he had spoken with Oakbank Credit Union. They were unaware of the conditions that had to be met through the Income Tax Act for donations to be eligible. The CAO recommended not providing the service.

Driveway Damage - Doberstein

06-493 LALONDE BE IT RESOLVED THAT Council agree to provide two four
 OSIOWY foot culvert extensions and couplers, not including any fill material, installed to Public Works specifications, and subject to a release to the satisfaction of the municipality.

CARRIED (5-1)

NEW BUSINESS

CWRA Forum

06-494 HOLLAND BE IT RESOLVED THAT the following member of Council be
 BODNARUK delegated to attend the Canadian Water Resources Association two-day forum "Managing Nutrients within the Lake Winnipeg Watershed" in Winnipeg on October 18 and 19, 2006:
 - Councillor Paulishyn

DEFEATED (2-4)

Fire Station #1 Driveway/Parking Area

Mike Purtill, Fire Chief, attended Council regarding his concerns with the fire lot.

06-495 SHAVER BE IT RESOLVED THAT Council approve the recommendation
 BODNARUK of the Public Health, Safety and Protective Services Committee to authorize the following improvements to the Fire Station #1 Driveway/Parking area:

1. A barrier be placed at the West end of the parking lot blocking access at Balsam Crescent.

2. The parking lot and driveway be surveyed, graded to build a swale allowing water to flow for the purpose of drainage as well as applying ¾ limestone and dust control.
 3. No parking signs and fire lane signs being installed at appropriate areas of the parking lot.
- CARRIED (6-0)

Telephone Service Failure

The Fire Chief explained his role in setting up a temporary emergency system while telephone service was down August 28th. Through fleet net radios and Rogers service cell phones he was able to notify the 911 Centre in Brandon of the situation and assemble teams for Anola and Oakbank fire halls. He noted that it was a good experience for them and they would be considering improvement in their next budget for situations such as this. Council commended him on the initiative he had taken in this situation.

Tax Sale Date

Notice to rescind Resolution No. 06-110 of March 7th, 2006 was given.

Dugald Projects Committee - Jaffray Street sidewalk

Awaiting information from surveys to be done by Public Works department.

Eastern Regional Municipal Forum

06-496 BODNARUK
SHAVER

BE IT RESOLVED THAT the following member of Council be delegated to attend the combined Eastern Regional Municipal Forum meeting in Hadashville on September 6, 2006:

- Reeve Holland

CARRIED (6-0)

RM of Tache - Intermunicipal Golf Tournament - Received as information.

Willow Avenue Sidewalk

Item to be included on next Public Works committee agenda.

2005 DFA Claim Extension

- 06-497 BODNARUK PAULISHYN WHEREAS work pertinent to the 2005 DFA claim will not be completed prior to the document submission deadline of October 31, 2006;
BE IT RESOLVED THAT the Municipality request an extension of the deadline for the 2005 Flood DFA Program to the Manitoba Emergency Measures Organization.
- CARRIED (6-0)

Dundee Garson Road Basework

- 06-498 BODNARUK OSIOWY BE IT RESOLVED THAT the Manager of Operations and Services be authorized to contract L. Chabot Enterprises Ltd. to supply and install additional base material as extra work on Dundee Garson Road at the tendered rate as per the conditions and specifications of the contract, the total project cost, including the original contract, engineering and extra work not to exceed \$365,000.00.
- CARRIED (6-0)

Garbage Cans

- 06-499 LALONDE OSIOWY BE IT RESOLVED THAT the Manager of Operations and Services be authorized to purchase eight garbage cans from Barkman Concrete, cost not to exceed \$4,600.00 plus applicable taxes; and
BE IT FURTHER RESOLVED THAT the Manager of Operations and Services explore the possibility of recovering the cost of up to two cans from the Beautification Committee.
- CARRIED (6-0)

Special Events Permit

- 06-500 SHAVER BODNARUK BE IT RESOLVED THAT Council authorize the Public Safety Officer to issue a Special Events Permit for a wedding to be held September 2, 2006 at 60 Holly Drive in Oakbank.
- CARRIED (6-0)

Letter of Commendation

- 06-501 SHAVER BODNARUK BE IT RESOLVED THAT a letter of commendation be sent to Fire Chief Mike Purtill recognizing initiative shown regarding the August 28th telephone/emergency communications failure.
- CARRIED (6-0)

In Camera

06-502 HOLLAND BE IT RESOLVED THAT this meeting recess to in camera to
BODNARUK discuss a matter respecting which discussions in public
could prejudice the municipality's ability to carry out
its negotiations.

CARRIED (6-0)

06-503 HOLLAND BE IT RESOLVED THAT this meeting reconvenes from in
BODNARUK camera.

CARRIED (6-0)

Reeve Holland noted that discussions to date had been in camera and commented that if/when an offer was accepted, Council members should be prepared to publicly discuss the terms of the offer and process to be followed.

ADJOURNMENT

HOLLAND THAT this meeting stand adjourned the time being 9:50
p.m.

CARRIED (6-0)

John D. Holland
Reeve

Dave Donaghy
Chief Administrative Officer