

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

WEDNESDAY, December 5th, 2007

Present: Reeve Peter Skrupski
Councillor Bob Bodnaruk
Councillor Karen Lalonde
Councillor Brian Thompson
Councillor Ken Lucko
Councillor Lorne Vaags
Laurent Tetrault, CAO
Colleen Draper, Recording Secretary

Reeve Skrupski called the meeting to order at 6:30 p.m.

AGENDA

- 07-641 SKRUPSKI
BODNARUK
- BE IT RESOLVED THAT the Agenda be amended as follows:
Add:
1. Border Chemical Land Transfer
 2. Committee representative retirement/volunteer recognition
 3. Emergency Herman Nelson Heater
 4. Leo's Tractor Sales
 5. Letter of Support - Kin Place
 6. Manitoba Conservation
 7. In Camera - taxes
 8. Kinsmen Youth Centre
 9. Hazelridge Community Club
- CARRIED (6-0)

MINUTES

- 07-642 SKRUPSKI
LUCKO
- WHEREAS the minutes of the meeting held November 14th, 2007 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby amended as follows:
- Meeting called to order at 1:00 p.m.
 - Change adjourned at 5:00 p.m.
- CARRIED (6-0)

REPORTS - ELECTED OFFICIALS

Councillor Lalonde reported on her attendance at a Kin Board meeting on November 19, Wellness Centre meeting on November 21, the AMM Convention in Brandon from November 26-29, meeting with the solicitor on December 4 and Water and Waste and Public Works Committee meetings on December 5.

Councillor Bodnaruk reported on his attendance at a CCCD meeting on November 19, FCM Board meeting in Ottawa from November 21-25, the AMM Convention in Brandon from November 26-29, Winnipeg River Brokenhead Community Future meeting November 30 to December 1 and a meeting with Border Chemical.

Councillor Vaags reported on his attendance at the Springfield Ag Society supper and meeting on November 16, Protective Services Committee and CCCD meeting on November 19, Wellness Centre meeting on November 21, Red River Trails meeting on November 22, toured his ward with the CAO on November 23, the AMM Convention in Brandon from November 26-29, Ron Schuler's open house on November 29, Groundwater Management Planning meeting December 4, a Red River Trails breakfast meeting and Water and Waste and Public Works Committee meetings on December 5.

Councillor Thompson reported on his attendance at the Protective Services Committee meeting and CCCD meeting on November 19, testing of the fire truck on November 21, the AMM Convention in Brandon from November 26-29, Water Stewardship meeting on December 4 and Water and Waste and Public Works Committee meetings on December 5.

Councillor Lucko reported on his attendance at Minister Ron Lemieux's throne speech on November 20, North East Agassiz Watershed Management meeting on November 21, Red River Basin Board meeting on November 22, the AMM Convention in Brandon from November 26-29, Groundwater Management Planning meeting on December 4 and Water and Waste and Public Works Committee meetings on December 5.

Reeve Skrupski reported on his attendance at Minister Lemieux's throne speech, the AMM Convention in Brandon, a meeting with Springfield Lot Developers, and a meeting with CN Rail representatives and the CAO.

CAO, Laurent Tétrault submitted a written report as well he noted he attended a Vic Toews PC dinner and he met with the RCMP.

STANDING COMMITTEE AND DEPARTMENT REPORTS

Building Permit Fee

07-643 LUCKO
THOMPSON

BE IT RESOLVED THAT Resolution #07-153 states when building permit(s) and reconstruction renovating permits are required due to fire or other natural disaster on a residence in Springfield they may be waived on an individual basis presented to Council;
BE IT RESOLVED THAT the cost of a building permit be waived for Marvin Sierks (NE 13-11-8E).

CARRIED (6-0)

BY-LAWS

By-law 07-26 - 910 Logan Ltd. - NE 20-10-4E

07-644 SKRUPSKI BE IT RESOLVED THAT first reading be given to By-law
 BODNARUK No. 07-26 being a by-law of the Rural Municipality of
 Springfield to rezone CT #1225653, Parcel B Plan 10786
 WLTO, in Lots 81 and 82 Roman Catholic Mission
 Property to "C2" Highway Commercial District "Restricted"
 to "C2" Highway Commercial District 'Unrestricted'.
 DEFEATED (1-5)

Caveat Removal

07-645 SKRUPSKI WHEREAS a request has been received to remove caveat
 THOMPSON #2322721 from CT #1568595 (By-Law 98-15);
 AND WHEREAS it appears that the conditions of the
 subdivision have been fulfilled;
 BE IT RESOLVED THAT the caveat be fully discharged at
 the owner's expense and that the owner shall be
 responsible for the Capital Lot Levy and Land
 Dedication Fees which were not charged at the time
 because a Building Restriction Agreement was entered
 into. CARRIED (6-0)

PUBLIC HEARINGS UNDER THE PLANNING ACT

Variance 07-67 - Brian Barnabe - NE 17-10-4E

Purpose: To permit a temporary second dwelling (RTM -
 Ready to Move home) on an existing yard site
 providing accommodation for Mr. Barnabe's
 father-in-law, within the "A" Rural District.
 (Variation Order No. 02-25 expires December
 31st, 2007)

Representations:
 In Support: Brian Barnabe
 Neil Pineau
 In Opposition: None

The CAO read the Development Officer's report.

The Reeve closed the public hearing.

07-646 BODNARUK WHEREAS a Public Hearing has been conducted under The
 LALONDE Planning Act to consider an application filed by Brian
 Barnabe for a variation under the Rural Municipality of
 Springfield Town Planning Scheme 1959 and amendments
 thereto;
 AND WHEREAS Sections 94, 96 and 97 of The Planning Act
 requires Council to make an order rejecting the
 application; or varying the application of the relevant
 zoning by-law or planning scheme, subject to such
 conditions as Council considers necessary or desirable
 to maintain the intent and purpose of the by-law or
 scheme;

BE IT RESOLVED THAT Variation Order No. 07 - 67 be granted subject to the following conditions:

1. That immediate family member, Mr. Neil Pineau, shall only occupy the temporary second dwelling.
2. That the temporary second dwelling (RTM) be removed from the site, when no longer occupied by Mr. Neil Pineau.
3. The RTM (Ready-To-Move) home approved herein shall be considered temporary and for occupancy only as a garden apartment or granny flat as described in Springfield Development Plan 1998.
4. That this order shall expire and become null & void December 31, 2012.

CARRIED (6-0)

Variance 07-69 - Chris & Ashleigh Gusberti -
SE 18-12-6E

Purpose: To permit a temporary second dwelling (RTM - Ready to Move home) on an existing yard site providing for the parents of Mrs. Ashleigh Gusberti (Mr. Terry & Shirley Gibb) within the "A20" Limited Agricultural District. (Variation Order No. 06-49 expired December 5th, 2007)

Representations:

In Support: Terry Gibb
In Opposition: None

The CAO read the Development Officer's report.

The Reeve closed the public hearing.

07-647 THOMPSON
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Chris Gusberti on behalf of the owners Chris and Ashleigh Gusberti for a variation under the Rural Municipality of Springfield Zoning By-law No. 85-26 and amendments thereto;

AND WHEREAS Sections 94, 96 and 97 of The Planning Act requires Council to make an order rejecting the application; or varying the application of the relevant zoning by-law or planning scheme, subject to such conditions as Council considers necessary or desirable to maintain the intent and purpose of the by-law or scheme;

BE IT RESOLVED THAT Variation Order No. 07 - 69 be granted subject to the following condition:

1. That immediate family member, Mr. Terry and/or Shirley Gibb, shall only occupy the temporary second dwelling.
2. That the temporary second dwelling be removed from the site, when no longer occupied by Mr. Terry and /or Shirley Gibb.

3. That the temporary second dwelling be serviced by a holding tank for sewage disposal and approved by Manitoba Conservation.
4. That the RTM (Ready-To-Move) home be placed on a temporary foundation (blocking) or footing and grade beam allowing for only a crawl space.
5. The RTM (Ready-To-Move) home approved herein shall be considered temporary and for occupancy only as a garden apartment or granny flat as described in Springfield Development Plan 1998.
6. That this order shall expire and become null & void December 31, 2012.

CARRIED (6-0)

Variance 07-70 - Robert & Lynn Nichol - SE 22-11-5E

- Purpose:
1. To permit the maintenance of a 15.1'x 30.05' frame garage having a West side yard setback of 4.85 feet instead of the required 5 feet, and
 2. To permit the maintenance of a 14.3'x 20.25' vinyl/metal garage having an East side yard setback of 3.7 feet and a rear yard setback of 2.8 feet instead of the required 5 feet and 10 feet respectively, within the "RA" Suburban District.

Representations: None

The CAO read the Development Officer's report.

The Reeve closed the public hearing.

07-648 LALONDE
BODNARUK

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Robert & Lynn Nichol for a variation under the Rural Municipality of Springfield Town Planning Scheme 1959 and amendments thereto;

AND WHEREAS Sections 94, 96 and 97 of The Planning Act requires Council to make an order rejecting the application; or varying the application of the relevant zoning by-law or planning scheme, subject to such conditions as Council considers necessary or desirable to maintain the intent and purpose of the by-law or scheme;

BE IT RESOLVED THAT Variation Order No. 07 - 70 be granted subject to the following conditions:

1. If there are any problems with drainage along the east & south property limits at any time, as determined by the Development Officer, the owner shall be responsible to construct and maintain the easterly or southerly swale entirely on the subject site. If a drainage swale is required, the swale design and construction shall be reviewed and approved by the Public Works Department.

- 2. That the applicant obtains a building permit for the 14.3'x 20.25' vinyl/metal garage and the permit fees are doubled.

CARRIED (6-0)

Variance 07-71 - Ray and Colleen Abbott - NW 34-11-4E

- Purpose:
- 1. To permit the maintenance of a single-family dwelling having a front yard setback of 115.8 feet instead of the required 125 feet, and
 - 2. To permit the maintenance of a 6.0'x 6.0' metal clad shed having a West side yard setback of 15.9 feet instead of the required 25 feet, within the "A" Rural District.

Representations: None

The CAO read the Development Officer's report.

The Reeve closed the public hearing.

07-649 BODNARUK
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Ray and Colleen Abbott for a variation under the Rural Municipality of Springfield Town Planning Scheme 1959 and amendments thereto;
 AND WHEREAS Sections 94, 96 and 97 of The Planning Act requires Council to make an order rejecting the application; or varying the application of the relevant zoning by-law or planning scheme, subject to such conditions as Council considers necessary or desirable to maintain the intent and purpose of the by-law or scheme;

BE IT RESOLVED THAT Variation Order No. 07 - 71 be granted subject to the following condition: None

CARRIED (6-0)

Variance 07-73 - David & Tammy Neufeld on behalf of Gary & Kathryn Shorrocks - SE 12-10-4E

- Purpose:
- 1. To permit a temporary second dwelling (mobile home) on an existing yard site providing accommodation for Ms. Neufeld's parents, and
 - 2. To permit an existing home occupation establishment of a custom furniture making business on the land, for a limited time period, within the "A" Rural District. (Variation Order No. 02-44 expires December 31st, 2007)

Representations:

- In Support: David Neufeld
- In Opposition: Pauline Harder
Maureen Vasas

The CAO read the Development Officer's report.

The Reeve closed the public hearing.

Mrs. Harder and Mrs. Vasas advised Council that the culvert was closed when the mobile home was originally placed on the land. Trees are dying from the land flooding and slabs of rock have been left in the ditches. Decision was held over until the drainage issue can be researched.

Variance 07-75 - Wallace & Janet Ruchkall - SE 26-11-6E

Purpose:

1. Proposed Lot 1 - To permit a site area of 1.8 acres instead of the required 80 acres,
2. Proposed Lot 2 - To permit a site area of 6.44 acres and site width of 488 feet instead of the required 80 acres and 660 feet respectively,
3. Proposed Lot 1 - To permit the maintenance of two (2) quonset/grain storage bins, nine (9) grain storage bins, two (2) hopper bins, and four (4) fuel tanks having separation distances in the range of 2.2 feet to 9.6 feet instead of the required 10 feet,
4. Proposed Lot 2 - To permit the maintenance of grain bins having a separation distance of 6.3 feet instead of the required 10 feet,
5. Proposed Lot 1 - To permit the maintenance of the 30.48'x 52.20' quonset having a front yard setback of 100 feet instead of the required 125 feet,
6. Proposed Lot 1 - To permit the maintenance of nine (9) storage bins having front yard setbacks in the range of 16.3 feet to 120.8 feet instead of the required 125 feet,
7. Proposed Lot 1 - To permit the maintenance of a single-family dwelling having a front yard setback of 22.4 feet instead of the required 125 feet, and
8. Proposed Lot 1 - To permit the maintenance of a 12.46'x 16.47' garage having a front yard setback of 42.2 feet instead of the required 125 feet, within the "A" Rural & Agricultural District. (re: subdivision 4189-05-5004)

Representations:

In Support: Wallace & Janet Ruchkall
In Opposition: None

The CAO read the Development Officer's report.

The Reeve closed the public hearing.

07-650 VAAGS
THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Wallace & Janet Ruchkall for a variation under the Rural Municipality of Springfield Zoning By-law No. 85-26 and amendments thereto;

AND WHEREAS Sections 94, 96 and 97 of The Planning Act requires Council to make an order rejecting the application; or varying the application of the relevant zoning by-law or planning scheme, subject to such conditions as Council considers necessary or desirable to maintain the intent and purpose of the by-law or scheme;

BE IT RESOLVED THAT Variation Order No. 07 - 75 be granted subject to the following condition:

1. This Order shall come into force and take effect on the date of registration of a final certificate of approval on the matter of subdivision application no. 4189-05-5004.

CARRIED (6-0)

Subdivision 4189-07-5144 - (Revised) Al Reimer on behalf of Barg Holdings Ltd. & NDL Construction Ltd. - NE 20-10-4E

Intent: To consolidate the three (3) existing parcels totaling approximately 29.42 acres, then subdivide the 29.42 acres into eight (8) lots for highway commercial and industrial use.

Representations: None

The CAO read the Development Officer's report.

The Reeve closed the public hearing.

07-651 BODNARUK
LALONDE

WHEREAS Al Reimer on behalf of the owners Barg Holdings Ltd. & NDL Construction Ltd., have submitted a revised plan to consolidate and subdivide three (3) existing parcels totaling approximately 29.42 acres into eight (8) lots for highway commercial and industrial use;

BE IT RESOLVED THAT application for subdivision No. 4189-07-5144 (Revised) be approved subject to the following conditions:

The conditions under Resolution of council 07-254 are recommended to remain, subject to the removal of Clause 10 (a), (b) & (c) which pertained to the reconfiguration of the proposed layout plan.

CARRIED (6-0)

Subdivision File 4189-07-5187 - Rudolph & Lundina Kitkowski - SW 6-11-7E

Intent: To subdivide the approximate 12.85-acre holding into three (3) parcels for residential purposes.

Representations:

In Support: Rudolph Kitkowski
Violet Crumb

In Opposition: None

The CAO read the Development Officer's report.

The Reeve closed the public hearing.

07-652 LUCKO
THOMPSON

WHEREAS Rudolph & Lundina Kitkowski have applied to subdivide an approximate 12.85-acre holding into three (3) parcels for residential purposes;
BE IT RESOLVED THAT application for subdivision No. 4189-07-5187 be approved subject to the following conditions:

1. Payment of requisite fees (administration, land dedication, capital levies fees),
2. That subject site shall be rezoned from 'A-20' to 'RR-5' Zone,
3. A Surveyor's Building Location Certificate be prepared and submitted, showing all existing buildings and the sewage disposal systems in relation to the proposed lot lines,
4. That any variation orders be obtained, if required as a result of the Surveyor's Building Location Certificate,
5. That a drainage plan be prepared by a professional engineer, for the area, showing how and where surface runoff for this development will be accommodated.

CARRIED (6-0)

Council took a short break.

Subdivision No. 4189-07-5189 - Norville & Arline Christopherson and Eleanor Unrau - NW 22-11-5E

Intent: To re-align parcel boundaries of three (3) existing lots which will be reconfigured into 2 larger lots. Lot 17 Block 5 Plan 1455 will be divided into two, then consolidated to the adjacent parcels (Lots 16 & 18).

Representations: None

The CAO read the Development Officer's report.

The Reeve closed the public hearing.

07-653 LALONDE
BODNARUK

WHEREAS Norville & Arline Christopherson and Eleanor Unrau, have applied to re-align parcel boundaries of three (3) existing lots which will be reconfigured into 2 larger lots. Lot 17 Block 5 Plan 1455 will be divided into two, then consolidated to the adjacent parcels (Lots 16 & 18);
BE IT RESOLVED THAT application for subdivision No. 4189-07-5189 be approved subject to the following conditions:

1. Payment of requisite fees (Administration Fee),
2. A Surveyor's Building Location Certificate be prepared and submitted showing all existing buildings,

- 3. That any other variation orders be obtained, if required as a result of the Surveyor's Building Location Certificate,
- 4. That the approx. 30' be consolidated with all those lands described in CT #892357 (Lot 18) and the remaining approx. 30' be consolidated with all those lands described in CT #2003424 (Lot 16) and be shown as a 2-Lot Plan of subdivision.

CARRIED (6-0)

UNFINISHED BUSINESS

South Interlake Credit Union

The CAO advised that South Interlake Credit Union has decided to install a temporary sign instead of a permanent one.

Naming of Road

Information received from the RM of St. Clements regarding changing the name of a road to "Kudlowich Lane".

CONSENT AGENDA

07-654 SKRUPSKI
LUCKO

WHEREAS a consent agenda has been submitted consisting of 11 items;
BE IT RESOLVED THAT the said consent agenda be adopted as circulated.

CARRIED (6-0)

NEW BUSINESS

Dugald Community Club

07-655 VAAGS
LUCKO

BE IT RESOLVED THAT the expansion of the Dugald Community Club be approved and;
BE IT FURTHER RESOLVED THAT the R.M. of Springfield provide a grant to the Dugald Community club for said project in the amount of \$40,000.00 and;
BE IT FURTHER RESOLVED THAT this expense be funded from the Parks and Recreation reserve fund as per the 2007 financial plan and;
BE IT FURTHER RESOLVED THAT the Dugald Community Club present a complete audited financial report as per resolution 07-235.

CARRIED (6-0)

Sunrise School Division Budget Meeting - Received as information.

Manitoba Ombudsman Re: Andrejowich

- 07-656 THOMPSON SKRUPSKI BE IT RESOLVED THAT the land described as Lots 1 and 2 of Plan 9521 within the SE ¼ 7-12-6E be named the Andrejowich Ecological Reserve in honour of Walter and Frances Andrejowich the former owner of said land.
CARRIED (6-0)

Financial Statements

- 07-657 BODNARUK LALONDE BE IT RESOLVED THAT the Financial Statement for the month ending August 31st, 2007 be accepted as presented.
CARRIED (6-0)
- 07-658 SKRUPSKI LUCKO BE IT RESOLVED THAT the Financial Statement for the month ending September 30th, 2007 be accepted as presented.
CARRIED (6-0)

Springfield Road Lift Station

- 07-659 LALONDE SKRUPSKI BE IT RESOLVED THAT the Springfield Road Lift Station Emergency Power Project be authorized in the amount of \$35,000.00 as budgeted under municipal utilities and;
BE IT FURTHER RESOLVED THAT the project be funded from the capital levy reserve.
CARRIED (6-0)

Road Conditions - Springfield and Day

Councillor Bodnaruk advised that he would meet with the business owner to discuss further.

Review - Christmas Greetings - Received as information.

Manitoba Conservation Re: NE 19-10-7E

Information received from Manitoba Conservation regarding a land lease dispute. The CAO advised that the municipal solicitor will provide the RM with an updated lease agreement to include issues such as hunting.

Hog Days Brandon 2007 - Received as information.

Anola Water Treatment Plant

- 07-660 LUCKO THOMPSON WHEREAS the Manitoba Water Services Board has received a tender from Parkwest Projects;
BE IT RESOLVED THAT the Anola Water Treatment Plant be approved as per Manitoba Water Services Board recommendation.
CARRIED (6-0)

Council Meeting Dates

January meeting dates were discussed. January 23rd council meeting to be cancelled.

Snow Clearing - Private Property

Councillor Lucko advised that a resident had contacted him regarding snow removal. CAO to send a letter advising the RM does not remove snow from private properties.

CCME Consultation Session

07-661 SKRUPSKI
BODNARUK BE IT RESOLVED THAT the following member of council be delegated to attend the CCME Consultation Session on Municipal Wastewater Effluent on December 6th in Winnipeg: Councillor Vaags

CARRIED (6-0)

Manitoba Infrastructure & Transportation Re: Wenzel Road

Councillor Bodnaruk to draft a response letter.

Community Places News Release - Received as information.

Springfield Food Bank

A meeting was scheduled to meet with the coordinators regarding an agreement for the Springfield Food Bank and the role of the RM.

Border Chemical Land Transfer

07-662 BODNARUK
LALONDE BE IT RESOLVED THAT the R.M. of Springfield accept the letter of intent from Border Chemicals to purchase land from the RM of Springfield in the Industrial Park (PT 16-11-4E);
BE IT FURTHER RESOLVED THAT the solicitor be instructed to prepare the necessary documents.

CARRIED (6-0)

Volunteer/Committee Recognition

Presentation to be made at the RM Christmas party.

Herman Nelson Heater

07-663 LUCKO
THOMPSON BE IT RESOLVED THAT the Manager of Operations and Services be authorized to purchase a portable Herman Nelson heater not to exceed \$6,500.00 plus applicable taxes.

CARRIED (6-0)

Case Tractor

07-664 LUCKO
SKRUPSKI BE IT RESOLVED THAT that the Assistant Manager of Operations and Services be authorized to purchase and install a loader assembly for the Case tractor from Leo's Sales and Services Ltd. for the sum of \$13,500.00 plus applicable taxes.

CARRIED (6-0)

Kin Place - Letter of Support

Councillor Lalonde advised that Kin Place requires a letter of support for a grant application. The CAO to provide letter of support.

Manitoba Conservation

Councillor Bodnaruk inquired into the status of pit inspections that Manitoba Conservation was to conduct. CAO to send letter regarding these outstanding issues.

Kinsmen Youth Centre

The CAO advised that representatives of the Kinsmen Youth Centre would like to meet with Council. Delegation to be set with the Recreation and Cultural Services Committee.

Hazelridge Community Club

The CAO gave an update on the zamboni purchased by the Hazelridge Community Club. CAO to send a letter to the club regarding the funding process.

IN CAMERA

07-665	SKRUPSKI THOMPSON	BE IT RESOLVED THAT this meeting recess to in camera to discuss personnel and legal issues; AND BE IT FURTHER RESOLVED THAT all matters shall remain confidential until a report is made public. CARRIED (6-0)
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07-666	SKRUPSKI LUCKO	BE IT RESOLVED THAT this meeting reconvenes from in camera. CARRIED (6-0)
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ADJOURNMENT

LUCKO	THAT this meeting stand adjourned the time being 10:15 p.m.
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Peter Skrupski
Reeve

Laurent Tétrault
Chief Administrative Officer