

# MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE R.M. OF ST. ANDREWS HELD TUESDAY, SEPTEMBER 11, 2007 AT CLANDEBOYE, MANITOBA

Attendance: All members of Council present except Reeve Don Forfar.

## A. CALL TO ORDER

Meeting called to order at 1:02 p.m. by Deputy Reeve Ralph Boch.

## B. OPENING PRAYER

Opening prayer was read by Councillor Krasnesky.

## C. ADOPTION OF AGENDA

Res. (1) Moved by: Councillor Ataman                      Seconded by: Councillor W. Boch

Resolved that Council approve the agenda, as presented.

Carried.

## D. ADOPTION OF MINUTES

### 1) Draft August 14, 2007 Council Meeting Minutes

Res. (2) Moved by: Councillor Krasnesky                      Seconded by: Councillor Hunt

Resolved that Council approve the August 14, 2007 Council meeting minutes, as amended.

Carried.

## E. DELEGATIONS

## F. COMMITTEE REPORTS

Public Works - Deputy Reeve R. Boch reported.

- Dust control done; slightly over budget.
- Chabot is working in Petersfield.
- Long Lake Drain - waiting to hear from John Arthur; money in budget but no equipment available. Money may be required instead of manpower.
- Need to purchase another weed whacker and would like to hire a student to cut ditches; setting up a meeting with Yetman's and Public Works.
- Truck plow costs approx. \$13,000 - truck we have; needs plow and an operator; quotes to be obtained.
- Councillor Krasnesky - Lower Fort Garry Estates - have we been in contact re: road works? Response: yes.
- Councillor Keryluk - Praznik Place - have received complaints re: seal coating; residents don't feel it is being done properly nor are proper materials being used.
- Deputy Reeve R. Boch advised that the seal coat job is being done correctly with appropriate materials.
- Discussion on Deer Rapids Drive.

Protection - Councillor Krasnesky reported.

- A fire meeting was held and the budgets were discussed.



H. CORRESPONDENCE

Action Items

- 1) The Clandeboye Amalgamated United Church - Request Financial Support - Refer to Recreation Committee.
- 2) Century 21 Jefferson & Associates Realty Ltd. - Charity Golf Tournament - September 13, 2007

Res. (5) Moved by: Councillor Keryluk                      Seconded by: Councillor Hunt

Resolved that 3 members of Council and 1 administrative staff be authorized to attend the Century 21 Jefferson & Associates Realty Ltd. Charity Golf Tournament being held on September 13, 2007 in Selkirk.

Carried.

- 3) Interlake Tourism Association's "A Celebration of Stars" - September 13, 2007 in Riverton - Resolution to Send Heritage Committee Members

Res. (6) Moved by: Councillor Keryluk                      Seconded by: Councillor Krasnesky

Resolved that Council authorize 10 members of the St. Andrews Heritage Committee to attend Interlake Tourism Association's "A Celebration of Stars" being held on September 13, 2007 in Riverton, and that the tickets be paid for by the R.M.

Carried.

- 4) Selkirk and District Chamber of Commerce - September 12, 2007 Meeting with James Bezan

Res. (7) Moved by: Councillor Ataman                      Seconded by: Councillor W. Boch

Resolved that 4 members of Council be authorized to attend the general meeting of the Selkirk and District Chamber of Commerce being held on September 12, 2007 with guest James Bezan in attendance.

Carried.

- 5) Red River Basin Commission - Land and Water Summit Conference - January 9 - 11, 2008 in Grand Forks / Fundraising Efforts

- Date and place has been changed; now January 22 - 24, 2008 at the Ramada Plaza Suites in Fargo.
- 6 rooms to be booked.
- Administration to send short list of suppliers.

- 6) R.C.M.P. - Attendance at A.M.M. Convention - RSVP to Meet

- Councillor Keryluk - complaints have been received about lack of visibility.
- Council will talk with inspector next month at C.O.W. meeting.
- Administration reported that a form letter will be sent if any complaints received re: ATVs.

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- A.M.M. Convention - no rooms/on waiting list; administration to follow up and check accommodations in surrounding communities.

**Information Items**

As per information items #1 - 25 as listed on the agenda.

Res. (8) Moved by: Councillor W. Boch                      Seconded by: Councillor Hunt

Resolved that Information Items #1 - 25 as listed on the agenda, be received as information, unless otherwise resolved.

Carried.

**I. MUNICIPAL ADMINISTRATION**

1) **Contract - Margaret Davidson**

Res. (9) Moved by: Councillor Krasnesky                      Seconded by: Councillor Hunt

Resolved by Council to authorize the hiring of Margaret Davidson, and that the contract can therefore be signed, as presented.

Carried.

2) **Land Sale Request for Public Lane**

Res. (10) Moved by: Councillor W. Boch                      Seconded by: Councillor Hunt

Be It Resolved that the Rural Municipality of St. Andrews agree to close the opened lane and roadway and sell the property to Mr. Greg McLeod for an amount of \$7,500 plus all legal, administrative, advertising and surveying costs.

Carried.

3) **JMD Development Inc. - Development Agreement Amendment (Lower Fort Garry Estates)**

Res. (11) Moved by: Councillor Krasnesky                      Seconded by: Councillor Keryluk

Whereas Council has agreed to amend the development agreement between the Rural Municipality of St. Andrews and JMD Development Inc., with regards to Lower Fort Garry Estates. The agreement will be amended to allow road construction to be of "chip-seal" component as compared to asphalt.

Be It Resolved that administration be authorized to notify legal and to proceed with filing of a new caveat against the titles of land in the Lower Fort Garry Subdivision and that the developer will pay all legal and administrative costs to complete.

Carried.

4) **Policy GEN-01 - Council Indemnities**

- Tabled to later on agenda.

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5) **Cheque Detail Report - August 2007**

Res. (12) Moved by: Councillor Ataman                      Seconded by: Councillor Krasnesky

Resolved that Council approve of the August 2007 Cheque Detail Report, as presented.

Carried.

6) **Financial Statements to August 31, 2007**

- Administration reported that a variance report coming later today.

Res. (13) Moved by: Councillor Ataman                      Seconded by: Councillor Krasnesky

Resolved that Council receive the financial statements to August 31, 2007, as presented.

Carried.

**J. BY-LAWS**

1) **By-Law No. 4135 - Road Closure and Sale of Land to Tim Wall in SE ¼ 31-17-4E - 1<sup>st</sup> Reading**

Res. (14) Moved by: Councillor Hunt                      Seconded by: Councillor Keryluk

Resolved that Council give first reading to By-Law No. 4135, being a by-law for road closure and sale of land to Tim Wall in SE ¼ 31-17-4E.

Carried.

2) **By-Law No. 4128 - Council Indemnities and Expenses By-Law - 2<sup>nd</sup> and 3<sup>rd</sup> Reading**

Res. (15) Moved by: Councillor Krasnesky                      Seconded by: Councillor Ataman

Resolved that Council give second reading to By-Law No. 4128, being the Council Indemnities and Expenses By-Law, as amended.

Carried.

- Written letter of support for By-Law No. 4128 was received from Reeve Forfar and read out by the Chief Administrative Officer.

Res. (16) Moved by: Councillor Keryluk                      Seconded by: Councillor W. Boch

Resolved that Council give third reading to By-Law No. 4128, being the Council Indemnities and Expenses By-Law.

Carried.

**Recorded Vote:**

	<b><u>FOR</u></b>	<b><u>AGAINST</u></b>
Reeve Forfar	[Absent]	
Councillor Ataman	X	
Councillor Keryluk	X	
Councillor Krasnesky	X	
Councillor W. Boch	X	
Deputy Reeve R. Boch	X	
Councillor Hunt	X	

**Policy GEN-01 - Council Indemnities - Resolution to Adopt**

Res. (17) Moved by: Councillor Krasnesky                      Seconded by: Councillor Hunt

Resolved that revised Policy GEN-01 (Council Indemnities) be hereby adopted by Council, as amended.

Carried.

**K. OLD / UNFINISHED BUSINESS**

1) **BDO Dunwoody - Change to Audit Risk Standards - Audit Fee Increases**

- Discussion on auditor services/re-tendering.
- Administration to obtain more information from other municipalities and bring back to Council.

2) **Masters - Land Purchase Inquiry**

- Counter offer was discussed and Council still stands on its initial offer of \$5,000 plus all legal and administrative costs.

3) **S.T.A.R.T. Program - Request Financial Support**

Res. (18) Moved by: Councillor Krasnesky                      Seconded by: Councillor Ataman

Resolved that Council authorize financial support to the S.T.A.R.T. Program in the amount of \$1,500.

Carried.

- *Meeting recessed at 2:10 p.m.*

- *Meeting re-convened at 2:30 p.m.*

**L. NEW BUSINESS**

1) **Lake Winnipeg Diking and Flood Protection Enhancement Agreement (M.O.A.)**

- Tabled; administration to clarify agreement and bring back to Council.

2) **Petersfield Community Club - Grant Application Form**

- Refer to Recreation Committee.

3) **IMRA Workshop/Meeting - September 26, 2007 in Eriksdale**

- Stephanie to forward to community clubs and verify attendance.
- R.M. will cover up to 1 person per club and pay mileage.

4) **Fort Distributors Ltd. Staff Appreciation Golf Tournament - September 21, 2007 in Selkirk**

Res. (19) Moved by: Councillor Krasnesky                      Seconded by: Councillor W. Boch

Resolved that the municipal office be authorized to close at 12:00 noon on Friday, September 21, 2007.

Carried.

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5) **North Red Business Achievement Awards - October 18, 2007**

Res. (20) Moved by: Councillor Hunt Seconded by: Councillor Keryluk

Resolved that Council provide the silver sponsorship in the amount of \$500 to the North Red Business Achievement Awards being held on October 18, 2007.

Carried.

6) **R.M. Appreciation Dinner**

- Administration to check on dates and locations in December and January.

7) **Councillor Krasnesky**

- When R.M. celebrated its 125<sup>th</sup>, the R.M. was also to give the schools a flag and bronze plaques.
- Need for 4 schools.
- Councillor Ataman may work on creating plaques and Councillor Krasnesky to still acquire further information.
- Councillor Keryluk - questioned the status of the flags; administration still working on - waiting for information from Heraldic Society and a disk is forthcoming.

**M. IN CAMERA SESSION**

Res. (21) Moved by: Councillor Krasnesky Seconded by: Councillor Hunt

Resolved that Council move in camera to discuss personnel issues.

Carried.

Res. (22) Moved by: Councillor Krasnesky Seconded by: Councillor Hunt

Resolved that Council move out of camera.

Carried.

**DELEGATION**

**4:45 p.m. - John Masters**

- To request land purchase.

**BANNISTER/WESTMAN SUBDIVISION #S07-2138 (PHASE 2)**

Res. (23) Moved by: Councillor Ataman Seconded by: Councillor Keryluk

Resolved that the Council authorize the signing authorities to sign the subdivision application #S07-2138 (Bannister/Westman) and open the road according to the plan of subdivision and the developer be responsible for all costs attached to this process.

Carried.





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Res. (29) Cont'd.

Now Therefore Be It Resolved that Variation Order No. 90/2006 and Conditional Use Application No. 19/2006 be granted an extension for a period of twelve months beginning from the date of this decision (September 11, 2007) with the following conditions:

- 1) All conditions and approvals not acted upon within this extended time frame will require re-application for both approvals.

Carried.

**Subdivisions**

- 1) S07-2110 - Fountain

Res. (30) Moved by: Councillor Krasnesky                      Seconded by: Councillor Ataman

Resolved that Proposal to Subdivide S07-2110 (Fountain) be hereby approved by Council subject to the following conditions:

- 1) Applicant submit confirmation in writing from the Administrator of the R.M. of St. Andrews that:
  - a) Taxes on the land to be subdivided for the current year plus any arrears have been paid or arrangements satisfactory to Council have been made;
  - b) Capital Development Fees have been paid, if applicable.
- 2) Manitoba Land Surveyor to prepare a 3-lot plan of subdivision, including lot area and width calculations, and confirmation that Crown Land is not included in the proposal.
- 3) Applicant to enter into a development agreement with the R.M. of St. Andrews.
- 4) Applicant/Owner to obtain approval from the R.M. and Water Stewardship with respect to drainage; this shall include the requirement for an engineered drainage plan.
- 5) Applicant/Owner to obtain, if required:
  - a) Joint easement agreement for existing and/or future Hydro and MTS facilities associated with the subdivision;
  - b) Plan of easement prepared by a Manitoba Land Surveyor as required by the Real Property Act.

Carried.

- 2) S07-2122 - Klassen

Res. (31) Moved by: Councillor Keryluk                      Seconded by: Councillor Krasnesky

Resolved that Proposed Subdivision S07-2122 (Klassen) be hereby tabled.

Carried.

**FIRE CHIEF - CLANDEBOYE FIRE HALL**

Res. (32) Moved by: Councillor Krasnesky                      Seconded by: Councillor Hunt

Whereas the current Fire Chief of the Clandeboye Fire Hall, Ray Kelsch, has recently moved out of the Rural Municipality to Selkirk, and

Whereas By-Law No. 4116 of the R.M. of St. Andrews, commonly known as the "Fire Prevention and Emergency Services By-Law," states in section 2, paragraph 17 b, that a qualified person *lives within a reasonable distance in the department applied for, at the Chief's discretion*", and

Whereas Council feels that Selkirk may be deemed a reasonable distance from the Clandeboye Fire Hall but desires to monitor performance of the Clandeboye Fire Hall to determine what, if any, effect the distance from the Fire Hall has on the domicile of the Fire Chief.

Now Therefore Be It Resolved That Council reaffirm the appointment of Ray Kelsch as Fire Chief of the Clandeboye Fire Hall and that this appointment be reviewed in 6 months to allow Council to determine the effect of the Fire Chief living outside the boundary of the R.M.

Carried.

**O. ADJOURNMENT**

Res. (33) Moved by: Councillor Ataman                      Seconded by: Councillor Hunt

Resolved that the Council meeting be adjourned at 6:25 p.m.

Carried.

Approved as circulated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Secretary-Treasurer