



RURAL MUNICIPALITY OF PIPESTONE
Regular Meeting
August 14, 2014

Present: Reeve Ross Tycoles
Councillor Myles Van Damme
Councillor Jack Forsyth
Administrator June Greggor

Councillor Lane Wanless
Councillor Randy Henuset
Councillor Bob Duncan

Call to order

Reeve Tycoles called the meeting to order at 8:30 a.m.

Adoption of Agenda

Resolution No: 2014 08 03

Moved By: Myles VanDamme

Seconded By: Jack Forsyth

"Now Therefore Be It Resolved that the agenda be adopted.

Carried

Adoption of Minutes

Resolution No: 2014 08 04

Moved By: Lane Wanless

Seconded By: Bob Duncan

"Now Therefore Be It Resolved that the minutes of the July 10, 2014 Regular be adopted as circulated."

Carried

Resolution No: 2014 08 05

Moved By: Jack Forsyth

Seconded By: Lane Wanless

"Now Therefore Be It Resolved that the minutes of the July 24, 2014 Public Works meeting be adopted as circulated."

Carried

Accounts

Resolution No: 2014 08 06

Moved By: Lane Wanless

Seconded By: Myles VanDamme

"Now Therefore Be It Resolved that the accounts in the amount of \$880,919.74 (cheque #17583 to cheque #17725) be ratified paid."

Carried

Financial Report

Resolution No: 2014 08 07

Moved By: Jack Forsyth

Seconded By: Randy Henuset

"Now Therefore Be It Resolved that the Royalty Report be accepted as presented."

Carried

Unfinished Business

Resolution No: 2014 08 08

Moved By: Jack Forsyth

Seconded By: Myles VanDamme

"Now Therefore Be It Resolved that the Rural Municipality of Pipestone request assistance from Community Planning to amend the zoning by-law to reflect an enlargement of the Heavy Industrial Zone by 40 acres to include SW 17-9-28 W.P.M.

And Further Be It Resolved that all storage tanks in the MH zone be surrounded by a berm."

Carried

Resolution No: 2014 08 09

Moved By: Randy Henuset

Seconded By: Myles VanDamme

"Now Therefore Be It Resolved that Joanna Watt be appointed to be liaison between the Virden Community Arts Council and the Rural Municipality of Pipestone."

Carried

By-laws

Resolution No: 2014 08 10

Moved By: Randy Henuset
Seconded By: Lane Wanless

“Whereas Section 142(1) & (2) of *The Municipal Act* L.M. 1996 c.58 provides:

1. Every proposed by-law must be given three separate readings at meetings of the Council, and each reading must be put to a vote,
2. A Council may not give a proposed by-law more than two readings at the same Council meeting.

And Whereas By-law 2014/11, being a by-law of the Rural Municipality of Pipestone to authorize the construction and connection of a rural water pipeline to service the L.U.D. of Reston as a Local improvement has been approved by The Municipal Board with amendments;

Now Therefore Be It Resolved that By-law 2014/11 be given second reading as amended and referred for third reading.”

Carried

Resolution No: 2014 08 11

Moved By: Myles VanDamme
Seconded By: Bob Duncan

"Whereas By-Law 2014/11 has received Municipal Board approval;

Now Therefore Be It Resolved that By-Law 2014/11 having been given third and final reading be now declared passed."

Carried
For: Tycoles
Wanless
Van Damme
Henuset
Forsyth
Duncan

Resolution No: 2014 08 12

Moved By: Bob Duncan
Seconded By: Jack Forsyth

“Whereas Section 142(1) & (2) of *The Municipal Act* L.M. 1996 c.58 provides:

1. Every proposed by-law must be given three separate readings at meetings of the Council, and each reading must be put to a vote,
2. A Council may not give a proposed by-law more than two readings at the same Council meeting.

And Whereas By-law 2014-14, being a by-law of the Rural Municipality of Pipestone to provide for payment of indemnities and compensation to members of Council has received first reading;

Now Therefore Be It Resolved that By-law 2014-14 be referred to August 28, 2014 meeting for second and third readings."

Carried

General Business

Resolution No: 2014 08 13

Moved By: Myles VanDamme

Seconded By: Jack Forsyth

"Now Therefore Be It Resolved that staff overtime hours for work during the flooding of June 29, 2014 to July 5, 2014 be paid as submitted."

Carried

Resolution No: 2014 08 14

Moved By: Myles VanDamme

Seconded By: Randy Henuset

"Whereas an offer to purchase GMC Pickup and box trailer for the sum of \$200.00 has been made by Blaire Williamson;

Now Therefore Be It Resolved that the offer to purchase be accepted."

Carried

Resolution No: 2014 08 15 Amended with Resolution No: 2014 09 32

Moved By: Lane Wanless

Seconded By: Myles VanDamme

"Now Therefore Be It Resolved that the Rural Municipality of Pipestone approve the following applications under the Back Water Valve/Sump Pump subsidy Program:

Roll No. 60800 - ~~\$508.50~~ \$1,017.00

Roll No. 63450 - ~~\$340.48~~ \$680.96."

Carried

Resolution No: 2014 08 16

Moved By: Bob Duncan
Seconded By: Lane Wanless

“Now Therefore Be It resolved that Rural Municipality of Pipestone purchase truck decals from NRG for the quoted price of \$80.00 plus taxes per set.

And Further Be It Resolved that Rural Municipality of Pipestone pay to install decals in Reston for the quoted price of \$1.20 per km and \$75.00 per hour plus taxes. ”

Carried

Resolution No: 2014 08 17

Moved By: Jack Forsyth
Seconded By: Randy Henuset

“Now Therefore Be It Resolved that taxes be added to the following properties for the appropriate length of time as indicated by the Provincial Assessor in a letter dated July 15, 2014 and July 30, 2014 and under authority granted by Section 326 (1) and (1.1) of *The Municipal Act*.

| Assessor Letter July 15, 2014 | | | |
|--------------------------------------|------------------|----------------------------------|---------------------|
| ROLL NUMBER | LEGAL | PROPERTY OWNER | AMOUNT |
| 7950 | DESC SE 16-7-27w | K & D HAMEL INVESTMENTS LTD. | \$ 289.23 |
| 11500 | NE 23-7-27w | WHEAT CITY CONCRETE PRODUCTS | \$ 59.05 |
| 19500 | NE 6-8-27W | GUTHRIE FARMS LTD | \$ 325.73 |
| 40000 | 249 FIFTH ST | RANDAL MARK MORRIS | \$ 209.57 |
| 60120 | 318 NINTH ST | BEVERLY ALEXANDER GRAY | \$ 250.31 |
| 60180 | 336 NINTH ST | DANIEL BLAINE FELL | \$ 3,318.09 |
| 63131 | 712 FIFTH AVE | MICHAEL J WILLIAMSON | \$ 57.51 |
| 63140 | 711 FIFTH AVE | RICHARD FRANCIS LOCHHEAD | \$ 1,471.48 |
| 63142 | 815 FIFTH AVE | ANDREW PLETT | \$ 1,936.11 |
| 68850 | PT NE 4-7-28W | CODY DAWSON MILLIKEN | \$ 3,342.10 |
| 141150 | PT NW 3-7-26W | TERRY ALLAN FLANNERY | \$ 161.96 |
| 153800 | SW 30-7-26W | GLICK (WM.H) ENTERPRISES INC | \$ 176.81 |
| 179200 | 131 FIFTH ST | WILFRED HAROLD HAMEL | \$ 1,936.12 |
| 181200 | 119 SEVENTH ST | PENELOPE MARY ETHEL EDWARDS | \$ 282.25 |
| 185830 | 239 THIRD ST | ROGER RALPH SWANSON | \$ 1,334.27 |
| 196900 | DESC NE 25-9-26w | ALBERT COSENS | \$ 134.16 |
| 226300 | 251 FIRST ST W | BARRINGTON BERRY | \$ 376.24 |
| 228850 | A--54741 | CANADIAN NATIONAL RAILWAY | \$ 801.72 |
| 230300 | NE 16-9-28w | DALLAS ASHLEY RITCHIE | \$ 331.34 |
| 230900 | DESC A--1366 | INTERPROVINCIAL PIPELINE INC. | \$ 11,145.58 |
| 255300 | L--50908 | JOHN PATRICK NAYLEN | \$ 58.12 |
| | | Total Real Property Added | \$ 27,997.75 |

| | | | |
|--------------------------------------|--|-----------------------------------|------------------|
| 1000670 | DESC NE 17-9-28W | ENBRIDGE PIPELINES INC. | \$ 948.33 |
| | | Total Business Taxes Added | \$ 948.33 |
| Assessor Letter July 30, 2014 | | | |
| 63130 | 714 FIFTH AVE | CHRISTOPHER WILLIAM SHAND | \$ 47.04 |
| 137050 | PT SW 36-8-29W | ASPEN GROVE FARMS INC. | \$ 570.88 |
| | | Total Real Property Added | \$ 617.92 |
| | SUMMARY | | |
| | PERSONAL PROPERTY TAXES ADDED | | \$ 0.00 |
| | REAL PROPERTY TAXES ADDED | | \$ 28,615.67 |
| | BUSINESS TAXES ADDED | | \$ 948.33 |

Carried

Resolution No: 2014 08 18

Moved By: Randy Henuset

Seconded By: Jack Forsyth

“Now Therefore Be It Resolved that taxes be cancelled on the following properties for the appropriate length of time as indicated by the Provincial Assessor in a letter dated July 15, 2014 and July 30, 2014 and under authority granted by Section 300(6) and (6.1) of *The Municipal Act*.

| Assessor Letter July 15, 2014 | | | |
|--------------------------------------|----------------|-------------------------------|---------------|
| ROLL NUMBER | LEGAL | PROPERTY OWNER | AMOUNT |
| 7900 | PT SE 16-7-27W | C.H.M. FARMS LTD | \$ (94.91) |
| 11500 | NE 23-7-27w | WHEAT CITY CONCRETE PRODUCTS | \$ (14.84) |
| 26100 | NE 21-8-27W | DAVID CLAIRE SCHARFF | \$ (563.43) |
| 45800 | 217 SECOND ST | RICHARD FRANCIS LOCHHEAD | \$ (1,846.94) |
| 50030 | 125 FIRST ST S | CHRISTINE MARY KABBEKE | \$ (93.14) |
| 50050 | 205 LUCY AVE | VADYM VIKTOROVICH KOZAK | \$ (438.21) |
| 63130 | 714 FIFTH AVE | CHRISTOPHER WILLIAM SHAND | \$ (16.90) |
| 63131 | 712 FIFTH AVE | MICHAEL J WILLIAMSON | \$ (16.90) |
| 64750 | 409 THIRD ST | SHERRY LYNN PURVIS | \$ (509.02) |
| 141100 | PT NW 3-7-26W | BARRY ALLAN FLANNERY | \$ (25.94) |
| 144100 | PT SE 9-7-26W | TERRY WAYNE PATMORE | \$ (108.38) |
| 144200 | PT SE 9-7-26W | PIPESTONE LIVESTOCK SALES LTD | \$ (1,851.40) |
| 186100 | 620 THIRD AVE | ADAM ALLAN BRUGGER | \$ (34.78) |
| 228700 | PT NE 12-9-28W | LEONARD RAY HALL | \$ (11.64) |
| 228800 | PT NW 12-9-28W | LEONARD RAY HALL | \$ (8.40) |

| | | | |
|--------------------------------------|--|---------------------------------------|----------------------|
| 255300 | L--50908 | JOHN PATRICK NAYLEN | \$ (1.49) |
| 258600 | DESC CNR | CANADIAN NATIONAL RAILWAY | \$ (66.28) |
| | | Total Real Property Cancelled | \$ (5,702.60) |
| 1000340 | DESC 31-860 | BOSS BURGER | \$ (46.00) |
| 1000650 | DESC 4--34978 | MARK HENRY TOEWS | \$ (62.00) |
| | | Total Business Taxes Cancelled | \$ (108.00) |
| Assessor Letter July 30, 2014 | | | |
| 49500 | 127 LUCY AVE | NANCY BARBARA SCHILTROTH | \$ (1,562.17) |
| | | Total Real Property Cancelled | \$ (1,562.17) |
| | | | |
| | SUMMARY | | |
| | PERSONAL PROPERTY TAXES CANCELLED | | \$ 0.00 |
| | REAL PROPERTY TAXES CANCELLED | | \$ (7,264.77) |
| | BUSINESS TAXES CANCELLED | | \$ (108.00) |

Carried

Resolution No: 2014 08 19

Moved By: Myles VanDamme

Seconded By: Lane Wanless

"Whereas 90 days from the date of offer has passed and MFS Enterprises has not acted on their offer to purchase Lot 6/7, Block 2, Plan 46710;

Now Therefore Be It Resolved that in accordance with the offer, MFS Enterprises have forfeited their right to purchase the property;

And Further Be It Resolved that Lot 6/7, Block 2, Plan 46710 be offered for sale;

And Further Be It Resolved that the deposit for the property will not be refunded."

Carried

Resolution No: 2014 08 20

Moved By: Myles VanDamme

Seconded By: Randy Henuset

"Whereas 90 days from the date of offer has passed and Sheldon Betker and Scott Rose have not acted on their offer to purchase Lot 6, Block 1, Plan 46710;

Now Therefore Be It Resolved that in accordance with the offer, Sheldon Betker and Scott Rose have forfeited their right to purchase the property;

And Further Be It Resolved that Lot 6, Block 1, Plan 46710 be offered for sale;

And Further Be It Resolved that the deposit for the property will not be refunded."
Carried

Resolution No: 2014 08 21

Moved By: Bob Duncan
Seconded By: Jack Forsyth

"Now Therefore Be It Resolved the Rural Municipality of Pipestone approve the purchase of a "V" shaped highway sign for Reston Commercial/Residential properties to be located on the Public Lane between Lots 2 and 3, Block 2, Plan 46710.

And Further Be It Resolved that the additional signage be purchased showing lots sizes and phone numbers placed on properties."

Carried

Resolution No: 2014 08 22

Moved By: Myles VanDamme
Seconded By: Lane Wanless

"Now Therefore Be It Resolved Council accept the resignation of Mike Bartel from the CDC Board."

Carried

Resolution No: 2014 08 23

Moved By: Bob Duncan
Seconded By: Myles VanDamme

"Whereas the municipality has received donations from various individuals;

Now Therefore Be It Resolved that the Rural Municipality of Pipestone make grants to the following:

Reston Memorial Park \$50.00
Pipestone Lions Club \$3,016.48."

Carried

Resolution No: 2014 08 24

Moved By: Bob Duncan
Seconded By: Myles VanDamme

"Now Therefore Be It Resolved that the Rural Municipality of Pipestone accept the recommendation the Pipestone Albert Fire Board on appointment of Fire Personnel effective January 1, 2015."

Carried

Reception of Delegations

At 10:30 a.m. Mark Toews and Kent Duncalf attended the meeting to discuss the removal of the old Cromer Store building.

Resolution No: 2014 08 25

Moved By: Myles VanDamme

Seconded By: Bob Duncan

“Now Therefore Be It Resolved that the parking plan for the Cromer Valley Store presented to Council be approved.”

Carried

At 11:00 a.m. Constable Corbin Allingham attended the meeting to discuss the ongoing Policing Plan and the June 2014 Policing Report.

At 11:30 a.m. James Watt attended the meeting on behalf of the Reston Golf Club to advise changes to building plans and request assistance with the project.

At 2:00 p.m. Larry Atchison attended the meeting to discuss the following:

Penner Construction
Cromer Subdivision.

In Camera

Resolution No: 2014 08 26

Moved By: Bob Duncan

Seconded By: Lane Wanless

"Now Therefore Be It Resolved the regular meeting be adjourned and reconvene In Camera."

Carried

Public Hearing

Resolution No: 2014 08 28

Moved By: Myles VanDamme

Seconded By: Randy Henuset

"Now therefore be it resolved that the regular meeting be adjourned and reconvene as a Public Hearing."

Carried

Resolution No: 2014 08 30

Moved By: Bob Duncan

Seconded By: Jack Forsyth

“Whereas Variation Order 2014-03 to authorize the minimum set back from a road allowance from 125 feet to 50 feet to allow the construction of an ESB building located at P.T. NW 17-9-28 W.P.M. in the Rural Municipality of Pipestone has been received by Council;

Now Therefore Be It Resolved that Variation Order Application 2014-03 be approved.”

Carried

Resolution No: 2014 08 33

Moved By: Myles VanDamme

Seconded By: Randy Henuset

“Whereas Variation Order 2014-04 to authorize the construction of a fifty foot oil storage tank located at NE 17-9-28 W.P.M. in the Rural Municipality of Pipestone has been received by Council;

Now Therefore Be It Resolved that Variation Order Application 2014-04 be approved.”

Carried

Resolution No: 2014 08 34

Moved By: Bob Duncan

Seconded By: Myles VanDamme

"Now therefore be it resolved that the regular meeting be adjourned and reconvene as a Public Hearing."

Carried

Resolution No: 2014 08 36

Moved By: Jack Forsyth

Seconded By: Lane Wanless

“Whereas Conditional Use Application 2014/06 to authorize the development of a non-farm dwelling in an agricultural general zone has been received by Council;

Now Therefore Be It Resolved that Conditional Use Application No. 2014/06 be approved with the following condition:

1. The non-farm dwelling shall not restrict agricultural activities in the area."

Carried

Resolution No: 2014 08 37

Moved By: Jack Forsyth
Seconded By: Bob Duncan

“Whereas Variation Order 2014/05 to authorize an acreage site area of 11.44 acres and site width of 40 feet located in SE 20-9-26 W.P.M in the Rural Municipality of Pipestone has been received by Council;

Now Therefore Be It Resolved that Variation Order Application 2011-01 be approved.”
Carried

Council tabled making a decision on Variation Order Application 2014/06, for more information on sidewalk. The location of the sidewalk in conjunction with the street causes concern of parking over the sidewalk.

Correspondence

- 1) 2014 General Assistance Grant directly deposited into account.
- 2) Federal Gas Tax Funding 2014 directly deposited into account.
- 3) Line 3 Replacement Project update as of July 28, 2014.
- 4) Reston Cemetery Financial Statements December 31, 2013.
- 5) Thank you from Deanna Campion for donating towards the Pipestone 4-H Achievement.
- 6) Thank you from Deanna Campion for Masonic Lodge Bursary.
- 7) Thank you from Erik Forsyth for donating a perpetual trophy and prize money towards the "Market Steer Class" at the 2014 Pipestone 4-H Achievement.
- 8) Highway Traffic Board Permit - Advertising Sign
- 9) Highway Traffic Board Permit - Pump Island, Concrete Apron, Anopy and Access Driveway onto 4th Street.
- 10) Provincial Infrastructure Recovery Meeting Highlights
- 11) Letter from Minister of Agriculture, Food and Rural Development regarding request for Financial Assistance due to the 2014 Flood.
- 12) Board of Revision for 2015 Assessment Roll
- 13) Environment Act Licence Suspension, Discharge of effluent from Wastewater Treatment Lagoon requested June 30, 2014
- 14) Tundra Oil & Gas has proposed a new Unit Operation to be known as Ewart Unit #6.
- 15) Tundra Oil & Gas has proposed a new Unit Operation to be known as Ewart Unit #8.
- 16) Thank you from Trevor Voden for 4-H achievement.
- 17) Letter from AMM regarding Resolution 19/09 in regards to medical staff in rural areas.
- 18) Update on Manitoba Hydro's Rural Consolidation.

Personnel Reports

Resolution No: 2014 08 40

Moved By: Myles VanDamme
Seconded By: Randy Henuset

"Now Therefore Be It Resolved that the following personnel reports be accepted as filed:
By-Law Enforcement/Animal Control Officer
Chief Administrative Officer
Development Officer."
Carried

New Business

Resolution No: 2014 08 41

Moved By: Myles VanDamme

Seconded By: Bob Duncan

“Now Therefor Be It Resolved the Rural Municipality of Pipestone provide bridge financing for the insurance claim under Pipestone Rink.”

Carried

Resolution No: 2014 08 42

Moved By: Randy Henuset

Seconded By: Jack Forsyth

“Now Therefore Be It Resolved that the Rural Municipality of Pipestone approve the use of a municipal truck by the Regional Utility Foreman for travel to and from his residence to the workplace;

And Further Be It Resolved that this policy be reviewed in January 2015.”

Carried

Resolution No: 2014 08 43

Moved By: Randy Henuset

Seconded By: Jack Forsyth

“Now Therefore Be It Resolved that T.L Penner Construction Ltd. be hired to clay cap road 171W from 41N to 42N at an estimated cost of \$88,000.00.”

Carried

At 2:30 p.m. Council had a conference call with WSP engineer Ross Mitchell. Larry Atchison and Tanis Chalmers sat in on the call.

Resolution No: 2014 08 45

Moved By: Randy Henuset

Seconded By: Bob Duncan

“Now Therefore Be It Resolved that Michelle Halls, Tina Stanley and Jasmine Gould be authorized to attend the MMUG conference in Portage La Prairie on October 2 and 3, 2014 with expenses paid.”

Carried

Adjournment

Resolution No: 2014 08 46

Moved By: Myles VanDamme

Seconded By: Bob Duncan

"Now Therefore Be It Resolved that the meeting be adjourned."

Time:

5:00 p.m.

Reeve

Administrator

IN CAMERA

August 14, 2014

Council met In Camera regarding employee performance, EDO and Public Works Administration Assistant.

Resolution No: 2014 08 27

Moved By: Myles VanDamme

Seconded By: Bob Duncan

"Now Therefore Be It Resolved the meeting resume out of camera."

Carried

PUBLIC HEARING
August 14, 2014

At 1:00 p.m. a Public Hearing was held to hear representations respecting Enbridge Pipeline's Variation Order Application 2014/03 (P.T NW 17-9-28 W.P.M.) All members of Council were present. CAO Greggor and Development Officer David Houston were also in attendance. Jeff Yanko and Evan Wild, representing Enbridge, appeared to make representation regarding the application and answer questions.

Sam Stephenson, Tundra attended as an observer.

Reeve Tycoles adjourned the hearing at 1:10 p.m.

PUBLIC HEARING

August 14, 2014

At 1:15 p.m. a Public Hearing was held to hear representations respecting Enbridge Pipeline's Variation Order Application 2014/04 (NE 17-9-28 W.P.M.). All members of Council were present. CAO Greggor and Development Officer David Houston were also in attendance. Jeff Yank and Evan Wild, representing Enbridge, appeared to make representation regarding the application and answer questions.

Sam Stephenson, Tundra attended as an observer.

Resolution No: 2014 08 32

Moved By: Myles VanDamme

Seconded By: Jack Forsyth

“Now Therefore Be It Resolved that the Public Hearing be adjourned at 1:20 p.m.”

Carried

PUBLIC HEARING

August 14, 2014

At 1:30 p.m. a Public Hearing was held to hear representations respecting Adam Finlay's Variation Order Application 2014/05 and Conditional Use Application 2014/06 (SE 20-9-26 W.P.M.). All members of Council were present. CAO Greggor and Development Officer David Houston were also in attendance.

No person appeared to make representation regarding the application.

Reeve Tycoles adjourned the hearing at 1:40 p.m.

PUBLIC HEARING

August 14, 2014

At 1:45 p.m. a Public Hearing was held to hear representations respecting Kent Schiltroth's Variation Order Application 2014/06 (Lot 7-8, Block 12, Plan 154). All members of Council were present. CAO Greggor and Development Officer David Houston were also in attendance.

No person appeared to make representation regarding the application.

Resolution 2014 08 39

Moved By: Myles VanDamme

Seconded By: Bob Duncan

“Now Therefore Be It Resolved that the Public Hearing be adjourned at 2:10 p.m.”

Carried