

RURAL MUNICIPALITY OF CARTIER

REGULAR MEETING

January 26th, 2009

Minutes of the Regular Meeting of the Council of the Rural Municipality of Cartier held on Monday, January 26th, 2009 scheduled for 7:00 PM in the Municipal Council Chambers, 28 PR 248 South, in Elie, Manitoba.

ATTENDANCE

Reeve:	Roland Rasmussen – present
Ward Councillors:	
St. Eustache-Poplar Point:	Ken Beaudin – present
Elie-Glengarry:	Gerry Arnal – present
Dacotah-Springstein:	Dale Fossay – present
Assiniboine Centre:	Marshall Piper – present
Lido Plage-Whitehorse:	Andrew Peters – present
Chief Administrative Officer:	Lynn Kauppila – present
Assistant CAO:	Janine Bray-Klimack – present
Public Works Administrator:	Tim deDelley – absent

CALL TO ORDER

Reeve Rasmussen called the meeting to order at 7:00 PM.

MINUTES

18 – 09 Arnal – Peters: That the minutes of the Regular Meeting held on January 12th, 2009 be and are hereby confirmed and adopted.

FOR: 6 AGAINST: 0
CARRIED

ADOPTION OF MEETING AGENDA

19 – 09 Fossay – Piper: That the meeting agenda as prepared by the Chief Administrative Officer be and is hereby adopted subject to the following additions:

5.10 Highway Traffic Board – Application for field crossing
7.5 Meeting with DOW – Verbal Update by Reeve Rasmussen
10.1 Land Use Matters – SW & SE 35-10-2W

FOR: 6 AGAINST: 0
CARRIED

PUBLIC WORKS ADMINISTRATOR REPORT

20 – 09 Peters – Beaudin: That the PWA report dated January 21st, 2009 be and is hereby received as information.

FOR: 6 AGAINST: 0
CARRIED

**MWWA ANNUAL CONFERENCE & TRADE SHOW
MARCH 22 TO 25, 2009 – BRANDON**

- 21 – 09 Fossay – Piper: That Waterworks Employees Jason Tanguay and Andrew Waldner are hereby authorized to attend the Municipal Water & Wastewater Association Annual Conference and Trade Show scheduled for March 22 to 25th, 2009 in Brandon, Manitoba.

And further that all costs incurred associated therewith be paid/reimbursed in accordance with municipal policy.

FOR: 6 AGAINST: 0
CARRIED

2009 GRAVEL CONTRACT

- 22 – 09 Peters – Arnal: That Council hereby accepts the proposal dated December 3rd, 2008 from D. Humiski Trucking, High Bluff, Manitoba, for the year 2009, in amounts as shown therein at a price of \$13.42/per tonne for "C" traffic gravel and \$17.40/per tonne for limestone.

And Further That the Reeve and CAO are hereby authorized to sign the 2009 Traffic Gravel and 2009 Limestone Contract Agreements.

FOR: 6 AGAINST: 0
CARRIED

CULVERT ORDER

- 23 – 09 Beaudin – Peters: That the PWA be and is hereby authorized to order culverts, couplers and flood-gates from Armtec Limited as shown in a price quotation dated January 14th, 2009; the cost thereof not to exceed \$22,000.00, excluding all taxes.

FOR: 6 AGAINST: 0
CARRIED

2009 GRANT-IN-AID WORKS

- 24 – 09 Arnal – Beaudin: That the Department of Infrastructure and Transportation – Highways Division be requested to cost share on a 50/50 basis the following grant-in-aid works:

- i) LUD OF ELIE: dust control and associated works on Deslauriers Road South (PTH #1 to elevator access – 0.56 km)
Total Estimated Cost: \$2,000.00
- ii) ST. EUSTACHE: dust control and associated works on Allarie Street North (end of asphalt to “Ducharme Road” – 0.25 km)
Total Estimated Cost: \$900.00
- iii) LUD OF ELIE: asphalt and associated works on Legault Lane.
(length 129.54 m, width 7.9 m)
Total Estimated Cost: \$45,000.00
- iv) LUD OF ELIE: asphalt and associated works on Alaire Street.
(length-304.8 m, width-7.0m)
Total Estimated Cost: \$80,000.00

FOR: 6 AGAINST: 0
CARRIED

DELEGATION
ARCHANGEL FIREWORKS INC.

Tim Langevin and Sean Procter of Archangel Fireworks Inc. attended the meeting to discuss the possibility of relocating the business offices and fireworks storage magazine to within the Municipality. Council recommended Archangel Fireworks keep in touch with the Development Officer when researching any potential properties. Mr. Langevin and Mr. Procter left the meeting.

DELEGATION – N-49 BROKERAGE
REQUEST TO AMEND RECYCLING CONTRACT

Jim Moore attended the meeting to discuss with Council recent market changes in the recycling business. Mr. Moore left the meeting.

25 – 09 Arnal – Beaudin: That Council hereby approves the implementation of a \$30.00 per tonne surcharge on the contract with N-49 Brokerage due to recent recycling market changes.

FOR: 5 AGAINST: 1
 CARRIED

ACCOUNTS

26 – 09 Piper – Peters: That payment of the following accounts are hereby approved or ratified, as the case may be:

\$109,047.55 – Cheques A19361 to A19397
 \$307,254.45 – Cheques 13884 to13892 (Cheque #13883-VOID)

FOR: 6 AGAINST: 0
 CARRIED

TRANSFER OF FUNDS
YEAR END ADJUSTMENTS

27 – 09 Peters – Fossay: That the following transfer of funds be and are hereby approved by Council to augment the specific reserve as hereinafter listed:

Reserve Name	Amount	Particulars
General Reserve	\$40,000.00	Utilize funds for purchase of culverts
General Reserve	\$46,000.00	Utilize funds for new landfill cell
General Reserve	\$11,000.00	Utilize funds for the replacement of the CHC Heating and air conditioning system
Emergency Equip. Reserve	\$50,000.00	2008 surplus from emergency operations and purchase of fire tanker
Garbage Reserve	\$28,788.83	2008 surplus from operations
Recreation Reserve	25,000.00	Augment Recreation/Cultural Reserve
Machinery Replacement Reserve	20,000.00	Augment Machinery Replacement Reserve

FOR: 6 AGAINST: 0
 CARRIED

**COMMITTEE OF THE LUD OF ELIE
2009 SERVICE PLAN (BUDGET)**

- 28 – 09 Arnal – Piper: Pursuant to Section 120(1) (b) of The Municipal Act, Be It Resolved That the 2009 Service Plan of the Local Urban District (LUD) of Elie (total operating expenditures of \$216,173.00) as adopted and submitted by the Committee of the LUD of Elie be and is hereby approved and adopted.

FOR: 6 AGAINST: 0
CARRIED

**CENTRAL PLAINS INC.
MEMBERSHIP RENEWAL**

- 29 – 09 Peters – Beaudin: That the Rural Municipality of Cartier membership in Central Plains Inc. be hereby renewed for the year 2009;

And Further That the per capita membership fee in the amount of \$2,340.00 be and is hereby approved for payment.

FOR: 6 AGAINST: 0
CARRIED

**LEAFY SPURGE STAKEHOLDERS GROUP
REQUEST FOR CONTRIBUTION**

- 30 – 09 Fossay – Peters: That a contribution of \$100.00 be made to the Leafy Spurge Stakeholders Group of Manitoba to provide funding for the core activities of this group, including continued extension and awareness activities.

FOR: 5 AGAINST: 1
CARRIED

2009 WAGE & SALARY REPORT

- 31 – 09 Fossay – Piper: That the employee wage and salary report dated December 2008 for the year 2009 and amended on January 12th, 2009 be and is hereby ratified.

FOR: 6 AGAINST: 0
CARRIED

**ASSISTANT CAO OVERTIME HOURS
STAFF SHORTAGE**

- 32 – 09 Beaudin – Peters: That payment to Janine Bray-Klimack, Assistant CAO, for additional hours worked due to a staff shortage beginning July, 2008, at overtime rates, be and is hereby ratified.

FOR: 6 AGAINST: 0
CARRIED

**ST. EUSTACHE LOW PRESSURE SEWER PROJECT
BUILDING CANADA FUND APPLICATION**

- 33 – 09 Fossay – Peters: That the hiring of JR Cousin Consultants Ltd. to prepare a Building Canada Fund application for the proposed St. Eustache Low Pressure Sewer System and Lagoon Project at a cost of approximately \$700.00 be and is hereby ratified.

FOR: 6 AGAINST: 0
CARRIED

**WHITE HORSE PLAINS PLANNING DISTRICT
2009 OPERATING BUDGET**

34 – 09 Peters – Arnal: That 2009 Levy for the White Horse Plains Planning District in the amount of \$26,928.00 be and is hereby approved for payment.

FOR: 6 AGAINST: 0
CARRIED

**HIGHWAY TRAFFIC BOARD
APPLICATION FOR PERMIT**

35 – 09 Peters – Piper: That the municipality hereby agrees to submit the permit application to The Highway Traffic Board for a field crossing located on part of OT RL 23 SFX (Roll No. 12200);

And That the application fee of \$50.00 be and is hereby approved for payment.

FOR: 6 AGAINST: 0
CARRIED

CORRESPONDENCE

36 – 09 Arnal – Beaudin: That correspondence received be dealt with as follows:

1. Association of Manitoba Municipalities (i) News Bulletin dated January 14th, 2009 (ii) Member Advisory News Release re: Building Canada Fund.

Received by Council as information.

2. Manitoba Water Services Board – Notice of water rate increase of 2.0% effective April 1st, 2009.

Received by Council as information.

3. City of Brandon – Rates for audio recordings and transcripts for 2009.

Received by Council as information.

4. Province of Manitoba News Release dated January 14th, 2009 – *New Health-Care Centre dedicated to teenagers opens in Portage la Prairie.*

Received by Council as information.

5. RM of Grey – Notice of Public Hearing for application for Conditional Use 20-CU-08 – February 18th, 2009 – 11:00 AM – Grey Municipal Office in Elm Creek.

Received by Council as information.

FOR: 6 AGAINST: 0
CARRIED

CHIEF ADMINISTRATIVE OFFICER REPORT

37 – 09 Peters – Piper: That the CAO Report dated January 22nd, 2009 be and is hereby received as information.

FOR: 6 AGAINST: 0
CARRIED

**MISCELLANEOUS ACCOUNTS
RECEIVABLE REPORT**

- 38 – 09 Beaudin – Piper: That the Miscellaneous Accounts Receivable Report (Invoice No. 5494 to 5504) for the period from December 31st, 2008 to January 23rd, 2009 is hereby received by Council as information and approved.

FOR: 6 AGAINST: 0
CARRIED

**CHIEF ADMINISTRATIVE OFFICER
RESIGNATION**

- 39 – 09 Fossay – Arnal: That a letter of resignation, effective February 6th, 2009, received from Lynn Kauppila from her position as Chief Administrative Officer be and is hereby accepted by Council, with regret.

FOR: 6 AGAINST: 0
CARRIED

2009 TAX SALE

- 40 – 09 Fossay – Peters: Pursuant to the provisions of Section 365 (2) of The Municipal Act, Be It Resolved that Council hereby designates 2008 as the year for which property taxes which are in arrears must be offered for sale by auction to recover tax arrears and costs;

And Further That the Tax Sale Auction Date is hereby set for Wednesday, October 14th, 2009;

And Further That the Municipality retain the services of TAXervice to provide management of the Rural Municipality of Cartier tax sale process;

And Further That Central Auction and Appraisal Service of Portage la Prairie, Manitoba be and is hereby appointed auctioneer for that purpose.

FOR: 6 AGAINST: 0
CARRIED

- 41 – 09 Arnal – Piper: Pursuant to Section 363 (1) of The Municipal Act and Manitoba Regulation 50/97 thereunder, that an administration fee of \$50.00 be charged against each and every roll entry which is subject to Notice of Tax Sale.

FOR: 6 AGAINST: 0
CARRIED

- 42 – 09 Beaudin – Fossay: Pursuant to Section 372 of The Municipal Act, Be It Resolved that the following terms and conditions for the annual tax sale auction are hereby adopted:

- 1) The Purchaser of property at a tax sale auction will be responsible for the current year's taxes;
- 2) Possession of the property shall be obtained at the Purchaser's own expense;
- 3) The Purchaser shall bear all other expenses including searches, investigations, registrations, land transfer tax and GST;
- 4) Council may set a reserve bid in the amount of all tax arrears and costs;
- 5) The Municipality makes no representation or warranty whatsoever concerning the properties being sold;
- 6) The risk for the property lies with the purchaser immediately following the auction;

- 7) The successful Purchaser shall, at the time of the sale, pay in cash, certified cheque or bank draft to the Rural Municipality of Cartier:
 - (ii) if the purchase price is less than \$1,000.00 - payment in full;
 - (iii) if the purchase price is \$1,000.00 or more - \$1,000.00 deposit and the balance of the purchase price shall be due and payable in cash, certified cheque or bank draft to the Rural Municipality of Cartier no later than 4:30 p.m. on the day of the sale; and
- 8) If the purchaser fails to pay the balance of the purchase price within the time limit set forth above, the deposit shall be absolutely forfeited to the Rural Municipality of Cartier.

FOR: 6 AGAINST: 0
CARRIED

UPDATE ON DOW

Reeve Rasmussen provided Council with a verbal report on the meeting that took place on January 26th, 2009. Present to discuss matters relating to the fire that took place on January 22nd, 2009 at the straw bales were representatives from DOW Canada, Fire Chief Bouchard, Reeve Rasmussen and CAO Kauppila.

COMMITTEE / MEETING REPORTS

43 – 09 Beaudin – Piper: That the following meeting minutes / reports:

- o Committee for the LUD of Elie Minutes of January 21st, 2009

be hereby received as information.

FOR: 6 AGAINST: 0
CARRIED

LAND USE MATTERS **SW & SE 35-10-2W**

Covered when Archangel Fireworks delegation attended the meeting.

IN-CAMERA SESSION **PERSONNEL MATTERS**

44 – 09 Arnal – Peters: That Council convene, in camera, as a Committee of the Whole, to discuss personnel issues; time 8:30 PM.

FOR: 6 AGAINST: 0
CARRIED

45 – 09 Piper – Beaudin: That Council re-convene its Regular Meeting of Council; time 9:30 PM.

FOR: 6 AGAINST: 0
CARRIED

ACTING CAO

46 – 09 Peters – Arnal: That Roger Bouvier be retained as acting Chief Administrative Officer for the RM of Cartier at the rate of \$60.00/hr (includes expenses and mileage);

And Further That Yves Sabourin be retained as Municipal Advisor for the RM of Cartier at the rate of \$40.00/hr (expenses and mileage extra).

FOR: 6 AGAINST: 0
CARRIED

ADJOURNMENT

47 – 09 Fossay – Beaudin: That the meeting be and is hereby adjourned at 9:30 PM.

FOR: 6 AGAINST: 0
CARRIED

Roland Rasmussen
Reeve

Lynn Kauppila
Chief Administrative Officer