

THE RURAL MUNICIPALITY OF OAKVIEW

The minutes of the eleventh regular meeting of the Council of the Rural Municipality of Oakview held Tuesday, May 30th, 2017 at 8:30 a.m. in the Council Chambers of the municipal office in Oak River.

PRESENT: REEVE: Brent Fortune  
COUNCILLORS: Mark Gill, Ken Hyndman, Kaye Wolstenholme,  
Neil Wilson, Gavin Reynolds, and Walter Froese.  
CHIEF ADMINISTRATIVE OFFICER: Diane Kuculym

Reeve Brent Fortune presiding.

**ADOPTION OF AGENDA**

Motion : W. K. Wolstenholme - G. Reynolds  
#210/17: That the agenda for May 30<sup>th</sup>, 2017 be adopted as presented. CARRIED.

**MINUTES**

Motion : M. Gill - K. J. Hyndman  
#211/17: That the minutes of the tenth regular meeting of the Rural Municipality of Oakview held May 9th, 2017, be adopted as circulated. CARRIED.

**REPORTS OF COMMITTEES**

The Roads and Drainage committee discussed culvert replacements and a Council member is to discuss drainage concerns with Hamiota Municipality. Projects to be done in 2017 were discussed as well as sign off for drainage permits being applied for by the municipality. G. Reynolds and K. Hyndman viewed the Cardale Lakes with an engineer to get a quote for proposed work. Crushing has been completed in the Krahn pit and dust control should be applied on June 8<sup>th</sup> and 9<sup>th</sup>, 2017.

Councillor Reynolds updated Council on work done on the Rapid City rink, to date.

Councillor Hyndman reported on the Minnedosa Economic Development AGM meeting he attended in Minnedosa and certain sidewalks in Rapid City that need to be repaired.

Reeve Fortune reported on the meeting that representatives from Manitoba Infrastructure and Transportation had with him and the C.A.O. to discuss the re-paving on PTH #16 this summer.

The machine committee reported on issues being incurred with the former Rapid City truck.

The C.A.O. discussed inquiries received regarding the animal control by-law; a cemetery tour to be held June 16<sup>th</sup> and 17<sup>th</sup>; property standards; and spruce trees in ditches.

**ADJOURNMENT**

Motion : Walt Froese - M. Gill  
#212/17: That the Council of the R.M. of Oakview do now adjourn to reconvene again after the Public Hearing for the Conditional Use Application for Ken Bayes. CARRIED.

**PUBLIC HEARING - CONDITIONAL USE APPLICATION #2-0-17-CU BAYES)-9:00 a.m.**

In attendance: Brent Fortune, Chair; Mark Gill, Ken Hyndman, Walt Froese, Neil Wilson, Gavin Reynolds, Kaye Wolstenholme, and Diane Kuculym, C.A.O.

Public Attendance: Ken Bayes and Yvonne Grant

Chairperson Fortune opened the hearing. The C.A.O. advised that the purpose of the hearing was to receive public presentations from any person who wish to make them in respect to the establishment of a mobile/modular home within the "UD" Urban Development zone and legally described as Lots 8 - 10; Block 53; Plan A; 210 Sixth Avenue, Rapid City in the R.M. of Oakview.

**PUBLIC HEARING**

The hearing was advertised and notices were placed as required.

Public Presentations: No presentations were received.

Questions: None

**The hearing closed at 9:10 a.m.**

**PUBLIC HEARING ADJOURNED**

Motion : K. J. Hyndman - W. K. Wolstenholme  
#213/17: That Council, having completed its duties at the Public Hearing to hear public presentations in respect to the conditional use for Ken Bayes; do now close the hearing and reconvene the regular council meeting.

CARRIED.

**CONDITIONAL USE APPLICATION (KEN BAYES)**

Motion : G. Reynolds - Neil Wilson  
#214/17: Whereas a public hearing was held on May 30th, 2017 to hear representation for or against the proposed Conditional Use Application Order No. 02-0-17-CU, being made by Ken Bayes, to provide for the establishment of a mobile/modular home within the "UD" Urban Development Zone;  
And whereas no representation was received on the proposed conditional use application;  
Therefore, be it resolved that the Council of the Rural Municipality of Oakview approve the Conditional Use Application of Ken Bayes for File No. 02-0-17-CU and being legally described as Lots 8 - 10; Block 53; Plan A; 210 Sixth Ave. Rapid City, in the R.M. of Oakview (Roll #424400).

CARRIED.

**ADJOURNMENT**

Motion : Neil Wilson - Walt Froese  
#215/17: That the Council of the R.M. of Oakview do now adjourn to reconvene again after the Public Hearing for the Variation Application for CL van Veen Carpentry Ltd. (D. Rimmer).

CARRIED.

**PUBLIC HEARING-VARIATION APPLICATION #01-0-17-VO-(D. RIMMER)-9:15 A.M.**

In attendance: Brent Fortune, Chair; Mark Gill, Ken Hyndman, Walt Froese, Neil Wilson, Gavin Reynolds, Kaye Wolstenholme, and Diane Kuculym, C.A.O.

Public Attendance: None

Chairperson Fortune opened the hearing. The C.A.O. advised that the purpose of the hearing was to receive public presentations from any person who wish to make them in respect to the request for relief of the minimum front yard setback of 125 feet, to be varied to 100 feet, to provide for the construction of a 14 x 16 foot addition onto the existing dwelling establishment legally described as SW ¼ of 35-14-22W in the R.M. of Oakview.

The hearing was advertised and notices were placed as required.

Public Presentations: No presentations were received.

Questions: None

**The hearing closed at 9:20 a.m.**

**PUBLIC HEARING ADJOURNED**

Motion : K. J. Hyndman - Walt Froese  
#216/17: That Council, having completed its duties at the Public Hearing to hear public presentations in respect to the variation order for CL van Veen Carpentry Ltd. (D. Rimmer) do now close the hearing and reconvene the regular council meeting.

CARRIED.

**VARIATION ORDER APPLICATION #01-0-17-VO-(D. RIMMER)**

Motion : G. Reynolds - Neil Wilson  
#217/17: Whereas a public hearing was held on May 30th, 2017 to hear representation for or against the proposed Variation Order Application No. 01-0-17-VO, being made by Leo van Veen for D. & S. Rimmer, to request relief of the minimum front yard setback of 125 feet, to be varied to 100 feet, to provide for the construction of a 14 x 16 foot addition onto the existing dwelling;  
And whereas no representation was received on the proposed variation order application;  
Therefore, be it resolved that the Council of the Rural Municipality of Oakview approve the Variation Order Application of Leo van Veen for D. & S. Rimmer for File No. 01-0-17-VO and being legally described as the SW ¼ of 35-14-22W in the R.M. of Oakview. (Roll #83000).

CARRIED.

**ADJOURNMENT**

Motion : Neil Wilson - G. Reynolds  
#223/17: That the Council of the R.M. of Oakview do now adjourn to reconvene again after the Public Hearing for the Animal Control By-Law.

CARRIED.

**PUBLIC HEARING FOR ANIMAL CONTROL BY-LAW - 9:30 a.m.**

In attendance: Brent Fortune, Chair; Mark Gill, Ken Hyndman, Walt Froese, Neil Wilson, Gavin Reynolds, Kaye Wolstenholme, and Diane Kuculym, C.A.O.

Public Attendance: Ben & Chantel Oraschuk

Chairperson Fortune opened the hearing. The C.A.O. advised that the purpose of the hearing was to receive further information regarding the order to comply with the animal control by-law which limits the number of dogs to two for one dwelling unit. Information received from the ratepayer was received as well as information received from our solicitor.

The hearing closed at 9:40 a.m.

**PUBLIC HEARING ADJOURNED**

Motion : W. K. Wolstenholme - Neil Wilson  
#224/17: That Council, having completed its duties at the public hearing under the animal control by-law do now close the hearing and reconvene the regular council meeting.

CARRIED.

**PUBLIC HEARING FOR ANIMAL CONTROL BY-LAW**

Motion : Neil Wilson - W. K. Wolstenholme  
#225/17: Whereas a ratepayer in Oak River has informed Council that he has owned more than two dogs since he moved to Oak River and that this was allowed until the R.M. of Oakview passed By-Law No. 2015-16 which was amended by By-Law No. 2017-4;  
And Whereas the ratepayer has requested that the by-law be amended to include a "grand-fathering" clause to provide for dog owners that had more than two dogs at the time the by-law came into force to be allowed to keep the dogs they have, but once a dog passes away or is no longer living with the owner, the owner must comply with the number restriction;  
And Whereas Council has received representation regarding this matter;  
Therefore, be it resolved that the Council of the R. M. of Oakview allow the ratepayer to keep the dogs he currently has but once a dog passes away or is no longer living with the owner, the owner must comply with the number restriction and the owner must make every effort to be in compliance with By-Law No. 2017-4;  
And be it further resolved that By-Law No. 2017-4 be amended to allow for a grandfathering for dog owners who had more than two dogs on August 11<sup>th</sup>, 2015.

CARRIED.

**DELEGATIONS**

1. Public works supervisor, Mel Alex, attended the meeting at 10:00 a.m. The delegate updated council on roads being repaired in the municipality; culverts to be replaced; and concerns with the Cardale machine.
2. Gerald Winstone attended the meeting at 11:00 a.m. The delegate discussed drainage issues and road maintenance with Council members and offered suggestions to Council to improve drainage in the municipality. Mr. Winstone also discussed concerns he encountered in Saskatchewan with a business.

**ARISING FROM THE MINUTES**

1. Disaster Financial Assistance - waiting for information for the program.
2. Cardale Lakes - G. Newton to provide some information after meeting with Council members on May 29<sup>th</sup>, 2017.
3. Dust control - Areas where dust control is to be applied was discussed. A request for dust control on a certain street in Rapid City was brought to the attention of Council.

**UNFINISHED BUSINESS**

1. Tanners Crossing Planning District - Further to a request from the R. M. of Oakview, Reeve Fortune and Deputy Reeve Wolstenholme were invited to attend a meeting on June 28<sup>th</sup> at 7:30 p.m.

**GENERAL BUSINESS**

1. Municipal Road Improvement Plan - Projects to be completed under the municipal road improvement plan were discussed. The application is due June 1<sup>st</sup>, 2017

Motion: W. K. Wolstenholme - Walt Froese  
#218/17: Whereas the Council of the R. M. of Oakview have roads to repair in the R. M. of Oakview that meet the criteria for the "Municipal Road Improvement Program" guidelines; Therefore, be it resolved that the Council of the R. M. of Oakview authorize the C.A.O. to apply for funding for the "Municipal Road Improvement Program" for road construction in the R. M. of Oakview and approve the cost-sharing of projects with the Province of Manitoba.

CARRIED.

2. Manitoba Infrastructure and Transportation - request for support for paving project and realigning access onto PTH #16.

Motion : G. Reynolds - Walt Froese  
#219/17: Whereas representatives from Infrastructure and Transportation met with the Reeve and C.A.O. to review work to be done on PTH #16 in 2017 and request support for the project; Therefore, be it resolved that the Council of the R. M. of Oakview do hereby support the paving project being undertaken by Manitoba Infrastructure and Transportation from PR #250 to PTH #10 on PTH #16 in 2017.

CARRIED.

Motion : Neil Wilson - M. Gill  
#220/17: Whereas representatives from Infrastructure and Transportation met with the Reeve and C.A.O. to review work to be done on PTH #16 in the forthcoming years and request support for the proposed project; Therefore, be it resolved that the Council of the R. M. of Oakview do hereby support Manitoba Infrastructure and Transportation purchasing Right-Of-Ways and realigning intersections and access ways off PTH #16 in Oakview to make them safer for people travelling on the road.

CARRIED.

**NEW BUSINESS**

Motion : Neil Wilson - G. Reynolds  
#221/17: Whereas Manitoba Infrastructure and Transportation will be completing a repaving project on PTH #16 in Oakview near the hamlet of Basswood;  
Therefore, be it resolved that the Council of the R. M. of Oakview request that the access into Basswood be repaved by the Manitoba Infrastructure and Transportation when the work is being completed.

CARRIED.

3. Manitoba Intergovernmental Affairs - Contribution Agreement to be signed for lagoon project

Motion : M. Gill - W. K. Wolstenholme  
#222/17: Whereas the Contribution Agreement under the Clean Water and Wastewater Fund and the R. M. of Oakview has been received for the Rapid City Lagoon project;  
Therefore, be it resolved that the Council of the R.M. of Oakview authorize the Reeve and C.A.O. to sign the agreement between the Province of Manitoba and the R.M. of Oakview for funding under the Rapid City Wastewater Treatment Lagoon Project, CWWF# 1063.

CARRIED.

4. Tax sale property - request for quotes to demolish building.

Motion : W. K. Wolstenholme - M. Gill  
#226/17: Whereas 3 quotes were received and reviewed for the demolition and removal of the building, foundation, and any contents and the levelling of the site located on Lot 12 and 13, Block 1 Plan 429 in Basswood;  
Therefore, be it resolved that the Council of the R. M. of Oakview agree to contract Country Ventures Repair & Maintenance Ltd. to complete the demolition of the building located on Lot 12 and 13, Block 1, Plan 429 in Basswood as per the "Request for Quote" for the price of \$4,750.00 plus GST. The work to be completed by July 15<sup>th</sup>, 2017.

CARRIED.

5. Rapid City landfill operator - two applications were received.

Motion: K. J. Hyndman - Neil Wilson  
#227/17: That the Council of the R. M. of Oakview agree to hire Douglas Luce as the part-time Rapid City landfill employee as of June 1<sup>st</sup>, 2017.

CARRIED.

6. Graveling for 2017 - gravel maps are being completed.

7. Oak River utility - additional expenses incurred at the lift station due to damage done to a hydro pole was brought to the attention of Council.

Motion : K. J. Hyndman - Walt Froese  
#228/17: Be it resolved that the Council of the R. M. of Oakview authorize the C.A.O. to bill a ratepayer for costs incurred by the Oak River utility due to damage done to a hydro pole on May 12<sup>th</sup>, 2017.

CARRIED.

8. Repairs to be done to sidewalks in Rapid City.

Motion : K. J. Hyndman - Neil Wilson  
#229/17: That the Council of the R. M. of Oakview authorize O.P. Knox to complete sidewalk repairs in Rapid City, MB.

CARRIED.

Due to time restraints the balance of the agenda was tabled until the next regular meeting.

**ACCOUNTS AND FINANCES**

Motion: Neil Wilson - W. K. Wolstenholme  
#230/17: Be it resolved that the report of the Finance Committee be received and that the R. M. of Oakview's General Pay List Cheques #2770 - #2800 and Payroll Cheques #51904 - #51921 amounting to \$94,345.17 and unpaid invoices amounting to \$170,054.42, having been certified by said Committee, be passed for payment.

CARRIED.

Pursuant to Section 5(1) of the Municipal Council Conflict of Interest Act, Councillor Mark Gill declared a personal interest in the following item and withdrew from the meeting during the following agenda item.

Motion: G. Reynolds - Walt Froese  
#231/17: That the Council of the R. M. of Oakview do hereby authorize the C.A.O. to pay Gill Farms Ltd. \$100,458.76 for work completed to this spring to help prevent road washouts and for repairs completed due to the overland flooding.

CARRIED.

**NOTICE OF MOTION** - No notices were received.

**ADJOURNMENT**

Motion: K. J. Hyndman - Walt Froese  
#232/17: That the meeting now adjourn to meet again on Tuesday, June 13<sup>th</sup> at 9:00 a.m. or at the Call of the Chair.

CARRIED.

TIME: 12:40 p.m.

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REEVE

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CHIEF ADMINISTRATIVE OFFICER