

THE RURAL MUNICIPALITY OF OAKVIEW

The minutes of the twenty-third regular meeting of the Council of the Rural Municipality of Oakview held Tuesday, December 4th, 2018 at 9:00 a.m. in the Council Chambers of the municipal office in Oak River.

PRESENT: REEVE: Brent Fortune
 COUNCILLORS: Mark Gill, Walt Froese, Leo van Veen and
 Gavin Reynolds (after 9:20 a.m.)
 C.A.O.: Diane Kuculym
ABSENT: Neil Wilson and Ken Hyndman

Reeve Brent Fortune presiding.

ADOPTION OF AGENDA

Motion : L. van Veen – Walt Froese
#423/18: That the agenda for December 4th, 2018 be adopted as presented.

CARRIED.

MINUTES

Motion: L. van Veen – Walt Froese
#424/18: That the minutes of the twenty-second regular meeting held on November 20th, 2018 be adopted as circulated.

CARRIED

REPORTS OF COMMITTEES

The Roads and Drainage Committee discussed the removal of a beaver dam that is holding back water in Ward 3. Areas in the municipality that need to be scrub-cut to improve snow removal and/or safety were discussed.

The Machinery Committee reported that a seal had to be replaced in John’s grader but has been fixed. New tires are required and were authorized to be ordered and installed. An additional radio for the loader was discussed.

The Waste Management and Recycling Committee discussed changing the hours of garbage pick-up and landfill hours during the Christmas Season.

RECEPTION OF DELEGATIONS

1. Public Works Supervisor, Melvin Alex, attended the meeting at 9:20 a.m. The public works supervisor discussed areas that need to be scrub-cut and updated Council on repairs required on the grader.

2. A delegation comprised of Lois Hyndman; Beat Gamper; Chris Raupers; Allan Riley and Phillip Kleinsasser attended the meeting at 11:30 a.m. The delegation informed Council that they would like to see the zoning by-law changed so that a conditional use hearing is held in the municipality if the animal units are over 200. Siting requirements for proposed intensive hog barns and effects on the environment; adjacent land; drainage; water supply; and the possible spread of disease were discussed. Provincial guidelines in regards to intensive livestock operations were discussed. Information received through *The Freedom of Information and Protection of Privacy Act (FIPPA)* was presented to Council for review.

ADJOURNMENT

Motion : G. Reynolds – Walt Froese
#425/18: That the Council of the R. M. of Oakview do now adjourn to reconvene again after the Public Hearing for a Conditional Use Application for Ryan Schroeder.

CARRIED.

PUBLIC HEARING – 10:00 A.M. – Conditional Use Order for Ryan Schroeder

The hearing was advertised and notices were placed as required.

In attendance: Brent Fortune, Chair; Walt Froese, Leo van Veen, Mark Gill, Gavin Reynolds and Diane Kuculym, C.A.O.

Public Attendance: None

Public Hearing Closed at 10:10 a.m.

PUBLIC HEARING CLOSED

Motion : L. van Veen – M. Gill
#426/18: That the Council, having completed its duties at the Public Hearing to hear public presentations in respect to the Conditional Use Application for Ryan Schroeder, do now close the hearing and reconvene the regular council meeting.

CARRIED.

Motion : Walt Froese – L. van Veen
#427/18: Whereas a public hearing was held on December 4th, 2018 to hear representation for or against the proposed Conditional Use Order Application No. 08-O-18-CU, being made by Ryan Schroeder to provide for the establishment of a Non-Farm Dwelling within the “AG” Agricultural General 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 Order Application of Ryan Schroeder for File No. 08-O-18-CU and being legally described as part of the NW ¼ of 14-14-19 W, R.M. of Oakview (Roll #250100).

CARRIED.

ARISING FROM THE MINUTES

1. Closing of public road in Rapid City – Information received from Community Planning was reviewed with Council. A surveyor is preparing a plan with a deposit number so that the by-law can be circulated for provincial review.
2. Meetings with Ministers – Meetings were held with two ministers during the annual AMM conference.
3. Water North of the river – Information received from MWSB was reviewed with Council. A survey was sent out and more information is to be obtained in regards to this in the future.

UNFINISHED BUSINESS

1. Rapid City utility – A draft water rate by-law was reviewed by Council as well as information received from Way To Go Consulting.

Motion : L. van Veen – G. Reynolds
#428/18: Whereas the Rapid City Utility incurred audited operating deficits, calculated in accordance with Public Utilities Board requirements, of \$27,968 in 2016 and \$18,073 in 2017;
 And Whereas Rapid City Utility has a Working Capital in 2017 of \$62,060, after adjustments for timing differences related to capital infrastructure financing, which exceeds PUB minimum required Working Capital Surplus of 20% of expenses or \$41,504 in 2017;
 Therefore Be It Resolved that the Rural Municipality of Oakview request approval from the Public Utilities Board for the Rapid City Utility deficits of \$27,968 in 2016 and \$18,073 in 2017 with said deficits to be recovered through transfer from the accumulated cash surplus account of the Utility.

CARRIED.

2. Rapid City rink – Outstanding insurance claims were discussed. A volunteer board has been set-up to operate the Rapid City rink.
3. Rapid City lagoon – Contec Inc. was contacted to place a meter at the Rapid City lift station and a representative was out to Rapid City on November 30th, 2018. It was determined that the outside meter would not be accurate and therefore it was not installed. Information received from our engineer; Sustainable Development; and Craig McDonald was reviewed with Council.
4. Waste management and recycling – Information received from Clean Farm at the annual conference was reviewed with Council and additional information is to be obtained.
5. Rapid City Reservoir Restoration – A meeting held on November 30th, 2018 was discussed as well as a public meeting to discuss the project to be held on December 10th, 2018.

Motion : L. van Veen – Walt Froese
#429/18: Whereas the Rapid City Beach and Reservoir Committee would like permission to dispose of excavated material on municipal property;
 Therefore, be it resolved that the Council of the R. M. of Oakview do hereby authorize the Rapid City Beach and Reservoir Committee to dispose of the excavated material on Parcels 56 and 57 in Rapid City.

CARRIED.

UNFINISHED BUSINESS

6. Property standards – Information from Commissionaires –a by-law enforcement agency was reviewed with Council. Costs and procedures to be taken to contract them to enforce our property standards by-law are to be obtained.
7. Boundary road agreements – The agreement with Hamiota Municipality is still to be returned.
8. Asset management – The C.A.O. and one assistant viewed a webinar to discuss asset management.

BY-LAWS

1. By-Law #2018-8 – Rapid City Water Rate By-Law

Motion : Walt Froese – G. Reynolds
#430/18: Whereas the Rapid City Utility incurred PSAB, PUB adjusted, deficits in 2016 and 2017;
 And Whereas the RM of Oakview has completed a utility rate study that indicates that the Rapid City utility rates need to be increased accordingly;
 Therefore Be It Resolved That the Rural Municipality of Oakview Rapid City Utility Rates By-Law No 2018-08 be given first reading and submitted to the Public Utility Board for approval;
 And Further Be It Resolved That the Rural Municipality of Oakview request that the Public Utilities Board approve Utility Rates By-Law 2018-08 on an interim ex-parte basis.

CARRIED.

2. By-Law #2018-9 – Indemnity By-Law

Motion : M. Gill – Walt Froese
#431/18: That By-Law No. 2018-9, being the R.M. of Oakview indemnity by-law, be given first reading.

CARRIED.

GENERAL BUSINESS

Pursuant to Section 5(1) of the Municipal Council Conflict of Interest Act, Councillor Mark Gill and Councillor Walt Froese declared a personal interest in the following items and withdrew from the meeting:

1. Road gravelling tenders for 2019.

Motion : L. van Veen – G. Reynolds
#432/18: Whereas quotes were received and reviewed for hauling and placing gravel on municipal roads in Wards 1 and 2 for 2019;
 Therefore, be it resolved that the Council of the R. M. of Oakview agree to contract Les Moffat Inc. to load, haul and spread gravel in the municipality for 2019 as per the quote received dated December 3rd, 2018. Gravelling is to be completed by July 31st, 2019 on the condition that gravel is available.

CARRIED.

Motion : L. van Veen – G. Reynolds
#433/18: Whereas quotes were received and reviewed for hauling and placing gravel on municipal roads in the north part of Ward 3 for 2019;
 Therefore, be it resolved that the Council of the R. M. of Oakview agree to contract Gill Farms Ltd. to load, haul and spread gravel in the municipality for 2019 as per the quote received dated December 4th, 2018. Gravelling is to be completed by July 31st, 2019 on the condition that gravel is available.

CARRIED.

Motion : L. van Veen – G. Reynolds
#434/18: Whereas quotes were received and reviewed for hauling and placing gravel on municipal roads in the south part of Ward 3 for 2019;
 Therefore, be it resolved that the Council of the R. M. of Oakview agree to contract Gill Farms Ltd. to load, haul and spread gravel in the municipality for 2019 as per the quote received dated December 4th, 2018. Gravelling is to be completed by July 31st, 2019 on the condition that gravel is available.

CARRIED.

GENERAL BUSINESS

Motion : L. van Veen – G. Reynolds
#435/18: Whereas tenders have been received and reviewed to load, haul, and stockpile gravel from the McIntyre Pit to a road allowance in Ward 3 in the R.M. of Oakview;
 Therefore, be it resolved that the Council of the R. M. of Oakview accept the quote from Gill Farms Ltd. to load, haul and stockpile 8500 yards of gravel from the McIntyre Pit to a road allowance in Oakview as per the request for proposals. The work is to be done by December 15th, 2019 on the condition that gravel has been crushed in the pit before that date.

CARRIED.

Councillor's Mark Gill and Walt Froese returned to the meeting.

2. Reserve fund amounts to be transferred; administration costs for the utility to be transferred; fire hydrant rental to be transferred to the utility.

Motion : L. van Veen – M. Gill
#436/18: That the Council of the R. M. of Oakview authorizes the C.A.O. to transfer the following amounts from the Oakview Operating Fund to the reserve funds as per the 2018 financial plan:

1. \$130,000.00 to the Machinery Reserve Fund
2. \$81,711.35 to the Gas Tax Reserve Fund
3. \$40,000. to the Recreation Reserve Fund
4. \$50,000. to the Building Reserve Fund
5. \$30,000. to the Fire Reserve Fund

CARRIED.

Motion : M. Gill – L. van Veen
#437/18: Be it resolved that the Council of the Rural Municipality of Oakview does hereby authorize the C.A.O. to transfer surplus funds of up to \$35,000.00 to the Oak River Utility Reserve Fund from the Oak River Utility Operating Fund for 2018.

CARRIED.

Motion : Walt Froese – M. Gill
#438/18: Be it resolved that the Council of the R. M. of Oakview do hereby authorize the Chief Administrative Officer to transfer \$2,000.00 from the Oak River Utility Operating Fund to the Oakview General Operating Fund to cover administration costs of the Utility.

CARRIED.

Motion : L. van Veen – Walt Froese
#439/18: Be it resolved that the Council of the R. M. of Oakview authorizes the C.A.O. to transfer \$600.00 to the Oak River Utility Fund and \$380.00 to the Rapid City Utility fund for fire hydrant rental for 2018.

CARRIED.

3. Interest on cemetery perpetual care funds to be transferred.

Motion : M. Gill – Walt Froese
#440/18: Be it resolved that the Council of the R. M. of Oakview authorize the C.A.O. to transfer interest earned on the following perpetual care trust funds to the respective cemetery committees: Oak River Cemetery, Marney Cemetery, Miller Cemetery, Pettapiece Cemetery, Rivers Mennonite Cemetery and White Bank Lea Cemetery.

CARRIED.

4. Annual grants to cemeteries to be paid.

Motion : Walt Froese – L. van Veen
#441/18: Be it resolved that the Council of the R. M. of Oakview pay the annual interest from the Basswood War Memorial Trust and the Basswood Cemetery trust to the respective committees being the Basswood Community Club and the Basswood Cemetery Committee.

CARRIED.

Motion : Walt Froese – M. Gill
#442/18: Be it resolved that the R. M. of Oakview authorizes the C.A.O. to pay the annual interest to the Basswood Community Club on the Basswood Cenotaph and Centennial Park Trust and the J.R. Girling Memorial Trust for 2018.

CARRIED.

GENERAL BUSINESS

Motion : L. van Veen – M. Gill
#443/18: Be it resolved that the R. M. of Oakview authorizes the C.A.O. to pay the following grants according to By-Law No. 95-15 of the R.M. of Blanshard:

Oak River Cemetery Committee	\$1,684.93
White Bank Lea Cemetery Committee	\$ 657.34
Marney Cemetery Committee	\$1,127.38
Miller Cemetery Committee	\$ 211.13
Rivers Mennoite Cemetery Committee	\$1,787.92
Pettapiece Cemetery Committee	\$ 948.42

CARRIED.

Motion : M. Gill – L. van Veen
#444/18: Be it resolved that the Council of the R. M. of Oakview agree to grant \$1,250.00 to the Basswood Cemetery Committee, the Cadurcis Cemetery Committee, and the Newdale South Cemetery Committee for 2018.

CARRIED.

5. Tax sale date for 2019.

Motion : M. Gill – Walt Froese
#445/18: Be it resolved that the Council of the R. M. of Oakview designate 2018 as the tax sale year.

CARRIED.

6. Oak River Tournament of Champions - Donation of trophies to tournament.

Motion : M. Gill – L. van Veen
#446/18: Be it resolved that the Council of the R. M. of Oakview agree to donate trophies to the Atom's Tournament of Champions to be held in Oak River in January 2019.

CARRIED.

7. Payment to Council representatives on various boards.

Motion : L. van Veen – Walt Froese
#447/18: Be it resolved that the Council of the R. M. of Oakview authorize the C.A.O. to reimburse citizen representatives for the R. M. of Oakview for attending committee meetings on behalf of the R. M. of Oakview as per Resolution #28/15.

CARRIED.

8. Addition of outstanding bills to taxes.

Motion : L. van Veen – M. Gill
#448/18: Whereas Subsection 252 (2) of *The Municipal Act* indicates that utility charges and labour to carry out private works on private property, may be collected by the municipality in the same manner as a tax may be collected;
 And whereas there are overdue utility bills;
 Therefore, be it resolved that the Council of the R. M. of Oakview authorizes the C.A.O. to add over-due bills outstanding on December 31st, 2018 to the taxes of the benefiting properties.

CARRIED.

9. Payment to CDC for annual LSRCD building payment.

Motion : M. Gill – Walt Froese
#449/18: That the Council of the R. M. of Oakview agree to pay the Blanshard CDC \$2,100.00 to support the LSRCD office in Oak River as per Resolution #180/07.

CARRIED.

GENERAL BUSINESS

10. Interim budget for 2019

Motion : L. van Veen – G. Reynolds
 #450/18: Whereas in accordance with Section 163 of *The Municipal Act*, the Council of the R. M. of Oakview has made provisional estimates of all operating expenditures of the municipality for the period of January 1st, 2019 until the adoption of the annual estimates;
 Therefore, be it resolved that the following provisional estimates be hereby adopted:

REQUIREMENTS	OPERATING FUND
General Government Services	\$ 150,000.00
Protective Services	\$ 75,000.00
Transportation Services	\$ 150,000.00
Environmental Health Services	\$ 30,000.00
Public Health & Welfare Services	\$ 15,000.00
Environmental Development Services	\$ 15,000.00
Economic Development Services	\$ 20,000.00
Recreation And Cultural Services	\$ 20,000.00
Fiscal Services	<u>\$ 5,000.00</u>
Total	\$ 480,000.00

REQUIREMENTS	CAPITAL FUND
Borne by Reserves	\$300,000.00

UTILITY OPERATING REQUIREMENTS	
Oak River Utility	\$ 50,000.00
Rapid City Utility	<u>\$100,000.00</u>
Total Expenditures	\$150,000.00

UTILITY CAPITAL REQUIREMENTS	
Borne by Reserves	\$ 50,000.00
	CARRIED.

11. School levies for December to be paid

Motion : L. van Veen – Walt Froese
 #451/18: That the Chief Administrative Officer be hereby authorized to pay the percentage due on December 31st, 2018 for the 2018 school tax levies. The amounts due are:
 Public Schools Finance Board \$ 15,669.80
 Park West School Division\$ 5,076.21
 Rolling River School Division \$ 5,560.98
CARRIED.

12. Waste collecting/hauling contract with J. Vassart.

Motion : Walt Froese – L. van Veen
 #452/18: Be it resolved that the R. M. of Oakview authorizes the C.A.O. to renew one year agreements with waste collection/hauling contractors in Oak River for 2019.
CARRIED.

13. Children and Youth Opportunities – Grant deadline for student positions for 2019

Motion : L. van Veen – Walt Froese
 #453/18: Whereas the Green Team Grant applications are now available for organizations to apply for funding to hire youth for the 2019 summer season;
 Therefore, be it resolved that the Council of the R. M. of Oakview authorize the C.A.O. to apply for Green Team grants to hire youth for the summer season in Oak River and Rapid City.
CARRIED.

14. R. M. of Riverdale – A meeting has been requested to discuss fire agreements between the two municipalities. A meeting is to be arranged as soon as possible.

GENERAL BUSINESS

15. Office – Resolution to destroy documents.

Motion : L. van Veen – M. Gill
#454/18: That the Council of the R. M. of Oakview authorize the C.A.O. to have destroyed municipal documents from the R. M. of Oakview as per the list received from Holly Brown dated November 29th, 2018 and reviewed by Council.

CARRIED.

COMMUNICATIONS

The following correspondence was reviewed with Council:

1. Meighen, Haddad, LLP – Title received for lots 60/63 Plan 312. Noted.
2. Bell MTS – Copy of fully executed Right-Of-Way Agreement for MTS easement off PTH #24 received.
3. Rolling River School Division – Invitation to provide input into 2019-2020 budget. Noted.
4. Highway Traffic Board – Highway Traffic Board permit received.
5. Minister of Municipal Relations – Information that Bill 12 has been passed. Noted.
6. Manitoba EMO – Final submission received for 2017 spring flood. Noted.
7. Crawford Global Technical Services – Closure of claim for Rapid City museum. Noted.
8. L. Hyndman - Information regarding ILO's received.
9. Robert Sopuck – Invitation to Open House received.
10. Thompson Steamers 2019 – Information received.
11. J. Crowson – Conditional use thresholds noted.

ACCOUNTS AND FINANCES

Motion : M. Gill – Walt Froese
#455/18: Be it resolved that the report of the Finance Committee be received and that R. M. of Oakview's General Pay List Cheque's #4538 - #4583 and Payroll Cheques #52648 - #52670 and e-cheque for Nov. amounting to \$2,629,053.54 and unpaid invoices amounting to \$38,174.38 having been certified by said Committee be passed for payment

CARRIED.

ADJOURNMENT

Motion : L. van Veen – G. Reynolds
#456/18: That the Council of the R. M. of Oakview do now adjourn to meet again on Tuesday, December 11th, 2018 at 7:30 p.m. or at the Call of the Chair.

CARRIED.

TIME: 1:00 p.m.

 Original signed by Brent Fortune
 REEVE

 Original signed by Diane Kuculym
 CHIEF ADMINISTRATIVE OFFICER