

THE RURAL MUNICIPALITY OF MORRIS

The Council of the Rural Municipality of Morris held its regular meeting on Wednesday, April 11, 2001 at 9:00 a.m. in the Council Chambers of the R. M. of Morris.

Reeve Herm Martens presided.

Council Members present were: Ralph Groening, Stan Siemens, Leo Kornelsen, Sieg Neumann, Barry Fraese, Denis Robert.

Agenda

Moved by Barry Fraese, Seconded by Leo Kornelsen:

#69/01. Resolved that the agenda for the April 11, 2001 regular meeting be now approved as it is now amended or as may be amended.

Carried. For 7  
Against 0

Flood Discussion

At this time in the meeting, council discussed the aspect of the Red River water levels and the potential of flooding. It was mentioned that the levels on the Morris River were now stable and would likely start going down. The Municipality has received no river levels, to date, for the Morris River. With regards to potential flooding, Council's view was that the owner should have the responsibility to get their sand and sand bags. The R. M. of Morris already has road and bridge problems due to overland flooding and feels the inspections to start before fixing. The Municipality has done some work on Provincial Drains and the Province should be billed for this work done. For this spring overland flooding, it was mentioned that there was no co-ordinated effort done by Highways.

Development Plan Hearing Re-opened

At approximately 10:00 a.m., Council re-opened the public hearing concerning the matter of the proposed Development Plan for the Municipality. The public hearing which was held on March 27, 2001 was recessed to this date and time to consider information from Provincial Department. These comments have now been received by the R. M. of Morris and they have requested a meeting to discuss their issues of concern. Council felt that a meeting with Provincial representatives was needed in this matter and the hearing was again recessed until April 24<sup>th</sup>, 2001 at 9:00 a.m. in the Council Chambers of the R. M. of Morris to meet with Provincial representatives and with Mr. Bruce MacLean.

Public Works Foreman

Mr. Don Harder, Public Works Foreman, met with Council and he mentioned the farmers concerns of dirt windrows that were left from ditching. Those dirt windrows along gravel roads were moved into the field to help reduce snow drifts for the winter months. At this time, Council felt that they would not consider any compensation to the farmers for the dirt on their fields. On the matter of our annual Spring Cleanup Campaign, it will be held on May 7 to 11, 2001 and notices will be set out to residents in the Municipality. For dust control in front of yard sites, notices will be sent out with the Spring Cleanup Campaign notifying everyone that application are being received for 2001. Mr. Harder attended the Weed Control Seminar and has information available should Council members wish to view the material. There were recent water line leaks in Rosenort and Lowe Farm that have now been repaired. There was a situation at the Rosenort water plant where the Pembina Valley Water Co-op water valve did not shut off and did cause some flooding inside the building and it was estimated that the water wasted was approximately 40,000 gallons.

Public  
Works  
Foreman

There was also some discussion on the state of our gravel roads in the municipality and where we have had some overland flood washouts along some roads. There is also a number of yard sites in the municipality that were a concern this spring and will likely be a problem in future years as well. The applications for flood protection ended in 1999 and these people will likely have to do their own protection.

Minutes

Moved by Sieg Neumann, Seconded by Barry Fraese:  
#70/01. Resolved that the minutes of the March 14, 2001 regular meeting and the March 15 and April 2, 2001 special meetings and the March 27, 2001 Development Plan meeting be now accepted as presented by the Municipal Administrator.

Carried. For 7  
Against 0

PVDC  
Tourism  
Membership

Moved by Sieg Neumann, Seconded by Ralph Groening:  
#71/01. Resolved that we purchase a \$500.00 membership fee to the Pembina Valley Development Corporation Tourism for their Tourism Marketing Campaign in 2001.

Carried. For 7  
Against 0

Council then recessed for lunch at 12:00 noon and reconvened at approximately 1:00 p.m.

By-law  
1550/01

Moved by Sieg Neumann, Seconded by Stan Siemens:  
#72/01. Whereas By-law No. 1550/01 was read a first time on March 15, 2001;  
And Whereas this by-law is to authorize operational expenditure borrowing for the year 2001;  
Therefore Be It Resolved that By-law No. 1550/01 be now given second and third readings in Council as a whole.

Carried. For 7  
Against 0

By-law  
1552/01

Moved by Leo Kornelsen, Seconded by Barry Fraese:  
#73/01. Whereas By-law No. 1552/01 was read a first time on March 15, 2001;  
And Whereas this by-law is to authorize the sale of Lots 5 and 6, Block 1, Plan 11498 in Riverside;  
Therefore Be It Resolved that By-law No. 1552/01 be now given second and third readings in Council as a whole.

Carried. For 7  
Against 0

Overland  
Flooding  
Situations

Council then spent considerable time discussing the situation of overland flooding where the drainage ditches overflow and threaten buildings and structures. Council's concern is that new buildings should be at certain elevations to be protected in the event of overland flooding. Council agreed that they should protecting themselves from overland flooding, however, the difficulty was in reaching a consensus of how to arrive at a method of determining what level each property is to build to. At this time, the matter was left unresolved.

Variation  
Board

Moved by Denis Robert, Seconded by Ralph Groening:  
#74/01. Resolved that the Council of the R. M. of Morris does now  
resolved to become the Variation Board of the R. M. of Morris to consider  
application no. 1/2001.

Carried. For 7  
Against 0

Council then held a public hearing concerning this application and Mr.  
Eugene Heinrichs was present to answer some of the Board's questions on  
this application.

Variation  
1/2001

Moved by Denis Robert, Seconded by Sieg Neumann;  
#75/01. Whereas Eugene Heinrichs has made application for a variation  
order for a 7.98 acre yard site in the NW of Section 8-4-1 WPM;  
And Whereas a public hearing was held on April 11, 2001 for this  
application;  
Therefore Be It Resolved that the Variation Board of the R. M. of Morris  
does now approve this Variation Order No. 1/2001.

Carried. For 7  
Against 0

Variation  
Board  
Adjourn

Moved by Denis Robert, Seconded by Stan Siemens:  
#76/01. Resolved that the Variation Board of the R. M. of Morris does now  
adjourn and resume as the Council of the R. M. of Morris.

Carried. For 7  
Against 0

By-law  
1547/01  
Public  
Hearing

At 1:45 p.m., Council opened the floor for a public hearing and the  
re-zoning of property in Aubigny, under By-law No. 1547/01.  
Mr. Robert McLellan was present on behalf of his re-zoning application.  
Mr. McLellan currently operates a auto-body and auto repair business on  
this property and he has requested that the property be re-zoned to meet  
necessary planning requirements. Council had questions relating to the  
property and indicated that they wished to have a form of development  
agreement entered into regarding this property. Council concerns related to  
the fencing of the property to hide the vehicles in the yard. Council felt that  
a fence on the west and north side should be put up with a gate in the west  
side. Mr. McLellan indicated that fencing all around would cost  
approximately \$10,000.00, however, he indicated that he was willing to  
build the west fence in 2001 and the North side in 2002. Council felt that  
the outside of the building should be finished properly this year. Council  
also had a concern of the vehicles being left overnight in the front of the  
property. It was felt that no vehicles should be left in front of the property  
for more than 1 or 2 days with a maximum of 4 vehicles being in the front  
of the property overnight. There is to be no unregistered vehicles in front of  
the property.

Mr. McLellan indicated that he could agree to such conditions and that he  
has every intention of doing this work. Aubigny is the community where he  
lives and works and wants to be a positive part of the community.

Council then indicated that an agreement would be prepared and that when  
the agreement is ready that the by-law would be considered for third and  
final reading. The hearing was then ended.

Conditional  
Use Hearing  
10/2000

At 2:00 p.m., Council re-opened the public hearing for Conditional Use Application No. 10/2000 which is an application to convert existing chicken barns into hog barns.

The purpose of re-opening this conditional use application was to give Council and those interested parties an opportunity to make presentations to Council concerning the document from the Provincial Livestock Review Committee on this barn application.

Present were: Jake Friesen and Peter Friesen, the applicants.  
Don Waddell of Dunn-Rite Food Products.

Also present were: Barry Klassen, Eileen Klassen, Dennis Friesen, Kerry Eidse, Lonnie Friesen, Art Friesen and Ruth Friesen.

Peter Friesen spoke in discussing the conclusions of the technical review report and as the report is favourable to the project he feels that the project should be approved.

Councillor Fraese questioned the manual handling and potential contamination of the water pond.

Councillor Groening commented on the composting time frame and the management practices and whether they could be met.

Jake Friesen stated that there would be testing equipment which would monitor moisture levels. The turning of the product would be done according to moisture testing, and heat. They would be putting in aeration tubes in the floor of the composting building to assist with the drying of the compost material. They have a compost turner available to purchase.

Councillor Neumann mentioned that if the composting was unable to be done, then regulations will be enforced.

It was questioned that currently there is piped water into the existing facility and would they continue to use this water supply. Mr. Friesen indicated that they would continue to use this water.

Dennis Friesen stated that the manure piles are currently drainage in into the pond and other ditches in the area. The manure overflow will go into the pond and then the pond is full the flow will then go south.

Barry Klassen mentioned that for the composting, there are no existing such operations in Manitoba. This has more straw and manure than a chicken operation. Perfect operations may be OK, but if it does not work, it will contaminate water and be a general problem.

Eileen Klassen asked why the Provincial Technical Review did not mention or comment on the location of the neighbouring residences.

Peter Klassen stated that if there was a concern of the water pond on the property then it could be tested.

Reeve Herm Martens mentioned that composting is happening in Manitoba with chicken operations. He does appreciate the apprehension of the neighbours.

The hearing was then adjourned.

Conditiona  
Use 2/2001  
Hearing  
SE 34-5-1W

At 3:05 p.m., Council held a public hearing for a conditional use application by Mr. Gerald Loewen on the SE 1/4 of Section 34-5-1 WPM.

Mr. Gerald Loewen stated that he already has an 800 feeder hog barn on his property and he wishes to expand the existing barn to have a 2000 feeder barn. He wants his family to stay in farming and feels that he needs a larger barn operation to maintain a farming operation. He has spoken to most of his neighbours on the application.

Councillor Kornelsen stated that he lives SE of his yard and has no objections to his application and has not smelled his barn.

Mr. Loewen commented that he has many trees in and around his yard and he feels that the trees do affect the smell and how it is dispersed.

The hearing was then adjourned at 3:15 p.m.

Conditional  
Use 10/2000

Moved by Denis Robert, Seconded by Stan Siemens:

#77/01. Whereas Jake Friesen and Peter Friesen have made application for a conditional use to operate a 2,400 feeder hog livestock operation on Lots 1, 2 and 3, in Plan 17337, which is part of the NW 1/4 of Section 27, Township 5 and Range 1 EPM;

And Whereas this property is currently owned by Dunn-Rite Foods Products Ltd. and Carleton Hatcheries Ltd.;

And Whereas a Public Hearing was held on December 13, 2000 and again on April 11, 2001 for this Conditional Use Application No. 10/2000;

Therefore Be It Resolved that the Rural Municipality of Morris hereby approves this Conditional Use No. 10/2000 subject to the following conditions:

1. That the Morris Livestock Guidelines be adhered to.
2. That all additional driveways and accesses shall be at the expense of the owner.
3. That there be a cold storage unit of sufficient size for dead animals or that the operation is to have a container with 48 hour dead animal pickup.
4. That a minimum three row tree shelter belt, of a minimum of 2 varieties, be planted and maintained around the yard site with trees being planted by the first spring and that one row of trees to 4' to 6' high.
5. That a 1% refundable performance bond of capital construction costs be submitted to the Municipality.
6. That no manure or compost storage is to be outdoors.
7. That the manure is to be processed by composting only and if the composting is not successful then the operation is to cease.

Defeated For 3  
Against 4

Rural  
Forum

Moved by Ralph Groening, Seconded by Leo Kornelsen:

#78/01. Whereas the R. M. of Morris wishes to be involved in the Rural Forum in Brandon;

Therefore Be It Resolved that the R. M. of Morris contribute the same as the Town of Morris to a maximum contribution of \$250.00.

Carried. For 7  
Against 0

K. Potter  
Fuel  
Payment

Moved by Denis Robert, Seconded by Barry Fraese:

#79/01. Resolved that Mr. Ken Potter be paid the amount of \$125.00 for the use of his vehicle as a heated shelter at the Sperling Land fill Site for the winter months of 2000-2001.

Carried. For 7  
Against 0

Conditiona  
Use 1/2001  
Amendment

Moved by Barry Fraese, Seconded by Stan Siemens:

#80/01. Whereas Conditional Use 1/2001 was approved on February 15, 2001 for a hog barn on the SE 1/4 of Section 9-5-1 WPM;

And Whereas Council wishes to amend one of the conditions of this approval;

Therefore Be It Resolved that Condition No. 9 of our Conditional Use Permit No. 1/2001 be now deleted.

Carried. For 7  
Against 0

Semi-  
Trailer

Moved by Denis Robert, Seconded by Stan Siemens:  
#81/01. Resolved that we authorize our Equipment Committee to purchase a semi-trailer unit for the Municipality at an approximate cost of \$20,000.00.

Carried. For 7  
Against 0

Subdivision  
SW 35-5-2W

Moved by Ralph Groening, Seconded by Leo Kornelsen:  
#82/01. Whereas Mr. Lonnie Friesen has made application to subdivide the East ½ of the East ½ of the SW 1/4 of Section 35-5-2 WPM under Planning File No. 4152-01-4323;

Therefore Be It Resolved that the R. M. of Morris hereby approves this subdivision subject to the following conditions:

1. That this proposed parcel be consolidated with the remaining area of the SW 1/4 of Section 35-5-2 WPM under one title.

Carried. For 7  
Against 0

Purchase  
Aubigny  
Hall  
Property

Moved by Denis Robert, Seconded by Stan Siemens:  
#83/01. Resolved that By-law No. 1553/01, being a by-law authorizing the purchase of Lot 7 and part of Lots 6 & 12, Plan 3649, be now read a first time in Council as a whole, rules suspended.

Carried. For 7  
Against 0

Accounts


Moved by Sieg Neumann, Seconded by Ralph Groening:  
#84/01. Resolved that Council approves the list of accounts for April 11, 2001 in the amount of \$152,058.08.

Carried. For 7  
Against 0

Moved by Councillor Stan Siemens:

That the meeting be now adjourned at 4:20 p.m. with Council agreeing to meet again on Thursday, April 12, 2001 at 10:00 a.m. to continue the remainder of the agenda.

  
Reeve

  
Municipal Administrator