

THE RURAL MUNICIPALITY OF MORRIS

The Council of the Rural Municipality of Morris held its regular meeting on Wednesday, May 9<sup>th</sup>, 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, Barry Fraese, Sieg Neumann, Denis Robert, Leo Kornelsen.

Agenda

Moved by Barry Fraese, Seconded by Leo Kornelsen:

#103/01. Resolved that the agenda for the May 9, 2001 regular meeting be now approved as it is now amended or as may be amended.

Carried. For 7  
Against 0

Amend  
Resolution  
77/01

Moved by Denis Robert, Seconded by Leo Kornelsen:

#104/01. Resolved that resolution no. 77/01 be amended as follows:

1. That condition no. 6 be deleted.
2. That condition no. 7 be changed to read:  
"That no manure or compost is to be stored outdoors".

Carried. For 7  
Against 0

Minutes

Moved by Sieg Neumann, Seconded by Stan Siemens:

#105/01. Resolved that the minutes of the April 11, 2001 regular meeting and the April 12, and April 25, 2001 special meeting be now accepted as presented by the Municipal Administrator and as was amended by Council.

Carried. For 7  
Against 0

Highways  
Roads

Moved by Stan Siemens, Seconded by Barry Fraese:

#106/01. Whereas there are a number of P.R. roads in the R. M. of Morris; And Whereas these roads are in such poor condition that it is dangerous for traffic and that during many times of the year, these roads are impassible; Therefore Be It Resolved that the R. M. of Morris request that the Department of Highways upgrade and improve the gravel portion of P.R. 332, P.R. 336, P.R. 205 and P.R. 246.

Carried. For 7  
Against 0

Reeve Herm Martens then briefed Council on a presentation he made at the Legislature to the Standing Committee on Agriculture.

He also commented on a few roads that are in needs of some repair work.

Support  
for Valley  
Ag.  
application

Moved by Ralph Groening, Seconded by Leo Kornelsen:

#107/01. Whereas the Valley Agricultural Society is applying for a project under the Canada/Manitoba Infrastructure Program;

And Whereas this application is to conduct needed repairs to their tourism facilities;

Therefore Be It Resolved that the R. M. of Morris support the Valley Agricultural Society in this application.

Carried. For 7  
Against 0

Conditional  
Use 3/01  
M. Dueck  
14-6-1W

At 10:30 a.m. Council held a public hearing for Conditional Use Application No. 3/2001 applied for by Micheal Dueck.

Present for this hearing was Michael Dueck, John Dueck, Weldon Hiebert and Jeff Senebald of Elite Swine Inc.

Mr. Michael Dueck presented Council with a written report on his application.

Conditional  
Use  
Hearing

Hearing Continued

Councillor Neumann asked about the existing barn and lagoon and if it was still operating and what the future is for this barn.

Mr. Dueck commented that the last batch is currently in the barn and once those pigs are gone, the old barn is to be removed or torn down or possibly used as a non barn farm building. The current barn has approximately 375 feeders.

Councillor Groening questioned the aspect of dead animals and what plans they had for the removal of these animals. It was mentioned that Elite Swine has their own pick up system and do not use outside contractors because of reliability and possible disease concerns.

There was some discussion as to the barn being on this 80 acre parcel or should it be located on an adjoining parcel. It was stated that this 80 acre parcel was higher ground and was on a good road.

The hearing was then ended.

By-law  
1554/01

Moved by Sieg Neumann, Seconded by Stan Siemens:

#108/01. Resolved that By-law No. 1554/01, being our 2001 Financial Plan mill rates, be now given second and third reading in Council as a whole.

Carried. For 7  
Against 0

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

By-law  
1553/01

Moved by Denis Robert, Seconded by Barry Fraese:

#109/01. Whereas By-law No. 1553/01 was read a first time on April 11, 2001, being a by-law to purchase property for the Aubigny Hall; Therefore Be It Resolved that By-law No. 1553/01 be now given second and third readings in Council as a whole.

Carried. For 7  
Against 0

A Public Hearing was held for By-law No. 1551/01 for the re-zoning of the Lowe Farm Park. There was no one present for this hearing.

School  
Division  
Rental

Moved by Sieg Neumann, Seconded by Denis Robert:

#110/01. Resolved that the new office rental rate for the Morris Macdonald School division shall be now established at \$1,500.00 per month effective as of July 1, 2001 for that area used in the Morris Municipal Building and this rate is to be reviewed prior to July 1, 2002.

Carried. For 7  
Against 0

Building  
Inspector  
Cost  
Sharing

Moved by Ralph Groening, Seconded by Barry Fraese:

#111/01. Whereas the Rural Municipality of Morris and the Town of Morris share the expenses for the position of the Building Inspector; Therefore Be It Resolved that the R. M. of Morris agree to pay 60% of costs for this position with the Municipality also paying appropriate mileage expenses for that work done in the Municipality; And Further Be It Resolved that this sharing is to be effective January 1, 2001.

Defeated. For 2  
Against 5

Councillor Kornelsen commented that for the Riverside Dyke Project the tenders for this could be out in 3 to 4 weeks.

Councillor Robert mentioned that for the Aubigny Dyke, the province has been unsuccessful in negotiating with Mrs. Roy. This may delay the project and add to the overall costs and that expropriation is being considered.

Councillor Fraese stated that for the Rosenort Dyke there are a number of deficiencies that are needing to be changed.

Building  
Inspector  
Cost  
Sharing

Moved by Leo Kornelsen, Seconded by Barry Fraese:  
#112/01. Whereas the Rural Municipality of Morris and the Town of Morris share the expenses for the position of Building Inspector;  
Therefore Be it Resolved that the R. M. of Morris agrees to pay 55% of costs for this position with the Municipality also paying appropriate mileage expenses for that work done in the Municipality.

Carried. For 6  
Against 1

Chamber of  
Commerce  
Memberships

Moved by Sieg Neumann, Seconded by Ralph Groening:  
#113/01. Resolved that the R. M. of Morris obtain membership for the Rosenort Chamber of Commerce and the Morris Chamber of Commerce.

Carried. For 7  
Against 0

Accounts

Moved by Sieg Neumann, Seconded by Stan Siemens:  
#114/01. Resolved that the Council of the R. M. of Morris now approves the list of accounts for May 9, 2001 in the amount of \$211,647.10.

Carried. For 7  
Against 0

Public Works  
Foreman  
Report

Mr. Don Harder, Public Works Foreman, then met with Council. He stated that in drainage work, there has been 6 miles done. Drain 111 will be started on shortly.

For flood cleanup work, there is a considerable amount of straw in the ditches to the SE of Morris and that this straw must be hauled away.

On May 1, 2001, he went with MEMO Inspectors for our 25 sites in the R. M. of Morris. There has been some stone and gravel brought in for repairs to some sites. There was a question as to whether MEMO would pay to haul the straw away.

He informed Council that the Municipal road in front of Dunn-Rite Foods property is in poor shape and needs repair. This road was raised for flood protection purposes and has been a concern ever since.

The sidewalks in the urban centres have been swept.

The costs to re-pave Brandt Road in Rosenort are now being considered and not all quotations have been received.

Our 143 H Caterpillar grader needs a new radiator core as the one on the grader is leaking and the cost for this is \$1,300.00 and is not covered by warranty.

Our Bush Hog mower needs a new PTO shaft at a cost of \$1,800.00. We will be demonstrating an offset hitch soon, when conditions are ready.

Our small finishing mower unit has been picked up and is ready for use.

He asked Council on the matter of the Tree Planter and that for the use of the unit and the rental of the tractor/planter/man the approximate rental would be \$51.00 per hour.

Foreman Report	<p><b>Foreman's Report</b> The Equipment Committee has been looking for a semi-trailer unit and gave Council prices. A 1998 Midland trailer, 24 foot end dump, with tarp and air ride and tandem axle for a cost of \$19,200.00. A 1988 Midland trailer, 28 foot end dump, tandem, with spring ride, tarp, poor tires at a cost of \$14,000.00.</p>
Welder for Shop	<p>Moved by Denis Robert, Seconded by Stan Siemens: #115/01. Resolved that we purchase a wire welder for our shop at a cost of approximately \$1,800.00.</p> <p style="text-align: right;">Carried. For 7 Against 0</p>
2001 Gravel Program	<p>The Roads Committee then presented Council with the proposed 2001 gravel program for the Municipality and there are some roads that are being added to the program. Council then had a general discussion on the proposal.</p> <p>Moved by Sieg Neumann, Seconded by Barry Fraese: #116/01. Resolved that Council accept the 2001 gravel program as presented by the Road Committee.</p> <p style="text-align: right;">Carried. For 6 Against 1</p>
By-law 1551/01	<p>Moved by Ralph Groening, Seconded by Leo Kornelsen: #117/01. Whereas By-law No. 1551/01, being a by-law re-zoning the Lowe Farm Park area and extended area to "O" Open Space District, was read a first time on March 15, 2001; And Whereas a Public Hearing was held on May 9, 2001 for this re-zoning by-law; Therefore Be It Resolved that the Rural Municipality of Morris hereby gives second and third reading to By-law No. 1551/01 in Council as a whole.</p> <p style="text-align: right;">Carried. For 7 Against 0</p>
Subdivision W. Fulford RL 338	<p>Moved by Sieg Neumann, Seconded by Barry Fraese: #118/01. Whereas William G. Fulford and Rosalie A. Fulford have made application to subdivide part of River Lot 338 under Planning File No. 4152-01-4328; And Whereas this subdivision proposes to divide the property into a 2.6 acre parcel and a 3.4 acre parcel; Therefore Be It Resolved that the R. M. of Morris approves this subdivision subject tot he following conditions:</p> <ol style="list-style-type: none"><li>1. That the owner is responsible to meet requirements of the Department of Environment regarding the sewage disposal system for the properties in question.</li><li>2. That a variation order be completed for both parcels being created by this subdivision.</li><li>3. That a maintenance agreement be completed and registered against the properties for the on going maintenance of the dyke around the properties.</li><li>4. That legal road access be made available to the greenhouse property and that the current owner is responsible to provide this access and also that legal road access and/or permission be obtained for the house property.</li></ol> <p style="text-align: right;">Carried. For 6 Against 1</p>

Provincial  
Roads  
Maintenance

Moved by Sieg Neumann, Seconded by Stan Siemens:  
#119/01. Whereas the Province of Manitoba is responsible for maintaining Provincial Roads;  
And Whereas the Province of Manitoba, Dept. of Highways has been very negligent in maintaining its gravel roads;  
And Whereas the Provincial gravel roads are often impassible at certain times of the year;  
And Whereas Municipal roads often must take added traffic because P.R. roads are in such poor condition;  
Therefore Be It Resolved that the A.M.M. lobby the Province of Manitoba to maintain and engineer their gravel roads to a higher standard to allow greater use of their gravel roads on a year round basis.

Carried. For 7  
Against 0

Provincial  
Ditches  
Maintenance

Moved by Ralph Groening , Seconded by Leo Kornelsen:  
#120/01. Whereas the Province of Manitoba is responsible for many drainage ditches in the Province of Manitoba;  
And Whereas these drainage ditches have not been maintained to a proper standard;  
Therefore Be It Resolved that the A.M.M. lobby the Province of Manitoba to undertake work on their drains to provide proper and adequate drainage;  
And Further Be It Resolved that any and all proper drainage is a significant benefit to the farming communities.

Carried. For 7  
Against 0

Structures  
Across  
Waterways

Moved by Denis Robert, Seconded by Barry Fraese:  
#121/01. Whereas the natural waterways in the Province of Manitoba, are designated under the responsibility of the local Municipality for their structures needed;  
And Whereas these natural waterways area cost factor beyond most municipality's capabilities for crossings, etc.;  
Therefore Be It Resolved that the Province of Manitoba should be responsible for all natural waterways and the required crossings and that the A.M.M. request this of the Province of Manitoba.

Carried. For 7  
Against 0

Development  
Agreement  
8-11846

Moved by Denis Robert, Seconded by Stan Siemens:  
#122/01. Resolved that Council agree to a development agreement with Robert McLellan concerning the re-zoning of the property under By-law No. 1547/01;  
And Further Be It Resolved that the Reeve and Municipal Administrator be authorized to sign and complete all necessary documents.

Carried. For 7  
Against 0

By-law  
1547/01

Moved by Ralph Groening, Seconded by Leo Kornelsen:  
#123/01. Whereas By-law No. 1547/01 was read a first time on February 14, 2001 which is for the re-zoning of Lot 8, Plan 11846 in Aubigny, Manitoba;  
And Whereas the purpose of this by-law is to re-zone Lot 8, Plan 11846 to "GC" General Commercial;  
And Whereas a development agreement was required as a condition to this re-zoning of the property and which said agreement has been completed and is to be registered as a caveat against the property in question;  
And Whereas a public hearing for this by-law was held on April 11, 2001;  
Therefore Be It Resolved that the Council of the Rural Municipality of Morris does now give 2<sup>nd</sup> and 3<sup>rd</sup> readings to By-law No. 1547/01 in Council as a whole.

Carried. For 7  
Against 0

Conditonal  
Use 3/01  
M. Dueck  
SW 14-6-1W

Moved by Sieg Neumann, Seconded by Stan Siemens:  
#124/01. Whereas Michael Dueck has made application for a conditional use to construct and operate a 2,000 feeder hog livestock operation on the SW of Section 14-6-1 WPM;  
And Whereas a Public Hearing was held on May 9, 2001 for this application;  
Therefore Be It Resolved that the Rural Municipality of Morris hereby approves this Conditional Use No. 3/2001 subject to the following conditions:

1. That the lagoon have a minimum 400 day storage capacity at Ground level, and that barley straw cover as odour control, be maintained on the lagoon with the barley straw cover installation being done by June 1<sup>st</sup> each year with the lagoon walls elevated to be 2 feet above the 1997 flood level or 2 feet above ground level, whichever is highest.
2. That the Morris Livestock Guidelines be adhered to.
3. That all additional driveways and accesses shall be at the expense of the owner.
4. 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.
5. That a minimum three row tree shelter belt, of a minim of 2 varieties, be planted and maintained around the barn and lagoon site with the trees being planted by the first spring.
6. That a 1% refundable performance bond of capital construction costs be submitted to the Municipality.
7. That the manure disposal be done by direct injection.
8. That the existing barn is to cease operation as of December 31, 2001 and it not to be used for this purpose on this property.
9. That the lagoon setback from the property lines are to be minimum of 100 metres.
10. That the lagoon for the old barn is to be cleaned up and closed by December 31, 2001.

Carried. For 7  
Against 0

Moved by Councillor Stan Siemens:  
That this meeting be now adjourned at 5:00 p.m..

  
Reeve

  
Municipal Administrator.