

6. By-Laws

Resolution No. 284

Moved by Councillor Harold Grawberger Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the RM of Piney gives first reading to By-Law #59/2010 "Being a By-Law of the Rural Municipality of Piney to prescribe a fee chargeable for tax certificates."

Carried.

Resolution No. 285

Moved by Councillor Alana Schoenbach Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the RM of Piney gives second reading to By-Law #59/2010 "Being a By-Law of the Rural Municipality of Piney to prescribe a fee chargeable for tax certificates."

Carried.

7. Expense Report

Resolution No. 286

Moved by Councillor Harold Grawberger Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the Chief Administrative Officer's expense account for the period of July 21, 2010 to August 20, 2010 be paid as presented.

Carried.

Resolution No. 287

Moved by Councillor Alana Schoenbach Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the Public Works Supervisor's expense account for the period of August 7, 2010 to August 20, 2010 be paid as presented.

Carried.

8. Unfinished Business

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| a) Woodridge Commercial Offer to Purchase Real Estate, William Hiebert | Resolution #288 |
| b) Vassar Whistle Cessation, CN Response | Further Research |
| c) Whitemouth Lake Project | Resolution #289 |
| d) Transportation: | |
| i. Pine Ave Development | Resolution #290 |
| ii. Road 5N Widening | Resolution #291 |
| iii. Beaver Bounty | Resolution #292 |
| iv. Equipment | Resolution #293 |
| v. Sundown Boundary Road | Resolution #294 |

Resolution No. 288

Moved by Councillor Harold Grawberger Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT The R.M. of Piney approve the sale of Lot 11 Block 4 Plan 32271 to William A. Hiebert of Woodridge Manitoba for the price and sum of \$7,000.00 plus G.S.T., as presented;

FURTHER BE IT RESOLVED the said sale is subject to the Commercial Offer to Purchase Real Estate form.

Defeated

Resolution No. 289

Moved by Councillor Earl Sawka Seconded by Councillor Harold Grawberger

BE IT RESOLVED THAT the RM of Piney approve further investigation and supporting material into the expansion of municipal boundaries to incorporate all of Whitemouth Lake within its boundaries.

Carried.

Resolution No. 290

Moved by Councillor Alana Schoenbach Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the RM of Piney approve the development of Pine Ave in Vassar Manitoba to a 6 meter crown from Spicer St. west 450 feet;
FURTHER BE IT RESOLVED THAT the work will be awarded hourly to the contractor that has submitted the lowest hourly rates for 2010 for the sized equipment needed to undertake the work, as per the Public Works Supervisor;
FUTHER BE IT RESOLVED THAT travel time will not be incorporated into the work necessary.
Carried.

Resolution No. 291

Moved by Councillor Harold Grawberger Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the RM of Piney approve the widening of Road 5n near Vassar Manitoba to a 10 meter crown from Vassar South access east to a maximum of 600 feet;
FURTHER BE IT RESOLVED THAT the work will be awarded hourly to the contractor that has submitted the lowest hourly rates for 2010 for the sized equipment needed to undertake the work, as per the Public Works Supervisor;
FUTHER BE IT RESOLVED THAT travel time will not be incorporated into the work necessary.
Carried.

Resolution No. 292

Moved by Councillor Alana Schoenbach Seconded by Councillor Harold Grawberger

BE IT RESOLVED THAT the RM of Piney proceed with a Beaver Control Program for the period of July 1, 2010 to October 31, 2010 at a fee of \$25.00 per beaver.
Tabled.

Councillor Schoenbach request permission to be excused from the balance of the meeting, time 8:49 P.M.

Reeve Hovorka granted permission.

Resolution No. 293

Moved by Councillor Earl Sawka Seconded by Councillor Harold Grawberger

BE IT RESOLVED THAT the RM of Piney approve the purchase of a one person earth auger powerhead and a 6" auger bit for the installation of Municipal signs, value not to exceed \$450.00 plus tax.
Carried.

Resolution No. 294

Moved by Councillor Harold Grawberger Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the Council approve the improvement of Road 54e, Boundary Road near Sundown as a joint improvement between the RM of Stuartburn, the Province of Manitoba and the RM of Piney;
FURTHER BE IT RESOLVED THAT the RM of Piney portion is not to exceed \$3,000.
Carried.

9. General Business

- | | |
|--|------------------------|
| a) Ryan Parisian Residential Offer to Purchase Agreement Requirements | Resolution #295 to 300 |
| b) Dave Peters Residential Offer to Purchase Agreement Requirements | Noted |
| c) Gilbert & Lucie Laurin Residential Offer to Purchase Agreement Requirements | Resolution #301 |
| d) Draft Development Agreement | Noted |
| e) Fire Department Calls Outside the RM | Discussed |

Resolution No. 295

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

WHEREAS the Purchaser of Lot 3 Block 4 Plan 35831 has not fulfilled the terms and conditions of the Residential/Recreational Offer to Purchase Real Estate Agreement as presented in Section 2 of the agreement;

BE IT RESOLVED THAT the RM of Piney notify the Purchaser of Lot 3 Block 4 Plan 35831 that they are in default of the Residential /Recreational Offer to Purchase Real Estate Agreement and all rights and interests in respect to the Lands have fully ended as per Section 2(v);

FURTHER BE IT RESOLVED THAT the RM of Piney proceed with the Quit Claim of Deed as required by the lawyer of the Municipality and once delivered, proceed with Section 2(vi) of the Agreement.

Carried.

Resolution No. 296

Moved by Councillor Harold Grawberger

Seconded by Councillor Earl Sawka

WHEREAS the Purchaser of Lot 4 Block 4 Plan 35831 has not fulfilled the terms and conditions of the Residential/Recreational Offer to Purchase Real Estate Agreement as presented in Section 2 of the agreement;

BE IT RESOLVED THAT the RM of Piney notify the Purchaser of Lot 4 Block 4 Plan 35831 that they are in default of the Residential /Recreational Offer to Purchase Real Estate Agreement and all rights and interests in respect to the Lands have fully ended as per Section 2(v);

FURTHER BE IT RESOLVED THAT the RM of Piney proceed with the Quit Claim of Deed as required by the lawyer of the Municipality and once delivered, proceed with Section 2(vi) of the Agreement.

Carried.

Resolution No. 297

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

WHEREAS the Purchaser of Lot 5 Block 4 Plan 35831 has not fulfilled the terms and conditions of the Residential/Recreational Offer to Purchase Real Estate Agreement as presented in Section 2 of the agreement;

BE IT RESOLVED THAT the RM of Piney notify the Purchaser of Lot 5 Block 4 Plan 35831 that they are in default of the Residential /Recreational Offer to Purchase Real Estate Agreement and all rights and interests in respect to the Lands have fully ended as per Section 2(v);

FURTHER BE IT RESOLVED THAT the RM of Piney proceed with the Quit Claim of Deed as required by the lawyer of the Municipality and once delivered, proceed with Section 2(vi) of the Agreement.

Carried.

Resolution No. 298

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

WHEREAS the Purchaser of Lot 15 Block 2 Plan 35831 has not fulfilled the terms and conditions of the Residential/Recreational Offer to Purchase Real Estate Agreement as presented in Section 2 of the agreement;

BE IT RESOLVED THAT the RM of Piney notify the Purchaser of Lot 15 Block 2 Plan 35831 that they are in default of the Residential /Recreational Offer to Purchase Real Estate Agreement and all rights and interests in respect to the Lands have fully ended as per Section 2(v);

FURTHER BE IT RESOLVED THAT the RM of Piney proceed with the Quit Claim of Deed as required by the lawyer of the Municipality and once delivered, proceed with Section 2(vi) of the Agreement.

Carried.

Resolution No. 299

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

WHEREAS the Purchaser of Lot 18 Block 2 Plan 35831 has not fulfilled the terms and conditions of the Residential/Recreational Offer to Purchase Real Estate Agreement as presented in Section 2 of the agreement;

BE IT RESOLVED THAT the RM of Piney notify the Purchaser of Lot 18 Block 2 Plan 35831 that they are in default of the Residential /Recreational Offer to Purchase Real Estate Agreement and all rights and interests in respect to the Lands have fully ended as per Section 2(v);

FURTHER BE IT RESOLVED THAT the RM of Piney proceed with the Quit Claim of Deed as required by the lawyer of the Municipality and once delivered, proceed with Section 2(vi) of the Agreement.

Carried.

Resolution No. 300

Moved by Councillor Harold Grawberger

Seconded by Councillor Earl Sawka

WHEREAS the Purchaser of Lot 20 Block 2 Plan 35831 has not fulfilled the terms and conditions of the Residential/Recreational Offer to Purchase Real Estate Agreement as presented in Section 2 of the agreement;

BE IT RESOLVED THAT the RM of Piney notify the Purchaser of Lot 20 Block 2 Plan 35831 that they are in default of the Residential /Recreational Offer to Purchase Real Estate Agreement and all rights and interests in respect to the Lands have fully ended as per Section 2(v);

FURTHER BE IT RESOLVED THAT the RM of Piney proceed with the Quit Claim of Deed as required by the lawyer of the Municipality and once delivered, proceed with Section 2(vi) of the Agreement.

Carried.

Resolution No. 301

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

WHEREAS the Purchaser of Lot 19 Block 2 Plan 35831 has not fulfilled the terms and conditions of the Residential/Recreational Offer to Purchase Real Estate Agreement as presented in Section 2 of the agreement;

BE IT RESOLVED THAT the RM of Piney notify the Purchaser of Lot 19 Block 2 Plan 35831 that they are in default of the Residential /Recreational Offer to Purchase Real Estate Agreement and all rights and interests in respect to the Lands have fully ended as per Section 2(v);

FURTHER BE IT RESOLVED THAT the RM of Piney proceed with the Quit Claim of Deed as required by the lawyer of the Municipality and once delivered, proceed with Section 2(vi) of the Agreement.

Carried.

10. Correspondence

- | | |
|---|-----------------|
| a) Manitoba 4-H Endowment Fund Foundation | Resolution #302 |
| b) Brandon University School of Medicine | Resolution #303 |
| c) Proposed Subdivision Troy/Sandra Pestrak & Denis/Brenda Normandeau | Resolution #304 |
| d) Manitoba Conservation Water and Wastewater Facility Operator | Resolution #305 |
| e) Adrien Grenier, request permission to install a culvert on Road 63e, St. Labre | Resolution #306 |
| f) Meeting Extension | Resolution #307 |
| g) Denis Konchak Request for Reconsideration | Resolution #308 |
| h) Public Works Supervisor Report | Noted |

Resolution No. 302

Moved by Councillor Harold Grawberger

Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the RM of Piney donate to the Manitoba 4-H Council.

Defeated.

Resolution No. 303

Moved by Councillor Harold Grawberger

Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the RM of Piney draft a letter of support for the establishment of Medical School at Brandon University.

Carried.

Resolution No. 304

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

WHEREAS The R.M. of Piney received an application from the Municipal Planning Branch for a final_ approval for a plan of subdivision on Part NW 18-5-11E.P.M. File No. 4610-2010-5098 by Troy/Sandra Pestrak & Denis/Brenda Normandeau;

AND WHEREAS the application has been reviewed by the Council of The R.M. of Piney;

AND WHEREAS the Council deemed the application be accepted;

NOW THEREFORE BE IT RESOLVED That The R.M. of Piney give final approval for a plan of subdivision on Part NW 18-5-11E.P.M. File No. 4610-2010-5098 by Troy/Sandra Pestrak & Denis/Brenda Normandeau having the following conditions:

- 1.) That the Developer and/or Developee is responsible for the installation of any new and/or additional crossing/access; and
- 2.) That all property taxes on the said property are to be paid in full;

Carried.

Resolution No. 305

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

BE IT RESOLVED THAT the RM of Piney appoint Martin Van Osch as Wastewater Operator for the RM of Piney Waste Water Lagoon;

FURTHER BE IT RESOLVED THAT Council approve of Martin Van Osch to attend a minimum of a one day course per year by resolution for Water/Waste Water to maintain his Class 2 Certification and the CEU requirement.

Carried.

Resolution No. 306

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

BE IT RESOLVED THAT the R.M. of Piney has no objection to Adrien Grenier installing a crossings for the NW ¼ 27-4-11 EPM off Road 63e at 100% his cost requiring an 18" culvert by 10 meters as presented.

Carried.

Resolution No. 307

Moved by Councillor Harold Grawberger

Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT the Council meeting as per Procedure By-Law continue past the hour of 10:30 P.M. for an extension of one half hour.

Carried.

Resolution No. 308

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

BE IT RESOLVED THAT the RM of Piney remove Condition #5 of Resolution #265 of the Regular Council Meeting of August 10, 2010 requiring E. Holmgren & Son Ltd to have a drainage plan prepared by an engineer.

Carried.

11. Correspondences for Information only

a) Fire Reports:

- | | |
|---|-----------------|
| i. Sprague | Noted |
| ii. Piney | Noted |
| b) Manitoba Conservation Sandilands Subdivision | Noted |
| c) South Eastman Planning Invitation | To Next Meeting |
| d) RCMP Policing Report | Noted |
| e) Citizenship and Immigration Canada: Inter-Action | Noted |
| f) Intercity Bus Service, Public Meeting | Discussed |
| g) 2010 Community Grant Overview | Noted |
| h) The Exchange Gas Tax Audit | Noted |
| h) RM of Piney Correspondence | Noted |
| i) Carillon Letter | Noted |
| j) Recycling Stats for 2009 | Noted |

12. Committee Reports

- Roseau River Watershed by Reeve Hovorka
- EBCH by Reeve Hovorka

13. General Discussion

N/A

14. Next Meeting

Resolution No. 309

Moved by Councillor Earl Sawka

Seconded by Councillor Harold Grawberger

BE IT RESOLVED THAT the R.M. of Piney next Regular Meeting be held on Tuesday, September 14, 2010 at 7:00P.M. in the Council Chamber, Vassar, Manitoba. Carried.

15. Adjournment

Resolution No. 310

Moved by Councillor Harold Grawberger

Seconded by Councillor Earl Sawka

BE IT RESOLVED THAT this Regular Meeting be adjourned, time 11:17 P.M. Carried.

Head of Council

Chief Administrative Officer

Copy: The Carillon

(Subject to errors and omissions)