

## TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on October 18, 2016 at 7:00 p.m. at the Niverville Heritage Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

- Res#286-16 K. Stott – N. Dueck  
In Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act, that Council meet in camera.  
“Carried”
- Res#287-16 J. Funk – C. Wiebe  
Resume BE IT RESOLVED that the meeting of Council held in camera be adjourned;  
AND BE IT FURTHER RESOLVED that the Council while in camera discussed a personnel matter and matters in the preliminary stages respecting long term plans for the development of the community.  
“Carried”
- Res#288-16 K. Stott – J. Funk  
Agenda BE IT RESOLVED that the agenda be approved subject to the following addition:  
New Business - ProStar HDD Quote for Remobilization  
- Letter of Support re SE Inspiration Show  
“Carried”
- Res#289-16 N. Dueck – C. Wiebe  
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on October 4, 2016 be approved as presented.  
“Carried”
- Res#290-16 C. Wiebe – J. Funk  
Waive WHEREAS a request was received from Shana Kozakowski to waive the penalty  
Tax Penalty of \$76.78 posted to tax Roll 44820.340 as a result of payment receipt processed on October 4, 2016;  
AND WHEREAS Ms. Kozakowski advised that she had mistakenly scheduled payment for property taxes to be drawn from her chequing account instead of her property tax account, resulting in insufficient funds and the taxes remaining outstanding on October 1, 2016, when penalties were applied;  
AND WHEREAS Council has determined that Ms. Kozakowski has provided sufficient proof of intent to pay her property taxes by the due date by submitting copies of her transaction documents and that these are extenuating circumstances that Council is of the opinion warrant consideration for cancellation of penalty;  
THEREFORE BE IT RESOLVED that Council authorizes in response to a request from Shana Kozakowski, the cancellation of the \$76.78 penalty posted to tax Roll 44820.340 due to extenuating circumstances where genuine attempt to pay by due date was demonstrated.  
“Carried”
- Res#291-16 C. Wiebe – K. Stott  
Manhole at BE IT RESOLVED that Council approves an expenditure of \$15,000 plus  
Lagoon applicable taxes for installation of a manhole at the sewage lagoon to be located between the primary and secondary cells which is designed specifically to alleviate the maintenance concerns associated with equipment currently being required to operate while being positioned on the downward slope of the dikes.  
“Carried”

Mayor Myron Dyck reported that he and the Friends of the Plex committee met with Shannon Martin, MLA to bring the honorable member current on the Multiplex Project and request his assistance in soliciting government for financial support.

Res#292-16 K. Stott – J. Funk  
Accounts BE IT RESOLVED that cheque nos. 34238 to 34288 totalling \$240,994.45 be hereby approved for payment.  
“Carried”

Res#293-16 N. Dueck – J. Funk  
Sept. F.S. BE IT RESOLVED that the September 30, 2016 financial statement be approved as presented.  
“Carried”

Res#294-16 N. Dueck – J. Funk  
BL 767-16 WHEREAS Sunset Estates Ltd. by way of Agreement with the Town  
1<sup>st</sup> Reading Niverville has requested permission for rezoning of certain areas of the Drover’s Run golf course to reflect the reality of Sunset’s development strategy;  
AND WHEREAS the areas to be rezoned include the following:  
1) The Drover’s Run 9-Hole Golf Course being rezoned from “R1” Single Family Residential Zone to “OS” Parks and Open Space;  
2) That portion of the driving range currently zoned “R1” Single Family Residential Zone be rezoned to “C2A” Restricted Highway Commercial which is in keeping with the majority of the Driving Range; and  
3) The club house and parking area from “C2A” to “OS”;  
THEREFORE BE IT RESOLVED that By-law 767-16, a by-law to amend By-law 663-08, as amended is given first reading and duly advertised in accordance with The Planning Act.  
“Carried”

A Public Hearing was held regarding Variation Order V5-16, an application from Leslie Bardal to vary the total of all accessory uses to 102% of the primary use on Lot 14, Block 2, Plan 13081, civically known as 42 Roselawn Bay. Jon Bardal was present and provided an overview of his proposal to build an accessory building to contain his hobby business of making knives. No concerns were brought forward in opposition to the application.

Res#295-16 N. Dueck – K. Stott  
V5-16 WHEREAS a Public Hearing was held regarding Variation Order V5-16, an application from Leslie Bardal to vary the total of all accessory uses to 102% of the primary use on Lot 14, Block 2, Plan 13081, civically known as 42 Roselawn Bay;  
AND WHEREAS the application was duly advertised and no concerns were brought forward;  
THEREFORE BE IT RESOLVED that Variation Order V5-16 to allow the total of all accessory uses to be varied to 102% of the primary use on Lot 14, Block 2, Plan 13081, civically known as 42 Roselawn Bay be approved subject to the following conditions:  
1) That this business will not generate any undue traffic in the neighbourhood;  
and

- 2) That the forge which will be located in the accessory building for conducting the knife manufacturing business not exceed the dimensions of 5.375”W x 16”D x 3.5”H.

“Carried”

Res#296-16 J. Funk – C. Wiebe

BL 768-16 WHEREAS portions of Public Reserves A and B in Plan 55833 WLTO within  
1<sup>st</sup> Reading NE ¼ 25-7-3 E.P.M., being legally described as “*all those portions of Public Reserves A and B, Plan No. 55833 WLTO, contained within the limits of Parcels B, C and D on the said Plan, (Dep. 1356-2016) WLTO in the NE 1/4 Sec. 25, Tp. 7, Rge 3 Epm,*” require closure in accordance with The Planning Act of Manitoba in order to provide for commercial development along Old Drover’s Run;  
AND WHEREAS Council is of the opinion that the closure of the described Public Reserve lands is in the public interest, with Public Reserve B to be sold to the owner of Lot 2 and Public Reserve A to be sold to Sunset Estates excluding all mines and minerals;  
THEREFORE BE IT RESOLVED that Council gives first reading to Bylaw 768-16 to close portion of the Public Reserves A and B in Plan 55833 WLTO within NE ¼ 25-7-3 E.P.M.

“Carried”

Res#297-16 J. Funk – C. Wiebe

BL 769-16 BE IT RESOLVED that Bylaw 769-16, a bylaw for the purpose of closing a  
1<sup>st</sup> Reading portion of Tweed Lane, Plan 55833, WLTO in the NE ¼ OF 25-7-3 EPM, be given first reading.

“Carried”

Res#298-16 C. Wiebe – J. Funk

ProStar HDD WHEREAS the Town of Niverville is under contract with ProStar HDD for the  
Remobilization Crown Valley Road watermain installation which requires a railway encasement to be installed under the CPR tracks and water main to be tied in on each side of the tracks;  
AND WHEREAS a delay in receiving approval from CPR for access under the tracks will require ProStar HDD to remobilize next spring;  
AND WHEREAS the Town has received a quote for the remobilization of ProStar HDD to in the amount of \$14,875.00 plus GST;  
THEREFORE BE IT RESOLVED that Council approves the quote from ProStar HDD for their remobilization in spring 2017 (prior to March 31, 2017) in the amount of \$14,875.00 plus GST.

“Carried”

Res#299-16 C. Wiebe – K. Stott

Letter of WHEREAS the promoters of the Southeast Home Inspirations Show, an event  
Support held annually at the Niverville Heritage Centre each spring are requesting a letter of support from the Town;  
AND WHEREAS Council values the publicity and marketing of the Town that is generated in association with this event;  
THEREFORE BE IT RESOLVED that Council approves providing a letter of support to the promoters of the Southeast Home Inspirations Show to assist in the advertising of their annual event.

“Carried”

Res#300-16 N. Dueck – K. Stott  
Adjourn BE IT RESOLVED that the meeting be adjourned. (7:37 p.m.)

“Carried”

---

Mayor

---

Town Manager