

**MINUTES OF THE TOWN OF NEEPAWA REGULAR MEETING OF COUNCIL HELD TUESDAY MAY 20, 2014 AT 5:00 P.M.
IN THE COUNCIL CHAMBERS, NEEPAWA MUNICIPAL OFFICE, 275 HAMILTON ST., NEEPAWA, MB**

Present: Mayor Waddell, Deputy Mayor Stilwell, Councillors Copeland, Dietrich, Drysdale, Grant and Pottinger; Chief Administrative Officer Richard Beachey; Assistant Chief Administrative Officer Colleen Synchishyn; Manager of Operations Denis Saquet, Economic Development Officer Marilyn Crewe and Finance/IT/Design Dalyse Robertson

Guest: Debbie Stemkoski - NACTV

1. Approval of Agenda

Resolution No: 2014 31347

Moved By: Dean Dietrich

Seconded By: Sheri Grant

BE IT RESOLVED THAT the Council of the Town of Neepawa approve the Regular Meeting agenda for Tuesday, May 20, 2014.

Carried

2. In Camera 5:00 p.m. to 6:00 p.m.

Resolution No: 2014 31348

Moved By: Allan Drysdale

Seconded By: Dean Dietrich

BE IT RESOLVED that the Council of the Town of Neepawa do now sit as a "Committee of the Whole In Camera" to discuss the following:

- Development
- Legal
- Personnel

Carried

2.2 Out of In-Camera

Resolution No: 2014 31349

Moved By: Robyn Copeland

Seconded By: Allan Drysdale

BE IT RESOLVED that the Council of the Town of Neepawa do now adjourn the "In Camera" session at 5:50 p.m. and resume the Regular Meeting of Council.

Carried

3. Approval of Minutes

Resolution No: 2014 31350

Moved By: Allan Drysdale

Seconded By: Dean Dietrich

BE IT RESOLVED THAT the Council of the Town of Neepawa approve the minutes of the Regular Meeting held May 6, 2014 and the Public Hearing held May 6, 2014 as circulated, posted and attached.

Carried

4. Council Reports

4.1 Councillor Dietrich - No report

4.2 Councillor Grant - No report

4.3 Councillor Pottinger - Councillor Pottinger reported on her attendance at a Rossburn Subdivision Trail Association Meeting. The trail remains closed between Rossburn and Angusville. An excerpt, as attached, was read from the Rossburn newsletter.

Councillor Pottinger also reported on her attendance at the HAND meeting. The congregate meal program was discussed especially with the elevator at Yellowhead Manor being out of commission for repairs. The summer student has been hired and will be starting soon.

4.4 Deputy Mayor Stilwell - Deputy Mayor Stilwell reported on his participation with the local library board. The regional board meeting will be held tomorrow evening in Neepawa at 7:30 p.m. and an invitation was extended to other members of Council.

Deputy Mayor Stilwell attended a recent Lake Irwin Committee meeting and reported on the history of that committee. There is some dispute over the money in the Lake Irwin Committee account. He noted that Assistant Chief Administrative Officer Synchyshyn has compiled a considerable amount of research. There were some recent events which disrespect the agreement between the Town of Neepawa and RM of Langford in regards to the shared money. Deputy Mayor Stilwell felt that the Council of the Town of Neepawa should meet directly with the RM of Langford to deal with the funds as the committee does not have any voting rights. He requested this be addressed at a future Council meeting.

4.5 Councillor Copeland - Councillor Copeland reported as attached.

4.6 Councillor Drysdale - Councillor Drysdale noted his attendance at a meeting regarding the fire agreement with the RM of Langford.

5. Managers Report

5.1 Chief Administrative Officer Richard Beachey - Chief Administrative Officer Beachey presented his report as attached.

5.2 Assistant CAO Colleen Synchyshyn - As attached.

5.3 Manager of Operations Denis Saquet - Manager of Operations Saquet presented his report as attached.

5.4 Public Works Supervisor Keith Dahmer - As attached.

5.5 Director of Finance Jamie Davie - As attached.

6. Council Committee Reports

6.1 Community Development - Deputy Mayor Stilwell, Councillor Grant - No report.

6.2 Human Resources - Councillors Dietrich, Pottinger - Councillor Dietrich advised that the Chief Administrative Officer and Assistant Chief Administrative Officer are working on a draft presentation for a recruitment and retention plan of action.

6.3 Infrastructure - Councillors Copeland, Pottinger - As attached.

6.4 Community Services - Councillors Drysdale, Stilwell - Councillor Drysdale informed Council that the Community Services Committee and staff met with the RM of Langford regarding the fire agreement. Discrepancies on the agreement remain.

7. Mayors Report - As attached.

8. Old Business

8.1 Neepawa Natives Grant Request

Councillor Dietrich declared a conflict of interest and excused himself from the Council Chambers. He returned following the discussion on item 8.2.

Chief Administrative Officer Beachey alluded to the document, prepared by Assistant Chief Administrative Officer Synchyshyn and Director of Finance Davie, which identified where the money could be drawn from should Council chose to facilitate this request.

Councillor Pottinger questioned the expenses allocated for the pool and if they would be drawing from the recreation reserve.

Councillor Stilwell did not agree with the money being withdrawn from the recreation reserve. He questioned where the group would allocate the money if Council were to grant the request? He also questioned how many fundraising dollars the group has received since their delegation to Council. Councillor Stilwell also felt it was important to know if the other municipalities had been approached for funding and if so, how much they granted.

Councillor Drysdale noted that the delegation advised the game attendance was less than 5% of the Town's population. He questioned the amount the Town should give if the taxpayers are hesitant to support the group.

Councillor Grant felt that the team should be given time to fundraise and Council revisit this decision in the fall.

Councillor Pottinger agreed that if this was revisited in the fall, both the Town and the Neepawa Natives would have ample time to revisit their budgets.

Councillor Stilwell felt a clear message should be sent that the Town is supportive and behind the team and would hate to see private donations stop because the Town provides a large grant.

Chief Administrative Officer Beachey will write a letter to the group advising them of Council's support and decision to revisit this request in the fall. He will also gather information on their fundraising efforts for Council.

8.2 Neepawa Natives - Request to Accept Donations/Issue Tax Receipts

Assistant Chief Administrative Officer Synchyshyn reiterated what was discussed at the last meeting. The Municipal Act and Canada Revenue Agency are very clear on legislation and this request falls outside the scope of legislation. Councillor Copeland noted that similar requests have been denied in the past. Council was unanimous that the request be denied.

8.3 HyLife Foods – Legislation Re: Dev. Agreement/Caveat

Resolution No: 2014 31351

Councillor Copeland reviewed the request and provided detailed information on the proposed protein recycling facility.

Councillor Stilwell felt this should go through public scrutiny at the local level before going to the higher levels. He noted he was opposed to a rendering facility in Town limits.

Councillor Pottinger noted she is in favour of allowing the process to unfold. This would allow the agreement to be updated to bring it to current standards. Hylife is attempting to diversify in order to make the business sustainable. Councillor Copeland advised that the current agreement only covers the property owned by Hylife and no other property. Hylife will find other property and go through the Provincial levels should Council deny this request. It would be preferable to keep Hylife in the Town of Neepawa and allow Council to have input into the consultation process.

Moved By: Robyn Copeland

Seconded By: Lisa Pottinger

WHEREAS Springhill Holding Co. Ltd. entered into a development agreement with the Rural Municipality of Langford on April 7, 1986 for the establishment of a hog processing plant on land they owned in SW ¼ 35-14-15 WPM;

AND WHEREAS since that time, neither Springhill Farms nor the RM of Langford are parties to the agreement, with HyLife Foods being the current legal owner by way of purchase in 2008 and the Town of Neepawa being the respective municipal authority by way of annexation in 1986;

AND WHEREAS with the passing of 28 years, certain portions of the agreement have become obsolete/outdated and should be re-written to encompass all valid and continuing provisions, as well as those that may be applicable to current and future development potential;

AND WHEREAS future growth opportunities being explored by HyLife Foods are subject to limitations contained in an agreement dating back 28 years, with specific notation in Article 10 outlining that any consideration to alter or amend the 1986 agreement requires submission to a public hearing, with further provision for arbitration if necessary;

AND WHEREAS since 1986, the Province of Manitoba has increased its focus on protecting the environment with effective land use planning for hog processing facilities, linked to stringent licensing processes, which requires adequate public consultation. Such requirements exceed those established either municipally or provincially in 1986;

THEREFORE BE IT RESOLVED THAT the Town of Neepawa, as successor to the agreement, undertake jointly with HyLife Foods, the re-write of the 1986 development agreement to reflect current municipal and provincial requirements and address all items to the mutual benefit of both parties;

FURTHER BE IT RESOLVED THAT concurrently with the re-write, the Town of Neepawa waive the public consultation process contained under Article 10 of the 1986 agreement and default to the provincial processes and licensing standards, whereby a proposed application by HyLife for expansion will be measured and publically scrutinized under environmental requirements that exceed those established 28 years prior; AND FURTHER BE IT RESOLVED THAT in recognition of the potential for liability, a discharge of the 1986 agreement shall only be considered simultaneously with the signing of a new agreement and registered as caveat, ensuring adequate documentation and protection exists now and into the future.

Carried

8.4 Transfer of EVL Land to NADCO

Resolution No: 2014 31352

Moved By: Dean Dietrich

Seconded By: Allan Drysdale

WHEREAS land is required for the development of a proposed community-based, non-profit Seniors Housing Project in Neepawa;

AND WHEREAS the Town of Neepawa is to transfer the former East View Lodge site to a proponent of a "community-based, non-commercial initiative, such as housing" as stated in a joint letter by the Minister of Health and the Minister of Housing and Community Development dated January 19, 2012;

NOW THEREFORE BE IT RESOLVED that the Town of Neepawa transfer land formerly known as the East View Lodge site as described in Title No. 2696002/5, excepting there out all mines and minerals for the sum of one dollar to the Neepawa Kinsmen Senior Citizen Housing Inc., subject to funding approval by Manitoba Housing - Request for Proposals for Development of Affordable Seniors Housing RFP#: HDB2014-001 for the proposed community-based, non-profit Seniors Housing Project.

BE IT FURTHER RESOLVED that all legal and associated costs be the responsibility of the proponent, Neepawa Kinsmen Senior Citizen Housing Inc.

GRANT - DIETRICH

As amended.

Carried

9. New Business

9.1 Authorization to sign Gas Tax Agreement (2014 - 2018)

Resolution No: 2014 31353

Moved By: Allan Drysdale

Seconded By: Sheri Grant

BE IT RESOLVED that the Council of the Town of Neepawa authorize the Mayor and Chief Administrative Officer to sign the attached Municipal Gas Tax Agreement, effective 2014 - 2018.

Manager of Operations Saquet highlighted some of the amendments to the new agreement. A committee must be created to develop a five year capital plan, however money can now be used for airports and saved for a period of years.

Carried

9.2 MB Water Services Board - Infrastructure Renewal

Resolution No: 2014 31354

Moved By: Lisa Pottinger

Seconded By: Robyn Copeland

BE IT RESOLVED THAT the Council of the Town of Neepawa approve the attached project funding request with Manitoba Water Services Board to request funding for:

- New 600 mm trunk sewer to lagoons (1.6 kms)
- Lagoon expansion (new cell or addition of mechanical treatment)
- New water reservoir at the water treatment plant or near the existing tower.

BE IT FURTHER RESOLVED that should the Town of Neepawa's application for one or all of the projects be approved, that funding would be from the Town of Neepawa Utility Reserves and may be combined with any other grants the Town is successful in securing.

Engineering Supervisor Saquet noted this is in response to a request for proposal from Water Services Board. These projects are being reviewed by our consultant and preliminary numbers are forthcoming.

Carried

9.3 Day Camp Staff Wages

Resolution No: 2014 31355

Moved By: Allan Drysdale

Seconded By: Sheri Grant

BE IT RESOLVED that the Council of the Town of Neepawa approve the attached wage schedule for the Day Camp Coordinators.

Councillor Pottinger expressed disappointment in the fact that the only way young people can be recruited is by raising wages for certain positions. Raises are between 15 - 17% and our full time staff are receiving much less than this.

Carried

9.4 National Health & Fitness Day Proclamation

Resolution No: 2014 31356

Moved By: Lisa Pottinger

Seconded By: Bill Stilwell

WHEREAS:

- The Parliament of Canada wishes to increase awareness among Canadians of the significant benefits of physical activity and their participation in recreational sports and fitness activities;
- it is in Canada's interest to improve the health of all Canadians and to reduce the burden of illness on Canadian facilities and on the Canadian health care system;
- many local governments in Canada have public facilities to promote the health and fitness of their citizens;
- the Government of Canada wishes to encourage local governments to facilitate Canadians participation in healthy physical activities;
- the Government of Canada wishes to encourage the country's local governments, non-government organizations, the private sector and all Canadians to recognize the first Saturday in June as National Health & Fitness Day and promote the importance and use of local health, recreational, sports and fitness facilities;
- Canada's mountains, oceans, lakes, forests, parks and wilderness also offer recreational and fitness opportunities;
- Canadian Environment Week is observed through the country in early June and walking and cycling are great ways to reduce vehicle pollution and improve physical fitness;
- declaring the first Saturday in June to be National Health and Fitness Day will further encourage Canadians to participate in physical activities and contribute to their own health and well-being;

THEREFORE The Council of the Town of Neepawa proclaims the first Saturday in June to be National Health & Fitness Day in the Town of Neepawa and in order to leverage the effect of our proclamation, we shall advise the Federation of Canadian Municipalities of our proclamation.

Carried

9.5 Nuisance Birds

Resolution No: 2014 31357

Moved By: Allan Drysdale

Seconded By: Dean Dietrich

WHEREAS certain species of birds, such as crows, pigeons and vermin, such as beavers, that pose a public nuisance and danger to the public;

AND WHEREAS Council deems it necessary to shoot such that pose a public nuisance and a health risk;

THEREFORE BE IT RESOLVED that Council of the Town of Neepawa authorize Jake Birch, Jim King and Danny Nugent, through direction and consultation with the local Police Detachment and the CAO, to discharge firearms for this purpose within Town limits during the 2014 year.

Carried

9.6 Tax Sale Date

Resolution No: 2014 31358

Moved By: Robyn Copeland

Seconded By: Dean Dietrich

BE IT RESOLVED THAT the Council of the Town of Neepawa designate November 19, 2014 as the date for the 2014 Tax Sale Proceedings Public Auction in accordance with Section 365(3) of the Municipal Act.

The Auction will take place at 2:00 p.m. at the Town of Neepawa Civic Administration Office Council Chambers, 275 Hamilton Street, Neepawa, Manitoba.

Carried

9.7 Beautiful Plains Museum Request for land

Chief Administrative Officer Beachey reviewed the written request presented by the Beautiful Plains Museum for additional land to equal approximately 1 acre.

Councillor Pottinger noted that the board has also requested a meeting with the Council.

Chief Administrative Officer Beachey will make arrangements for the Beautiful Plains Museum Board to meet with Council.

9.8 Westlake Employment Skills & Services Meeting Attendance Request

Councillor Grant inquired about past Council representation.

The infrastructure committee has met with Westlake in the past as has Councillor Pottinger.

Councillor Grant expressed interest in attending. A reply will be sent to the board.

9.9 Appointing Enumerator

Resolution No: 2014 31359

Moved By: Robyn Copeland

Seconded By: Dean Dietrich

BE IT RESOLVED that we hereby approve an amount of \$3,500.00 to cover the costs of enumeration in preparation for the 2014 Municipal Election.

Carried

10. Accounts and Financial Statements

10.1 March 2014 Financial Statement

Resolution No: 2014 31360

Moved By: Lisa Pottinger

Seconded By: Allan Drysdale

BE IT RESOLVED THAT the Council of the Town of Neepawa approve the March 2014 Financial Statement.

Carried

10.2 April 2014 Financial Statement
Resolution No: 2014 31361

Moved By: Robyn Copeland
Seconded By: Allan Drysdale

BE IT RESOLVED THAT the Council of the Town of Neepawa approve the April 2014 Financial Statement.

Carried

11. Correspondence
Resolution No: 2014 31362

Moved By: Lisa Pottinger
Seconded By: Dean Dietrich

BE IT RESOLVED that the Council of the Town of Neepawa deal with the following communications as indicated:

1. Beautiful Plains Medical Clinic Letter; received as information and filed.
2. RCMP April 2014 Report; received as information and filed.
3. Manitoba Good Roads Association Lifetime Member and Urban Nomination Forms; received as information.
4. Prairie Mountain Regional Health Authority May 2014 Report to Communities; received as information and filed.

Carried

12. Other Business

12.1 CN Property
Resolution No: 2014 31363

Moved By: Robyn Copeland
Seconded By: Allan Drysdale

BE IT RESOLVED that the Council of the Town of Neepawa proceed in marketing and entertaining offers for sale of the CN Property through Remax Prairie Mountain;

AND BE IT FURTHER RESOVLED that Remax Prairie Mountain implement a 30 day marketing period, prior to presenting any offers received to the Council of the Town of Neepawa;

AND BE IT FURTHER RESOLVED that this resolution only constitutes offer and sale and will be subject to finalization of development plan, zoning amendments and any development agreements that will be considered in conjunction with sale.

Carried

13. Adjournment
Resolution No: 2014 31364

Moved By: Robyn Copeland
Seconded By: Allan Drysdale

BE IT RESOLVED THAT The Council of the Town of Neepawa do now adjourn this Regular Meeting of Council at 7:20 p.m.

Carried

Mayor

Chief Administrative Officer