

CALLING THE COUNCIL TO ORDER

A regular meeting of the Council of the Town of Carman was held on Thursday, May 10, 2007, in the Council Chambers of the Memorial Hall. Mayor Robert J. Mitchell called the meeting to order at 7:30 p.m. Also present were Councillors Al Boxshall, Wayne Hiebert, Ron McClain, Connie Rose, Jane Swanton; Chief Administrative Officer Cheryl Young; Media – Heather Baril, Valley Leader; Jocelyn Unrau, CKMW.

CONFIRMATION OF MINUTES AS CIRCULATED

#140 ROSE-BOXSHALL

RESOLVED that the minutes of the regular meeting of April 26, 2007 be approved as circulated, all statutory requirements having been fulfilled. CARRIED.

ADOPTION OF THE AGENDA

#141 MCCLAIN-HIEBERT

RESOLVED that the agenda be approved. CARRIED.

RECEPTION OF DELEGATIONS/PUBLIC HEARING

– None.

RECEPTION OF PETITIONS

– None.

VARIATION BOARD

– None.

REPORTS OF COMMITTEES**Councillor Hiebert**

– Pembina Valley Water Cooperative – Councillor Hiebert taped a commercial for water conservation this week for the radio.

Councillor McClain

– Dust control on Takvam Road will be completed in the next couple weeks.
– Maple Leaf Construction – meeting with Steve Blayney next week regarding 2006 construction.

Councillor Vandersluis

– Written report.

Chief Administrative Officer Young

– Written report.

#142 MCCLAIN-SWANTON

RESOLVED the Council of the Town of Carman authorizes contributing \$55.00 plus taxes monthly towards Tyler King's cell phone bill, and
FURTHER BE IT RESOLVED the Rural Municipality of Dufferin shall be charged 50% of this cost. CARRIED.

Finance and Administration Committee

– Written report.

– Fire inspector.

#143 SWANTON-ROSE

RESOLVED the Council of the Town of Carman appoints Charles Termeer as Fire Inspector for the Town of Carman, and

FURTHER BE IT RESOLVED this position shall be paid on a "fee-for-service" basis by those requiring inspections. CARRIED.

– General labourer positions.

#144 MCCLAIN-HIEBERT

RESOLVED the Council of the Town of Carman hires Johnathon Taalen as a General Labourer for the Town of Carman, effective May 14, 2007, and

FURTHER BE IT RESOLVED the salary and benefits are as set out in the Employee Agreement. CARRIED.

#145 SWANTON-ROSE
RESOLVED the Council of the Town of Carman hires Robert Rankin as a General Labourer for the Town of Carman, effective May 21, 2007, and
FURTHER BE IT RESOLVED the salary and benefits are as set out in the Employee Agreement.
CARRIED.

- Summer students.

#146 HIEBERT-ROSE
RESOLVED the Council of the Town of Carman authorizes the hiring of the following summer students:
1. General Labourer Summer Student – Evan Saunders.
2. Public Works Summer Students – Kaitlin Russell, Garret Atkins, Josh Legault.
3. Carman Dufferin Recreation Commission Summer Students – Jenna Funk, Doryan Unrau. CARRIED.

- Policy on Releasing Minutes

#147 SWANTON-MCCLAIN
RESOLVED the Council of the Town of Carman establishes the following policy on releasing minutes as follows: All minutes of regular and special council meetings shall be released upon receiving approval from Council, and
FURTHER BE IT RESOLVED regular committee meeting minutes shall be released upon request at the Town of Carman office. CARRIED.

Work and Operation Committee

- Written report.

- Boyne Regional Library Handicap Parking

#148 SWANTON-HIEBERT
RESOLVED the Council of the Town of Carman authorizes two handicap parking places be established on the east side of Boyne Regional Library. CARRIED.

UNFINISHED BUSINESS

Mayor Mitchell excused himself from the meeting, declaring an interest in the extra construction work, and Deputy Mayor Swanton assumed the chair.

Backhoe Rental – Tabled.

#149 MCCLAIN-HIEBERT
RESOLVED the Council of the Town of Carman authorizes the Work and Operation Committee to hire a backhoe for the extra construction work. CARRIED.
Mayor Mitchell returned to the meeting.

BY-LAWS

- None.

GENERAL BUSINESS

Financial Statement –

#150 SWANTON-ROSE
RESOLVED the Financial Statement of the Town of Carman for the month ended April 30, 2007 be approved and filed. CARRIED.

COMMUNICATIONS

Carman Elementary School – Requesting Council to consider a community clean up of the Boyne River, especially at the trestle by the Boyne Lodge and on the spillway by the Golf Course. Councillor McClain reported the work to clean up the trestle and spillway was completed this week.

Ron Atkins – Citizens of 3rd Street SE asking Council to consider installing speed bumps on this street to slow down traffic. Councillor McClain reported that the Royal Canadian Mounted Police will be enforcing speed on this street and throughout the Town of Carman.

Manitoba Association of Cottage Owners Inc – Dave Crabb, President of Association, requesting Council to consider a grant of \$100.00 to the Association. Filed.

ACCOUNTS

#151 MCCLAIN-ROSE
RESOLVED that the accounts, as approved by the Finance and Administration Committee, be paid in the following amount: \$304,857.34. CARRIED.

NOTICE OF MOTION

- None.

#152

BOXSHALL-ROSE

RESOLVED that the Council of the Town of Carman hereby goes into closed session, as per Section 16.13 of the Town's By-Law 03/1857 regulating procedure and conduct such matters be kept in confidence. CARRIED.

CLOSED SESSION

- Residential development.

#153

BOXSHALL-SWANTON

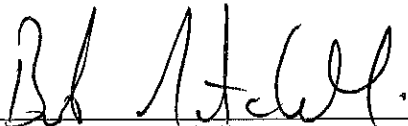
RESOLVED that the Council of the Town of Carman hereby reconvenes its regular meeting. CARRIED.

ADJOURNMENT

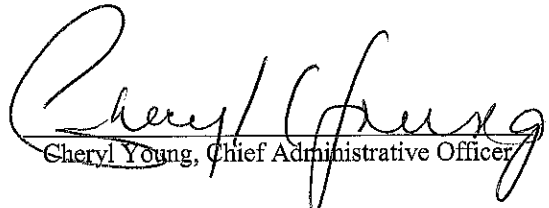
#154

BOXSHALL-MCCLAIN

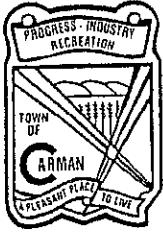
RESOLVED that the Council of the Town of Carman adjourns its regular meeting of Council at 9:10 p.m. CARRIED.



Robert J. Mitchell, Mayor



Cheryl Young, Chief Administrative Officer



MUNICIPAL COUNCIL CONFLICT OF INTEREST ACT

[Subsection 5(1)]

The Town of Carman

With reference to motion
(agenda item number) (number)

.....
(description)

arising at a meeting of the Town of Carman,
(name)

..... a member of council disclosed a personal
interest in the matter before Council, and requested permission to withdrawal
from the meeting.

Certificate of Designated Officer

Permission having been granted to member of Council
..... to withdraw from the meeting, the said councillor
withdrew from the council chamber, without further participation in the matter
under discussion.

.....
Date

.....
Signature of Designated Officer

FINANCE AND ADMINISTRATION COMMITTEE

A Finance and Administration Committee meeting was held on Thursday, May 3, 2007 at 7:30 a.m. in the Town of Carman office. Those present at the meeting included Jane Swanton, Bob Mitchell, Connie Rose, Ed Vandersluis and Cheryl Young.

Fire Inspector – Councillor Vandersluis reported that there were four (4) names submitted for this position (Charlie Termeer, Ryan Pritchard, Harley Swain and Chris Lemky). The committee felt that it would be the best fit for Charlie Termeer to take this over with his Emergency Coordinator position. Councillor Vandersluis will talk to Charlie to see what he would charge to complete these inspections and he will also see how much other municipalities are going to be paying their Fire Inspector. This might be strictly a fee-for-service position. This will be discussed with the R. M. of Dufferin to ensure that both municipalities hire the same person.


Councillor Swanton advised that interviews were completed last week for the General Labourer positions and the committee will be recommending the hiring Johnathon Taalen and Robert Rankin. Johnathon will be starting on May 14th and Robert will be starting May 20th.

We have three (3) summer students hired for the Town of Carman public works department – Joshua Legault, Kaitlin Russell and Garret Atkins. Cheryl advised that she has registered the last position with the Youth Job Centre office. The Carman Dufferin Recreation Commission has hired Jenna Funk and Doryan Unrau as employees for the Town of Carman.

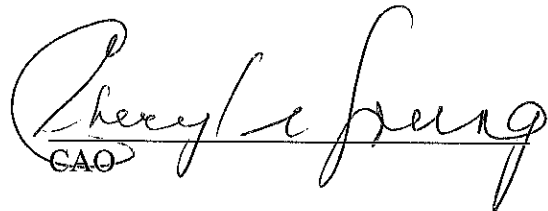
Policy on Releasing Minutes – The committee discussed the releasing of minutes. The committee will be recommending that the posting of the minutes on the website will be done once the minutes are approved. The committee meeting minutes will be released upon request at the Town of Carman office only.

Active Living Centre – Councillor Rose reported on the part time programmer for the Active Living Centre. The group would like this position not only to include a programmer but also administrative work and other duties to organize the center. The committee will meet with the Active Living Centre delegation to finalize a job description so that Mark Coates knows what he is required to do. Councillor Rose will set up a meeting with Jana Pullman first and then arrange a meeting with Clarice Gilchrist.

Mayor Mitchell updated the committee on the residential development in Carman. The rezoning by-law for the property should be ready for first reading at the next council meeting.



Chairperson



GAO

REPORT TO COUNCIL

Cheryl Young CAO
May 10, 2007

The Manitoba Municipal Administrators' convention in Brandon was excellent this year. They had a number of very interesting workshops that always gives you something to think about and change when you come back to the office.

Access and Privacy – since I have received four applications for access to information, I thought it was timely to attend a refresher on this topic. I was able to discuss the Town's request for information and was given some hands on information regarding them. My responsibilities as the Access Officer for the Town of Carman would be to provide any information/records that would be allowed to be accessed and to provide as much help throughout the process as possible. The request for information that the Town of Carman has received is more requesting opinions of our Mayor is does not really fall within the guidelines of the Act. The suggestion by the Provincial Department would be to speak to the applicant and discuss the matter with him and likely then he would withdraw the applications. I have done this as well and the applicant still feels he has a right under the Act. Mayor Mitchell and I will be discussing this matter again next week to determine how we are going to handle a response. I must make a formal response to him, in writing, by May 23, 2007. I received notification on Monday, May 7th that Mr. Hudson was withdrawing his requests for access. He had requested who the Town's representative on PVWC was so I would imagine that he will likely be keeping in touch with Councillor Hiebert regarding water matters.

Employment Standards – I attended a workshop that outlined the changes to the Employment Standards that came into force April 30, 2007. This session was very interesting and there were some very interesting points that came out of it. Here are some of them...

- Most jurisdictions do not have sick days anymore. Most places are going into insurance benefits rather than sick days.
- Overtime pay exclusions – employees who perform management functions (manager definition now is person that has control over financial accounting and power to hire and fire. Nygard case has now made it necessary for any pre-employment contract to be very specific what the salary covers (40 hours per week plus 10 hours overtime).
- Big change in calculating overtime and incentive pay or those hired on base work pay plus incentive.
- Caution with overtime – If an employer has knowledge of any overtime hours – employer could be liable. All employers should have a policy in place stating that all overtime shall be approved and authorized in advance by Supervisor.
- New act broadens the definition of a family member to match the EI definition. There are now 3 unpaid days for bereavement leave and 3 unpaid days for family responsibility/sick days each year. These are the minimum standards now. Also if an employee takes a couple hours of a family day – it is considered the entire day (this is out of the EI Act).
- Everyone is now entitled to statutory holidays and there is a change as to how to calculate the amount of pay to be received for the holiday. It is either the wages normally earned in the workday or 5% of the employee's total wages in the four-week period before the holiday.
- Employers cannot deduct anything from an employees wage even if the employee has given permission unless the employee received a direct benefit from the deduction. No

longer can employees be charged for schooling (if courses are failed) or speeding tickets in company vehicles, cash or inventory shortages, customer theft, etc.

- The instructor provided a useful tool for employers – an employer can temporarily lay off a person for up to 8 weeks without notice. The employer is obligated to bring the employee back after the 8 weeks, however often the employee has found other employment during that time.
- Employees under 18 years of age cannot work alone between 11:00 p.m. and 6:00 a.m.
- Employers are no longer able to withhold wages of employees who terminate without notice.
- Termination of Employment has also changed.
- Notice from Employer to employee – (notice can be worked or paid out) –

<u>Years of Service</u>	<u>Required Notice</u>
Less than 30 days	No notice
1 – 3 years	1 week notice
3 to 5 years	2 weeks notice
5 to 10 years	6 weeks notice
10 years or more	8 weeks notice

Notice from Employee to Employer

<u>Years of Service</u>	<u>Required Notice</u>
Less than 30 days	No notice
30 days to 1 year	1 week notice
More than 1 year	2 weeks notice

- Employment standards no longer require coffee breaks – only ½ hour break after 5 hours of work.
- Employers must guarantee 3 hours of wages for reporting to work, however the employer can schedule shifts to be under this minimum.

I attended other workshops – one on communicating effectively with assertiveness and then the last one was with Intergovernmental employees regarding changes to municipal procedures, etc. I found all information workshops very interesting.

I have forwarded the soil results from Greenwood Cemetery to Blair Russell so he can come up with a plan of attack regarding the evergreen trees on the north end of the cemetery property. Ian McKinnon has also donated a tree from his garden that will be moved to Memorial Hall grounds.

On May 1, 2007 Jane Swanton, John Peckover, Ian McKinnon and myself met with Tyler King, Economic Development Officer. The group reviewed the Community Profile that Tyler has updated. Tyler has suggested that we get the folders printed and attempt to do the inserts ourselves. By trying to do this, we will be able to keep the inserts updated. Tyler has reviewed the document and has changed it to include Dufferin in the printed material.

Tyler reported that the Cycle of Hope will be coming through Carman on July 13th and are looking for a place to stay that has showers. The group should be arriving approximately at 1:30 p.m. on the 13th and will be leaving after 6:30 a.m. on the 14th. Tyler was asked to contact Bob Pauls to see if the Church Pastoral group would take on the meals. Prairie Rose School Division would need to be contacted for the use of the school for sleeping. Tyler will get in touch with the Cycle of Hope organizing committee and advise that the area is interested in hosting them.

Dimestore Fisherman – Tyler advised that there has been a request to have a show taped in the area. The cost for this is \$8900 plus accommodations and meals for the production crew. It was felt that this likely was not suitable for this area.

Tyler advised that he is working with Heartland to host a Business Start Seminar (September 17-19) in Carman. This seminar will be open for people in the area and they are thinking there would be 15-20 spots available.

Cell phone – Tyler advised that he is prepared to use his own cell phone for his EDO position. The committee is recommending that Carman/Dufferin will reimburse him \$55.00 plus taxes per month for cell phone usage.

Tyler advised that he has completed reviewing all the files in the office. He will be working on moving the Community Works Loan program into his office in the next couple weeks. He has been working on business visits as well.

A reminder that the meeting with the RHA – Central Manitoba Inc. will be at noon on Thursday, May 17th in the Council Chambers of Memorial Hall. Lunch will be provided.

There will be a meeting with Dillon Consulting regarding the water treatment plant sludge will be on Tuesday, May 15 at 10:00 a.m. Bill would like to present the revised schedule and plant design at this meeting.

Evelyn from Community Planning phoned on Monday to give the Town of Carman a head up. Ray Vollrath from River Cove is going to the Community Planning office in Morden on Monday to read all the comments from the government agencies that were filed when the subdivision was filed and passed by Council.

WORK AND OPERATION COMMITTEE

A Work and Operation Committee meeting was held on Friday, May 4, 2007 at 12:00 p.m. in the Town of Carman office. Those present at the meeting included Wayne Hiebert, Al Boxshall, Bob Mitchell and Cheryl Young.

Curtis Kippen forwarded the following written report.

Monday – Assiniboine Injectors started dredging cell #2 and the work should take approximately one week. They will be leaving their machines here while they go to Brandon the following week. They will return to clean the outlet of cell #1 when they return. Shut off Cell 1 (at the lagoon) and now dumping it into cell 2 so they can finish dredging. The street sweeper went all day. Recycling worked on as well. The men hauled concrete to River Cove. Two summer students started working today.

Tuesday – sweeping. Tilled Transfer Station for the second time. The men prepared the bubble at the Junction of #3 and #13 for cement. They are just waiting for the red dye to get it. The men will try to pour this concrete on Monday – depending upon the weather. Curtis reported that he delivered Dave's letter to him on Tuesday and told him to clean the fence and not to burn the fence area.

Wednesday – Put all flower planters out and still need to fill them with dirt. Picking up trees and branches. Hauled concrete to River Cove again. Plastic baling was caught up. Put the sprayer on the Massey and got it ready to start spraying.

Thursday – Recycling. It was too windy to dump the cardboard or the garbage truck at the Transfer Station. The new garbage truck should be delivered next Monday (May 7th). They have been having trouble with the transfer of ownership. John from Contec was out and they might dig a test hole on Friday. The surveyors were here today. Helped the Games Committee put up the Games signs. Cleaned up the water break mess on 4th Avenue NW – it looks cleaner now. The men cut Floyd's hedge on Thursday. Grade 8 class from Dufferin Christian school toured the lagoon.

Friday – Street Sweeper cleaned the highway, one-way street, Syl's, Coop, and Lite Stop. Men picked up town green day. Sweeping in the Town of Carman has been completed except River Cove and the balance of Southeast section of Town. Completed all recycling pick up at apartment blocks. A load of recycling went to Winkler. Sent water samples away from Cell 4 to see if we can discharge.

Compost – is fairly messy. Curtis and Dennis cut around 30 plastic bags that had been dumped in the area. Curtis is getting locations for Ryan Thom's sewer line repair. Joel Bilodeau is off to school next week – Water Treatment 2 and Water Distribution 1.

Maple Leaf Construction will be in Town to complete the street construction work after the May long weekend.

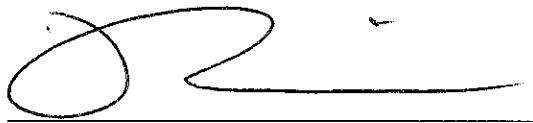
Boyne Regional Library – Sandra Yeo, Librarian has forwarded a written request to have 2 handicap parking spots be developed so patrons can use the ramp at the back entrance of the library. The committee felt the request for the handicap parking would be acceptable and the

Town staff will be asked to look into this matter. The Library Board is also requesting that the lane between the library and Credit Union be changed to a one-way lane going south. The committee will look at this and give the entire Council the opportunity to comment.

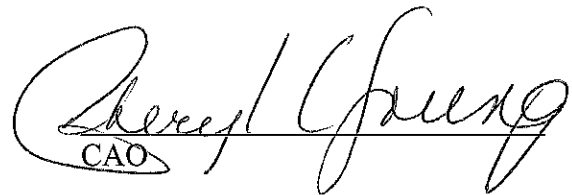
Carman Elementary School – Gord Stobbe is requesting the committee to consider closing the pool loop for the Jog in our Park to be held on Thursday, May 10 from 4 to 5 PM. The committee recommends that this street be closed for this event.

Cheryl advised that the Office of Drinking Water has sent out instructions for THM sampling. Cheryl will forward this to the water treatment plant procedure.

Councillor Hiebert reported that he has spoken with Gerry Irwin regarding the installation of individual water meters and fire hydrant installation. Wayne advised that Cheryl had received information regarding other municipalities and how they handle expenses in private trailer parks. It appears that all other municipalities do the same as the Town of Carman and that the owner is responsible for all expenses. Gerry is considering installing water meters in all his trailers and it would appear that he is prepared to complete this work. The committee asked Councillor Hiebert if Mr. Irwin had discussed the installation of fire hydrants in the old section of the mobile home park. The committee wondered if a letter should go to Mr. Irwin stating that the line to the hydrants is inadequate at being 2-inch line and it should be upgraded to a 4-inch line (this is the newer portion of the park). This letter should also state that the fire protection in the old section is inadequate and needs to be addressed. This would be a recommendation of the committee that this letter be sent out to address this concern and hoped that this would encourage Mr. Irwin to have this work completed. Wayne will talk to Mr. Irwin after the letter is sent out to try to finalize this.



Chairperson



CAO

Report by Councillor Ed Vandersluis

1. Councillor Vandersluis attended the Bowling Banquet. Thank you to Mayor Bob Mitchell for the chance to attend this meeting. I brought greetings from the Town of Carman and congratulated the inductees to the Bowling Hall of Fame – John Harrison, Jack McKay and Cyndie Lynn Sutherland. I also congratulated all who won awards. It was a very enjoyable evening.
2. Carman Dufferin Fire Department – In regards to the proposed training site to be located at the old CBC property, the two representatives of the two Councils need to meet, as we need to move on this quickly.