

THE RURAL MUNICIPALITY OF MORRIS

The Council of the Rural Municipality of Morris held a special meeting on Thursday, August 15, 2002 at 9:00 a.m. in the Council Chambers of the R. M. of Morris.

Reeve Herm Martens presided.

Present were Councillors: Barry Fraese, Sieg Neumann, Ralph Groening, Denis Robert, Stan Siemens, Leo Kornelsen.

The purpose of this special meeting is to continue with the agenda of the August 14, 2002 regular meeting.

Taxes
Cancel

Moved by Denis Robert, Seconded by Barry Fraese:

#155/02. Resolved that the R. M. of Morris agrees to cancel the 2002 property taxes for the new Aubigny Community Hall in the amount of \$1,167.64.

Carried. For 7
Against 0

Computer
Bldg. Insp

Moved by Ralph Groening, Seconded by Leo Kornelsen:

#156/02. Whereas a new computer system is being purchased for our building inspector/Compliance Officer and that this cost is shared with the Town of Morris;

Therefore Be It Resolved that the R. M. of Morris agree to this purchase with our share of same being \$517.65.

Carried. For 7
Against 0

Subdivision
G. Sawatzky
SW 26-5-1E

Moved by Sieg Neumann, Seconded by Ralph Groening:

#157/02. Whereas George Sawatzky and Roxanne Sawatzky have made application for the subdivision of part of the SW of Section 26-5-1 EPM under Planning File No. 4152-02-4466;

And Whereas this application is for the creation of a 7.39 acre yard site; Therefore Be It Resolved that the Council of the R. M. of Morris does now approve this subdivision application subject to the following conditions:

1. That a variation order be obtained for the 7.39 acre yard site.
2. That the owner shall be responsible for any new access required because of this subdivision.
3. That the property owner complies with the requirements of Environmental Operations.
4. That the remaining 30.11 acres of this parcel is to be consolidated with the remaining area of this quarter section.

Carried. For 7
Against 0

Subdivision
R. St. Godard
NW 19-5-1W

Moved by Ralph Groening, Seconded by Leo Kornelsen:

#158/02. Whereas Raymond St. Godard and Bernice St. Godard have made application for the subdivision of the NW of Section 19-5-1 WPM under Planning File No. 4152-02-4481;

And Whereas this application is for the creation of a 7.5 acre yard site; Therefore Be It Resolved that the Council of the R. M. of Morris does now approve this subdivision application subject to the following conditions:

1. That a variation order be obtained for the 7.5 acre yard site.
2. That the owner shall be responsible for any new access required because of this subdivision.
3. That the property owner complies with the requirements of Environmental Operations.

Carried. For 7
Against 0

Cond. Use
Hearing
17/2002

At 10:10 a.m., Council held a public hearing for Conditional use application 17/2002 made by Ron Dreger, Rolf Penner, Jeff Friesen and Joe Dunbar. There were 36 persons present for this hearing. Reeve Martens introduced Council and explained the process of the hearing.

Mr. Rolf Penner explained that their goal is to build 2 barns on this site but are applying for one at this time. They plan to apply for the second barn in the near future. This project is applied for by 3 area family farmers and 1 resident of the Town of Morris. They feel this is necessary to help strengthen their farm income. These barns will have 100% local owners. The feed will be purchased from the Rosenort feed mill. The lagoon will have two cells with barley straw cover and the manure disposal will be done by direct injection. The project of 2 barns will create 2 full time employees. One of the owners is proposing to purchase a machine to install the straw on the lagoon and would be available as needed. They plan to have a dead stock cold room and will be planting trees around the site. They have access to over 1,000 acres of land for manure disposal. It was indicated that this is a small project and that it is doubtful that the smell would go beyond 1 mile. This project is a contract feeder barn site, which would provide necessary financial stability.

Mr. Reg Speers told Council that the applicants have made contact with many of the area residents. He believes that this is a good site and that the applicants are area residents and would be responsible operators. This proposed project would be built above the 1997 flood levels.

Mr. Maurice Saurette is opposed to the application and presented a petition to Council with approximately 70 names on the petition in opposition to the project.

Mrs. Jacquie Saurette stated that hog barns do not provide economic growth for an area and this proposed site is located in the flood plain and should not be there. The R. M. of Morris does not have a proper decision making process and that this project will drive residents away from the area.

Mr. Maurice Saurette stated that many barns are not complying with existing requirements and do not have the necessary tree shelter belts.

Mrs. Helene Rempel read a written presentation to Council in opposition to the application. They have just built a new home in the area and this hog barn will affect the life of the residents of the area. Council must decide such decisions in a professional manner and listen to the residents of the area. In the future, the existing hog barns could be an environmental concern.

The odor from the proposed project is prevalent to the residential area along PR 246. She asked what Council's long term plans were for the hog industry in this municipality.

Councillor Robert asked if this application was for 1 barn or 2 barns. It was answered that they are applying for 1 barn at this time and will likely apply for a second barn in the near future. But wanted to be open in their intentions of having a second barn.

Mr. Reg Speers indicated that the industry is working continually for a process or ideas to help eliminate odors from hog operations. There are many different ideas, unfortunately, there is not enough dollars to test every idea immediately.

Councillor Groening stated that properly installed straw cover or plastic cover on the lagoon does help reduce the odor issue. However, the industry does not help with policing or enforcing deficiency issues. Reeve Martens commented that the Municipality has more stringent regulations than the province.

Councillor Robert stated that the Municipality required a tree shelter belt around the site and do hold a performance bond to help enforce the requirements.

Hearing Continued

Mr. Rolf Penner stated that the manure would be disposed of by injection with an umbilical cord system with a cultivator and injected and released underground.

Mr. Maurice Saurette told Council that many barns do not have the required shelterbelts and presented pictures to Council of barns without trees shelterbelts. Why does the Municipality and Province allow hog barns to be built in the flood plain area.

The response was that the buildings are flood proofed and each barn does have a number of terms and conditions with their approval and the Reeve then read aloud the basic conditions to hog barns but explained that some will vary depending on the location.

Mr. Steve Lawrie questioned what the size of the performance bond might be and has the Municipality retained this bond for non-performance. He was told that the performance bond is 1% of construction costs and that we have held back a bond for non-compliance.

It was noted that the performance bond amount is far below the cost of a plastic cover and therefore does not have a great financial threat to the operation.

Mrs. Jacquie Saurette asked if there was any control on how many other barns could be proposed for the area.

Mr. Reg Speers indicated that the industry does recommend at least a 1 mile separation between barns. He also noted that different people have different sensitivity to the odor.

Reeve Martens stated the Council must look at the impact on this application on the Aubigny community.

A question was asked how we were policing compliance of cover on the lagoons. It was answered that a fly over was done to determine non-compliance sites and another fly over would likely be done in the early fall to further review the situation.

Mr. Guy Saurette mentioned that there is a barn about 3.5 miles SE of his residence and he smells a strong odor from that barn. The barn in question is S & B Feeder (10,000 feeders) in the R. M. of de Salaberry. It was mentioned that this barn is in another municipality and they may not have any conditions of lagoon cover or tree shelterbelts on that operation.

Mr. Claude Saurette mentioned that there needs to be enforcement and heavy fines for non-compliance.

It was also mentioned that the performance bond should be 2 or 3% to have an impact on compliance.

The hearing was then adjourned at 11:45 a.m.

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

At 1:30 p.m., Council held a public hearing for Conditional Use application 15/2002 and 16/2002 made by Cottonwood Pork Ltd. and TSI Ag Services Ltd.

There were 5 persons present for this hearing.

Reeve Martens explained the process of the hearing.

He then mentioned that a letter of opposition had been received from Robert Holloway.

Mr. Blake Friesen stated that both projects have the same partners and that it is under different companies for economic reasons. He then explained that this project is for 2 – 1,200 sow farrow to weanling barn projects and that the weanlings from the proposed barns would go to Cottonwood and Sunnysdale feeder barns. They plan to have a tarp on cell 2 of the lagoon but would like an option of plastic or straw on cell 1.

Hearing Continued

Having the plastic on cell 1 makes it very difficult at the time the lagoon is emptied and shortens the life of the plastic and is subject to tears. He then reviewed the points of a written presentation to Council.

Mr. Jeff Siemens stated that they have a tentative purchase agreement for all of the Rance property. They will be using a cultivator injection process but asked that Council reconsider the issue of use of the airway unit.

Mr. Blake Friesen stated that this is a family run farm operation and are easy to get in contact with. He received no contact from Council on the smell issue from the fall of 2001.

There was a question raised on the condition of the bridge to this site and it was mentioned that the bridge had upgrade work done a few years ago and that it was capable to handle this operations needs.

The hearing was adjourned at 2:15 p.m.

Accounts

Moved by Leo Kornelsen, Seconded by Ralph Groening:

#159/02. Resolved that we now approve the list of accounts for August 14, 2002 in the amount of \$248,830.18 with cheque 11780 to Mikkelsen Coward being cancelled.

Carried. For 7
Against 0

Meridian
Farm Bond
Refund
Denied

Moved by Denis Robert, Seconded by Barry Fraese:

#160/02. Whereas Meridian Farms have requested a refund of ½ of their hog barn performance bond held in trust by the Municipality;

And Whereas Meridian Farms have not provided adequate cover on their lagoon;

Therefore Be It Resolved that the R. M. of Morris not refund any portion of this performance bond at this time.

Carried. For 6
Against 1

M.W.S.B.
Funding
Agreement

Moved by Ralph Groening, Seconded by Leo Kornelsen:

#161/02. Whereas the Manitoba Water Services Board requires a funding agreement for future rural water line and other projects;

And Whereas the M.W.S.B. share is approximately \$300,000.00 of the agreement;

Therefore Be It Resolved that the Council of the R. M. of Morris accept this agreement and authorize that same be signed on behalf of the Municipality.

Carried. For 7
Against 0

School Div.
Rental
Committee

Moved by Stan Siemens, Seconded by Sieg Neumann:

#162/02. Resolved that the R. M. of Morris hereby appoint Denis Robert and Herm Martens as our representatives to discuss the issue of office rental with the Red River Valley School Division.

Carried. For 7
Against 0

Tax Sale

Moved by Ralph Groening, Seconded by Leo Kornelsen:

#163/02. Resolved that we commence Tax Sale proceedings on Lot 15-693 and Lots 16/17-510 in Lowe Farm.

Carried. For 7
Against 0

Lavallee
Gravel

Moved by Sieg Neumann, Seconded by Stan Siemens:
#164/02. Resolved that we now approve an advance payment to Lagallee
Gravel in the amount of \$100,000.00 for the 2002 gravel program.

Carried. For 7
Against 0


Cond. Use
14/2002
A. Weiss
NW 36-4-1W

Moved by Sieg Neumann, Seconded by Leo Kornelsen:
#165/02. Whereas Alvin Weiss has made application for a Conditional
Use to allow for the construction and operation of
3 - 2,000 feeder hog barn livestock feedlot operations in a 40 acre parcel
in the NW of Section 36-4-1 WPM;
And Whereas a public hearing was held for this application on August 14,
2002;
Therefore Be It Resolved that the Rural Municipality of Morris hereby
approves this Conditional Use No. 14/2002 subject to the following
conditions:

1. That all lagoons have a minimum 440 day storage capacity at 3 feet below the lagoon wall elevation level and that there be installed and maintained a plastic cover on the lagoon with the lagoon walls elevated to be at least 2 feet above ground level or 2 feet above the 1997 flood level, whichever is highest.
2. That the Morris Livestock Guidelines be adhered to.
3. That all additional driveways and access 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 unit with 48 hour dead animal pickup or that the operation compost the dead animals to a method acceptable to Council.
5. That a minimum three row tree shelter belt, of a minimum 2 varieties, be planted and maintained around the barn and lagoon site with the trees being planted for the first spring.
6. That a 1% refundable performance bond of capital construction costs be submitted to the Municipality and shall be paid when making application for a building permit.
7. That the manure disposal be done by direct injection and released underground.
8. That all material being put into the lagoon shall be only from the direct operation of this hog barn.
9. That a building permit be obtained from the Municipality prior to starting construction of this project.
10. That an occupied residence be permanently maintained on the site.
11. That this operation be subject to a fine of \$5,000.00 per infraction for non-compliance of the conditions to this Conditional Use Order.
12. The commencement of this project is the acceptance by the applicant and owner to these terms and conditions of this order.

Carried. For 6
Against 1

Moved by Councillor Stan Siemens;
That we now adjourn this special meeting at 5:00 p.m.


Reeve


Municipal Administrator.