

**RURAL MUNICIPALITY OF BROKENHEAD
JULY 9, 2019 - REGULAR MEETING 7:00 PM
MINUTES**

Members Present:	Reeve Councillor	Brad Saluk Bruce Modrzejewski Luke Ingeberg Jack Kowalchuk
	CAO Executive Asst.	Sue Sutherland, CMMA Kerry Bialek, CMMA
Regrets	Councillor	Sean Michaels

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

218-19 KOWALCHUK-MODRZEJEWSKI
BE IT RESOLVED THAT this meeting of Council is called to order, the time being 7:00 p.m.

Carried

2. Adopt Agenda/Adopt and Confirm Minutes

2.1 Resolution to adopt the agenda

219-19 INGERBERG-KOWALCHUK
BE IT RESOLVED THAT the agenda is adopted as circulated.

Carried

2.2 Resolution to adopt the minutes of June 25th, 2019 Regular Meeting

220-19 MODRZEJEWSKI-INGERBERG
WHEREAS copies of the minutes of the Regular meeting of June 25th, 2019 have been circulated to each member of Council, and;
THEREFORE BE IT RESOLVED THAT Council waive the reading of these minutes and said minutes be adopted, as circulated.

Carried

2.3 Resolution to adopt the minutes of June 25th, 2019 Committee of the Whole Meeting

221-19 KOWALCHUK-MODRZEJEWSKI

WHEREAS copies of the minutes of the Committee of the Whole meeting of June 25th, 2019 have been circulated to each member of Council, and;

THEREFORE BE IT RESOLVED THAT Council waive the reading of these minutes and said minutes be adopted, as circulated.

Carried

3. Delegations and Public Hearings

3.1 Variation Order V-359-19 – Lots 1 & 2, Block 4, Plan 1635

222-19 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead suspends the regular meeting of Council and opens this Variation Hearing to hear File No. V-359-19, the time being 7:03 p.m.

Carried

Chief Administrative Officer Sue Sutherland summarized the variation application. The Brokenhead River Planning District recommended no privacy inserts for the chain link fence as it would obstruct view of traffic.

Richard Larsen (owner/applicant) spoke in favour of the application. Photographs and videos were supplied by the owner. There will be no privacy slats, except perhaps along the back lane. Site plans had been submitted to indicate the start and end of the fencing and deck. The yard has been visited by wildlife that has eaten the cedars and flowers. Alicia Dismaya (owner/applicant) has been cornered by a dog. The fence will act as protection.

No one spoke in objection to the application.

223-19 MODRZEJEWSKI-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:14 p.m. and return to regular meeting of Council.

Carried

224-19 KOWALCHUK-MODRZEJEWSKI

WHEREAS the Rural Municipality of Brokenhead Zoning By-Law 1688, as amended; Section 4.3.2 Table I – ‘R’ Residential Zone requires that fences and hedges located on the street side of a reversed corner site shall not exceed a height of 3.5 feet unless set back a distance of 15 feet, in which case said height shall not exceed 6 feet, *and* projections from dwelling and other main buildings – open, unenclosed porches, platforms at or below level of first floor

require a side yard setback of 3 feet, or 12 feet – the greater distance shall apply on the street side of a corner site;

AND WHEREAS Alicia Dismaya has made application for variation to permit to erect a 5 foot chain link fence on the street side of a reversed corner as well as along the entire front yard with a setback of 3” from property line and to construct a 5 foot wide side deck to wrap around the east side of the house having a 9 foot setback on the street side of a corner site on the premises of Lots 1 and 2, Block 4, Plan 1635 – 30 Pine Avenue, and;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-359-19 for Alicia Dismaya is hereby approved with the following condition:

1. That all fence materials provide a clear line of vision 15 feet from the corner of the fence.

Carried

3.2 Kelly Babisky – Request for Second Dwelling Unit

K. Babisky attended Council to request a second dwelling unit be added to her property located at 44009 Mile 72N as her mother-in-law is not well and to have her close by on the property will assist in care and support. Chief Administrative Officer Sue Sutherland recommends that Administration draft an agreement for a two-year period to be brought to council for resolution to sign

4. Financial Reports/Payment of Accounts

4.1 Approval of Accounts to July 9th, 2019

225-19 KOWALCHUK-INGEBERG

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to July 9th, 2019, and;

THEREFORE BE IT RESOLVED THAT the following be approved for payment:

<u>Payroll</u>	Cheques #20190792-20190812	\$ 29,518.34
<u>Accounts for Payment</u>		
Recreation	Cheques #20190866-20190869	\$ 1,166.80
Fire	Cheques #20190858-20190865	\$ 8,378.70
General	Cheques #20190813-20190857	\$108,970.22
General	Cheques #20190870-20190871	\$ 10,117.11
<u>June Bank Statement</u>	LUD Mower Loan	\$ 2,805.28
	Western Financial Group	\$ 1,991.01
	Manitoba Hydro	<u>\$ 6,184.16</u>
	TOTAL:	<u>\$169,131.62</u>

Carried

4.2 Council Indemnities – June 2019

- 226-19 MODRZEJEWSKI-INGEBERG
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the June 2019 Council Indemnity Sheets as presented;
AND FURTHER THAT Council authorizes payment of the June 2019 council indemnities.

Carried

5. By-Laws

Nil

6. Unfinished Business

Nil

7. New Business

7.1 Animal Control Services Contract

- 227-19 INGBERG-KOWALCHUK
WHEREAS the Rural Municipality of Brokenhead has Animal Control by-laws in effect, and;
WHEREAS these by-laws require consistent enforcement and services available to the residents of the Municipality, and;
THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into and executes an Animal Control Services Contract with Rural Animal Management Services.

Carried

7.2 Hiring of Summer Students

- 228-19 INGBERG-MODRZEJEWSKI
WHEREAS the Rural Municipality of Brokenhead has received a Hometown Green Team grant, and;
THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead hires Ben Koskie as a Green Team student employee at an amount of \$12.50 per hour, effective July 3rd, 2019.

Carried

229-19 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT the Rural Municipality of Brokenhead hires London Hunter as a summer student office employee at an amount of \$12.50 per hour, effective July 3rd, 2019.

Carried

7.4 Application for Approval of Subdivision File No. 4110-19-7466 – SP Lot 4, Block 2, Plan 19034 in NE ¼ Section 11-13-6EPM

230-19 INGEBERG-KOWALCHUK

WHEREAS Daniel & Elvira Wotzke have completed an Application for Approval of Subdivision for SP Lot 4, Block 2, Plan 19034 in NE ¼ Section 11-13-6EPM referred to as File No. 4110-19-7466 by Community Planning Services;

AND WHEREAS the proposed subdivision generally meets the evaluation criteria pursuant to the Manitoba Subdivision Regulation 137/2006;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead is in agreement to approve this application with the following condition:

1. That the party wall meets the requirements specified in the Manitoba Building Code.
2. That the developer pay the Capital Development Fee if required.
3. That property taxes are current.

Carried

7.5 Boundary Services Agreement – Rural Municipality of St. Clements

231-19 MODRZEJEWSKI-KOWALCHUK

WHEREAS the Rural Municipality of Brokenhead and Rural Municipality of St. Clements share a common boundary, and;

WHEREAS services must be provided to maintain the road for motorists and residents of both municipalities, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into and executes a Boundary Services Agreement with the Rural Municipality of St. Clements.

Carried

7.6 Application for Approval of Subdivision File No. 4110-19-7470 – Lot 1, Block 1, Plan 15899

232-19 INGEBERG-MODRZEJEWSKI

WHEREAS Golden Homestead Inc. has completed an Application for Approval of Subdivision for Lot 1, Block 1, Plan 15899 in NE ¼ Section 4-13-6EPM referred to as File No. 4110-19-7470 by Community Planning Services;

AND WHEREAS the proposed subdivision generally meets the evaluation criteria pursuant to the Manitoba Subdivision Regulation 137/2006;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead is in agreement to approve this application with the following condition:

1. That the applicant/owner pays fees in accordance with By-Law No. 2182-16 “Capital Development Fee” in the amount of \$5,600.00 per new lot created.

Carried

8. Correspondence/Reports

8.1 Rural Municipality of Springfield – Notice of By-Law 19-13, Development Plan Amendment

8.2 Beausejour Handivan Inc. – Minutes of May 27th, 2019 Meeting

8.3 Garson Community Rink Facility Inc. – Minutes of June 18th, 2019 Meeting

8.4 Invitation to Wild Boar Golf Classic

8.5 Chief Administrative Officer’s Report – May 11th to July 5th, 2019

233-19 MODRZEJEWSKI-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts all Minutes, Miscellaneous Correspondence and Reports as presented.

Carried

9. In Camera

9.1 Land Development

234-19 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead move ‘In Camera’ to discuss negotiations under (Section 152(3)(iii) of *The Municipal Act*) the time being 7:53 p.m.

Carried

235-19 KOWALCHUK-MODRZEJEWSKI

BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead reconvenes into regular session of Council, the time being 8:22 p.m.;

AND FURTHER THAT all information discussed ‘In Camera’ is kept in confidence until the matter is discussed at a meeting of council or of a committee conducted in public.

Carried

7. New Business (continued)

7.3 Development Agreement – 7451181 Manitoba Ltd.

236-19 KOWALCHUK-INGEBERG

WHEREAS Council of the Rural Municipality of Brokenhead approved Subdivision File No. 4110-18-7390 at the May 8th, 2018 regular meeting, and; **WHEREAS** a condition of approval is for the Developers to enter into a Development Agreement with the Rural Municipality of Brokenhead, and; **THEREFORE BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead enters and executes the Development Agreement between the Municipality and 7451181 Manitoba Ltd.

Carried

10. Adjournment

10.1 Resolution to adjourn the meeting and schedule the next meeting

237-19 MODRZEJEWSKI-INGEBERG

BE IT RESOLVED THAT this regular meeting of Council does now adjourn the time being 8:34 p.m., to meet again on July 23rd, 2019 at 7:00 p.m.

Carried

Brad Saluk

Reeve

Sue Sutherland

Chief Administrative Officer