

**RURAL MUNICIPALITY OF BROKENHEAD
MAY 26, 2020 - REGULAR MEETING 7:00 PM
MINUTES**

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

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

157-20 MICHAELS-KOWALCHUK
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

158-20 MODRZEJEWSKI-INGEBERG
BE IT RESOLVED THAT the agenda is adopted as circulated with the following changes: **Addition:**

7.3 Request for Quotes – Grader Trade-In and Purchase

Deletion:

5.3 By-Law No. 2215-20 – Amending Local Urban District of Tyndall-Garson Animal Control By-Law – 1st Reading

Carried

2.2 Resolution to adopt the minutes of May 12th, 2020 Regular Meeting

159-20 MICHAELS-KOWALCHUK
WHEREAS copies of the minutes of the Regular meeting of May 12th, 2020 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 May 12th, 2020 Committee of the Whole Meeting

160-20 INGBERG-KOWALCHUK

WHEREAS copies of the minutes of the Committee of the Whole Meeting of May 12th, 2020 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 Public Hearing – Rezoning of Lot 1, Plan 60417, Pt. SE ¼ Section 12-13-7EPM

Reeve Brad Saluk and Councillor Bruce Modrzejewski exited the meeting at 7:04 p.m.

161-20 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead opens this Public Hearing, the time being 7:04 p.m., to receive representations, ask questions or register an objection from any person(s) who wish to make them in respect to rezoning of Lot 1, Plan 60417 in SE ¼ Section 12-13-7EPM from “A-80” Rural and Agricultural Zone to “M” Industrial Zone.

Carried

Chief Administrative Officer Sue Sutherland reviewed the request for rezoning. The application had been sent to various provincial agencies. Manitoba Infrastructure expressed concerns with respect to drainage however this concern should have been dealt with at the time of subdivision. There is no intensification planned for this property, it is the movement of a zoning boundary to include the second half of property. There was nobody in attendance to speak in favour or to object to this rezoning.

162-20 INGBERG-KOWALCHUK

WHEREAS the Council of the Rural Municipality of Brokenhead has heard all those in attendance that wished to make representation in regards to By-Law 2214-20 to rezone Lot 1, Plan 60417 in SE ¼ Section 12-13-7EPM from “A-80” Rural and Agricultural Zone to “M” Industrial Zone;
AND WHEREAS there were 0 person(s) in attendance who registered objections;
THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead closes this Public Hearing, the time being 7:12 p.m.

Carried

Reeve Brad Saluk and Councillor Bruce Modrzejewski returned to the meeting at 7:13 p.m.

3.2 Variation Order V-364-20 – Lot 7, Block 2, Plan 48257

163-20 MODRZEJEWSKI-MICHAELS

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-364-20, the time being 7:14 p.m.

Carried

Chief Administrative Officer Sue Sutherland reviewed the application for Variation V-364-20 to erect a six foot high fence around the back half of the property. The Brokenhead River Planning District had no concerns. The applicant was in attendance to speak in favour of the application. A resident of Garson attended for clarification of line of vision at the intersection of Kingsgate Row and Banas Drive.

164-20 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:21 p.m. and return to regular meeting of Council.

Carried

165-20 MICHAELS-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 fifteen (15) in which case said height shall not exceed six (6) feet;

AND WHEREAS Walter Gusowski has made application for variation to permit a six (6) foot high fence on the property line of the street side of a reversed corner lot on the premises of Lot 7, Block 2, Plan 48257 WLTO – 64 Kingsgate Row, and;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-364-20 for Walter Gusowski is hereby approved.

Carried

3.3 Guy Sain – Request for Signage Road 39E & Mile 82N – Mr. Sain was not in attendance.

4. Financial Reports/Payment of Accounts

4.1 Approval of Accounts to May 26th, 2020

166-20 INGERBERG-KOWALCHUK

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to May 26th, 2020, and;

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

<u>Payroll</u>	Cheques #20200570-20200582	\$ 18,984.83
	Cheques #20200584-20200588	\$ 9,154.98
<u>Accounts for Payment</u>		
Fire	Cheques #20200590-20200593	\$ 439.84
Recreation	Cheque #20200589	\$ 40.00
General	Cheques #20200583	\$ 2,928.75
General	Cheques #20200594-20200623	\$ 181,980.44
	TOTAL:	\$ 213,528.84

Carried

5. By-Laws

5.1 By-Law No. 2213-20 – 2020 Tax Levy By-Law – 2nd & 3rd
Reading

167-20 INGERBERG-MODRZEJEWSKI

BE IT RESOLVED THAT Council gives second reading to By-Law No. 2213-20, being a By-Law of the Rural Municipality of Brokenhead to establish property taxes for the 2020 financial year.

Carried

168-20 KOWALCHUK-MICHAELS

BE IT RESOLVED THAT Council gives third reading to By-Law No. 2213-20, being a By-Law of the Rural Municipality of Brokenhead to establish property taxes for the 2020 financial year.

Councillor	Yes	No	Abstain	Reason
Modrzejewski, Bruce	X			
Michaels, Sean	X			
Ingeberg, Luke	X			
Kowalchuk, Jack	X			
Saluk, Brad	X			

Carried

5.2 By-Law No. 2214-20 – Rezoning of Lot 1, Plan 60417, Pt. SE ¼
Section 12-13-7EPM – 2nd & 3rd Reading

Reeve Brad Saluk and Councillor Bruce Modrzejewski exited the meeting at 7:41 p.m.

169-20 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT Council gives second reading to By-Law No. 2214-20, being a By-Law of the Rural Municipality of Brokenhead to rezone Lot 1, Plan 60417 from 'A-80' Rural and Agricultural Zone to 'M' Industrial Zone.

Carried

170-20 INGBERG-KOWALCHUK

BE IT RESOLVED THAT Council gives third reading to By-Law No. 2214-20, being a By-Law of the Rural Municipality of Brokenhead to rezone Lot 1, Plan 60417 from 'A-80' Rural and Agricultural Zone to 'M' Industrial Zone.

Councillor	Yes	No	Abstain	Reason
Modrzejewski, Bruce				
Michaels, Sean	X			
Ingeberg, Luke	X			
Kowalchuk, Jack	X			
Saluk, Brad				

Carried

Reeve Brad Saluk and Councillor Bruce Modrzejewski returned to the meeting at 7:44 p.m.

6. Unfinished Business

Nil

7. New Business

7.1 Waiving of Utility Late Fees

171-20 KOWALCHUK-INGEBERG

WHEREAS the COVID-19 pandemic has had effects on the economy and at times resulting in disruption of employment, and;

WHEREAS the Public Utilities Board has adopted Order No. 56/20, an order respecting water and/or wastewater utilities commencing on the date of March 20th, 2020 in which the COVID-19 pandemic state of emergency was declared, and;

WHEREAS the order grants approval to all municipally owned utilities to waive utility bill late fees, and;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead is in agreement to waive utility bill late fees as of March 20th, 2020 and for the duration of the state of emergency.

Carried

7.2 Request for Proposals – Pavement Crack Sealing

172-20 MICHAELS-MODRZEJEWSKI

WHEREAS the Rural Municipality of Brokenhead issued a Request for Proposals for a contractor to use sealant to fill/seal existing cracks in the asphalt streets in Tyndall and Garson in summer 2020, and;

WHEREAS the RFP was sent to five contractors and advertised online on April 9th, 2020, and;

WHEREAS two contractors provided pricing on May 8th, 2020 as below:

Contractor	Price per Metre	Total Estimated Cost
Ker-Wal Industries Inc.	\$3.95	\$39,500
Superior Asphalt Paving Co. Ltd.	\$5.00	\$50,000

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead hires Ker-Wal Industries Ltd. in accordance with RFP 2020-06 for \$3.95/lineal metre.

Carried

7.3 Request for Quotes – Grader Trade-In and Purchase

173-20 INGEBERG-MODRZEJEWSKI

WHEREAS the Rural Municipality of Brokenhead issued a Request for Quotes with the intent that a supplier shall provide a price to accept a trade-in of a used motor grader for the purchase of a new motor grader, and;

WHEREAS the RFQ was sent to three suppliers and posted on MERX on May 4th, 2020, and;

WHEREAS three suppliers provided equipment specifications, a value for the grader trade-in and a purchase price for both 140 all-wheel and 160 tandem motor graders as indicated below, and;

Supplier	Make	New 140 All-Wheel Drive Grader	Trade-in Value	140 Total Purchase (Difference)	Light Package (Optional)	Extended Warranty (Max) (Optional)
Brandt	John Deere	\$493,203.20	\$196,000.00	\$297,203.20	\$3,920.00	\$21,178.50
Toromont CAT	CAT	\$459,200.00	\$159,040.00	\$300,160.00	\$8,960.00	\$41,036.80
SMS Equipment	Komatsu	\$400,000.00	\$130,000.00	\$270,000.00	\$8,500.00	\$35,000.00

Supplier	Make	New 160 Tandem Drive Grader	Trade-in Value	160 Total Purchase (Difference)	Light Package (Optional)	Extended Warranty (Max) (Optional)
Brandt	John Deere	\$474,163.20	\$196,000.00	\$278,163.20	\$3,920.00	\$21,178.50
Toromont CAT	CAT	\$504,000.00	\$159,040.00	\$344,960.00	\$8,960.00	\$40,432.00
SMS Equipment	Komatsu	\$400,000.00	\$130,000.00	\$270,000.00	\$8,500.00	\$35,000.00

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead trades in the old motor grader and purchases a new 140 all-wheel

drive motor grader from Toromont CAT at a cost of \$300,160.00, taxes included.

Carried

8. Correspondence/Reports

8.1 Public Works Department – Minutes of May 7th, 2020 Meeting

8.2 Minister of Municipal Relations, Rochelle Squires – Green Team Program

8.3 Minister of Municipal Relations, Rochelle Squires – By-Law Officer Enforcement of Public Health Orders

8.4 Federation of Canadian Municipalities – Asset Management Funding Approval

174-20 MICHAELS-KOWALCHUK

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

Nil

10. Adjournment

10.1 Resolution to adjourn the meeting and schedule the next meeting

175-20 KOWALCHUK-MODRZEJEWSKI

BE IT RESOLVED THAT this regular meeting of Council does now adjourn the time being 7:55 p.m., to meet again on June 9th, 2020 at 7:00 p.m.

Carried

Brad Safuk

Reeve

Sue Sutherland

Chief Administrative Officer