

**RURAL MUNICIPALITY OF BROKENHEAD
OCTOBER 13, 2020 - REGULAR MEETING 7:00 PM
MINUTES**

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

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

300-20 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

301-20 MODRZEJEWSKI-KOWALCHUK
BE IT RESOLVED THAT the agenda is adopted as circulated, with the following changes: **Addition:**

7.8 Fire Protection Grant

Carried

2.2 Resolution to adopt the minutes of September 22nd, 2020 Regular Meeting

302-20 MICHAELS-INGEBERG
WHEREAS copies of the minutes of the Regular meeting of September 22nd, 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 September 22nd, 2020 Committee of the Whole Meeting

- 303-20 MICHAELS-MODRZEJEWSKI
WHEREAS copies of the minutes of the Committee of the Whole meeting of September 22nd, 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 Variation V-368-20 – Lot 2, Plan 52776 in NW ¼ Section 28-12-8EPM

- 304-20 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-368-20, the time being 7:04 p.m.
Carried

Chief Administrative Officer Sue Sutherland reviewed the application for variation order. Laurel McArthur and Brent Barz were in attendance to speak in favour of the application and to clarify details of measurements for placement of the dwelling. Nobody was in attendance to object.

- 305-20 MODRZEJEWSKI-INGEBERG
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:12 p.m. and return to regular meeting of Council.
Carried

- 306-20 KOWALCHUK-MICHAELS
WHEREAS the Rural Municipality of Brokenhead Zoning By-Law 1688, as amended; Section 4.3.5, Table IV – ‘RS’ Seasonal Resort Zone requires a front yard setback of 50 feet for dwellings, seasonal single family;
AND WHEREAS Laurel McArthur has made application for variation to permit a front yard setback of 20 feet for dwellings, seasonal single family on the premises of Lot 2, Plan 52776 on NW ¼ Section 28-12-8EPM – 176 Woody Dell Drive, and;
THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-368-20 for Laurel McArthur is hereby approved.
Carried

- 3.2 Variation V-369-20 – NE ¼ Section 2-13-7EPM

- 307-20 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-369-20, the time being 7:14 p.m.

Carried

Chief Administrative Officer Sue Sutherland reviewed the application for variation for the placement of a shed. No one was in attendance to speak in favour or to object the application.

- 308-20 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

- 309-20 MICHAELS-INGEBERG
WHEREAS the Rural Municipality of Brokenhead Zoning By-Law 1688, as amended; Section 5.3.2, Table V – ‘AL’ Limited Agricultural Zone requires a side yard and rear yard setback of 25 feet for accessory buildings, uses and structures excluding dwellings;
AND WHEREAS Reginald & Myrna Black have made application for variation to permit a side yard and rear yard setback of 10 feet for accessory buildings, uses and structures excluding dwellings on the premises of NE ¼ Section 2-13-7EPM – 72096 Road 41E, and;
THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-369-20 for Reginald & Myrna Black is hereby approved.

Carried

3.3 Steven Boerchers – Request for Secondary Dwelling

- 310-20 MODRZEJEWSKI-MICHAELS
WHEREAS Steven Boerchers has requested to place a secondary dwelling on the property legally known as SW ¼ Section 30-12-8EPM, and;
WHEREAS in accordance with Zoning By-Law No. 1688, in an A-80 Rural and Agricultural Zone a secondary dwelling is permitted under the following conditions:

- ii) Staff dwelling to include only a single family dwelling, dormitory or mobile home when on the same site with a permitted or approved agricultural activity and other permitted and approved uses where, in the opinion of Council, said dwelling is essential for the maintenance, operation and care of the permitted or approved use;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead approves the placement of a mobile home as presented by the owner, and;

FURTHER BE IT RESOLVED THAT a building permit is issued for the structure.

Carried

7. New Business

7.1 Application for Approval of Subdivision File No. 4110-20-7522 – SP Lot 6, Plan 18949 in SE ¼ Section 14-13-6EPM

311-20 MICHAELS-KOWALCHUK

WHEREAS Roger & Janice Reich have completed an Application for Approval of Subdivision for SP Lot 6, Plan 18949 in SE ¼ Section 14-13-6EPM referred to as File No. 4110-20-7522 by Community and Regional Planning Branch;

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 conditions:

1. That variance orders be obtained, if necessary, to ensure compliance with the Zoning By-Law.
2. That a Development Agreement is entered into with the Rural Municipality of Brokenhead, if required, regarding installation of curb stop.
3. 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

Mr. Steven Boerchers requested to speak to Council regarding ownership of the Town of Beausejour’s wells on Mile 71N, increase of taxes of farm property, the Public Works department, drainage, and property tax due date. Both wells are in use, alternating between the two. Reeve Brad Saluk explained that the market value of farm land has been increasing as farmers have been willing to pay more per acre. Public Works equipment is sometimes seen unused as there are twelve pieces of machinery and only six or seven public works employees. Drainage projects are on a waiting list and are completed as licenses are approved by the Province of Manitoba and when locates can be obtained by Manitoba Hydro and Bell MTS. In 2012, the due date for property taxes was changed from October 31st to September 30th. The question was why, and could the due deadline be moved back to October for to assist farmers who are rushing in September harvesting and trying to sell their crops before the property tax due date. Council is willing to have discussions in the future about the request to move the tax deadline back to October.

4. Financial Reports/Payment of Accounts

4.1 Approval of Accounts to October 13th, 2020

312-20 INGBERG-KOWALCHUK

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to October 13th, 2020, and;

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

<u>Payroll</u>	Cheques #20201289-20201309	\$ 29,867.53
<u>Accounts for Payment</u>		
Recreation	Cheques #20201360-20201365	\$ 2,796.37
Fire	Cheques #20201310-20201313	\$ 572.28
General	Cheques #20201285-20201288	\$ 13,897.14
General	Cheques #20201314-20201359	\$ 229,656.43
<u>September Expenses</u>	Manitoba Hydro	\$ 5,310.52
	HED Insurance	\$ 1,467.24
	Visa	\$ 30,460.32
		<u>\$ 314,027.83</u>

Carried

4.2 Council Indemnities – September 2020

313-20 MICHAELS-MODRZEJEWSKI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the September 2020 Council Indemnity Sheets as presented;

AND FURTHER THAT Council authorizes payment of the September 2020 council indemnities.

Carried

4.3 Financial Statement for Period Ending September 30th, 2020

314-20 INGBERG-KOWALCHUK

WHEREAS the Financial Statement for the period ending September 30th, 2020 has been prepared and presented to all members of Council, and;

THEREFORE BE IT RESOLVED THAT Council is in agreement to accept the Financial Statement for the period ending September 30th, 2020.

Carried

4.4 Cancelled Cheque

315-20 INGBERG-MODRZEJEWSKI

BE IT RESOLVED THAT the council of the Rural Municipality of Brokenhead cancels the following cheque:

<u>Cheque #</u>	<u>Amount</u>	<u>Reason</u>
20201268	\$1,204.92	Wrong Amount
	<i>Carried</i>	

5. By-Laws

5.1 By-Law No. 2219-20 – Council Code of Conduct – 1st Reading

316-20 KOWALCHUK-MODRZEJEWSKI

BE IT RESOLVED THAT the Council gives first reading to By-Law 2219-20, being a by-law of the Rural Municipality of Brokenhead, to establish and regulate a Code of Conduct for members of council.

Carried

6. Unfinished Business

Nil

7. New Business (Continued)

7.2 Application for Approval of Subdivision File No. 4110-20-7525 – Lot 2, Plan 66429 in NE ¼ Section 4-13-6EPM

317-20 MICHAELS-KOWALCHUK

WHEREAS Heritage Lane Builders Inc. has completed an Application for Approval of Subdivision for Lot 2, Plan 66429 in NE ¼ Section 4-13-6EPM referred to as File No. 4110-20-7525 by Community and Regional Planning Branch;

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 conditions:

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

7.3 Application for Approval of Subdivision File No. 4110-20-7526 – Lot 3, Plan 66429 in NE ¼ Section 4-13-6EPM

- 318-20 MODRZEJEWSKI-INGEBERG
WHEREAS Heritage Lane Builders Inc. has completed an Application for Approval of Subdivision for Lot 3, Plan 66429 in NE ¼ Section 4-13-6EPM referred to as File No. 4110-20-7526 by Community and Regional Planning Branch;
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 conditions:
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

7.4 FastMap – Aerial Imagery

- 319-20 KOWALCHUK-MICHAELS
WHEREAS the Rural Municipality of Brokenhead wishes to obtain current aerial images of the municipality for mapping purposes, and;
THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into an agreement with FastMap for aerial imagery at a cost of \$31,255.00.

Carried

7.5 Subdivision File No. 4110-19-7468 – Consolidation of Titles

- 320-20 INGBERG-KOWALCHUK
WHEREAS Subdivision File No. 4110-19-7468 was conditionally approved by Resolution No. 273-19 at the August 13th, 2019 regular meeting of Council, and;
WHEREAS the applicant has revised the subdivision application map to include SP Lot 1, Plan 19086 and re-adjusted the boundary lines, and;
THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead approves the revised subdivision application map with the following condition:
1. That the residual of Certificate of Title #2367673 and the residual of Certificate of Title #2970557 be consolidated.

Carried

7.6 Brokenhead River Recreation Commission Bookkeeping Services

- 321-20 MODRZEJEWSKI-MICHAELS
THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead provides bookkeeping services for the Brokenhead River

Recreation Commission for the period of January 1st, 2021 to December 31st, 2021 as per agreement, and;

FURTHER THAT Council authorizes the Reeve and Chief Administrative Officer to sign the agreement on behalf of the Municipality.

Carried

7.7 Development Agreement – Subdivision File No. 4110-20-7503

322-20 KOWALCHUK-MICHAELS

WHEREAS Subdivision File No. 4110-20-7503 was conditionally approved May 12th, 2020 by Resolution No. 151-20, and;

WHEREAS a condition of the approval was for Bernard and Shirley Shumilak to enter into a Development Agreement prohibiting the future subdivision of Proposed Lot 1 for residential purposes, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into a Development Agreement with Bernard and Shirley Shumilak regarding land in Pt. SE ¼ Section 19-14-8EPM, and;

FURTHER THAT the Reeve and Chief Administrative Officer be authorized to execute the agreement on behalf of the Municipality.

Carried

7.8 Fire Protection Grant

323-20 MICHAELS-MODRZEJEWSKI

WHEREAS the Fire Protection Grant has recently been announced which provides for one-time funding support to enhance fire protection and emergency response services within local communities, and;

WHEREAS the Beausejour Brokenhead Fire Department has been actively seeking new members, and;

WHEREAS mostly all new members require Level 1 certification, and;

WHEREAS the training occurs in Brandon which can be very costly, and;

WHEREAS training is an eligible expense under the Fire Protection Grant, and;

THEREFORE BE IT RESOLVED THAT the Beausejour Brokenhead Fire Department applies for Level 1 training hosted in the Town of Beausejour.

Carried

8. Correspondence/Reports

8.1 Beausejour Brokenhead Fire Committee – Minutes of June 10th, 2020 Meeting

8.2 Broken-Beau Historical Society – Minutes of August 6th, 2020 Meeting

- 8.3 Eastman Regional Municipal Committee – Minutes of August 17th, 2020 Meeting
- 8.4 Brokenhead River Regional Library – Minutes of September 17th, 2020 Meeting
- 8.5 Manitoba Good Roads Association – October 2020 Newsletter
- 8.6 Brokenhead River Community Hall – Minutes of September 10th, 2020 Meeting
- 8.7 Garson Centennial Community Centre – Minutes of September 8th, 2020 Meeting
- 8.8 Association for Community Living Beausejour Branch Inc. – Minutes of March 4th, 2020 and September 2nd, 2020 Meetings, Minutes of September 4th, 2019 Annual General Meeting
- 8.9 Beausejour Handivan Inc. – Minutes of September 28th, 2020 Meeting and 2019 Annual General Meeting

324-20

KOWALCHUK-INGEBERG

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

Carried

325-20

MICHAELS-KOWALCHUK

WHEREAS the 2004 GMC Sierra half-ton truck has a broken transmission, and;

WHEREAS the cost of repairing the truck is more than the truck is worth, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead purchases a 2015 GMC Sierra 1500 half-ton from Beausejour Chevrolet Buick GMC at a cost of \$22,999.00, plus applicable taxes.

Carried

9. In Camera

Nil

10. Adjournment

10.1 Resolution to adjourn the meeting and schedule the next meeting

326-20 KOWALCHUK-MODRZEJEWSKI
BE IT RESOLVED THAT this regular meeting of Council does now adjourn the time being 9:50 p.m., to meet again on October 27th, 2020 at 7:00 p.m.

Carried

Brad Saluk

Reeve

Sue Sutherland

Chief Administrative Officer