

**RURAL MUNICIPALITY OF BROKENHEAD**  
**JULY 13, 2021 - REGULAR MEETING 7:00 PM**  
**MINUTES**

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

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

211-21 MICHAELS-INGEBERG

**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

212-21 KOWALCHUK-INGEBERG

**BE IT RESOLVED THAT** the agenda is adopted as circulated.

*Carried*

2.2 Resolution to adopt the minutes of June 22<sup>nd</sup>, 2021 Regular Meeting

213-21 MICHAELS-INGEBERG

**WHEREAS** copies of the minutes of the Regular meeting of June 22<sup>nd</sup>, 2021 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 22<sup>nd</sup>, 2021 Committee of the Whole Meeting

## 214-21 KOWALCHUK-MODRZEJEWSKI

**WHEREAS** copies of the minutes of the Committee of the Whole meeting of June 22<sup>nd</sup>, 2021 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 – By-Law No. 2225-21 – Amendment to Zoning By-Law No. 1688

## 215-21 KOWALCHUK-INGEBERG

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead opens this Public Hearing, the time being 7:02 p.m., to receive representations, ask questions or register an objection from any person(s) who wish to make them in respect to By-Law No. 2225-21, a by-law amending Zoning By-Law No. 1688, as amended.

*Carried*

Chief Administrative Officer Sue Sutherland summarized the proposed amendments to Zoning By-Law No. 1688. Changes include the allowance of sea cans, moving of dwellings or accessory structure in/out of the municipality requiring approval by Council, fence permits, and allowable farm operations and communal agriculture-based dwellings.

Mr. Riley Baker spoke in favour of the by-law as it provides local jobs in farm-based commerce.

Ms. Elizabeth Redekopp and Ms. Erica Young attended and spoke in favour of the communal agriculture-based dwelling allowance.

Mr. Wayne Lashek contacted the municipal office concerned with the number of sea cans allowed per property. Council discussed and agreed to make sea cans unlimited on “A-40” and “A-80” Rural and Agricultural, and “M” Industrial zoned land.

A letter was received by the Municipality from Mr. Herb Kowalke commending Council for addressing the placement of sea cans, but that temporary sea cans should have a time limit attached to them.

## 216-21 MICHAELS-INGEBERG

**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 2225-21, a by-law amending Zoning By-Law No. 1688, as amended;

**AND WHEREAS** there were 0 persons in attendance who registered objections;

**THEREFORE BE IT RESOLVED THAT** Council of the Rural Municipality of Brokenhead closes this Public Hearing, the time being 7:21 p.m.

*Carried*

3.2 Variation Order V-375-21 – Lot C, Plan 23746 in NE ¼ Section 2-13-7EPM

217-21 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-375-21, the time being 7:22 p.m.

*Carried*

Chief Administrative Officer Sue Sutherland reviewed the Variation application. Mr. Wilke is requesting a variation for the front yard setback of a mobile home to be placed on the property. The proposed setback would be in keeping with that of the other dwellings in the neighbourhood. Mr. Wilke was in attendance to speak in favour of the application. No one had objected.

218-21 MICHAELS-KOWALCHUK

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:25 p.m. and return to regular meeting of Council.

*Carried*

219-21 MICHAELS-INGEBERG

**WHEREAS** the Rural Municipality of Brokenhead Zoning By-Law 1688, as amended; Section 4.3.4, Table III – ‘RR’ Rural Residential Zone requires a minimum front yard setback of 75 feet;

**AND WHEREAS** Len Wilke has made application for variation to permit a front yard setback of 30 feet for the placement of a home to be moved onto the property, and;

**THEREFORE BE IT RESOLVED THAT** Application for Variation Order No. V-375-21 for Len Wilke is hereby approved.

*Carried*

#### 4. Financial Reports/Payment of Accounts

4.1 Approval of Accounts to July 13<sup>th</sup>, 2021

## 220-21 INGERBERG-KOWALCHUK

**WHEREAS** the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to July 13<sup>th</sup>, 2021, and;

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

<u>Payroll</u>	Cheques #20210838-20210859	\$ 31,332.99
	Cheques #20210861-20210888	\$ 43,371.71
<u>Accounts for Payment</u>		
Recreation	Cheque #20210939	\$ 480.00
General	Cheque #20210860	\$ 15,115.41
General	Cheques #20210889-20210938	\$ 279,084.91
General	Cheque #20210940	\$ 5,000.00
June Bank Statement	Western Financial Group	\$ 1,138.67
	Visa	\$ 31,294.47
	Manitoba Hydro	\$ 5,594.41
		<u>\$ 412,412.57</u>

*Carried*

## 4.2 Council Indemnities – June 2021

## 221-21 KOWALCHUK-MICHAELS

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead accepts the June 2021 Council Indemnity Sheets as presented;  
**AND FURTHER THAT** Council authorizes payment of the June 2021 council indemnities.

*Carried*

4.3 Financial Statement for Period Ending June 30<sup>th</sup>, 2021

## 222-21 INGERBERG-KOWALCHUK

**WHEREAS** the Financial Statement for the period ending June 30<sup>th</sup>, 2021 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 June 30<sup>th</sup>, 2021.

*Carried*

## 5. By-Laws

5.1 By-Law No. 2225-21 – Zoning By-Law Amendments – 2<sup>nd</sup> & 3<sup>rd</sup> Readings

## 223-21 MODRZEJEWSKI-MICHAELS

**BE IT RESOLVED THAT** Council gives second reading to By-Law No. 2225-21, as amended, being a By-Law of the Rural Municipality of

Brokenhead to amend By-law No. 1688, as amended, being the Rural Municipality of Brokenhead Zoning By-law.

*Carried*

224-21 INGEBERG-KOWALCHUK

**BE IT RESOLVED THAT** Council gives third reading to By-Law No. 2225-21, as amended, being a By-Law of the Rural Municipality of Brokenhead to amend By-law No. 1688, as amended, being the Rural Municipality of Brokenhead Zoning By-law.

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. 2228-21 – Rezoning of Lot 4 Plan 20613 in NE ¼ Section 4-13-6EPM

225-21 MICHAELS-MODRZEJEWSKI

**BE IT RESOLVED THAT** Council gives first reading to By-Law No. 2228-21, being a By-Law of the Rural Municipality of Brokenhead to amend Village of Garson Zoning By-law No. 113, as amended, to rezone Lot 4, Plan 20613 from “AL” Limited Agriculture Zone to “R” Residential Zone.

*Carried*

5.3 By-Law No. 2229-21 – Road Renaming By-Law – 1<sup>st</sup> Reading

226-21 MICHAELS-INGEBERG

**BE IT RESOLVED THAT** Council gives first reading to By-Law No. 2229-21, being a By-Law of the Rural Municipality of Brokenhead to rename a road.

*Carried*

6. Unfinished Business

Nil

7. New Business

7.1 Application for Approval of Subdivision File No. 4110-21-7588 – SW ¼ Section 36-12-8EPM

227-21 KOWALCHUK-MODRZEJEWSKI

**WHEREAS** Scott Aikman has completed an Application for Approval of Subdivision for SW ¼ Section 36-12-8EPM referred to as File No. 4110-21-7588 by Community 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 \$3,000.00 per new lot created.
2. That a site area variance order be obtained for proposed Lot 1 and a site width variance order be obtained for the residual area.
3. That any other variance orders be obtained, as required, to ensure compliance with the zoning by-law.
4. That an engineered drainage plan is provided and that concerns with drainage are satisfactorily addressed, if required.
5. That a Development Agreement is entered into with the RM of Brokenhead limiting the development of new habitable structures or the enlargement of existing structures to land outside a 100 foot (30m) riparian setback area; and if necessary, requiring the rehabilitation of the riparian area.

*Carried*

7.2 Variation Order V-376-21 – SW ¼ Section 36-12-8EPM

228-21 INGERBERG-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-376-21, the time being 7:47 p.m.

*Carried*

Chief Administrative Officer Sue Sutherland summarized the Variation application submitted by Cole Singbeil. Mr. Singbeil was in attendance to speak in favour of the variation stating that he is retaining Lot 1. Mrs. Lynn Slater did not object, however asked if there would be any further development taking place on the property. As it is prime agricultural land, there will not be any further development.

229-21 MICHAELS-MODRZEJEWSKI

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:50 p.m. and return to regular meeting of Council.

*Carried*

## 230-21 KOWALCHUK-INGEBERG

**WHEREAS** the Rural Municipality of Brokenhead Zoning By-Law 1688, as amended; Section 5.3.4, Table VII – ‘A-80’ Rural and Agricultural Zone requires a minimum site area of 80 acres and a minimum site width of 1,200 feet;

**AND WHEREAS** Cole Singbeil has made application for variation to permit a reduced site area of 47.79 acres on Proposed Lot 1 and a reduced site width of 980 feet on the residual area, and;

**THEREFORE BE IT RESOLVED THAT** Application for Variation Order No. V-376-21 for Cole Singbeil is hereby approved.

*Carried*

## 7.3 Summer Student Employment

## 231-21 MICHAELS-MODRZEJEWSKI

**WHEREAS** the Rural Municipality of Brokenhead has received Green Team Funding to hire staff for the Public Works shop and for the job share position for the Pioneer Village Museum and Daylily Gardens, and;

**THEREFORE BE IT RESOLVED THAT** Administration recommends the hiring of Faye Graham and Dylan Hohne at a rate of \$13.00 per hour, effective immediately.

*Carried*

## 7.4 Highway #302 Speed Reduction

## 232-21 KOWALCHUK-MICHAELS

**WHEREAS** a request has been received from the residents located along Highway #302 to reduce the speed limit to 60 km/h when approaching the intersection of Highway #302 and Highway #44, and;

**WHEREAS** presently there is an access point too close to Highway #44, and;

**WHEREAS** a new commercial development will be coming on the west side of Highway #302, and;

**WHEREAS** accidents happen on a regular basis, and;

**THEREFORE BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead requests a 60 km/h speed limit on Highway #302 from the corner of Highway #44 to the south until Mile 71N.

*Carried*

## 7.5 Sale of Surplus Property

## 233-21 MODRZEJEWSKI-INGEBERG

**WHEREAS** property legally described as Lots 17 and 18 Plan 1640 has been deemed as surplus, and;

**WHEREAS** in accordance with policy GEN-114 Council must pass a resolution deeming the property surplus, and;

**WHEREAS** it has been recommended that the reserve bid be the assessed value of \$49,400.00, and;

**THEREFORE BE IT RESOLVED THAT** Administration proceeds according to the policy to sell the property.

*Carried*

7.6 Great Woods Park – Social Liquor Permits for Events

234-21 INGERBERG-KOWALCHUK

**WHEREAS** Great Woods Park was a registered banquet hall which therefore allowed them to acquire social occasion liquor permits for events, and;

**WHEREAS** the Great Woods Park is zoned “P” Park in accordance with Zoning By-Law No. 1688, and;

**WHEREAS** in the “P” Park zone, banquet halls are not permitted, and;

**THEREFORE BE IT RESOLVED THAT** Administration notifies Liquor, Gaming and Cannabis Authority and advises that only the issuance of one time permits be approved with a resolution of Council.

*Carried*

7.7 Prairie By-Law Enforcement Ltd. – Designated By-Law Enforcement Officers

235-21 MODRZEJEWSKI-MICHAELS

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead appoints the following employees of Prairie By-Law Enforcement Ltd. as designated officers to enforce municipal by-laws:

<u>Officer</u>	<u>Badge #</u>
Harmanpreet Gill	185
Rohit Vashisht	186
Bhawanjot Kaur	187
Mark Plowman	188
Felipe Boing	189

*Carried*

8. Correspondence/Reports

8.1 Eastman Regional Municipal Committee – Minutes of May 17<sup>th</sup>, 2021 Meeting

8.2 Age Friendly Manitoba – June 2021 Newsletter

8.3 Beausejour Brokenhead Development Corporation – Minutes of May 31<sup>st</sup>, 2021 Meeting



- 8.4 Brokenhead River Recreation Commission – Minutes of June 9<sup>th</sup>, 2021 Meeting
- 8.5 Chief Administrative Officer's Report – June 2021
- 8.6 Brokenhead River Planning District – Notice of Development Plan Amendment By-Law 175-21
- 8.7 Manitoba Municipal Relations – Bill 25 *The Municipal Statutes Amendment Act*

236-21 KOWALCHUK-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

Nil

10. Adjournment

10.1 Resolution to adjourn the meeting and schedule the next meeting

237-21 KOWALCHUK-INGEBERG  
**BE IT RESOLVED THAT** this regular meeting of Council does now adjourn the time being 8:10 p.m., to meet again on July 27<sup>th</sup>, 2021 at 7:00 p.m. at Garson Centennial Community Centre.

*Carried*

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*Brad Safuk*  
Reeve

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*Sue Sutherland*  
Chief Administrative Officer