

**RURAL MUNICIPALITY OF BROKENHEAD
SEPTEMBER 10, 2019 - REGULAR MEETING 7:00 PM
MINUTES**

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

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

297-19 KOWALCHUK-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

298-19 MODRZEJEWSKI-INGEBERG

BE IT RESOLVED THAT the agenda is adopted as circulated, with the following changes: **Addition:**

7.6 2019 Climate Change Conference

Carried

2.2 Resolution to adopt the minutes of August 27th, 2019 Regular Meeting

299-19 INGBERG-KOWALCHUK

WHEREAS copies of the minutes of the Regular meeting of August 27th, 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 August 27th, 2019 Committee of the Whole Meeting

300-19 MODRZEJEWSKI-KOWALCHUK

WHEREAS copies of the minutes of the Committee of the Whole meeting of August 27th, 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 Conditional Use C-72-19 – SE ¼ Section 35-12-8

301-19 INGERBERG-KOWALCHUK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead opens this Conditional Use Hearing, the time being 7:03 p.m., to hear Conditional Use File No. C-72-19, submitted by applicant Allan Tait.

Carried

Chief Administrative Officer Sue Sutherland presented materials including a summary of application and report submitted by Brokenhead River Planning District stating requested conditions. Conditions were reviewed by Council.

The audience was asked if anyone wished to speak in favour of the application. Mrs. Linda Slater expressed that her neighbour, Mr. Tait, has been a good neighbour, considerate, and his property is sheltered by trees.

The applicant, Alan Tait, explained his current and planned business. He is a heavy -duty mechanic who flies out frequently to work in the north. His plan is to be the only employee. CAO Sue Sutherland explained that with the conditional use being a 5 year term, this is his opportunity to provide for more employees should business expand within that time. The condition for number of employees was changed to three to provide leeway. Condition #2 was amended to allow the applicant to work outside, but store his materials inside his shop.

302-19 KOWALCHUK-INGERBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead do hereby close this Conditional Use Hearing and return to regular meeting of Council, the time being 7:27 p.m.

Carried

303-19 KOWALCHUK-MODRZEJEWSKI

WHEREAS Council sat as a Conditional Use Board September 10th, 2019 to hear representation(s) in regards to an application submitted by Allan Tait to permit the operation of a business performing truck and trailer safety

inspections on the property located at SE ¼ Section 35-12-8EPM – 71024 Mile 47E – File No. C-72-19, and;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead approves this Conditional Use Application with the following conditions:

1. The applicant will limit the hours of operation from Monday to Friday between the hours of 8:00 a.m. and 6:00 p.m., and be closed on all statutory holidays.
2. That no outdoor storage of business-related material on the property.
3. That the business will be limited to one 32 square foot sign advertising the business to be allowed on the premises.
4. That the business has no more than three employees.
5. That this conditional use order is valid for a five (5) year term at which time the applicant must apply for a new conditional use order.
6. That all costs associated with the enforcement of this conditional use order to be found in non-compliance shall be borne solely by the property owner.
7. That there shall be a maximum of two (2) unregistered vehicles related to the business at one time.
8. That there should be no sales of vehicles on the property.

Carried

4. Financial Reports/Payment of Accounts

4.1 Approval of Accounts to September 10th, 2019

304-19 INGBERG-KOWALCHUK

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to September 10th, 2019, and;

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

<u>Payroll</u>	Cheques #20191153-20191176	\$ 31,148.12
	Cheque #20191180	\$ 1,590.59
<u>Accounts for Payment</u>		
Recreation	Cheques #20191178-20191179	\$ 998.81
Fire	Cheques #20191181-20191183	\$ 6,889.68
General	Cheques #20191149-20191152	\$ 47,169.42
General	Cheque #20191177	\$ 1,385.40
General	Cheques #20191184-20191224	\$ 49,669.82
<u>Aug. Bank Statement</u>	LUD Mower Loan	\$ 2,780.46
	Western Financial Group	\$ 1,991.01
	Manitoba Hydro	\$ 4,500.23
	TOTAL:	<u>\$148,123.54</u>

Carried

4.2 Council Indemnities – August 2019

305-19 INGBERG-KOWALCHUK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the August 2019 Council Indemnity Sheets as presented; **AND FURTHER THAT** Council authorizes payment of the August 2019 council indemnities.

Carried

5. By-Laws

5.1 By-Law No. 2207-19 – Solid Waste Collection for Local Urban District of Tyndall-Garson – 2nd & 3rd Reading

306-19 MODRZEJEWSKI-KOWALCHUK

BE IT RESOLVED THAT council gives second reading to By-Law #2207-19, being a by-law of Rural Municipality of Brokenhead to provide services for a Solid Waste Collection System for the Local Urban District of Tyndall-Garson and Henryville.

Carried

307-19 INGBERG-MODRZEJEWSKI

BE IT RESOLVED THAT council gives third reading to By-Law #2207-19, being a by-law of Rural Municipality of Brokenhead to provide services for a Solid Waste Collection System for the Local Urban District of Tyndall-Garson and Henryville.

Councillor	Yes	No	Abstain	Reason
Michaels, Sean	<u>X</u>	—	—	
Modrzejewski, Bruce	<u>X</u>	—	—	
Ingeberg, Luke	<u>X</u>	—	—	
Kowalchuk, Jack	<u>X</u>	—	—	
Saluk, Brad	—	—	—	Absent

Carried

6. Unfinished Business
Nil

7. New Business

7.1 Application for Approval of Subdivision File No. 4110-19-7467 – Pt. SW ¼ Section 17-12-8EPM

308-19 INGERBERG-MODRZEJEWSKI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead is in agreement to table the Application for Approval of Subdivision File No. 4110-19-7467.

Carried

7.2 Request to Reverse Animal Control Fine

309-19 KOWALCHUK-MODRZEJEWSKI

WHEREAS a request was made by Kristen Anderson and Dylan Luining to reverse a dog control fine resulting from a noise complaint, as per By-Law No. 2203-19, and;

WHEREAS Administration recommends that the fee not be waived as it would set a precedent, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead denies the request for reversal of the dog control fine.

Carried

7.3 Appointment of Board of Revision

310-19 MODRZEJEWSKI-INGERBERG

WHEREAS the Board of Revision will be held on October 23rd, 2019 at 10:00 a.m. at the Rural Municipality of Brokenhead Council Chambers, and;

WHEREAS *The Municipal Assessment Act*, Section 35(1) requires that council shall each year by resolution appoint a Board of Revision consisting of no less than three members, to sit annually to hear applications to review assessment rolls made by the Provincial Municipal Assessor, and;

WHEREAS *The Municipal Assessment Act*, Section 35(2) requires that council shall appoint a member of a board appointed to serve as the presiding officer or chair of the board, and;

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead be appointed to sit as the Board of Revision for the Rural Municipality of Brokenhead for 2019, and;

FURTHER BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead appoints Brad Saluk as the Chair of the Board of Revision for the Rural Municipality of Brokenhead for 2019, and;

FURTHER BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead appoints Michelle Ramsden as the Secretary of the Board of Revision for the Rural Municipality of Brokenhead for 2019.

Carried

7.4 Subdivision File No. 4110-18-7419 – Rural Municipality of Brokenhead

- 311-19 INGERBERG-MODRZEJEWSKI
WHEREAS Subdivision File No. 4110-18-7419 – Rural Municipality of Brokenhead was conditionally approved on November 13th, 2018 by Resolution No. 405-18, and;
WHEREAS a condition of the subdivision was “that a declaration of Right-of-Way be obtained for the proposed shared access, and;
WHEREAS in communication with Manitoba Infrastructure the condition was removed, and;
THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead removes Condition #5b.

Carried

7.5 Kennel License Renewal – 43053 Mile 82N

- 312-19 MODRZEJEWSKI-INGERBERG
WHEREAS Darlene Gustafson has operated Brokenhead Kennels for years in good standing, and;
THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead approves the renewal of the kennel license for Darlene Gustafson, located at 43053 Mile 82N, with the condition that the number of dogs on the property are no more than four permanent and seven client/guest dogs and that the by-laws of the Rural Municipality of Brokenhead are adhered to at all times.

Carried

7.6 2019 Climate Change Conference

- 313-19 INGERBERG-MODRZEJEWSKI
WHEREAS the 2019 Climate Change Conference and FCM Gala Dinner is being held in Dunnottar on September 26th, 2019, and;
THEREFORE BE IT RESOLVED THAT Reeve Brad Saluk be authorized to attend.

Carried

7.7 Notice of Motion – Resolution 345-18

Notice of Motion was received from Councillor Modrzejewski that at the next regular meeting of Council he intends to revisit Resolution No. 345-18 which was passed at the September 25th, 2018 Council meeting.

8. Correspondence/Reports

- 8.1 Brokenhead River Regional Library – Minutes of June 2019 Meeting

- 8.2 Interlake-Eastern Regional Health Authority – Invitation to Annual General Meeting
- 8.3 Association for Community Living Beausejour Branch Inc. – Minutes of June 5th, 2019 Meeting
- 8.4 Garson Community Rink Facility Inc. – Minutes of July 15th, 2019 Meeting
- 8.5 Beausejour Handivan Inc. – Minutes of June 24th, 2019 Meeting

314-19 KOWALCHUK-MODRZEJEWSKI

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

315-19 MODRZEJEWSKI-INGEBERG

BE IT RESOLVED THAT this regular meeting of Council does now adjourn the time being 8:06 p.m., to meet again on September 24th, 2019 at 7:00 p.m.

Carried

Sean Michaelis

Deputy Reeve

Sue Sutherland

Chief Administrative Officer