

**RURAL MUNICIPALITY OF BROKENHEAD
FEBRUARY 11, 2020 - REGULAR MEETING 7:00 PM
MINUTES**

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

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

040-20 MODRZEJEWSKI-MICHAELS

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

041-20 MODRZEJEWSKI-INGEBERG

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

7.16 Acceptance of Offers to Purchase

Carried

2.2 Resolution to adopt the minutes of January 28th, 2020 Regular Meeting

042-20 MICHAELS-MODRZEJEWSKI

WHEREAS copies of the minutes of the Regular meeting of January 28th, 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 January 28th, 2020 Committee of the Whole Meeting

043-20 INGBERG-MODRZEJEWSKI

WHEREAS copies of the minutes of the Committee of the Whole meeting of January 28th, 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

Nil

4. Financial Reports/Payment of Accounts

4.1 Approval of Accounts to February 11th, 2020

044-20 INGBERG-MICHAELS

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to February 11th, 2020, and;

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

<u>Payroll</u>	Cheques #20200076-20200089	\$ 20,176.38
<u>Accounts for Payment</u>		
Recreation	Cheques #20200102-20200106	\$ 3,172.38
Fire	Cheques #20200094-20200101	\$ 1,705.82
General	Cheques #20200090-20200093	\$ 5,452.98
General	Cheques #20200107-20200141	\$ 41,970.19
Jan. Bank Statement	LUD Mower Loan	\$ 2,780.46
	Western Financial Group	\$ 1,467.24
	Health Education Tax Levy	\$ 3,172.63
	Manitoba Hydro	\$ 6,799.26
	TOTAL:	<u>\$ 86,697.34</u>

Carried

4.2 Council Indemnities – January 2020

045-20 MICHAELS-MODRZEJEWSKI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the January 2020 Council Indemnity Sheets as presented; **AND FURTHER THAT** Council authorizes payment of the January 2020 council indemnities.

Carried

5. By-Laws

5.1 By-Law No. 2211-20 – Lottery License By-Law – 2nd & 3rd
Reading

046-20 MICHAELS-INGEBERG

BE IT RESOLVED THAT Council gives second reading to By-Law No. 2211-20, being a by-law of the Rural Municipality of Brokenhead to regulate licensing of lotteries within the Municipality.

Carried

047-20 MODRZEJEWSKI-MICHAELS

BE IT RESOLVED THAT Council gives third reading to By-Law No. 2211-20, being a by-law of the Rural Municipality of Brokenhead to regulate licensing of lotteries within the Municipality.

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

Carried

5.2 By-Law No. 2212-20 – Mars Sand Hills Road Closing – 1st
Reading

048-20 INGERBERG-MODRZEJEWSKI

BE IT RESOLVED THAT Council gives first reading to By-Law No. 2212-20, being a by-law of the Rural Municipality of Brokenhead to close a government road allowance and authorize the transfer of land.

Carried

6. Unfinished Business

Nil

7. New Business

7.1 Application for Approval of Subdivision File No. 4110-19-7491 –
Pt. SW ¼ Section 2-14-6EPM

049-20 MICHAELS-MODRZEJEWSKI

WHEREAS Brian and Brenda Chorney have completed an Application for Approval of Subdivision for Pt. SW ¼ Section 2-14-6EPM referred to as File No. 4110-19-7491 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 variation orders be obtained as necessary to ensure compliance with the Zoning By-Law.
2. 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.

Carried

7.2 Variation Order V-363-20 – Pt. SW ¼ Section 2-14-6EPM

050-20 MICHAELS-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-363-20, the time being 7:20 p.m.

Carried

Chief Administrative Officer Sue Sutherland reviewed and summarized the application for variation as condition of Subdivision File No. 4110-19-7491. Mr. & Mrs. Chorney were in attendance to speak in favour of the application. No one was in attendance to object.

051-20 MICHAELS-MODRZEJEWSKI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:28 p.m. and return to regular meeting of Council.

Carried

052-20 MICHAELS-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 minimum site width of 1,200 feet;

AND WHEREAS Brian & Brenda Chorney have made application for variation to permit:

- a) Proposed Lot 1 having a site area of 11.855 acres and reduced site width of 743 feet
- b) Residual of Certificate of Title #2913311 having a reduced site area of 38.455 acres and reduced site width of 914.25 feet
- c) All structures that are not in compliance with the Zoning By-Law to be approved

on the premises of Pt. SW ¼ Section 2-14-6EPM – 34041 Mile 78N, and;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-363-20 for Brian & Brenda Chorney is hereby approved.

Carried

7.3 Subdivision File No. 4110-18-7418 – Change of Conditions

053-20 MODRZEJEWSKI-MICHAELS

WHEREAS Subdivision File No. 4110-18-7418 in the name of R & L Peluk Farms Ltd. had been conditionally approved by Resolution No. 009-19 at the January 8th, 2019 regular meeting of Council, and;

WHEREAS one of the conditions was that a variation was required for reduced site width and site area, and;

WHEREAS it has been determined that the subject property has three different zones being RR – Rural Residential, AL – Limited Agriculture, and A-80 – Rural and Agricultural, and;

WHEREAS the residual property is legally non-conforming, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead removes the following condition from the conditional approval for Subdivision File No. 4110-18-7418:

1. That a variation order be obtained for reduced site width and reduced site area.

Carried

7.4 Subdivision File No. 4110-18-7390 – Development Agreement

054-20 INGBERG-MODRZEJEWSKI

WHEREAS a condition of Subdivision File No. 4110-18-7390 is to enter into a development agreement, and;

WHEREAS Resolution No. 236-19 authorized the signing of the development agreement, and;

WHEREAS the Province of Manitoba is requesting changes to add condition No. 4.a.xiii and 4.a.xiv to the Development Standards section, and;

THEREFORE BE IT RESOLVED THAT Council accepts the new agreement and authorizes the signing authorities to execute the agreement.

Carried

7.5 River Trail Development Corporation – Development Agreement

055-20 MICHAELS-MODRZEJEWSKI

WHEREAS a condition of Conditional Use File No. C-68-18 is to enter into a development agreement, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into a Development Agreement with River Trail Development Corporation for the planned development located at Lots 2 to 6 inclusive, Block 9, Plan 928, and;

FURTHER THAT the Reeve and Chief Administrative Officer be authorized to execute the agreement.

Carried

7.6 River Trail Development Corporation – Maintenance Agreement

056-20 MODRZEJEWSKI-MICHAELS

WHEREAS River Trail Development Corporation is the owner of fire hydrants for the development located at Lots 2 to 6 inclusive, Block 9, Plan 928 in Tyndall, and;

WHEREAS Section 264 of *The Manitoba Municipal Act* states “Every municipality must provide fire protection services within its boundaries to reduce the danger of fire, which may include education programs, inspections of property, the installation of alarms, instructions on fighting fires, the provision of fire fighting equipment and a fire protection force”, and;

WHEREAS the Municipality must ensure that the hydrants are maintained and in working order for its residents, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into a Maintenance Agreement with River Trail Development Corporation for the upkeep of fire hydrants.

Carried

7.7 Designation of Head for Purpose of *The Freedom of Information and Protection of Privacy Act*

057-20 INGERBERG-MICHAELS

WHEREAS Section 80 of *The Freedom of Information and Protection of Privacy Act* requires that each local public body designate a person or group of persons as its Head for the purposes of this act, and;

WHEREAS the Rural Municipality of Brokenhead is a local public body under *The Freedom of Information and Protection of Privacy Act*, and;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead hereby designates the Chief Administrative Officer of the Rural Municipality of Brokenhead for the purpose of *The Freedom of Information and Protection of Privacy Act* effective February 12th, 2020.

Carried

7.8 Rural Municipality of St. Clements – Boundary Services Agreement

058-20 MODRZEJEWSKI-INGERBERG

WHEREAS the Rural Municipality of Brokenhead shares a boundary with the Rural Municipality of St. Clements, and;

WHEREAS the boundary roads are a shared responsibility with respect to maintenance, and;

WHEREAS the last Boundary Service Agreement has been amended, and;
BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into a Boundary Service Agreement with the Rural Municipality of St. Clements.

Carried

7.9 Beausejour Brokenhead Development Corporation – Lease Agreement

059-20 MICHAELS-MODRZEJEWSKI

WHEREAS the Beausejour Brokenhead Development Corporation is a joint entity between the Town of Beausejour and Rural Municipality of Brokenhead, and;

WHEREAS the BBDC has occupied an office in the Rural Municipality of Brokenhead Administration Office since 2017, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into a Lease Agreement with the Beausejour Brokenhead Development Corporation for the period of January 1st to December 31st, 2020.

Carried

7.10 Agassiz Weed Control District – Lease Agreement

060-20 INGBERG-MODRZEJEWSKI

WHEREAS the Agassiz Weed Control District is a joint entity between the Town of Beausejour, Rural Municipality of Brokenhead, Town of Lac du Bonnet, and Rural Municipality of Lac du Bonnet, and;

WHEREAS the Agassiz Weed Control District has occupied an office in the Rural Municipality of Brokenhead Administration Office since 2009, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into a Lease Agreement with the Agassiz Weed Control District for the period of March 1st to December 31st, 2020.

Carried

7.11 2020 Manitoba Disaster Management Conference Report

061-20 INGBERG-MICHAELS

WHEREAS Councillor Jack Kowalchuk is council representative for the Beausejour Brokenhead Emergency Measures Committee, and;

WHEREAS Councillor Kowalchuk attended the 2020 Manitoba Disaster Management Conference held January 22nd to 24th, 2020, and;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts Councillor Kowalchuk's report of the 2020 Manitoba Disaster Management Conference.

Carried

7.12 Policy PUB-103 – Winter Road Maintenance

- 062-20 MODRZEJEWSKI-MICHAELS
WHEREAS Council has reviewed policy PUB-103, and;
THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead amends policy PUB-103 Snow Clearing and changes the name to PUB-103 Winter Road Maintenance Policy;
AND FURTHER THAT this amended policy shall be incorporated into the Rural Municipality of Brokenhead policy manual.

Carried

7.13 Policy GEN-115 – Accessibility Plan

- 063-20 MICHAELS-INGEBERG
WHEREAS Council has reviewed policy GEN-115, and;
THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead amends policy GEN-115 Accessibility Plan Policy;
AND FURTHER THAT this amended policy shall be incorporated into the Rural Municipality of Brokenhead policy manual.

Carried

7.14 Request to Land Agricultural Aircraft on Municipal Roads

- 064-20 MODRZEJEWSKI-INGEBERG
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead approves the request by J & L Aerial Spray Service to land aircraft on municipal roads with the condition that signage is posted at end of take-off and landing sites for the year 2020.

Carried

7.15 River's Edge Golf and Country Club – Request for Special Event

- 065-20 MICHAELS-INGEBERG
WHEREAS a request has been made by River's Edge Golf and Country Club to host a wedding for a family member, and;
WHEREAS in order to meet the requirements, Manitoba Liquor and Lotteries special permission must be given, and;
THEREFORE BE IT RESOLVED THAT Council approves the one-time event to host a wedding August 22nd, 2020.

Carried

7.16 Acceptance of Offers to Purchase

- 066-20 MODRZEJEWSKI-MICHAELS
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the Offer to Purchase for Roll #242350, Certificate of

Title #2257285 described as Parcel A, Plan 28649 by The Mars Sand Hills Resort Inc. for the price of \$1.00.

Carried

067-20 INGBERG-MICHAELS

WHEREAS the Rural Municipality of Brokenhead is in the process of closing a public road, and;

WHEREAS the public road runs through The Mars Sand Hills Golf Course, and;

WHEREAS the land is described as all those portions of the government road allowance contained within the limits of Parcels A and B as shown on a Plan of Government Road Allowance to be closed Plan No. (deposit No. 1211-2006), and;

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the Offer to Purchase of the closed public road to The Mars Sand Hill Resort Inc. for the price of \$1.00.

Carried

8. Correspondence/Reports

- 8.1 Beausejour Brokenhead Development Corporation – Minutes of December 2nd, 2019 Meeting
- 8.2 Beausejour Handivan Inc. – Minutes of December 2nd, 2019 Meeting
- 8.3 Public Works – Minutes of January 27th, 2020 Meeting
- 8.4 Community Futures Winnipeg River – Draft Minutes of January 27th, 2020 Meeting
- 8.5 Brokenhead River Community Hall – Minutes of December 15th, 2019, January 9th, 2020 and January 20th, 2020 Meetings
- 8.6 Association for Community Living Beausejour Branch Inc. – Minutes of January 8th, 2020 Meeting
- 8.7 Rotary Club of Selkirk – Ribbon Cutting for Project Echo
- 8.8 Beausejour Brokenhead Tourism Committee – Minutes of January 16th, 2020 Meeting, Tourism Strategy, List of Representatives, Notes of Facilitated Session, Canadian Experience Fund Budget

068-20 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

Nil

10. Adjournment

10.1 Resolution to adjourn the meeting and schedule the next meeting

069-20 INGBERG-MODRZEJEWSKI

BE IT RESOLVED THAT this regular meeting of Council does now adjourn the time being 8:30 p.m., to meet again on February 25th, 2020 at 7:00 p.m.

Carried

Brad Saluk

Reeve

Sue Sutherland

Chief Administrative Officer