

RURAL MUNICIPALITY OF BROKENHEAD
AUGUST 24, 2021 - REGULAR MEETING 7:00 PM
MINUTES

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

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

283-21 KOWALCHUK-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

284-21 MODRZEJEWSKI-KOWALCHUK

BE IT RESOLVED THAT the agenda is adopted as circulated.

Carried

2.2 Resolution to adopt the minutes of August 10th, 2021 Regular Meeting

285-21 MODRZEJEWSKI-KOWALCHUK

WHEREAS copies of the minutes of the Regular meeting of August 10th, 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 August 10th, 2021 Committee of the Whole Meeting

- 286-21 MICHAELS-MODRZEJEWSKI
WHEREAS copies of the minutes of the Committee of the Whole meeting of August 10th, 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 Variation Order V-381-21 –NE ¼ Section 6-15-8EPM

- 287-21 KOWALCHUK-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-381-21, the time being 7:10 p.m.
Carried

Chief Administrative Officer Sue Sutherland summarized the application for variation order as a condition of subdivision. Mr. and Mrs. Paul Krawchuk were in attendance and spoke in favour of the application. No objections were made.

- 288-21 KOWALCHUK-MODRZEJEWSKI
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

- 289-21 MICHAELS-MODRZEJEWSKI
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 2 acres and a minimum site width of 200 feet; **AND WHEREAS** Paul & Connie Krawchuk have made application for variation to permit a minimum site width of 152 feet on the premises known as NE ¼ Section 6-15-8EPM – 84101 Road 42E, and;
THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-381-21 for Paul & Connie Krawchuk is hereby approved.
Carried

4. Financial Reports/Payment of Accounts

4.1 Approval of Accounts to August 24th, 2021

290-21 KOWALCHUK-MICHAELS

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to August 24th, 2021, and;

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

<u>Payroll</u>	Cheques #20211084-20211120	\$ 49,927.57
<u>Accounts for Payment</u>		
General	Cheques #20211121-20211153	\$ 114,338.20
Recreation	Cheques #20211154-20211155	\$ 272.58
Recreation	Cheque #20211083	\$ 50.00
		<u>\$ 164,588.35</u>

Carried

5. By-Laws

5.1 By-Law No. 2230-21 – Trailer By-Law – 1st Reading

291-21 KOWALCHUK-MODRZEJEWSKI

BE IT RESOLVED THAT Council gives first reading to By-Law No. 2230-21, being a By-Law of the Rural Municipality of Brokenhead to regulate the placing and locating of mobile homes, trailer parks and tourist camps within the Rural Municipality of Brokenhead.

Carried

5.2 By-Law No. 2216-20 – Utility Rate By-Law – 3rd Reading

292-21 MICHAELS-MODRZEJEWSKI

BE IT RESOLVED THAT Council gives third reading to By-Law No. 2216-20, as amended, being a By-Law of the Rural Municipality of Brokenhead to establish water and wastewater rates for the Local Urban District of Tyndall-Garson utility.

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

Carried

6. Unfinished Business

6.1 Variation Hearing File No. V-378-21 – Lot 1, Block 3, Plan 52204 in NE ¼ Section 4-13-6EPM

293-21 KOWALCHUK-MICHAELS

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 15 feet in which case said height shall not exceed 6 feet;

AND WHEREAS Robert and Kathy Boddy have made application for variation to permit a five (5) foot fence located on the property line, not set back a distance of fifteen (15) feet on the street side corner on the premises known as Lot 1 Block 3 Plan 52204 – 57 Palas Drive, and;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-378-21 for Robert and Kathy Boddy is hereby approved.

Carried

6.2 Variation Hearing File No. V-380-21 – Lot 15, Block 3, Plan 52204 in NE ¼ Section 4-13-6EPM

294-21 MICHAELS-KOWALCHUK

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) feet in which case said height shall not exceed six (6) feet;

AND WHEREAS Jason Blackledge has made application for variation to permit a six (6) foot fence on the property line of a street side corner, not set back fifteen (15) feet on the premises known as Lot 15 Block 3 Plan 52204 – 63 Palas Drive, and;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-380-21 for Jason Blackledge is hereby approved.

Carried

7. New Business

7.1 Application for Approval of Subdivision File No. 4110-21-7597 – Pt. SE ¼ Section 17 & SW ¼ Section 16-12-8EPM

295-21 MODRZEJEWSKI-KOWALCHUK

WHEREAS Michael & Jacqueline Tomasson have completed an Application for Approval of Subdivision for Pt. SE ¼ Section 17 and SW ¼ Section 16-12-8EPM referred to as File No. 4110-21-7597 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 any variance orders be obtained, as required, to ensure compliance with the zoning by-law.
3. That an engineered drainage plan is provided and that concerns with drainage are satisfactorily addressed, if required.
4. 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 Application for Approval of Subdivision File No. 4110-21-7600 –
Parcels B, C, D & E, Plan 52759 in NE ¼ Section 11-13-6EPM

296-21 MODRZEJEWSKI-MICHAELS

WHEREAS 10080001 Manitoba Ltd. has completed an Application for Approval of Subdivision for Parcels B, C, D & E, Plan 52759 in Pt. NE ¼ Section 11-13-6EPM referred to as File No. 4110-21-7600 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 \$5,600.00 per new lot created.
2. That any variance orders be obtained, as required, to ensure compliance with the zoning by-law.
3. That an engineered drainage plan is provided and that concerns with drainage are satisfactorily addressed.
4. That an adjustment be made for Parcel E to remove the encroachment with the owner.
5. That a Development Agreement is entered into with the RM of Brokenhead, if required.

Carried

- 7.3 Appointment of Citizen Representative to Brokenhead River
Recreation Commission

297-21 MICHAELS-KOWALCHUK

WHEREAS the Rural Municipality of Brokenhead appointed Kaitlyn Einarson as citizen representative to the Brokenhead River Recreation Commission for 2021, and;

WHEREAS Ms. Einarson has stepped down from the board and a new citizen representative is needed, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead appoints Alice Young as citizen representative to the Brokenhead River Recreation Commission.

Carried

7.4 Exemption of Nuisance Noise By-Law – 21 Kingsgate Row

298-21 MICHAELS-MODRZEJEWSKI

WHEREAS the owner of 21 Kingsgate Row, Lisa Jenkins, has requested an exemption from By-Law No. 2192-17, Nuisance Noise By-Law, and;

WHEREAS he will be hosting a family wedding on September 4th, 2021 and wishes to be exempt until 1:00 a.m., and;

THEREFORE BE IT RESOLVED THAT Lisa Jenkins will be exempt from By-Law No. 2192-17 until 1:00 a.m. on September 5th, 2021.

Carried

7.5 Beausejour Brokenhead Emergency Coordinator

299-21 MICHAELS-KOWALCHUK

WHEREAS Mike Tomasson has left his duties as of August 13th, 2021, and;

WHEREAS he held the position of Emergency Coordinator, and;

THEREFORE BE IT RESOLVED THAT the Beausejour Brokenhead Emergency Coordinator will be Sue Sutherland effective August 14th, 2021 until a replacement is found.

Carried

7.6 Request for Concurrence for BellMTS Telecommunications Tower

300-21 MICHAELS-MODRZEJEWSKI

WHEREAS BellMTS (“Bell”) proposes to erect a wireless telecommunication tower and accessory structure on private land located at Parcel C, Plan 56260 WLTO Exc firstly: Plan 58228 WLTO and secondly: all mines and minerals as set forth in Transfer 770017 WLTO in SE ¼ 10-13-6EPM at 50.080833, -96.682450, and;

WHEREAS proponents of telecommunication towers are regulated by Innovation, Science and Economic Development Canada (ISED), formerly Industry Canada, on behalf of the Government of Canada and as part of their approval, ISED requires proponents to consult with land use authorities as provided for in CPC-2-0-03, and;

WHEREAS BellMTS has consulted with the Rural Municipality of Brokenhead and the Rural Municipality of Brokenhead Council has no objection to the proposed telecommunications tower, and;

WHEREAS BellMTS has consulted with the public and has provided 30 days for written public comment, and;

WHEREAS there are no significant land use issues identified by the consultation;

NOW THEREFORE BE IT RESOLVED THAT the Clerk be instructed to advise BellMTS that:

- a) BellMTS has satisfactorily completed its consultation with the Rural Municipality of Brokenhead;
- b) The Rural Municipality of Brokenhead is satisfied with BellMTS' public consultation process and does not require any further consultation with the public, and;
- c) The Rural Municipality of Brokenhead concurs with BellMTS' proposal to construct a wireless telecommunications facility provided it is constructed substantially in accordance with the plans submitted to the Rural Municipality of Brokenhead.

Carried

7.7 Great Woods Park Events

301-21 MODRZEJEWSKI-MICHAELS

WHEREAS Great Woods Park was approved by Conditional Use C-77-21 on June 22nd, 2021, and;

WHEREAS a condition of the approval outlined "Any special event being held at the campground including but not limited to weddings, family reunions, meetings and concerts are to be approved by resolution of Council", and;

WHEREAS there are a couple of events that have been scheduled for September as listed below:

1. Kids Movie Night – Friday, September 3rd, 2021
2. Family Funday – Sunday, September 5th, 2021

THEREFORE BE IT RESOLVED THAT Council approves the events as listed above.

Carried

7.8 Province of Manitoba – Noxious Weed Control Agreement

302-21 KOWALCHUK-MODRZEJEWSKI

WHEREAS the Province of Manitoba has contracted the Agassiz Weed Control District for weed spraying services along highways, and;

WHEREAS the Rural Municipality of Brokenhead is a contributing partner in the funding of the Agassiz Weed Control District, and;

WHEREAS the Weed District will bill the Municipality who will then be reimbursed by the Province of Manitoba, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead enters into a Noxious Weed Control Agreement with the Province of Manitoba;

AND FURTHER THAT the Reeve and Chief Administrative Officer execute the agreement.

Carried

8. Correspondence/Reports

8.1 Eastman Regional Municipal Committee – Minutes of June 21st, 2021 Meeting

8.2 JR Cousin Consultants Ltd. – Minutes of August 10th, 2021 Water Treatment Plant Start-Up Meeting

303-21 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

304-21 MODRZEJEWSKI-MICHAELS

BE IT RESOLVED THAT this regular meeting of Council does now adjourn the time being 8:00 p.m., to meet again on September 14th, 2021 at 7:00 p.m.

Carried

Brad Safuk

Reeve

Sue Sutherland

Chief Administrative Officer