

**RURAL MUNICIPALITY OF BROKENHEAD  
APRIL 27, 2021 - REGULAR MEETING 7:00 PM  
MINUTES**

Members Present:	Reeve	Brad Saluk
	Councillor	Sean Michaels
		Bruce Modrzejewski
		Luke Ingeberg
		Jack Kowalchuk
	Youth Member	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

120-21 INGERBERG-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

121-21 MICHAELS-KOWALCHUK

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

7.8 Conditional Approval of Subdivision File No. 4110-20-7516

7.9 Engine Retarder Brake Signs

*Carried*

2.2 Resolution to adopt the minutes of April 13<sup>th</sup>, 2021 Regular Meeting

122-21 KOWALCHUK-INGERBERG

**WHEREAS** copies of the minutes of the Regular meeting of April 13<sup>th</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 April 13<sup>th</sup>, 2021 Committee of the Whole Meeting

123-21 MODRZEJEWSKI-MICHAELS

**WHEREAS** copies of the minutes of the Committee of the Whole meeting of April 13<sup>th</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*

- 2.4 Resolution to adopt the minutes of April 20<sup>th</sup>, 2021 Special Meeting

124-21 KOWALCHUK-MICHAELS

**WHEREAS** copies of the minutes of the Special Meeting of April 20<sup>th</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

Nil

### 4. Financial Reports/Payment of Accounts

- 4.1 Approval of Accounts to April 27<sup>th</sup>, 2021

125-21 KOWALCHUK-INGEBERG

**WHEREAS** the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to April 27<sup>th</sup>, 2021, and;  
**THEREFORE BE IT RESOLVED THAT** the following be approved for payment:

<u>Payroll</u>	Cheques #20210513-20210536	\$ 32,655.39
<u>Accounts for Payment</u>		
General	Cheques #20210537-20210575	\$ <u>61,919.95</u>
		\$ <u>94,575.34</u>

*Carried*

- 4.2 Financial Statement for Period Ending December 31<sup>st</sup>, 2020

126-21 INGBERG-KOWALCHUK

**WHEREAS** the Financial Statement for the period ending December 31<sup>st</sup>, 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 December 31<sup>st</sup>, 2020.

*Carried*

4.3 Financial Statement for Period Ending January 31<sup>st</sup>, 2021

127-21 KOWALCHUK-INGEBERG

**WHEREAS** the Financial Statement for the period ending January 31<sup>st</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 January 31<sup>st</sup>, 2021.

*Carried*

4.4 Financial Statement for Period Ending February 28<sup>th</sup>, 2021

128-21 INGERBERG-KOWALCHUK

**WHEREAS** the Financial Statement for the period ending February 28<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 February 28<sup>th</sup>, 2021.

*Carried*

## 5. By-Laws

5.1 By-Law No. 2223-21 – Burning Ban By-Law – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

129-21 MICHAELS-MODRZEJEWSKI

**BE IT RESOLVED THAT** Council gives second reading to By-Law No. 2223-21, being a By-Law of the Rural Municipality of Brokenhead for the prevention and the control of wild land fires within the Rural Municipality of Brokenhead.

*Carried*

130-21 INGERBERG-MICHAELS

**BE IT RESOLVED THAT** Council gives third reading to By-Law No. 2223-21, being a By-Law of the Rural Municipality of Brokenhead for the prevention and the control of wild land fires within the Rural Municipality of Brokenhead.

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

*Carried*

## 6. Unfinished Business

Nil

## 7. New Business

## 7.1 Crosswalk at Pierson Drive and Main Street in Tyndall

## 131-21 KOWALCHUK-MODRZEJEWSKI

**WHEREAS** the Tyndall Village Community Centre has received a grant to install a push button crosswalk light at the intersection of Pierson Drive and Main Street in Tyndall, and;

**THEREFORE BE IT RESOLVED THAT** Council approves the installation.

*Carried*

## 7.2 Application for Approval of Subdivision File No. 4110-20-7546 – Lot 4, Plan 32829 in E ½ Section 11-13-6EPM

## 132-21 MODRZEJEWSKI-INGEBERG

**WHEREAS** NB Holdings Ltd. has completed an Application for Approval of Subdivision for Lot 4, Plan 32829 in E ½ Section 11-13-6EPM referred to as File No. 4110-20-7546 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 proposed Plan of Subdivision is modified by shifting the proposed east boundary Lot 1 westward to align with the east boundary of Easement Plan 35937 and proposed lots 3 to 6 are reconfigured to accommodate duplex development.
2. That a Development Agreement is entered into with the Rural Municipality of Brokenhead regarding public works as deemed necessary by Council.
3. That 10% of the property development is provided to the Rural Municipality of Brokenhead in land, or cash, or a combination thereof, to satisfy municipal needs for recreational opportunities, open space and buffer zones (*The Planning Act* Subsection 135(6b) and 136(1)).
4. That a drainage plan be submitted to the Rural Municipality of Brokenhead for approval.
5. 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.

6. That the owner/applicant develops a decommissioning plan to remove the elevator and to be submitted to the Rural Municipality of Brokenhead for approval.
7. That the Tyndall grain elevator be removed and owner to supply the Rural Municipality of Brokenhead with a Phase II Environmental Site Assessment for the land that the elevator is located.
8. All debris from the elevator must be removed and delivered to a landfill.
9. That the site is to be remediated to adequate elevation with clean fill and topsoil.

***Carried***

7.3 Tax Sale Date

133-21 INGBERG-MODRZEJEWSKI

**WHEREAS** Section 365(2) of *The Municipal Act* provides that Council may in any year designate the immediately preceding year, or any earlier year, as the year for which properties, the taxes in respect of which are in arrears for the year, must be offered for sale by auction to recover the tax arrears and costs;

**BE IT RESOLVED THAT** in accordance with s. 363(1) of *The Municipal Act*, “costs” shall be the actual costs incurred by the municipality for each parcel listed for the tax sale (plus an administration fee of \$50.00 per roll as set forth in Manitoba Regulation 50/97); and

**BE IT FURTHER RESOLVED THAT** the tax sale be held December 3<sup>rd</sup>, 2021 at 9:00 a.m., at the Rural Municipality of Brokenhead council chambers.

***Carried***

7.4 Development Agreement – Subdivision File No. 4110-21-7557

134-21 KOWALCHUK-MICHAELS

**WHEREAS** Subdivision File No. 4110-21-7557 was conditionally approved on March 9<sup>th</sup>, 2021, and;

**WHEREAS** a condition of the subdivision was that the applicant enter into a development agreement to ensure interested parties know that the residual property is subject to flood prone land, and;

**THEREFORE BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead approves the development agreement and agrees to execute the agreement.

***Carried***

7.5 Adoption of Municipal Standards

## 135-21 MICHAELS-INGEBERG

**WHEREAS** the Rural Municipality of Brokenhead had hired JR Cousin Consultants Ltd. to establish municipal infrastructure standards, and;

**WHEREAS** the municipal standards had not included standards for industrial development, and;

**THEREFORE BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead approves and adopts the municipal standards with the addition of industrial development standards as prepared by JR Cousin Consultants Ltd. on April 7<sup>th</sup>, 2021.

*Carried*

## 7.6 Designation of By-Law Enforcement Officers

## 136-21 KOWALCHUK-MODRZEJEWSKI

**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>
Dave Prud'homme	102
Angelo Cianflone	121
Si Pathamavong	134
Alan Akre	159
Art Felbel	160
Gary Simpson	162
Trevor Evans	163
Mark Stanczak	164
Matt Madill	168
Henry Silva	169
Ken Levenec	173
Brock Visca	174
Chris Korzinski	175
Shannon Marsh	177
Camille Williams	178
Brent Lempen	179
Kenton Gullden	180
Matthew Markowski	181
Jeff Smith	182
William Arnott	183
Luis Kiss	184
Harman Gill	185
Gary Simpson Sr.	S01
Mehakreewt Singh	S02

*Carried*

## 7.7 Request for Quotes #2021-05 – Street Sweeping

## 137-21 INGBERG-MODRZEJEWSKI

**WHEREAS** the Rural Municipality of Brokenhead issued a Request for Quotes for a contractor to sweep all streets in Tyndall and Garson, and;

**WHEREAS** the Request for Quotes was sent to five (5) contractors on April 14<sup>th</sup>, 2021, and;

**WHEREAS** only one supplier provided pricing in accordance with the Request for Quotes by the deadline of April 22<sup>nd</sup>, 2021, and;

**WHEREAS** the submission is as follows:

Contractor	Lump Sum Cost
Irving Aggregates Ltd.	\$4,000.00

**THEREFORE BE IT RESOLVED THAT** the Rural Municipality of Brokenhead awards the contract to Irving Aggregates Ltd. for \$4,000.00 in accordance with Request for Quote 2021-05.

*Carried*

## 7.8 Conditional Approval of Subdivision File No. 4110-20-7516

## 138-21 KOWALCHUK-MICHAELS

**WHEREAS** Subdivision File No. 4110-20-7516 was conditionally approved on November 26<sup>th</sup>, 2020, and;

**WHEREAS** condition “F” outlined that the owner/applicant to work with the Public Works Project Manager to alleviate drainage concerns, and;

**WHEREAS** after the approval it was recommended that the owner/applicant “enter into a development agreement”, and;

**THEREFORE BE IT RESOLVED THAT** condition “F” be removed and that the condition of entering into a development agreement be added.

*Carried*

## 7.9 Engine Retarder Brake Signs

## 139-21 KOWALCHUK-MICHAELS

**WHEREAS** the Rural Municipality of Brokenhead has requested eight provincial highway signs that indicate engine retarder brakes are prohibited in the Municipality, and;

**THEREFORE BE IT RESOLVED THAT** Council authorizes the spending in the amount of \$3,780.00 for the signs.

*Carried*

## 8. Correspondence/Reports

8.1 Brokenhead River Community Hall – Minutes of March 11<sup>th</sup>, 2021 Meeting

8.2 Local Urban District of Tyndall-Garson Committee – Minutes of March 8<sup>th</sup>, 2021 Meeting

8.3 Fire Hall Implementation Committee – Minutes of April 7<sup>th</sup>, 2021 Meeting

8.4 Brokenhead River Regional Library – Minutes of April 15<sup>th</sup>, 2021 Meeting

140-21 MODRZEJEWSKI-MICHAELS

**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

141-21 MICHAELS-KOWALCHUK

**BE IT RESOLVED THAT** this regular meeting of Council does now adjourn the time being 8:15 p.m., to meet again on May 11<sup>th</sup>, 2021 at 7:00 p.m.

*Carried*

*Brad Saluk*

Reeve

*Sue Sutherland*

Chief Administrative Officer