

**THE RURAL MUNICIPALITY OF BROKENHEAD  
AUGUST 13, 2013 - REGULAR MEETING 7:00 PM  
MINUTES**

Members Present:	Reeve Councillors	Glen Dudeck Melvin Rattai Sean Michaels Crystal Reske Ken Zirk
	Interim CAO Financial Manager	Gary Hanna, CMMA Michelle Ramsden, CMMA

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

332-13 RATTAI-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

333-13 RESKE-RATTAI

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

*Carried*

2.2 Resolution to adopt the minutes of July 23, 2013 regular meeting.

334-13 ZIRK-RESKE

**WHEREAS** copies of the minutes of the Regular meeting of July 23, 2013 have been circulated to each member of Council;

**THEREFORE BE IT RESOLVED THAT** Council waive the reading of these minutes and said minutes be adopted as amended.

*Carried*

3. Delegations and Public Hearings

3.1 Application for Variation Order No. V-268-13 – Frank Romar – Lot 3, Plan 53891

335-13 ZIRK-RESKE

**BE IT RESOLVED THAT** the Council of the R.M. of Brokenhead suspends the regular meeting of Council and opens this Variation Hearing to hear File No. V-268-13, the time being 7:05 p.m.

*Carried*

336-13 ZIRK-RATTAI

**BE IT RESOLVED THAT** the Council of the R.M. of Brokenhead do hereby close this Variation Hearing, the time being 7:07 p.m. and return to regular meeting of Council.

*Carried*

337-13 ZIRK-RESKE

**WHEREAS** the Rural Municipality of Brokenhead Zoning By-law 1688, as amended; Section 4.3.2, Table I – ‘R’ Residential Zoning By-law requires a minimum rear yard measurement of 25 feet;

**AND WHEREAS** Frank Romar has made application for variation to permit the placement of a 10’ x 16’ sunroom at the rear of the existing dwelling having a minimum rear yard measurement of 20 feet on the premises of Lot 3, Plan 53891 – 6 Church Street;

**THEREFORE BE IT RESOLVED THAT** Application for Variation Order No. V-268-13 for Frank Romar is hereby approved.

*Carried*

3.2 Application for Variation Order No. V-269-13 – Anthony Isaac – Pt. NE ¼ Section 8-14-7EPM

338-13 ZIRK-RESKE

**BE IT RESOLVED THAT** the Council of the R.M. of Brokenhead suspends the regular meeting of Council and opens this Variation Hearing to hear File No. V-269-13, the time being 7:08 p.m.

*Carried*

339-13 RESKE-MICHAELS

**BE IT RESOLVED THAT** the Council of the R.M. of Brokenhead do hereby close this Variation Hearing, the time being 7:13 p.m. and return to regular meeting of Council.

*Carried*

340-13 ZIRK-RATTAI

**WHEREAS** the Rural Municipality of Brokenhead Zoning By-law 1688, as amended; Section 5.3.3, Table VI – ‘A-40’ Rural and Agricultural Zoning By-law requires that a dwelling be constructed prior to accessory buildings;

**AND WHEREAS** Anthony Isaac has made application for variation to permit the construction of a 30’ x 60’ garage/storage building prior to construction of the dwelling on the premises of Pt. NE ¼ Section 8-14-7EPM – 37104 Mile 80N;

**THEREFORE BE IT RESOLVED THAT** Application for Variation Order No. V-269-13 for Anthony Isaac is hereby approved with the following conditions:

- 1) That the applicant includes Construction Drawings for the intended Dwellings at the time of making application for the Building Permit for the Accessory Structure.
- 2) That the Drawings submitted as components for the Building Permit labeled as “Issued for Construction.” Any changes to the intended Construction shall be indicated on revised Drawings which shall be submitted to this Office for review and as such shall warrant additional fees for said review.
- 3) That the accessory structure be used strictly for the purpose of storage of materials and equipment for the purpose of constructing the primary dwelling.
- 4) That the primary building be built within one year of obtaining the Building Permit for the Accessory Structure.

*Carried*

3.3 Application for Variation Order No. V-270-13 – Gordon Ott – W ½ Lot 1, Plan 10421

341-13 ZIRK-MICHAELS

**BE IT RESOLVED THAT** the Council of the R.M. of Brokenhead suspends the regular meeting of Council and opens this Variation Hearing to hear File No. V-270-13, the time being 7:14 p.m.

*Carried*

342-13 ZIRK-RATTAI

**BE IT RESOLVED THAT** the Council of the R.M. of Brokenhead do hereby close this Variation Hearing, the time being 7:18 p.m. and return to regular meeting of Council.

*Carried*

343-13 ZIRK-RESKE

**WHEREAS** the Rural Municipality of Brokenhead Zoning By-law 1688, as amended; Section 4.3.4, Table III – ‘RR’ Rural Residential Zoning By-law requires that:

- a) A minimum side yard measurement of 25 feet; however, in the case of an accessory building located to the rear of the main building the minimum side yard measurement shall be 2 feet clear.
- b) A minimum building separation of 10 feet.

**AND WHEREAS** Gordon Ott has made application for variation to permit the construction of a 21’ x 25’ detached garage, set back 16 feet from the front of the existing dwelling, having:

- a) A minimum west side yard measurement of 5 feet, and
- b) A 5 foot building separation between the existing dwelling and the proposed garage

On the premises of W ½ Lot 1, Plan 10421 in SW ¼ Section 3-13-7EPM – 39025 Mile 72N;

**THEREFORE BE IT RESOLVED THAT** Application for Variation Order No. V-270-13 for Gordon Ott is hereby approved with the following conditions:

- 1) That the construction of the intended accessory structure to be in accordance with 2010 Manitoba Building Code Division B Section 9.10.14. This Section deals with spatial separation between buildings.
- 2) That the applicant will have to incorporate into the Construction Drawings, the construction components necessary to meet the requirements of the aforementioned Manitoba Building Code Section.

*Carried*

3.4 Application for Variation Order No. V-271-13 – Karl Meyer – Pt. NW ¼ Section 5-13-8EPM

*Carried*

344-13 RESKE-MICHAELS

**BE IT RESOLVED THAT** the Council of the R.M. of Brokenhead suspends the regular meeting of Council and opens this Variation Hearing to hear File No. V-271-13, the time being 7:20 p.m.

*Carried*

345-13 ZIRK-RESKE

**BE IT RESOLVED THAT** the Council of the R.M. of Brokenhead do hereby close this Variation Hearing, the time being 7:37 p.m. and return to regular meeting of Council.

*Carried*

346-13 ZIRK-RESKE

**WHEREAS** the Rural Municipality of Brokenhead Zoning By-law 1688, as amended; Section 4.3.5, Table IV – ‘RS’ Seasonal Resort Zoning By-law requires a minimum front yard measurement of 30 feet for accessory buildings;

**AND WHEREAS** Karl Meyer has made application for variation to permit the construction of a 24’ x 36’ detached garage having a front yard measurement of 6 feet on the premises of Pt. NW ¼ Section 5-13-8EPM – Lot 31 Bush Lane;

**THEREFORE BE IT RESOLVED THAT** the Application for Variation Order No. V-271-13 for Karl Meyer is hereby approved.

*Carried*

#### 4. Financial Report

4.1 Accounts for approval to August 13, 2013

347-13 MICHAELS-RATTAI

**WHEREAS** the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to August 13, 2013;

**THEREFORE BE IT RESOLVED THAT** the cheque distribution for the accounts being cheques #20130918 to #20130990 inclusive, totaling \$130,172.63, to be approved for payment.

*Carried*

4.2 Financial Statement for Period Ending July 31<sup>st</sup>, 2013 - Tabled

5. By-laws

Nil

6. Correspondences

6.1 Committee Reports

6.1.1 Reeve

6.1.2 Deputy Reeve

6.1.3 Councillors

6.1.4 Public Works

348-13 RESKE-MICHAELS

**BE IT RESOLVED THAT** all Minutes, Miscellaneous Correspondence and Reports be accepted as presented from Reeve Dudeck (August 8, 2013), Deputy Reeve Rattai (August 8, 2013), Councillors Michaels (August 9, 2013), Reske (August 9, 2013), Public Works (August 13, 2013) and that all written reports shall form part of the minutes.

*Carried*

7. Unfinished Business

7.1 Memorandum of Understanding – Town of Lac du Bonnet, RM of Lac du Bonnet, Town of Beausejour and RM of Brokenhead – EMO Assistance - Tabled

7.2 Auditor General - Tabled

7.3 Bachman Drain – Discussion and Tabled

7.4 Policy PER-111 – Public Works Supervisor Job Description

349-13 ZIRK-RESKE

**BE IT RESOLVED** that the Council of the Rural Municipality of Brokenhead approve Policy PER-111 Public Works Supervisor Job Description.

*Carried*

7.5 Policy PER-112 – Public Works Project Coordinator Job Description

350-13 ZIRK-RESKE

**BE IT RESOLVED** that the Council of the Rural Municipality of Brokenhead approve Policy PER-112 Public Works Project Coordinator Job Description.

*Carried*

7.6 Policy PER-113 – Employee Rules of Conduct - Tabled

7.7 Speed Reduction in Ladywood - Tabled

7.8 Fire Ban Policy and Procedures – Discussion and Tabled

7.9 By-Law No. 2124-13 – Council Indemnity By-Law - Tabled

7.10 Application for Approval of Subdivision – Allison Reimer – Pt. NW ¼ Section 1-13-6EPM – Discussion and Tabled

7.11 Pitney Bowes Mail Meter Machine

351-13 MICHAELS-ZIRK

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead authorizes Administration to enter into a lease agreement for a DM400C-R postage meter from Pitney Bowes.

*Carried*

7.12 Garson Development – Phase 4 - Tabled

7.13 Brokenhead River BioFuels Co-op Ltd. – Extension of Conditional Approval for Subdivision

352-13 RATTAI-MICHAELS

**BE IT RESOLVED** that the Council of the Rural Municipality of Brokenhead approve the application for the Extension of the Conditional Approval for Subdivision for Brokenhead River Bio-Fuels Coop Ltd for one (1) more year only.

*Carried*

7.14 Freedom of Information and Protection of Privacy Act Policy – Tabled

7.15 Municipal Administration building security - Tabled

8. New Business

8.1 Brokenhead River Planning District – Building Permit Statistics as at July 31<sup>st</sup>, 2013 – For Information

8.2 Application for Approval of Subdivision – Donald Azarjansky – Pt. NE ¼ Section 4-12-7EPM

353-13 ZIRK-RESKE

**WHEREAS** Donald Azarjansky has completed an Application for Approval of Subdivision for Pt. NE ¼ Section 4-12-7EPM referred to as File No. 4110-13-7063 by Community Planning Services;

**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.

*Carried*

8.3 Application for Approval of Subdivision – Bruce Modrzejewski – Pt. NW ¼ Section 2-14-7EPM

354-13 ZIRK-RESKE

**WHEREAS** Bruce Modrzejewski has completed an Application for Approval of Subdivision for Pt. NW ¼ Section 2-14-7EPM referred to as File No. 4110-13-7073 by Community Planning Services;

**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:

- That a Building Location Certificate, produced by a Manitoba Land Surveyor, is provided to the Brokenhead River Planning District, showing the location of all structures on the affected land, including on-site sewage disposal facilities, in relation to the proposed lot lines to ensure compliance with the bulk use requirements of the 'A-80' zone; and
- That variance orders be obtained, if necessary.

*Carried*

8.4 Application for Approval of Subdivision – Bob Bush, Pauline Hnatiuk – Pt. SW ¼ Section 13-13-6EPM - Tabled

- 8.5 Application for Approval of Subdivision – Marlene DePaulo – Lots 1, 2 and 38, Block 3, Plan 928.

355-13 RATTAI-ZIRK

**WHEREAS** Marlene DePaulo has completed an Application for Approval of Subdivision for Lots 1, 2 and 38, Block 3, Plan 928 referred to as File No. 4110-13-7065 by Community Planning Services;

**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 subject to the said property being pre-serviced to the utility and if not, that the application enter into a Development Agreement to provide for a utility connection.

*Carried*

- 8.6 Conditional Approval of Subdivision Extension – Adeline Ewasko – Pt. NW ¼ Section 10-12-7EPM – For Information

Councillor Crystal Reske declared conflict of interest and excused herself from the council chambers at 8:55 p.m.

356-13 ZIRK-RATTAI

**BE IT RESOLVED THAT** the council of the Rural Municipality of Brokenhead approve the extension of the Conditional Approval of Subdivision for Adeline Ewasko PT NW ¼ Section 10-12-7EPM.

*Carried*

Councillor Crystal Reske returned to the council meeting at 9:02 p.m.

- 8.7 Partnership of the Manitoba Capital Region – Request to join membership – For Information

- 8.8 Red River Basin Commission – Majestic Lake Winnipeg...Protecting Our Communities' Future Micro-Conference –For Information

- 8.9 Royal Canadian Legion Branch #132 – Annual President's Gala – For Information

- 8.10 Interlake-Eastern Regional Health Authority – Family Medicine Resident Retreat

357-13 MICHAELS-RESKE

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead agrees to donate \$200 to the Interlake-Eastern Regional Health Authority for the Family Medicine Resident Retreat.

*Carried*



8.11 Senior Election Official For Information

8.12 Garson Grocery – Utility Bill Collection Agreement

358-13 ZIRK-RATTAI

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead enters into an agreement with the new owners of Garson Grocery to collect utility charges on behalf of the municipality;  
**AND FURTHER THAT** the Council authorizes Reeve Glen Dudeck and Interim Chief Administrative Officer Gary Hanna to sign the agreement.

*Carried*

8.13 Association for Community Living – Beausejour Branch – Annual General Meeting – For Information

8.14 Application for Approval of Subdivision – Liz Ledarney – Lot 3, Plan 14582

359-13 RESKE-RATTAI

**WHEREAS** Liz Ledarney has completed an Application for Approval of Subdivision for Lot 3, Plan 14582 referred to as file No. 4110-13-7076 by Community Planning Services;  
**AND WHEREAS** the proposed subdivision generally meets the evaluation criteria pursuant to the Manitoba Subdivision Regulation 137/2006;  
**THEREFOR BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead is in agreement to approve this application subject to the said property being pre-serviced to the utility and if not, that the applicant enter into a Development Agreement to provide for a utility connection.

*Carried*

9. In Camera

360-13 ZIRK-RESKE

**BE IT RESOLVED THAT** Council of the Rural Municipality of Brokenhead move ‘In Camera’ to discuss a legal issue under (Section 152(3)(b)(iv) of The Municipal Act) the time being 9:26 p.m.

*Carried*

361-13 ZIRK-RESKE

**BE IT RESOLVED THAT** Council of the Rural Municipality of Brokenhead reconvene into regular session of Council, the time being 9:50 p.m.  
**AND FURTHER THAT** all information discussed ‘In Camera’ is kept in confidence until the matter is discussed at a meeting of council or of a committee conducted in public.

*Carried*

362-13 ZIRK-RESKE

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead approve an expenditure not to exceed \$2000 for the advertising for the position of the Chief Administrative Officer

*Carried*

10. Adjournment

10.1 Resolution to adjourn the meeting and schedule the next meeting

363-13 ZIRK-RESKE

**BE IT RESOLVED THAT** this meeting of Council does now adjourn the time being 9:52 p.m., to meet again on August 27, 2013 at 7:00 p.m.

*Carried*

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*Glen Dudeck*

Reeve Glen Dudeck

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*Gary Hanna*

Interim CAO Gary Hanna