

THE RURAL MUNICIPALITY OF BROKENHEAD
MARCH 11, 2014 - REGULAR MEETING 7:00 PM
MINUTES

Members Present:	Reeve Councillors	Glen Dudeck Melvin Rattai Sean Michaels Crystal Reske
	CAO Admin. Asst.	Kate Moir, M.E.M. Kerry Bialek, CMMA
	Regrets:	Ken Zirk

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

104-14 RESKE-MICHAELS

BE IT RESOLVED THAT this meeting of Council is called to order, the time being 7:01 p.m.

Carried

2. Adopt Agenda/Adopt and Confirm Minutes

2.1 Resolution to adopt the agenda

105-14 RESKE-MICHAELS

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

- 6.3 John Deere Tractor Lease
- 7.14 Street Lighting in LUD
- 7.15 Lot Dedication Fees
- 7.16 Crown Land Transfer
- 7.17 Pre-Budget Open House
- 7.18 Visas
- 7.19 Notice of Motion – Land Sale
- 7.20 Ditch Opening

Carried

2.2 Resolution to adopt the minutes of February 25, 2014 regular meeting

106-14 RATTAI-RESKE

WHEREAS copies of the minutes of the Regular meeting of February 25, 2014 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 circulated.

Carried

3. Delegations and Public Hearings

3.1 Variation Order V-275-14 - Dorothy Stalker – Lots 8 & 9, Plan 1640

107-14 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-275-14, the time being 7:04 p.m.

Carried

108-14 MICHAELS-RESKE

BE IT RESOLVED THAT the Council of the R.M. of Brokenhead do hereby close this Variation Hearing, the time being 7:06 p.m. and return to regular meeting of Council.

Carried

109-14 RESKE-RATTAI

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 Dorothy Stalker has made application for variation to permit the addition of a 12’ x 12’ sunroom attached to the rear of the existing dwelling having a minimum rear yard measurement of 18 feet on the premises of Lots 8 & 9, Plan 1640 – 17 Thompson Avenue;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-275-14 for Dorothy Stalker is hereby approved.

Carried

4. Financial Reports/Payment of Accounts

4.1 Accounts for approval to March 11, 2014

110-14 RESKE-MICHAELS

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to March 11, 2014;

THEREFORE BE IT RESOLVED THAT the cheque distribution for the accounts being cheques #20140076 to #20140119 inclusive, totaling \$79,186.82, and a direct withdrawal in the amount of \$181,732.88, to be approved for payment.

Carried

4.2 Financial Statement for Period Ending January 31st, 2014 - Tabled

4.3 Line of Credit

111-14 RESKE-RATTAI

WHEREAS the Council of the Rural Municipality of Brokenhead (RM) deems it necessary to enter into arrangements with Sunova Credit Union Limited (SCU) to borrow money for operating expenses;

AND WHEREAS the amount collected by the RM in taxes and grants in lieu of taxes in the fiscal year ended December 31, 2013 was greater than \$1,000,000.00;

AND WHEREAS it is anticipated that the RM may need to borrow up to \$1,000,000.00 from the SCU;

THEREFORE BE IT RESOLVED THAT the RM do borrow from the SCU, by way of a credit agreement, promissory note or notes otherwise, up to \$1,000,000.00, together with the interest at the rate of Prime less ½ % per annum;

THAT all taxes levied or to be levied by the RM for the present year be and are hereby pledged, hypothecated, mortgaged, transferred and assigned to SCU as security for said loan and interest thereon and are charged as a first charge with repayment of such loan and interest;

THAT said taxes shall be deposited forthwith on being collected, in the SCU to the credit of the RM in a special account, as collateral security for said advance;

THAT the Reeve and the Chief Administrative Officer are authorized to execute on behalf of the RM all documents necessary to give effect to the foregoing;

THAT all amounts so borrowed and interest will be repaid to the SCU within the current year.

Carried

4.4 February 2014 Council Indemnities

112-14 RATTAI-RESKE

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the February 2014 Council Indemnity Sheets as presented;

AND FURTHER THAT Council authorizes payment of the February 2014 council indemnity charges.

Carried

5. By-laws

Nil

6. Unfinished Business

6.1 Eagle & Wolf Holdings Ltd.

113-14 RESKE-MICHAELS

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead agrees to refund 2013 municipal taxes in the amount of \$234.00 to Eagle & Wolf Holdings, Roll #240100 due to reclassification.

Carried

6.2 Pre-Authorized Payments - Tabled

6.3 John Deere Tractor Lease

114-14 MICHAELS-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes payment of \$2,194.50 to Enns Brothers for remainder of 2013 John Deere tractor rentals above 300 hours each.

Carried

115-14 RATTAI-RESKE

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes the rental of two John Deere tractors for the 2014 season for 300 hours each and a total cost of \$13,860.00 including tax;
AND FURTHER THAT the 2013 lease agreement be cancelled.

Carried

7. New Business

7.1 Garbage Pick Up in LUD of Tyndall-Garson – To be referred to LUD of Tyndall-Garson Committee.

7.2 2014 Spring Road Weight Restrictions

116-14 RATTAI-MICHAELS

WHEREAS the Council of the Rural Municipality of Brokenhead (RM) deems it necessary to impose weight restrictions on municipal roads within the boundaries of the LUD of Tyndall-Garson;

AND WHEREAS *The Manitoba Highway Traffic Act* section 86(1)(c) The traffic authority of a highway may with or without conditions restrict the allowable weight of vehicles that use part of all of the highway or a structure forming part of it;

AND WHEREAS *The Manitoba Highway Traffic Act* section 86(3)(a) When a municipality, a local government district or the council of a band, as traffic authority for a highway, imposes a prohibition or restriction under subsection (1), it shall if the prohibition or restriction is one year or less, impose it by resolution;

THEREFORE BE IT RESOLVED THAT the RM impose road weight restrictions within the boundaries of the LUD of Tyndall-Garson to 65% (sixty-five percent) of the normal weight allowed during the same period of time that the Province of Manitoba imposes spring weight restrictions, with the exception of essential services.

Carried

117-14 MICHAELS-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead will allow heavy trucks during the period that weight restrictions are in effect within the LUD of Tyndall-Garson, with the condition that a \$5,000.00 refundable deposit be obtained by the Brokenhead River Planning District, travel must be restricted to gravel roadways only, and that a direct route has been laid out by the Planning District which must be adhered to at all times.

Carried

7.3 Dog Control

118-14 RESKE-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Chief Administrative Officer Kate Moir to start the process of amending the by-law enforcement contract with Prairie By-Law Enforcement to give 2 month notice of removal of animal control services, but to retain all other services.

Carried

7.4 2013 Public Water System Annual Audit Report – For Information

7.5 Municipal Lagoon – Letter to be sent to Brokenhead River Planning District that subdivisions may resume as draft license for lagoon expansion has been received.

7.6 2014 MOS and Manitoba Good Roads Association Banquet - Tabled

7.7 Request for Reduced Working Hours

119-14 RATTAI-RESKE

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead approves the request by Michelle Ramsden, Financial Officer, for reduced working hours from full time to a 0.8 position until December 31st, 2014.

Carried

7.8 Casual Office Staff

120-14 RESKE-MICHAELS

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Chief Administrative Officer Kate Moir to begin the hiring process for a casual office staff to assist with financial and office duties to a position maximum of 0.6 of a 40 hour week.

Carried

7.9 Community Futures Winnipeg River – Minutes of February 24th, 2014 meeting – For Information

7.10 Association for Community Living – Beausejour Branch – Minutes of December 3rd, 2013 and February 4th, 2014 meetings – For Information

7.11 Road Closures – Public Works to recommend rarely used roads that could be closed in winter to reduce amount of snowplowing required.

7.12 Beausejour Handivan Inc. – Minutes of January 27th, 2014 meeting – For Information

7.13 2014 Dust Control – Council approved 200 applications of dust control to be subsidized in the 2014 program.

7.14 Street Lighting in LUD of Tyndall-Garson – RTK Holdings Ltd. submitted proposal for new street lighting for approval.

7.15 Lot Dedication Fees

121-14 RESKE-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes the transfer of \$3,000.00 from the General Operating Fund to the Utility Reserve Fund.

Carried

7.16 Crown Land Transfer

122-14 MICHAELS-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Reeve Glen Dudeck and Chief Administrative Officer Kate Moir to sign purchase agreement #65140 with Crown Land and Property Agency.

Carried

7.17 Pre-Budget Open House – Council to hold pre-budget open house Monday, March 24th, 2014 in Council Chambers from 7:00 to 9:00 p.m., with advertisement to be placed in *The Clipper Weekly* and on the website.

7.18 Visas – Credit cards to be streamlined for payments with spouse cards to be issued each for Public Works, Administration Office, CAO and LUD of Tyndall-Garson.

7.19 Notice of Motion – Land Sale - Councillor Melvin Rattai made Notice of Motion that at the next regular meeting of Council, he intends to introduce a motion to revisit/rescind Resolution No. 098-14, which was passed at the February 25th, 2014 regular meeting of Council.

7.20 Ditch Opening – Opening to be determined by weather forecast. Tyndall and Beausejour ditches to be opened first.

8. Correspondence/Reports

8.1 Committee Reports

8.1.1 Reeve

8.1.2 Deputy Reeve

8.1.3 Councillors

8.1.4 CAO

123-14 MICHAELS-RATTAI

BE IT RESOLVED THAT all Minutes, Miscellaneous Correspondence and Reports be accepted as presented from Reeve Dudeck (March 6, 2014), Deputy Reeve Rattai (March 10, 2014), Councillors Michaels (March 7, 2014), Reske (March 6, 2014), CAO (March 6, 2014) and that all written reports shall form part of the minutes.

Carried

9. Recess

10. In Camera

124-14 MICHAELS-RATTAI

BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead move 'In Camera' to discuss a staffing issue under (Section 152(3)(b)(ii) of *The Municipal Act*) the time being 9:14 p.m.

Carried

125-14 MICHAELS-RATTAI

BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead reconvene into regular session of Council, the time being 9:35 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

11. Adjournment

10.1 Resolution to adjourn the meeting and schedule the next meeting

126-14 RESKE-MICHAELS

BE IT RESOLVED THAT this meeting of Council does now adjourn the time being 9:36 p.m., and to meet again on March 25, 2014 at 7:00 p.m.

Carried

Reeve Glen Dudeck

CAO Kate Moir