

**THE RURAL MUNICIPALITY OF BROKENHEAD
MAY 13, 2008 - REGULAR MEETING 7:00 PM
MINUTES**

Members Present:	Reeve	Glen Dudeck
	Councillors	Mark Dugard
		Doug Thomasson
		Ruth Ferens
		Melvin Rattai
	CAO	Christine Hutlet

5:30 p.m. Henry Kazina – Garson Arena Board

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

180-08 THOMASSON-RATTAI

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

181-08 DUGARD-FERENS

BE IT RESOLVED THAT the agenda be adopted, as circulated, with the following changes;

Additions:

7.8 Fire Inspections

8.21 Dust Control – First Street

8.22 Migration Planning Meeting

8.23 Archie Marynewich

8.24 L.U.D. – Sand for Ball Diamonds

Addition to In Camera

Deletions:

3.3 Don Yascheshyn – Purchasing old garbage dump site

Carried

2.2 Resolution to adopt the minutes of April 22, 2008 regular meeting

182-08 RATTAI-FERENS

WHEREAS copies of the minutes of the Regular meeting of April 22, 2008 has 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 7:00 p.m. Trevor Staska/Carleen Kintop – Variation
Application V-183-08

183-08 THOMASSON-DUGARD

BE IT RESOLVED THAT the Council of the R.M. of Brokenhead suspends the regular meeting of Council and open this Variation Hearing to hear File No. V-183-08, the time being 7:04 p.m.

Carried

184-08 DUGARD-FERENS

BE IT RESOLVED THAT the Council of the R.M. of Brokenhead do hereby close this Variation Hearing, the time being 7:05 p.m. and return to regular meeting of Council.

Carried

185-08 THOMASSON-DUGARD

WHEREAS the Rural Municipality of Brokenhead Zoning By-law 1688, as amended; Section 5.3.4 – ‘A-80’ Rural and Agricultural Zoning By-law requires a minimum site area of 80 acres and a minimum site width of 1,200 feet;

AND WHEREAS Trevor Staska and Carleen Kintop have made application for variation to permit subdivision of the existing yardsite leaving the balance of the holding having a minimum site area of 75 acres and a minimum site width of 310 feet on the premises of Pt. NE ¼ 23-14-7EPM – 81148 Road 41E;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-183-08 for Trevor Staska and Carleen Kintop is hereby approved.

Carried

4. Financial Report

4.1 Accounts for approval to May 13, 2008

186-08 THOMASSON-RATTAI

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to May 13, 2008;

THEREFORE BE IT RESOLVED THAT the cheque distribution for the accounts being cheques #018478 to #018533 inclusive, totaling \$282,155.20 and payroll for the month of April 2008 totaling \$41,508.71 to be approved for payment.

Carried

4.2 Funds Transfer System for Payroll

187-08 DUGARD-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Reeve Glen Dudeck and CAO Christine Hutlet to sign the agreement with Sunova Credit Union for the funds transfer program for payroll.

Carried

4.3 Transfer of Funds to Garson Arena Reserve

188-08 FERENS-DUGARD

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes the transfer of \$3,487.50 in Garson Community Rink rental monies to the Garson Arena Reserve Fund.

Carried

4.4 Municipal Accounting System – For Information

3. Delegations and Public Hearings (continued)

3.2 Herbert Kowalke – L.U.D. Water & Sewer Project – Mr. Kowalke was not in attendance. Deputy Reeve Mark Dugard spoke on his behalf regarding a request to extend the deadline for utility hook-up until December 31st, 2009.

3.5 Ted Hall – Mr. Hall presented his plans for moving a house onto his property, with a schedule for renovations and garage.

3.4 Bill Kowalchuk & Jason Blaine – Dust Control Disclaimer – Mr. Kowalchuk expressed his concern about the effectiveness of the dust control application. Mr. Blaine was not in attendance.

5. By-laws

5.1 By-Law No. 2060-08 – Sewer & Water Final Debenture – Third Reading

189-08 THOMASSON-RATTAI

BE IT RESOLVED THAT Council give third reading to By-Law No. 2060-08, as amended, being a By-law of the Rural Municipality of Brokenhead to authorize the expenditure and borrowing of monies for the purpose of constructing a Water and Sewer Utility in the Local Urban District of Tyndall/Garson, amending By-law No. 1977.

Councillor	Yes	No	Abstain	Reason
Glen Dudeck	X			
Dugard, Mark	X			
Thomasson, Doug	X			
Rattai, Melvin	X			
Ferens, Ruth	X			

Carried

5.2 By-Law No. 2064-08 – Tax Levy By-law – Third Reading

190-08 FERENS-DUGARD

BE IT RESOLVED THAT Council give third reading to By-law No. 2064-08, being a By-law of the Rural Municipality of Brokenhead to provide for the levy of taxes for the fiscal year 2008.

Councillor	Yes	No	Abstain	Reason
Glen Dudeck	X			
Dugard, Mark	X			
Thomasson, Doug	X			
Rattai, Melvin	X			
Ferens, Ruth	X			

Carried

6. Correspondences

- 6.1 Committee Reports
 - 6.1.1 Reeve
 - 6.1.2 Deputy Reeve
 - 6.1.3 Councillors
 - 6.1.4 CAO
 - 6.1.5 Public Works Manager

191-08 RATTAI-THOMASSON

BE IT RESOLVED THAT all Minutes, Miscellaneous Correspondence and Reports be accepted as presented from Reeve Glen Dudeck (May 8, 2008), Deputy Reeve Dugard (May 8, 2008), Councillors Thomasson (May 8, 2008), Ferens (May 13, 2008), Rattai (May 13, 2008), CAO (May 9, 2008), and the Manager of Public Works (May 9, 2008), and that all written reports shall form part of the minutes.

Carried

7. Unfinished Business

- 7.1 John Park – Variation for Addition to Workshop – No objectors present. Decision tabled to next meeting.
- 7.2 Canada Post – Additional Lighting at Tyndall Community Mailboxes – For Information
- 7.3 Hog Moratorium – Letter to Groundwater Committee – To be discussed at meeting with Larissa Sveinson on May 27th, 2008.
- 7.4 Merke Property – Derelict Vehicles – New order to be issued.
- 7.5 New Office Building – For Information
- 7.6 R.M. Brochure – Articles to be submitted by May 31st, 2008.
- 7.7 Cemetery – Discussed the purchase of the Roman Catholic Cemetery property.
- 7.8 Fire Inspections – For Information

8. New Business

- 8.19 Subdivision – Brokenhead River Bio-Fuels Co-op Ltd. – SE ¼ 12-13-7 EPM

192-08 DUGARD-THOMASSON

WHEREAS Brokenhead River Bio-Fuels Co-op Ltd. have completed an Application for Approval of Subdivision for SE ¼ 12-13-7 EPM referred to as File No. 4110-08-5223 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 the property be rezoned to “M” Industrial zone;
- That the applicant obtain a conditional use order to allow the processing of agricultural products and the manufacturing of bio-fuel products; and
- That site area and site width variation order be obtained for the residual lot, to allow a site area of 67.71 acres instead of 80 acres and to allow a site width of 147.3 feet instead of the 1200 feet required.

Carried

8.1 Helmut Kebernik – Rotten bales from 2007 flooding – Letter to be sent to Mr. Kebernik that the municipality is not responsible for removing the bales.

8.2 Garson Arena – Request for council representative on board

193-08 FERENS-THOMASSON

BE IT RESOLVED THAT Council of the RM of Brokenhead is in agreement to appoint Councillor Melvin Rattai as a representative to the Garson Arena Board.

Carried

8.3 Water & Sewer Project Loan Agreement

194-08 THOMASSON-FERENS

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Reeve Glen Dudeck and CAO Christine Hutlet to sign the loan agreement for the LUD of Tyndall/Garson Water and Sewer Project with Sunova Credit Union.

Carried

8.4 Wine & Cheese Social Evening – Visiting Medical Students – For Information

- 8.5 Winnipeg River Community Futures – Annual General Meeting and Awards Banquet

195-08 DUGARD-FERENS

BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead authorizes Council as a whole to attend the Winnipeg River Community Futures Annual General Meeting and Awards Banquet held Monday, May 26th, 2008 at the Royal Canadian Legion in the Town of Powerview-Pine Falls.

Carried

- 8.6 Water Stewardship – Ombudsman’s Drainage Report Accepted by Government – For Information
- 8.7 Manitoba Conservation – Mars Hills Burning Permit Control Zone – For Information
- 8.8 H.E.D. Insurance – Municipal General Insurance Program for Arenas/Rinks – No change to insurance coverage.
- 8.9 Drainage Policy and Procedures – For Review
- 8.10 Brokenhead River Planning District – Development Plan – For Review
- 8.11 Revised Resource Guide – *Taking Action Against Violence* – For Information
- 8.12 Brokenhead River Community Foundation Inc. – Invitation to Annual General Meeting and Community Grants Night
- 8.13 Emergency Measures Organization – Full Scale Training Exercise

196-08 THOMASSON-DUGARD

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Council as a whole to attend a full scale training exercise for Emergency Measures to be held May 24th, 2008 in the Lac du Bonnet High School.

Carried

- 8.14 Office of the Fire Commissioner – Burning By-law – For Information – Tabled to next meeting.

8.15 Beausejour Blades – Sponsorship Opportunities – For Information

8.16 Employee Request for Leave Policy

197-08 THOMASSON-RATTAI

BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead adopt the following policy: PER-107;
FURTHER THAT this policy shall be incorporated into the Rural Municipality of Brokenhead policy manual.

Carried

8.17 Third Street South Property Annexation – For Information –
Tabled to next meeting.

198-08 RATTAI-FERENS

BE IT RESOLVED THAT the members of Council for the Rural Municipality of Brokenhead agree to extend the May 13, 2008 meeting of Council by one-half hour as allowed for in the Procedures By-law No. 2038-06.

Carried

At this time, Deputy Reeve Mark Dugard excused himself from the Council Meeting due to conflict of interest.

8.18 Subdivision – Dugard – SW 24-12-7 EPM

199-08 FERENS-RATTAI

WHEREAS Mark and Sharon Dugard have completed an Application for Approval of Subdivision for SW 24-12-7 EPM referred to as File No. 4110-05-5070 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 showing the location of all structures and onsite wastewater management systems on the subject lands be provided; and
- That any variation orders required as a result of the Building Location Certificate be obtained.

Carried

8.20 Winnipeg Free Press – Manitoba Town & Country Business Card Advertisement – For Information

8.21 Dust Control – First Street – Letter to be sent to Mrs. Lorraine Baker regarding dust control policy.

8.22 Migration Planning Meeting – CAO Christine Hutlet to attend.

8.23 Archie Marynewich – Add to inspection list.

8.24 L.U.D. – Sand for Ball Diamonds

200-08 DUGARD-FERENS

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes the expenditure, up to \$250.00, for the purchase of sand for the ball diamonds in Tyndall, with product to be approved by the Chair of the L.U.D. of Tyndall/Garson.

Carried

9. In-camera

201-08 FERENS-THOMASSON

BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead move 'In Camera' to discuss a pending legal issue under (Section 152(3)(b)(iv) of *The Municipal Act*) the time being 10:00 p.m.

Carried

202-08 THOMASSON-RATTAI

BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead reconvene into regular session of Council, the time being 10:00 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

10. Adjournment

10.1 Resolution to adjourn the meeting and schedule the next meeting

203-08 DUGARD-RATTAI

BE IT RESOLVED THAT this meeting of Council does now adjourn the time being 10:00 p.m., to meet again on May 27, 2008 at 7:00 p.m.

Carried

Reeve Glen Dudeck

CAO Christine Hutlet