

**THE RURAL MUNICIPALITY OF BROKENHEAD
JANUARY 31, 2012 - REGULAR MEETING 7:00 PM
MINUTES**

Members Present:	Reeve	Glen Dudeck
	Councillors	Melvin Rattai
		Sean Michaels
		Crystal Reske
		Ken Zirk
	CAO	Christine Hutlet

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

021-12 RESKE-ZIRK

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

022-12 ZIRK-MICHAELS

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

Carried

2.2 Resolution to adopt the minutes of January 10, 2012 regular meeting

023-12 ZIRK-RESKE

WHEREAS copies of the minutes of the Regular meeting of January 10, 2012 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 Application for Variation File No. V-236-11 – Telus – Pt. SW ¼
Section 32-12-8EPM

024-12 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-236-11, the time being 7:04 p.m.

Carried

025-12 MICHAELS-ZIRK

BE IT RESOLVED THAT the Council of the R.M. of Brokenhead do hereby close this Variation Hearing, the time being 7:17 p.m. and return to regular meeting of Council.

The decision to approve or deny Variation Order V-236-11 has been tabled.

3.2 Application for Variation File No. V-239-12 – Bruno Leppelmann
– Pt. W ½ Section 32-12-8E

026-12 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-239-12, the time being 7:26 p.m.

Carried

027-12 ZIRK-RATTAI

BE IT RESOLVED THAT the Council of the R.M. of Brokenhead do hereby close this Variation Hearing, the time being 7:34 p.m. and return to regular meeting of Council.

The decision to approve or deny Variation Order V-239-12 has been tabled.

3.3 Application for Variation File No. V-240-12 – Garry Bauschke –
Pt. NW ¼ Section 18-15-8EPM

028-12 RESKE-RATTAI

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-240-12, the time being 7:34 p.m.

Carried

029-12 RATTAI-RESKE

BE IT RESOLVED THAT the Council of the R.M. of Brokenhead do hereby close this Variation Hearing, the time being 7:39 p.m. and return to regular meeting of Council.

Carried

030-12 RESKE-RATTAI

WHEREAS the Rural Municipality of Brokenhead Zoning By-law 1688, as amended; Section 5.3.4, Table VII – ‘A-80’ Rural and Agricultural Zoning By-law requires a minimum site area of 80 acres, minimum site width of 1,200 feet, and minimum side yard measurement of 25 feet;

AND WHEREAS Garry Bauschke has made application for variation to permit the subdivision of the existing yardsite from the balance of the holding creating a residual parcel having the following measurement:

- a) minimum site area of 73 acres
- b) minimum site width of 1,162 feet (north property boundary)
- c) minimum site width of 120 feet (west boundary)
- d) minimum south side yard measurement of 8 feet for existing accessory building ‘G’ on existing Proposed Lot 1 yardsite

on the premises of Pt. NW ¼ Section 18-15-8EPM;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-240-12 for Garry Bauschke is hereby approved.

Carried

4. Financial Report

4.1 Accounts for approval to January 31, 2012

031-12 MICHAELS-ZIRK

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to January 31, 2012;

THEREFORE BE IT RESOLVED THAT the cheque distribution for the accounts being cheques #20120019 to 20120100 inclusive, totaling \$330,845.42, to be approved for payment.

Carried

4.2 Financial Statement for Period Ending November 30th, 2011

032-12 RATTAI-RESKE

WHEREAS the Financial Statement for the period ending November 30th, 2011 has been prepared and presented to all members of Council;

THEREFORE BE IT RESOLVED THAT Council is in agreement to accept the Financial Statement for the period ending November 30th, 2011.

Carried

4.3 2010 Audited Financial Statement

033-12 ZIRK-MICHAELS

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the Audited Financial Statements for 2010 as prepared by The Exchange Chartered Accountants LLP.

Carried

8. New Business

8.2 Application for Approval of Subdivision – Joseph Laderoute & Debbie Mozel – NW ¼ Section 8-12-8EPM - Tabled

4. Financial Report (Continued)

4.4 2012 Line of Credit

034-12 RESKE-ZIRK

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, 2011 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

4.5 Appointment of Finance Committee Chairperson

035-12 MICHAELS-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead appoints Councillor Crystal Reske as the Finance Committee Chairperson, effective immediately until December 31st, 2012.

Carried

4.6 Pre-Authorized Payments

036-12 RESKE-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead approves Pre-Authorized Payments to be made from the Sunova Credit Union account to the following suppliers for the 2012 financial year:

MTS Mobility	Xplornet
MB Phone System	Manitoba Hydro
MTS Internet	Pitney Bowes Leasing
Western Financial	Sunova Payroll Fees

Carried

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 CAO
 - 6.1.5 Public Works

037-12 MICHAELS-RATTAI

BE IT RESOLVED THAT all Minutes, Miscellaneous Correspondence and Reports be accepted as presented from Reeve Dudeck (January 26, 2012), Deputy Reeve Rattai (January 27, 2012), Councillors Michaels (January 31, 2012), Reske (January 31, 2012), Zirk (January 31, 2012), CAO (January 25, 2012), and the Public Works Report (January 26, 2012), and that all written reports shall form part of the minutes.

Carried

7. Unfinished Business

- 7.1 Transfer Station – Committee to make presentation to Council in near future.
- 7.2 Manitoba Hydro – Street Lighting on Carol Way and Palas Drive of Garson Developments Ltd. - Tabled

8. New Business

8.1 Robert & Virginia Lanoway – Drainage Ditch Across 3-13-8EPM

038-12 ZIRK-RESKE

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead requests an easement from Mr. & Mrs. Robert Lanoway and Mr. Ron Sachvie to maintain the drainage ditch located in Section 3-13-8EPM.

Carried

8.3 Application for Approval of Subdivision – Barry & Rosemarie Klym – SE ¼ Section 9-14-8EPM

039-12 RESKE-RATTAI

WHEREAS Barry and Rosemarie Klym have completed an Application for Approval of Subdivision for SE ¼ Section 9-14-8EPM referred to as File No. 4110-11-5475 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 site area variation order be obtained for the residual lot allowing a site area of 53.9 acres instead of 80 acres as required in the A80 zone;
- That a building location certificate be prepared for the yard site parcel showing the location of all buildings, wells, and the sewage disposal system in relation to the proposed lot lines; and
- That any other variation order be obtained, if required, as a result of the building location certificate.

Carried

8.4 2012 Strathcona Trust Senior Men's Provincial Curling Championship – Request for Sponsorship and Attendance

040-12 RESKE-MICHAELS

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead makes a cash donation of \$100.00 to the Strathcona Trust Senior Men's Provincial Curling Championship.

Carried

8.5 Municipal Property in R.M. of Springfield – Chief Administrative Officer to approach real estate businesses for assessment and quote for commission to sell Roll #423110 in the R.M. of Springfield.

8.6 Federation of Canadian Municipalities – 2012 Annual Conference

041-12 RESKE-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Council as a Whole and the Chief Administrative Officer to attend the Federation of Canadian Municipalities in Saskatoon, Saskatchewan, June 1- 4, 2012.

Carried

8.7 2012 Municipal Curling Bonspiel

042-12 ZIRK-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Council as a Whole and Staff to attend the 2012 municipal curling bonspiel hosted by the Town of Beausejour on March 8th, 2012 and that the Rural Municipality of Brokenhead office will be closed that day to allow staff to attend.

Carried

8.8 Municipal Officials Seminar - Brandon

043-12 RESKE-MICHAELS

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Council as a Whole and the Chief Administrative Officer to attend the Municipal Officials Seminar April 10th, 11th and 12th, 2012 in Brandon, Manitoba.

Carried

044-12 RESKE-ZIRK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes Council as a Whole and the Chief Administrative Officer to attend the Governance Success seminar April 10th, 2012 in Brandon, Manitoba.

Carried

8.9 Crown Land Sale 65098

045-12 MICHAELS-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the proposed public access road as a public road upon receipt of survey as described in Crown Land Sale 65098, Greg Crognali – Applicant.

Carried

8.10 Beausejour Brokenhead Fire Committee – Notes of January 11th, 2012 meeting – For Information

8.11 Broken-Beau Historical Society – Minutes of January 5th, 2012 meeting – For Information

8.12 Local Urban District of Tyndall/Garson – Minutes of December 12th, 2011 and January 9th, 2012 meetings – For Information

8.13 Eastman Regional Development Inc. – 2012 Membership – For Information

8.14 Beausejour Elites Gymnastics – Request for Sponsorship

046-12 RESKE-ZIRK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead makes a \$100.00 donation to the Beausejour Elites Gymnastics for the Regional Stream Provincials Gymnastics Championships held in Beausejour.

Carried

8.15 Discharge of Public Reserve – Garson Developments - Tabled

8.16 Purchase of GPS System

047-12 DUDECK-ZIRK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes the purchase of a Trimble R8 GNSS RTK Global Positional System from Cansel at a cost of \$31,204.99 plus taxes.

Carried

8.17 Bauschke Subdivision

048-12 RESKE-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead is in agreement to remove the requirement of a development agreement to be entered into between Mr. Garry Bauschke and the R.M. of Brokenhead from the conditional subdivision approval File #4110-10-5411.

Carried

8.18 Provincial Municipal Assessor Correction 2012 Assessment Roll – For Information

8.19 Purchase of Limestone

049-12 RESKE-RATTAI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead authorizes the purchase of ¾” crushed limestone from Al Meisner Ltd. at a cost of \$19.85/tonne plus taxes.

Carried

050-12 RATTAI-RESKE

BE IT RESOLVED THAT the members of Council for the Rural Municipality of Brokenhead agree to extend the January 31, 2012 meeting of Council by one-half hour as allowed for in the Procedures By-law No. 2100-11.

Carried

8.20 Lagoon Expansion Study

051-12 RATTAI-ZIRK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead agrees on a growth rate equal to the development of a lagoon expansion to utilize the remaining property.

8.21 Lydar Mapping – Chief Administrative Officer instructed to contact the R.M. of St. Clements with regard to their proposed Lydar mapping.

9. In Camera

052-12 ZIRK-RATTAI

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

053-12 ZIRK-RESKE

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

054-12 ZIRK-RESKE

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead gives the Finance Manager, Administrative Assistant and Utility/Payroll Clerk a wage step increase based upon the wage scale in the Administrative Agreement.

Carried

055-12 RATTAI-MICHAELS

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead agrees to hire a full-time Public Works Assistant.

Carried

10. Adjournment

10.1 Resolution to adjourn the meeting and schedule the next meeting

056-12 ZIRK-RESKE

BE IT RESOLVED THAT this meeting of Council does now adjourn the time being 10:00 p.m., to meet again on February 14, 2012 at 7:00 p.m.

Carried

Reeve Glen Dudeck

CAO Christine Hutlet