

**RURAL MUNICIPALITY OF BROKENHEAD
SEPTEMBER 27, 2022 - REGULAR MEETING 7:00 PM
MINUTES**

Members Present:	Deputy Reeve Councillor	Sean Michaels Bruce Modrzejewski Luke Ingeberg Jack Kowalchuk
	CAO Exec. Assistant	Sheila Mowat, CMMA Kerry Bialek, CMMA
Regrets:	Reeve Youth Member	Brad Saluk Aaron Linke

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

315-22 KOWALCHUK-INGEBERG

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

316-22 MODRZEJEWSKI-INGEBERG

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

7.6 Re-tendering for Fire Truck

Deletion:

7.2 Application for Approval of Subdivision File No. 4110-21-7634 – Lots 2 and 3, Block 10, Plan 928 in Pt. SE ¼
Section 11-13-6EPM

Carried

2.2 Resolution to adopt the minutes of September 13th, 2022 Regular Meeting

317-22 KOWALCHUK-MODRZEJEWSKI

WHEREAS copies of the minutes of the Regular meeting of September 13th, 2022 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 September 13th, 2022 Committee of the Whole Meeting

318-22 INGEBERG-KOWALCHUK

WHEREAS copies of the minutes of the Committee of the Whole meeting of September 13th, 2022 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 September 21st, 2022 Public Hearing

319-22 INGEBERG-MODRZEJEWSKI

WHEREAS copies of the minutes of the Public Hearing of September 21st, 2022 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

3.1 Jeff Novakoski – Appeal Policy for Number of Accesses to Property

Mr. Novakoski was not in attendance. Council tabled this discussion.

3.2 Variation Hearing – File No. V-393-22 – NE ¼ Section 29-13-7EPM

320-22 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead suspends the regular meeting of Council and opens this Variation Hearing to hear File No. V-393-22, the time being 7:08 p.m.

Carried

Ms. Gauthier was in attendance to speak in favour of the application. No one was present to object.

321-22 INGEBERG-KOWALCHUK
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:10 p.m. and return to regular meeting of Council.

Carried

322-22 MODRZEJEWSKI-KOWALCHUK
WHEREAS the Rural Municipality of Brokenhead Zoning By-Law No. 2232-21; Part 5, Section 5.3 – “Minimum Dwelling Size” requires that the minimum dwelling unit area of a single-family or two-family dwelling shall be 800 square feet for each dwelling unit;
AND WHEREAS Jason and Carole Gauthier have made application for variation to permit a second dwelling with a square footage of 480 square feet rather than the minimum of 800 square feet on the premises known as NE ¼ Section 29-13-7EPM – 76102 Road 38E, and;
THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-393-22 for Jason and Carole Gauthier is hereby approved.

Carried

3.3 Variation Hearing – File No. V-394-22 – SE ¼ Section 16-13-7EPM

323-22 INGEBERG-KOWALCHUK
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead suspends the regular meeting of Council and opens this Variation Hearing to hear File No. V-394-22, the time being 7:14 p.m.

Carried

The applicant was not in attendance to speak to the variation request. No one was present to object.

324-22 MODRZEJEWSKI-INGEBERG
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:16 p.m. and return to regular meeting of Council.

Carried

325-22 MODRZEJEWSKI-INGEBERG
WHEREAS the Rural Municipality of Brokenhead Zoning By-Law No. 2232-21; Part 3, Section 3.6(b) – “Projections into Required Yards” requires that open, unenclosed, and uncovered porches, decks or terraces may not project into a required front or rear yard for a distance not exceeding six (6) feet at or below main floor level;
AND WHEREAS Alexia Reske-Naurocki and Brenden Woligroski have made application for variation to permit an open, unenclosed, and uncovered deck projecting 10 feet into a required front yard within the “AG” Agricultural

General Zone on the premises known as SE ¼ Section 16-13-7EPM – 38111 Mile 74N, and;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-394-22 for Alexia Reske-Naurocki and Brenden Woligroski is hereby approved.

Carried

3.4 Susan Peitsch – Drainage at NW ¼ Section 32-12-8EPM

Ms. Peitsch attended Council to discuss a drainage problem that has been ongoing for several years. A 5 foot wide culvert on Mile 71N is directing water south on Road 43E past Ms. Peitsch’s property. The farmland is usually drained within a month after seeding, except for this year. A list of neighbours was provided who have made modifications to their culverts, altering the flow of water. Council asked Ms. Peitsch to complete a drainage proposal. Council is also requesting a report from Public Works Project Manager of drainage in the area.

4. Financial Reports/Payment of Accounts

4.1 Approval of Accounts to September 27th, 2022

326-22 KOWALCHUK-INGEBERG

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to September 27th, 2022, and;

THEREFORE BE IT RESOLVED THAT the following be approved for payment:

<u>Payroll</u>	Cheques #20221191-20221220	\$ 40,727.80
<u>Accounts for Payment</u>		
General	Cheques #20221221-20221253	\$317,173.01
Recreation	Cheques #20221254-20221255	<u>\$ 900.00</u>
		<u>\$358,800.81</u>

Carried

4.2 Financial Statement for Period Ending August 31st, 2022

327-22 INGEBERG-KOWALCHUK

WHEREAS the Financial Statement for the period ending August 31st, 2022 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 August 31st, 2022.

Carried

4.3 Transfer of Funds to Recreation and Culture Reserve

- 328-22 MODRZEJEWSKI-INGEBERG
WHEREAS funds have been received from NB Holdings Ltd. in lieu of public reserve land for Subdivision File No. 4110-20-7546 in the amount of \$17,690.00, and;
THEREFORE BE IT RESOLVED THAT \$17,690.00 be transferred to the Recreation and Culture Reserve.

Carried

4.4 2021 Draft Audited Financial Statement

- 329-22 INGBERG-KOWALCHUK
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead has reviewed and accepts the Draft Audited Financial Statements for the year ended December 31st, 2021 as compiled by The Exchange Group.

Carried

5. By-Laws

- 5.1 By-Law No. 2243-22 – Garbage and Recycling Fees – 1st and 2nd Reading

- 330-22 INGBERG-KOWALCHUK
BE IT RESOLVED THAT Council gives first reading to By-Law No. 2243-22, being a by-law of the Rural Municipality of Brokenhead to establish a rate for the collection and transportation of household garbage and recyclable materials within the Local Urban District of Tyndall-Garson.

Carried

- 331-22 MODRZEJEWSKI-KOWALCHUK
BE IT RESOLVED THAT Council gives second reading to By-Law No. 2243-22, being a by-law of the Rural Municipality of Brokenhead to establish a rate for the collection and transportation of household garbage and recyclable materials within the Local Urban District of Tyndall-Garson.

Carried

6. Unfinished Business

- 6.1 Subdivision File No. 4110-21-7623 – Pt. SW ¼ Section 6-14-7EPM

- 332-22 INGBERG-KOWALCHUK
WHEREAS a Notice of Motion was given by Councillor Ingeberg at the September 13th, 2022 regular meeting to revisit Resolution No. 266-22, and;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead rescinds Resolution No. 266-22.

Carried

333-22 KOWALCHUK-MODRZEJEWSKI

WHEREAS the Rural Municipality of Brokenhead Zoning By-Law No. 2232-21; Table 9-1 – “AG” Agricultural General Zone requires a minimum site area of 80 acres and a site width of 1,200 feet;

AND WHEREAS Tyler Golembiski has made application for variation to permit a reduced site width of 1,178.5 feet and site area of 59.12 acres on the residual lot due to subdivision on the premises known as Pt. SW ¼ Section 6-14-7EPM – 78079 Road 36E, and;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-390-22 for Tyler Golembiski is hereby approved.

Carried

7. New Business

7.1 Application for Approval of Subdivision File No. 4110-22-7678 – SE ¼ Section 23-12-7EPM

334-22 INGBERG-KOWALCHUK

WHEREAS Ronald and Shantelle Bachman have completed an Application for Approval of Subdivision for SE ¼ Section 23-12-7EPM referred to as File No. 4110-22-7678 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 a By-Law amendment be obtained, rezoning the title area from “A80” Rural and Agricultural Zone to “RR” Rural Residential Zone.
2. That a Development Agreement is entered into with the Rural Municipality of Brokenhead regarding road improvements, drainage requirements, and any other public works deemed necessary by Council.
3. That in accordance with policy PLG-102, the developer shall contribute \$2,000.00 per lot toward parkland dedication.
4. That the applicant/owner pays fees in accordance with By-Law No. 2182-16 “Capital Development Fee” in the amount of \$3,000.00 per new lot created.
5. That any variation orders be obtained, if required, where evidenced by the Surveyor’s Building Location Certificate.

Carried

7.3 Tyndall Ukrainian Orthodox Church 90th Anniversary – Request for Financial Assistance

335-22 INGEBERG-MODRZEJEWSKI
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead donates \$300.00 to the Sts. Peter and Paul Ukrainian Orthodox Church 90th Anniversary celebration in 2023;
AND FURTHER THAT the funds be designated from the 2023 municipal budget.

Carried

7.4 2022 General Municipal Election – Voters List and Election Agreement

336-22 KOWALCHUK-MODRZEJEWSKI
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead provides a copy of the 2022 General Municipal Election Voters List to the Sunrise School Division Senior Election Official for the price of \$100.00.

Carried

337-22 INGEBERG-KOWALCHUK
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead enters into an agreement with Sunrise School Division for the running of the General Municipal Election and School Board Election held October 26th, 2022.

Carried

7.5 Brokenhead River Community Hall – Funding Request

338-22 MODRZEJEWSKI-INGEBERG
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead transfers \$20,000.00 from the Contingency Reserve to the General Operating Fund to pay the Brokenhead River Community Hall for their kitchen upgrade project.

Carried

7.6 Re-Tendering for Fire Truck

339-22 KOWALCHUK-INGEBERG
WHEREAS the Town of Beausejour and the Rural Municipality of Brokenhead advertised RFQ 2022-15 Triple Combination Pumper, and;
WHEREAS RFQ 2022-15 Triple Combination Pumper closed on September 15th, 2022, and;
WHEREAS only one submission was received, and;

THEREFORE BE IT RESOLVED THAT the Triple Combination Pumper will be re-advertised with a revised specification.

Carried

8. Correspondence/Reports

8.1 Association for Community Living Beausejour Branch – Annual General Meeting

8.2 Brokenhead River Community Hall – Minutes of August 11th, 2022 Meeting

8.3 Age-Friendly Manitoba – September 2022 Newsletter

8.4 Minister of Sport, Culture and Heritage – Approval of Heritage Family Century Farms Monument Grant

340-22 MODRZEJEWSKI-KOWALCHUK

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

341-22 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT this regular meeting of Council does now adjourn the time being 8:09 p.m., to meet again on October 11th, 2022 at 7:00 p.m.

Carried

Brad Saluk

Reeve

Sheila Mowat

Chief Administrative Officer