

**RURAL MUNICIPALITY OF BROKENHEAD  
OCTOBER 24, 2017 - REGULAR MEETING 7:00 PM  
MINUTES**

Members Present:	Reeve Councillor	Brad Saluk Sean Michaels Debra Litke Bruce Modrzejewski Luke Ingeberg
	CAO Executive Asst.	Sue Sutherland, CMMA Kerry Bialek, CMMA

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

335-17 MICHAELS-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

336-17 MODRZEJEWSKI-LITKE

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

7.7 Performance Evaluation for Chief Administrative Officer

*Carried*

2.2 Resolution to adopt the minutes of October 10<sup>th</sup>, 2017 Regular Meeting

337-17 INGEBERG-MICHAELS

**WHEREAS** copies of the minutes of the Regular meeting of October 10<sup>th</sup>, 2017 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 October 10<sup>th</sup>, 2017 Committee of the Whole Meeting

338-17 LITKE-MODRZEJEWSKI

**WHEREAS** copies of the minutes of the Committee of the Whole meeting of October 10<sup>th</sup>, 2017 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 Variation Order V-324-17 – Lot 9, Block 4, Plan 928 Tyndall

339-17 INGEBERG-LITKE

**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-324-17, the time being 7:02 p.m.

*Carried*

340-17 MODRZEJEWSKI-MICHAELS

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

*Carried*

341-17 MICHAELS-LITKE

**WHEREAS** the Rural Municipality of Brokenhead Zoning By-Law 1688, as amended; Section 4.3.2, Table I – ‘R’ Residential Zoning By-Law lists accessory buildings as “permitted” but are subject to sentence 3.3.17(e) No accessory building shall be erected prior to erection of the main building except where it is necessary for the storage of the tools and materials for use during construction of the main building;

**AND WHEREAS** Danuta and Julian Amarowicz have made application for variation to permit an accessory building on an individual title without a main building existing or being constructed on the premises of Lot 9, Block 4, Plan 928 – 19 Poplar Avenue, and;

**THEREFORE BE IT RESOLVED THAT** Application for Variation Order No. V-324-17 for Danuta and Julian Amarowicz is hereby approved.

*Carried*

3.2 Variation Order V-325-17 – Lot 2, Plan 18425 in SW ¼ Section 6-12-7EPM

342-17 INGEBERG-MODRZEJEWSKI

**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-325-17, the time being 7:07 p.m.

*Carried*

343-17 MICHAELS-LITKE

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:12 p.m. and return to regular meeting of Council.

*Carried*

344-17 INGEBERG-MICHAELS

**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 states that accessory buildings, uses and structures excluding dwellings require both a rear and side yard measurement of 25 feet and spatial separation between buildings on site of 10 feet;

**AND WHEREAS** Roger Moroz has made application for variation to permit

- a) A rear yard measurement of zero (0) feet for an existing structure on the property
- b) A side yard measurement of 14.5 feet for existing grain bins
- c) Spatial separation of 8.2 feet between the wood deck and open canopy gazebo
- d) Spatial separation of 0.3 feet between the garage and metal shed on the premises of Lot 2, Plan 18425 in NW ¼ Section 6-12-7EPM – 36022 Road 67N, and;

**THEREFORE BE IT RESOLVED THAT** Application for Variation Order No. V-325-17 for Roger Moroz is hereby approved.

*Carried*

#### 4. Financial Reports/Payment of Accounts

##### 4.1 Approval of Accounts to October 24<sup>th</sup>, 2017

345-17 INGEBERG-LITKE

**WHEREAS** the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to October 24<sup>th</sup>, 2017, and;

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

<u>Payroll</u>	Cheques #20171363-20171367	\$ 7,996.78
	Cheques #20171372-20171389	\$ 23,428.52
<u>Accts for Payment</u>		
Fire Department	Cheques #20171394-20171400	\$ 10,075.28
Recreation	Cheques #20171391-20171393	\$ 2,232.50
General	Cheque #20171362	\$ 200.00
	Cheques #20171368-20171371	\$ 18,641.69
	Cheque #20171390	\$ 700.00
	Cheques #20171401-20171430	\$169,381.96
	<b>TOTAL:</b>	<u>\$232,656.73</u>

*Carried*

4.2 Financial Statement for Period Ending September 30<sup>th</sup>, 2017

346-17 LITKE-INGEBERG

**WHEREAS** the Financial Statement for the period ending September 30<sup>th</sup>, 2017 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 September 30<sup>th</sup>, 2017.

*Carried*

## 4.3 Council Indemnities – September 2017

347-17 MODRZEJEWSKI-MICHAELS

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead accepts the September 2017 Council Indemnity Sheets as presented;  
**AND FURTHER THAT** Council authorizes payment of the September 2017 council indemnity charges.

*Carried*

## 4.4 Transfer of Capital Development Fees

348-17 LITKE-INGEBERG

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead authorizes Administration to transfer \$17,000.00 from the Utility Operating Fund to the Utility Reserve Fund, as dedication fees for Casablanca Subdivision.

*Carried*

## 4.5 Request for Tax Penalty Reduction

349-17 LITKE-MODRZEJEWSKI

**WHEREAS** Administration has received a written request to cancel the interest on Roll #22850.000;  
**AND WHEREAS** taxes were due September 29<sup>th</sup>, 2017 and payment was received October 2<sup>nd</sup>, 2017;  
**AND WHEREAS** interest is calculated on overdue taxes on the 1<sup>st</sup> day of each month;  
**THEREFORE BE IT RESOLVED THAT** Council is in agreement to deny the request to cancel the interest of \$45.12 on Roll #22850.000.

*Carried*

## 5. By-Laws

5.1 By-Law No. 2192-17 – Nuisance Noise By-Law – 2<sup>nd</sup> & 3<sup>rd</sup>  
Reading

350-17 MICHAELS-LITKE

**BE IT RESOLVED THAT** Council gives second reading to By-Law No. 2192-17, being a by-law of the Rural Municipality of Brokenhead to regulate and prohibit nuisance noise.

*Carried*

351-17 INGEBERG-MODRZEJEWSKI

**BE IT RESOLVED THAT** Council gives third reading to By-Law No. 2192-17, being a by-law of the Rural Municipality of Brokenhead to regulate and prohibit nuisance noise.

Councillor	Yes	No	Abstain	Reason
Modrzejewski, Bruce	<u>X</u>	___	___	
Michaels, Sean	<u>X</u>	___	___	
Litke, Debra	<u>X</u>	___	___	
Ingeberg, Luke	<u>X</u>	___	___	
Saluk, Brad	<u>X</u>	___	___	

*Carried*

## 6. Unfinished Business

Nil

## 7. New Business

7.1 Application for Approval of Subdivision – File No. 4110-17-7377  
– LS 7 & 8 in Section 36-13-7EPM

352-17 MODRZEJEWSKI-LITKE

**WHEREAS** Casmir Szajewski has completed an Application for Approval of Subdivision for LS 7 & 8 in Section 36-13-7EPM referred to as File No. 4110-17-7377 by Community and Regional 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 Applicant/Owner pays fees in accordance with By-Law No. 2182-16 “Capital Development Fee” in the amount of \$3,000.00, and;
2. That a variation order be obtained for reduced site width and reduced site area, and;
3. That a Surveyor’s Building Location Certificate, produced by a Manitoba Land Surveyor is provided to the municipality showing the location of all structures on the affected land, including on-site sewage disposal facilities, in relation to the proposed lot lines, and;

4. That any variation orders be obtained, if required, where evidenced by the Surveyor's Building Location Certificate.

*Carried*

7.2 Cancelled November and December Council Meetings

353-17 MODRZEJEWSKI-MICHAELS

**BE IT RESOLVED THAT** the Council of the Rural Municipality of Brokenhead cancels the November 28<sup>th</sup>, 2017 regular meeting of Council, and;

**FURTHER THAT** the December 26<sup>th</sup>, 2017 regular meeting of Council be cancelled.

*Carried*

7.3 2017 Christmas Closure

354-17 LITKE-INGEBERG

**WHEREAS** Council and staff of the Rural Municipality of Brokenhead have discussed the Holiday schedule for 2017 and all are in agreement to alter the hours of operation for this Holiday Season, and;

**THEREFORE BE IT RESOLVED THAT** the office of the Rural Municipality of Brokenhead will be closed December 23<sup>rd</sup>, 2017 to January 1<sup>st</sup>, 2018, and;

**FURTHER THAT** all Public Works staff shall remain on call in case of emergency.

*Carried*

7.4 Interlake-Eastern Health Foundation Launch – Received for Information

7.5 Garson Developments – Acceptance Certificate

355-17 INGEBERG-LITKE

**WHEREAS** Garson Developments had entered into a development agreement with the Municipality, and;

**WHEREAS** the warranty requirements expired on October 11<sup>th</sup>, 2017, and;

**WHEREAS** funds are still owed to the Municipality for Capital Development Levies and any costs that the Municipality incurred for engineering and legal in the amount of \$45,791.63, and;

**THEREFORE BE IT RESOLVED THAT** Council authorizes the Chief Administrative Officer to sign the acceptance certificate once the funds are received.

*Carried*

7.6 Sinclair Crescent, Phase 2 – Reduction of Letter of Credit

## 356-17 LITKE-MODRZEJEWSKI

**WHEREAS** Subdivision File No. 4110-14-7135 in the name of RTK Holdings Ltd. and 3848389 Manitoba Ltd. was inspected August 24<sup>th</sup>, 2017, and;

**WHEREAS** the municipal engineer has noted one deficiency, being hydro seeding and grass growth, and;

**WHEREAS** the engineer's recommendation is to reduce the letter of credit from \$200,000.00 to \$20,000.00, and;

**THEREFORE BE IT RESOLVED THAT** Council of the Rural Municipality of Brokenhead agrees to reduce the letter of credit for the development to \$20,000.00.

*Carried*

## 7.7 Performance Evaluation for Chief Administrative Officer

## 357-17 INGEBERG-LITKE

**WHEREAS** the Council of the Rural Municipality of Brokenhead completed a performance evaluation for the Chief Administrative Officer October 23<sup>rd</sup>, 2017, and;

**WHEREAS** the performance evaluation was positive, and;

**THEREFORE BE IT RESOLVED THAT** the Chief Administrative Officer receives a 3.0% increase in accordance with the employment contract, effective July 20<sup>th</sup>, 2017.

*Carried*

## 8. Correspondence/Reports

- 8.1 Manitoba Good Roads Association – Lifetime Membership Nominations
- 8.2 Association for Community Living Beausejour Branch Inc. – Minutes of September 6<sup>th</sup>, 2017 Meeting
- 8.3 Canadian Nuclear Laboratories – Environmental Impact Statement
- 8.4 Cooks Creek Conservation District – Minutes of September 18<sup>th</sup>, 2017 and Agenda of October 16<sup>th</sup>, 2017 Meetings
- 8.5 Sunrise School Division – Budget Consultations
- 8.6 Multi-Material Stewardship Manitoba – Newsprint Recycling Fee Funding
- 8.7 Beausejour Brokenhead Fire Committee – Minutes of June 28<sup>th</sup>, 2017 Meeting

- 8.8 Association for Community Living Beausejour Branch Inc. – Request for Christmas Party Donation
- 8.9 Garson Community Rink Facility Inc. – Minutes of September 18<sup>th</sup>, 2017 Meeting
- 8.10 Manitoba Good Roads Association – Newsletter of October 2017
- 8.11 Brokenhead River Planning District – Agenda of October 18<sup>th</sup>, 2017 Meeting
- 8.12 Lord Selkirk School Division – Invitation to Community Forums

358-17 MICHAELS-MODRZEJEWSKI

**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

359-17 MICHAELS-MODRZEJEWSKI

**BE IT RESOLVED THAT** this regular meeting of Council does now adjourn the time being 7:50 p.m., to meet again on November 14<sup>th</sup>, 2017 at 7:00 p.m.

*Carried*

---

*Brad Saluk*  
Reeve

---

*Sue Sutherland*  
Chief Administrative Officer