

**RURAL MUNICIPALITY OF BROKENHEAD
SEPTEMBER 14, 2021 - REGULAR MEETING 7:00 PM
MINUTES**

Members Present:	Reeve	Brad Saluk
	Councillor	Sean Michaels
		Bruce Modrzejewski
		Luke Ingeberg
		Jack Kowalchuk
	Youth Member	Aaron Linke
	CAO	Sue Sutherland, CMMA
	Executive Asst.	Kerry Bialek, CMMA

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

305-21 MICHAELS-KOWALCHUK

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

306-21 INGEBERG-KOWALCHUK

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

7.8 Branding

Carried

2.2 Resolution to adopt the minutes of August 24th, 2021 Regular Meeting

307-21 MODRZEJEWSKI-INGEBERG

WHEREAS copies of the minutes of the Regular meeting of August 24th, 2021 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 August 24th, 2021 Committee of the Whole Meeting

308-21 MICHAELS-KOWALCHUK

WHEREAS copies of the minutes of the Committee of the Whole meeting of August 24th, 2021 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 Conditional Use C-78-21 –NW ¼ Section 30-13-8EPM

309-21 MICHAELS-KOWALCHUK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead opens this Conditional Use hearing, the time being 7:02 p.m., to hear Conditional Use File No. C-78-21 to permit the operation of a service shop for farm related equipment, including part sales on the land described as NW ¼ Section 30-13-8EPM, submitted by applicant ARRA Baker Holdings Ltd.

Carried

Chief Administrative Officer Sue Sutherland summarized the application for Conditional Use and outlined Council's options. Mr. Riley Baker was in attendance to speak in favour of the application. No objections were raised. Conditions were listed and elaborated by Ms. Sutherland.

310-21 MODRZEJEWSKI-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead do hereby close this Conditional Use hearing and return to regular meeting of Council, the time being 7:10 p.m.

Carried

311-21 INGEBERG-KOWALCHUK

WHEREAS Council sat as a Conditional Use Board September 14th, 2021 to hear representation(s) in regards to an application submitted by ARRA Baker Holdings Ltd. to permit the operation of a service shop for farm related equipment, including part sales on the property located at NW ¼ Section 30-13-8EPM – 76121 Road 42E – File No. C-78-21, and;

AND WHEREAS there were 0 persons in attendance who registered objections;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead approves this Conditional Use Application with the following conditions:

1. Applicant/owner obtains all required permits from Brokenhead River Planning District.

2. That all costs associated with the enforcement of this conditional use order to be found in non-compliance shall be borne solely by the property owner.
3. That all costs associated with this conditional use incurred by the Municipality shall be the sole responsibility of the property owner.
4. That applicant/owner is limited to what is noted in the application and any intensification of operations will require a new conditional use application.
5. That the hours of operation are limited to 8:00 a.m. to 8:00 p.m. to respect the peace and harmony of surrounding residential inhabitants.
6. That this conditional use order is valid for a five (5) year term at which time the applicant must apply for a new conditional use order.
7. That there is to be no outdoor storage of business-related materials.
8. That no signage be erected to advertise the business.
9. That the business has no more than 4 employees.
10. That the business operates in compliance with all municipal by-laws.

Carried

3.2 Road Opening – Lot 1 Plan 14410 in NE ¼ Section 11-13-6EPM

312-21 MICHAELS-KOWALCHUK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead opens this Public Hearing, the time being 7:14 p.m., to receive representations, ask questions, or register an objection from any person(s) who wish to make them in respect to the opening of a Public Road in Lot 1, Plan 14410 in Pt. NE ¼ Section 11-13-6EPM as condition of approval for subdivision File No. 4110-21-7583.

Carried

Chief Administrative Officer Sue Sutherland reviewed the Road Opening process as condition of proposed subdivision. The applicants, Lidiya and Johann Ikkert, were in attendance to speak in favour of the road opening.

Janet Piirik spoke in opposition of the road opening as she does not want an increase in traffic, the road would be too close to her garage, she is concerned about drainage and the effect it could have on resale value of her property.

Kim Sitch also spoke in opposition to the road opening. She listed the required standard widths for various roads and cul de sacs and compared them to the proposed widths of the road to be opened. She was also concerned with the lack of sidewalks, as Gillis School is further south on Pierson Drive. Sue Sutherland stated that a 66 foot road allowance is permitted under the Municipal Standards.

David Sitch spoke in opposition to the road opening stating that the traffic traveling west will be shining headlights into the front windows of his house.

Christopher Harrison spoke in opposition questioning the drainage at the new road and his property line. He also expressed concern with traffic control on Pierson Drive. He has tried calling the RCMP, but they will not send anyone.

Yvonne Moroz-Harrison also spoke in opposition to the road opening, expressing her concern with the Local Urban District of Tyndall-Garson water and sewer system and their capacity to service new residential lot. The engineers have stated there is no issue with a development this size at this time.

Kim Sitch also addressed that proposed Lots 3-7 are 73.6 feet wide, not the minimum 75 feet as required. Sue Sutherland explained that the Brokenhead River Planning District can do in-house variations for up to a 10% difference. Also all total site areas meet the criteria.

313-21 INGBERG-KOWALCHUK

WHEREAS the Council of the Rural Municipality of Brokenhead has heard all those in attendance that wished to make representation in regards to the opening of a Public Road in Lot 1, Plan 14410 in Pt. NE ¼ Section 11-13-6EPM as condition of approval for Subdivision File No. 4110-21-7583, and;

WHEREAS there were 6 people in attendance who registered objections, and;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead closes this Public Hearing, the time being 7:42 p.m.

Carried

3.3 Road Opening – Lot 4 Plan 20613 in NE ¼ Section 4-13-6EPM

314-21 MICHAELS-MODRZEJEWSKI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead opens this Public Hearing, the time being 7:50 p.m., to receive representations, ask questions, or register an objection from any person(s) who wish to make them in respect to the opening of a Public Road in Lot 4, Plan 20613 in Pt. NE ¼ Section 4-13-6EPM as condition of approval for subdivision File No. 4110-21-7596.

Carried

Chief Administrative Officer Sue Sutherland summarized this Road Opening in Garson as a condition of a proposed subdivision. Applicant representative Keith Ballageer attended the meeting to speak in favour of the application. The property has already gone through a Zoning By-Law amendment. There was no one in attendance to provide objections.

315-21 MICHAELS-KOWALCHUK

WHEREAS the Council of the Rural Municipality of Brokenhead has heard all those in attendance that wished to make representation in regards to the opening of a Public Road in Lot 4, Plan 26013 in Pt. NE ¼ Section 4-13-6EPM as condition of approval for Subdivision File No. 4110-21-7596, and;
WHEREAS there were 0 persons in attendance who registered objections, and;
THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead closes this Public Hearing, the time being 7:55 p.m.

Carried

4. Financial Reports/Payment of Accounts

4.1 Approval of Accounts to September 14th, 2021

316-21 INGEBERG-KOWALCHUK

WHEREAS the Finance Committee has reviewed and approved payment of accounts listed in the invoice registers to September 14th, 2021, and;
THEREFORE BE IT RESOLVED THAT the following be approved for payment:

<u>Payroll</u>	Cheques #20211156-20211157	\$ 3,063.52
	Cheques #20211164-20211189	\$ 35,549.27
<u>Accounts for Payment</u>		
Recreation	Cheques #20211241-20211244	\$ 6,028.25
General	Cheques #20211158-20211163	\$ 361,150.94
General	Cheques #20211191-20211240	\$ 122,969.05
August Bank Statement	Western Financial Group	\$ 1,138.67
	Visa	\$ 45,657.83
	Manitoba Hydro	\$ 5,554.62
		<u>\$ 581,112.15</u>

Carried

4.2 Council Indemnities – August 2021

317-21 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts the August 2021 Council Indemnity Sheets as presented;
AND FURTHER THAT Council authorizes payment of the August 2021 council indemnities.

Carried

4.3 Financial Statement for Period Ending July 31st, 2021

318-21 KOWALCHUK-INGEBERG

WHEREAS the Financial Statement for the period ending July 31st, 2021 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 July 31st, 2021.

Carried

4.4 Added Taxes

319-21 MODRZEJEWSKI-MICHAELS

BE IT RESOLVED THAT Council is in agreement to Add Taxes to the Roll, as per recommendation of the Provincial Assessor, for the tax year 2021.

<u>Roll</u>	<u>Year</u>	<u>Amount</u>
200.000	2021	\$ 768.87
8810.000	2021	2,876.30
8815.000	2021	1,656.58
8823000	2021	2,512.37
8824.000	2021	1,285.69
8825.000	2021	148.79
8827.000	2021	2,046.89
8830.000	2021	2,690.92
8831.000	2021	2,223.21
8835.000	2021	2,896.16
8836.000	2021	981.85
8838.000	2021	2,190.08
8839.000	2021	187.64
8844.000	2021	2,770.75
8922.000	2021	351.66
9000.425	2021	479.32
9000.840	2021	155.02
9001.250	2021	418.73
9001.330	2021	996.92
9001.490	2021	54.91
9001.802	2021	1782.70
9001.803	2021	1781.71
9001.812	2021	1,412.41
9001.813	2021	1,482.49
9002.410	2021	2,287.18
9002.825	2021	626.56
9910.000	2021	538.93
10800.000	2021	2,447.02
15214.000	2021	1,769.50
21700.000	2021	2,212.67

22821.000	2021	2,533.01
22822.000	2021	2,170.52
22827.000	2021	1,800.49
31050.000	2021	164.85
32390.000	2021	362.14
33305.000	2021	1,017.07
35820.000	2021	2,552.76
35830.000	2021	1,922.66
35940.000	2021	304.89
35967.000	2021	2,019.26
36700.000	2021	36,415.64
37001.000	2021	1,477.48
42818.000	2021	3,516.93
45801.100	2021	625.00
45801.200	2021	331.11
45801.300	2021	331.11
50405.000	2021	214.86
51000.000	2021	2,414.92
59900.000	2021	1,018.82
60825.000	2021	465.65
64150.000	2021	1,786.58
70900.000	2021	480.95
77610.000	2021	4,357.46
85800.000	2021	1,521.58
89565.000	2021	275.47
91750.000	2021	158.39
101450.000	2021	2,094.73
129300.000	2021	265.75
171600.000	2021	407.81
173200.000	2021	398.10
174500.000	2021	599.26
176200.000	2021	447.02
177900.000	2021	1,191.55
181425.000	2021	20,734.72
185900.000	2021	339.86
188850.000	2021	455.95
191250.000	2021	2,134.08
196300.000	2021	371.85
207300.000	2021	1,486.94
210200.000	2021	2,153.29
211100.000	2021	270.47
211300.000	2021	144.02
211650.000	2021	843.69
215500.000	2021	4,839.12
217800.000	2021	2,502.66
220125.000	2021	3,918.83

225600.000	2021	774.43
226300.000	2021	117.27
239900.000	2021	14.23
273025.000	2021	1,226.44
273400.000	2021	651.65
274850.000	2021	986.40
275050.000	2021	1,651.69
287700.000	2021	389.75
289550.000	2021	6,248.16
290430.000	2021	3,924.08
291014.000	2021	428.66
293175.000	2021	304.58
293222.100	2021	1,602.26
398100.000	2021	159.50
400500.000	2021	611.51
401401.000	2021	1,154.82
401402.000	2021	1,396.70
401403.000	2021	1,041.49
401404.000	2021	968.30
401405.000	2021	1,610.50
401406.000	2021	1,777.87
401407.000	2021	561.93
401408.000	2021	1,244.28
401409.000	2021	1,035.46
401410.000	2021	1,263.43
401411.000	2021	1,267.89
401412.000	2021	1,727.25
401413.000	2021	1,573.77
401414.000	2021	1,250.32
401415.000	2021	1,349.48
401416.000	2021	1,676.36
416800.000	2021	226.73
421800.000	2021	388.52
427850.000	2021	286.74
460550.000	2021	796.07
477500.000	2021	1,706.00
481950.000	2021	<u>1,844.25</u>
		<u>\$205,111.90</u>

Carried

4.5 Cancelled Taxes

320-21 KOWALCHUK-INGEBERG

BE IT RESOLVED THAT Council is in agreement to Cancel Taxes to the Roll, as per recommendation of the Provincial Assessor, for the tax year 2021.

Roll	Year	Amount
9000.420	2021	\$ 204.93
9001.812	2021	87.77
9002.820	2021	80.18
9900.000	2021	178.44
13350.000	2021	260.89
45801.000	2021	278.91
45900.000	2021	355.55
51000.000	2021	3,049.44
60800.000	2021	267.50
80150.000	2021	722.48
81050.000	2021	125.23
89500.000	2021	15.05
91700.000	2021	158.58
98000.000	2021	106.16
188800.000	2021	438.24
197400.000	2021	312.84
211600.000	2021	273.62
217800.000	2021	21.34
248730.000	2021	178.90
273051.000	2021	950.72
274800.000	2021	720.91
279700.000	2021	3,151.22
287300.000	2021	172.28
289500.000	2021	7,225.17
398600.000	2021	207.44
401000.000	2021	2,208.90
401250.000	2021	518.38
401400.000	2021	7,743.22
411810.000	2021	284.64
427600.000	2021	1,038.87
460500.000	2021	642.59
477600.000	2021	1,697.60
481900.000	2021	1,460.97
		<u>\$ 35,138.96</u>

Carried

5. By-Laws

5.1 By-Law No. 2230-21 – Trailer By-Law – 2nd & 3rd Reading

321-21 MICHAELS-KOWALCHUK

BE IT RESOLVED THAT Council gives second reading to By-Law No. 2230-21, being a By-Law of the Rural Municipality of Brokenhead to regulate

the placing and locating of mobile homes, trailer parks and tourist camps within the Rural Municipality of Brokenhead.

Carried

322-21 MODRZEJEWSKI-KOWALCHUK

BE IT RESOLVED THAT Council gives third reading to By-Law No. 2230-21, being a By-Law of the Rural Municipality of Brokenhead to regulate the placing and locating of mobile homes, trailer parks and tourist camps within the Rural Municipality of Brokenhead.

Councillor	Yes	No	Abstain	Reason
Modrzejewski, Bruce	X			
Michaels, Sean	X			
Ingeberg, Luke	X			
Kowalchuk, Jack	X			
Saluk, Brad	X			

Carried

6. Unfinished Business

Nil

7. New Business

7.1 Application for Approval of Subdivision File No. 4110-21-7583 – Lot 1, Plan 14410 in NE ¼ Section 11-13-6EPM

323-21 INGEBERG-MODRZEJEWSKI

WHEREAS Johann & Lidiya Ikkert have completed an Application for Approval of Subdivision for Lot 1, Plan 14410 in NE ¼ Section 11-13-6EPM referred to as File No. 4110-21-7583 by Community Planning Branch;

AND WHEREAS Council requests the input of the Local Urban District of Tyndall-Garson Committee;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead tables their decision until the October 12th, 2021 regular meeting.

Carried

7.2 Application for Approval of Subdivision File No. 4110-21-7596 – Lot 4, Plan 20613 in NE ¼ Section 4-13-6EPM

324-21 KOWALCHUK-MICHAELS

WHEREAS 10080001 Manitoba Ltd. has completed an Application for Approval of Subdivision for Lot 4, Plan 20613 in NE ¼ Section 4-13-6EPM referred to as File No. 4110-21-7596 by Community Planning Branch;
AND WHEREAS Council requests the input of the Local Urban District of Tyndall-Garson Committee;
THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead tables their decision until the October 12th, 2021 regular meeting.

Carried

7.3 Condition of Subdivision File No. 4110-21-7588

325-21 INGEBERG-MODRZEJEWSKI

WHEREAS Subdivision File No. 4110-21-7588 was conditionally approved July 13th, 2021, and;

WHEREAS Condition 2.e. stated, “that a development agreement has been entered into with the Rural Municipality of Brokenhead limiting the development of new habitable structures or the enlargement of existing structures to land outside a 100 foot or 30 meter riparian setback area; and if necessary requiring the rehabilitation of the riparian area”, and;

WHEREAS in accordance with the plan of subdivision the placement of a habitable structure could never be placed in this vicinity as on the residual there is already a habitable structure and Proposed Lot 1 will be at least 900 feet away, and;

WHEREAS Condition 2.d. outlines “that an engineered drainage plan has been provided and that concerns with drainage have been satisfactorily addressed, if required”, and;

WHEREAS investigation on the property has been completed by the Municipality and because both properties are over 40 acres in size, and;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead waives Condition 2.e. and 2.d. of Subdivision File No. 4110-21-7588.

AND FURTHER BE IT RESOLVED THAT a building permit be issued for Proposed Lot 1.

Carried

7.4 STARS Donation

326-21 KOWALCHUK-MICHAELS

WHEREAS STARS Manitoba serves the public with helicopter health care emergency and is a critical emergency life-saving service, and;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead donates \$2,000.00 to STARS Manitoba.

Carried

7.5 Engine Retarder Brake Prohibited Sign – PR #302 & Mile 71N

327-21 KOWALCHUK-MODRZEJEWSKI

WHEREAS engine retarder brake signs have been posted on all major highways that enter the Municipality, and;
THEREFORE BE IT RESOLVED THAT one more sign be installed northbound PR #302 and Mile 71N.

Carried

7.6 Board of Revision Appointments

328-21 MICHAELS-MODRZEJEWSKI

WHEREAS the Board of Revision will be held on October 20, 2021 at 10:00 a.m. at the Rural Municipality of Brokenhead Council Chambers, and;
WHEREAS *The Municipal Assessment Act*, Section 35(1) requires that council shall each year by resolution appoint a Board of Revision consisting of no less than three members, to sit annually to hear applications to review assessment rolls made by the Provincial Municipal Assessor, and;
WHEREAS *The Municipal Assessment Act*, Section 35(2) requires that council shall appoint a member of a board appointed to serve as the presiding officer or chair of the board, and;
BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead be appointed to sit as the Board of Revision for the Rural Municipality of Brokenhead for 2021, and;
FURTHER BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead appoints Brad Saluk as the Chair of the Board of Revision for the Rural Municipality of Brokenhead for 2021, and;
FURTHER BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead appoints Michelle Ramsden as the Secretary of the Board of Revision for the Rural Municipality of Brokenhead for 2021.

Carried

7.7 Great Woods Park Event

329-21 KOWALCHUK-INGEBERG

WHEREAS Great Woods Park is hosting the Lac du Bonnet PC Constituency Event on September 17th, 2021, and;
WHEREAS they are requesting liquor license, and;
THEREFORE BE IT RESOLVED THAT Council is in agreement that a liquor license be issued for the special event.

Carried

7.8 Branding

- 330-21 INGERBERG-MODRZEJEWSKI
WHEREAS the Beausejour Brokenhead Development Corporation received grant funds for tourism, and;
WHEREAS branding fell under the criteria for the use of the grant funds, and;
WHEREAS the Beausejour Brokenhead Development Corporation hired ThreeSIXNorth Marketing to develop new brands for the Town of Beausejour, Rural Municipality of Brokenhead, and Beausejour Brokenhead Development Corporation, and;
THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead approves the new brand for the municipality as presented by the Beausejour Brokenhead Development Corporation.
Carried

8. Correspondence/Reports

- 8.1 Manitoba Infrastructure – Routes: Trade and Commerce Strategy Information
- 8.2 Beausejour Handivan Inc. – Minutes of July 26th, 2021 Meeting
- 8.3 Brokenhead River Planning District – Minutes of July 21st, 2021 Meeting
- 8.4 JR Cousin Consultants Ltd. – Embankment Project Production Report for Week of August 30th, 2021
- 8.5 Chief Administrative Officer Report – August 2021

- 331-21 KOWALCHUK-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

- 332-21 MODRZEJEWSKI-MICHAELS
BE IT RESOLVED THAT this regular meeting of Council does now adjourn the time being 8:34 p.m., to meet again on September 28th, 2021 at 7:00 p.m.

Carried

Brad Safuk
Reeve

Sue Sutherland
Chief Administrative Officer