

**RURAL MUNICIPALITY OF BROKENHEAD
AUGUST 16, 2022 - PUBLIC HEARING 7:00 PM
MINUTES**

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

1. Adopt Agenda

1.1 Resolution to adopt the agenda

254-22 MICHAELS-INGEBERG

BE IT RESOLVED THAT the agenda is adopted as circulated.

Carried

2. Public Hearings

2.1 Public Hearing for Conditional Use File C-81-22

255-22 INGEBERG-MODRZEJEWSKI

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead opens this Public Hearing, the time being 7:05 p.m., to receive representations, ask questions or register an objection from any person(s) who wish to make them in respect to Conditional Use File C-81-22 in the name of Westfarm Colony.

Carried

Chief Administrative Officer Sheila Mowat provided an overview of the evening's agenda and procedures. Each speaker will be given ten minutes.

Larissa Sveinson, Regional Manager of the Community Planning Branch, explained that the Technical Review Committee report is available online on the Province of Manitoba website under Municipal Relations. She then explained the process of seeking input from residents in the area of the planned colony and livestock operation, as well as the steps taken by the Technical Review Committee to complete their report for the applicant, government agencies, and public.

Paul Kathler, Associate at D'Arcy & Deacon LLP, reviewed the application made by Westfarm Holding Co. Ltd. The conditional use application is for the purpose of permitting a total of 1,583 animal units at the daughter colony site to be known as Westfarm Colony.

Joseph Hofer spoke in favour of the application. As Assistant Pastor and a member of the leadership team of Greenwald Colony (parent colony), he provided information as to the history of the colony and the need to expand and create a daughter colony. Greenwald Colony is 67 years old. Families have grown and infrastructure is stretched. They have a trailer manufacturing plant, livestock operation, large gardens and provide for themselves and others outside of their community. Relationships with the land, neighbours and the municipality are important to them. Mr. Hofer hopes that his attendance can help clear misconceptions and that he is open to solutions to any problems brought forward.

Daniel Burns, Professional Engineer and Chief Executive Officer of Burns Maendel Consulting Engineers Ltd. spoke in favour of the application. The consultants looked at the selected site and determined the need for utilities such as hydro and water. Concerns brought forward in the letters from the public were taken into account in the design of the proposed site to mitigate any issues that may occur. Flood protection is important. Everything east of PTH 12N has wells in shallow sand. It was recommended to look west of PTH 12N for a sustainable water source for the colony. Two wells were drilled on Westfarm property. It was determined that there is 20-25m of quality clay which is an excellent buffer between surface pollution and the aquifer. Shelter belts are planned for the purpose of visual, noise and odour barrier. Any complaints can be made to the Province of Manitoba if they come up. As of this date, no complaints have been made with the parent colony.

Dr. Joel Ballart, owner of Innovative Veterinary Services, spoke in favour of the application. He has been providing all the veterinary consulting for Greenwald Colony. They have taken excellent care of their livestock and have implemented innovative best practices and facilities before required by legislation.

Kevin Kurbis spoke in favour of the application regarding odour mitigation. The shelter belt and other details will be applied to reduce the odour of the livestock operation.

John Stewart, Partner at D'Arcy & Deacon LLP, spoke of objections and opposition to the application, however stated there is no evidence of existence of detrimental effects. As such, he stated the application must therefore be approved, with conditions if Council so wishes.

Of the public, the following spoke in favour of the application:

Pauly Kleinsasser of Springfield Colony spoke of how Hutterites run a very clean operation and follow legislation. They take care of themselves and are there to help neighbours in need. They volunteer for programs such as Citizens on Patrol Program to participate in the community. There will be repairs needed to the roads and bridges but reiterated that it all takes time.

Leonard Kolton spoke in favour of the application stating that he has lived near Greenwald Colony most of his life. He has had no bad relationships with them. They are one of the most modernized colonies and they contribute greatly to charity and the community.

Carl Bangert spoke in support of these fellow agricultural producers. He has known Greenwald Colony for many years and has a great relationship with them.

Viktor Koos attended to speak in favour of the application. Greenwald Colony is building to today's standards and regulations which are monitored. With a food supply shortage and supply chain issues, the food and goods produced at the colony are important to the economy and community.

Elizabeth Karpinchick spoke in favour of the application stating that the land will benefit from application of manure. The production of grains will feed the hogs which will put nutrients back into the soil.

Darlene Werstuik spoke in favour of the applicant. She was curious how there could be so many people against the application using river contamination as the reason when no one is questioning them and their practices along the river. Greenwald Colony is often the first to help in emergencies, including one incident involving her husband.

Dr. Gerry Bohemier attended to speak in favour of the application. He is excited to live next to a colony and he commends Greenwald Colony for their use of very modern techniques and innovative practices.

Allen Borkowski spoke in support of the daughter colony and all his questions were answered.

Elizabeth Schinkel is a substitute teacher at Greenwald Colony school. She commended them for modernizing things like making buildings accessible to all, including the elderly and those requiring scooters. They donate money, clothes and food to shelters. Right now the families have grown so much that the commercial kitchens are not big enough to cook the meals to feed everyone there. Ms. Schinkel is in support of the creation of a daughter colony.

Of the public, the following people objected:

Diane Robertson expressed opposition to the application due to the intensive livestock operation aspect. Her concern was water quality. Would the water be piped or trucked to the proposed colony site? No permits were issued for the wells drilled near her property. Intensive livestock operations are ecologically harmful. There was poor communication, and she is concerned about the rise in price of agricultural property per acre.

Lorraine Gray was opposed to the application because the original proposal had the incorrect roll numbers and legal descriptions of the properties affected, as shown on page 2 of the letter of intent prepared by Burns Maendel Consulting Engineers Ltd.

Chris and Jody Thiessen stated they are opposed to the application. The proposed daughter colony site is near Milner Ridge and a lot of water from the Rural Municipality of Lac du Bonnet flows to this area of Brokenhead. Overland flooding occurs in the event of heavy rainfall. The aquifer study does not address neighbouring wells. There is also concern that the lack of Provincial and municipal infrastructure maintenance will get worse as traffic increases.

April and Owen Kebernik were opposed to the daughter colony as the local infrastructure is already in poor shape. Contaminants will leech into the ditches and river from the intensive livestock operation. They stated that Greenwald Colony lied about building the colony. The number of livestock will double as they are bred. Traffic already does not slow down for pedestrians and cyclists. They felt the colony was deceitful.

Aliza Delwar quoted a report submitted by Dr. Eva Pip. No amount of money can be put on environmental damages. She wanted to know where the barn would be in relation to the shelter belt and how high it would be built. The manure is an issue for groundwater pollution and smell. Concern was raised for the security of the wells and well heads. Copper is added to swine feed which then becomes part of the soil, then the water and is harmful to aquatic species.

Darlene Gustafson stated that chicken feces does cause an odour. She is worried about her water and the infrastructure. The road is rough and not well maintained at present. Water goes into Lake Winnipeg which has already announced the presence of algal blooms.

Jonathon and Tamara Babisky both rose to speak in opposition to the application for Conditional Use. They live a few miles south of the proposed colony site and wished the colony had been more honest in the beginning.

There is concern that the roads can't take the increase in traffic. They wanted to know who ensures that guidelines are being followed and met. They also expressed concern for the safety of the children of the colony as the municipal road will run through it. The question was also raised of what makes this the ideal site, and why does it have to be by the river?

Richard Shumila also spoke in opposition and requested a tour of the colony and the proposed site. He also asked if they considered aerating ponds from the bottom.

Eileen Wazny spoke in opposition to the application expressing her concern with the +/- factors of error that can happen in lab work.

Reeve Brad Saluk mentioned that the state of the municipal roads is partly due to other municipalities restricting weights on their roads. Diane Robertson questioned why the Rural Municipality of Brokenhead doesn't have weight restrictions on their roads.

Reeve Saluk expressed his disappointment that a building permit was issued for the grain bins and that hydro was installed. He wished there could have been more communication.

Daniel Burns provided answers to questions raised. The revision to the letter of intent dated March 31st, 2022 provides the correct roll numbers and legal descriptions of the proposed site. The water rights license can't be applied for until the project is approved and water demand is determined. The project will be highly regulated by the Province of Manitoba.

John Stewart said that the applicant addressed all the concerns in written form in the Burns Maendel Consulting Engineers Ltd. report.

Reeve Saluk asked Council if they had any questions or concerns.

Councillor Luke Ingeberg is concerned with the elevation of the barn should a one in 200-year event occur. Is there a trucking route planned? How much traffic is expected on Rattray? What is the total output of chicken and hogs on an annual basis?

Councillor Jack Kowalchuk was concerned with the safety of traffic and children, as well as the flood zone.

Councillor Sean Michaels was interested in the flash flooding incidents after heavy rainfall.

Councillor Bruce Modrzejewski wanted to know if there will be compensation for neighbouring properties if their wells run dry. He also commented that the road has never been underwater.

Reeve Saluk was concerned with colonies split in two by municipal roads. A berm could be built around the colony to flood-proof the land. A condition could be that the roads have to be upgraded to municipal standards. He also asked if they have to have as many livestock units that they are applying for.

Jonathon Babisky asked if Council's questions were going to be answered.

Daniel Burns stated that the detailed design isn't completed and that would include grading. Councillor Ingeberg reminded him of the Lot Grade By-Law that exists for the RM of Brokenhead. A traffic assessment is not conducted or bridge loading. Councillor Ingeberg would like to know full anticipated load, and how many hogs and chickens go down the roads. Pump testing will take place to measure draw down on the wells. Many colonies are designed straddling roads.

Joseph Hofer spoke to say that some colonies pipe water more than 7 miles away. Greenwald Colony has been built straddling a road and it has not been an issue. Traffic won't be much more because grain will be processed through hogs and chickens instead of trucked away for market. The colony has also recently started processing their own soymeal to be used in feed.

256-22 KOWALCHUK-MICHAELS

WHEREAS the Council of the Rural Municipality of Brokenhead has heard all those in attendance that wished to make representation in regard to Conditional Use File C-81-22 in the name of Westfarm Colony;

AND WHEREAS there were 24 people in attendance who registered objections;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead closes this Public Hearing, the time being 10:04 p.m.

Carried

Brad Saluk
Reeve

Sheila Mowat
Chief Administrative Officer