



Rural Municipality of Stuartburn

Minutes of the regular council meeting of Tuesday November 5TH, 2019 at 7:00pm in the Municipal Council Chambers, Vita, Manitoba

Present: Reeve David Kiansky Deputy Reeve: Konrad Narth
Councillors: Jerry Lubiansky, Dan Bodz and Ed Penner
Chief Administrative Officer Lucie Maynard, CMAA

Reeve Kiansky called the meeting to order at 7:00 P.M.

Adoption of Agenda:

342-19 Moved by Jerry Lubiansky Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby adopts the agenda for the November 5th, 2019 regular meeting as presented. **Carried**

Adoption of Minutes:

343-19 Moved by Konrad Narth Seconded by Ed Penner

WHEREAS the minutes of the regular meeting of October 15th, 2019 are correctly recorded as presented,

BE IT RESOLVED THAT the minutes of the October 15 meeting be adopted as circulated.

Carried

Delegation:

Mark Kostyniuk – re: Arbakka Excavating Invoice #26

Council requested Mr. Kostyniuk attend the council meeting to discuss invoice #26

Martin Loeppky – drainage

Mr. Loeppky came before council to discuss his drainage concerns.

Ron Maxymowich – drainage

Mr. Maxymowich came before council to discuss his drainage concerns.

Reception of Petitions: Nil

Notice of Motions: Nil

By-Laws and Policies:

344-19 Moved by Dan Bodz Seconded by Ed Penner

BE IT RESOLVED THAT Council hereby approves the Municipal Lagoon Access Agreement form and the Wastewater Disposal Access Policy. **Carried**

345-19 Moved by Konrad Narth Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby gives 1st reading to by-law 159-19 being a bylaw to establish a designated officer position. **Carried**

346-19 Moved by Ed Penner Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby gives 1st reading to by-law 160-19 being a bylaw to provide duties to designated employees. **Carried**

Accounts:

347-19 Moved by Dan Bodz Seconded by Konrad Narth

BE IT RESOLVED THAT cheques 20190810– 20190872 inclusive, in the amount of \$135,570.70 be approved and paid as presented and further broken down as follows:

Payroll, Benefits & Receiver General \$16,101.47
Office & Building Expenses \$2,332.74
Utilities \$523.64

Road Maintenance \$24,259.77
 Drainage Expenses \$3,646.19
 Roadside Mowing \$6,851.25
 Brush Spraying \$4,845.26
 Flooding Expenses \$6,665.20
 Landfill Expenses \$14,000.69
 Fire Department Expenses \$1,115.82
 3rd Quarter Indemnity \$7,175.95
 Sewer Expenses \$46,947.72
 Bldg Inspection Expenses \$530.00
 Grants/Donations \$575.00

Carried

348-19 Moved by Konrad Narth

Seconded by Ed Penner

BE IT RESOLVED THAT council hereby approves the financial statement for the period ending October 31st, 2019 as presented.

Carried

Communications & Correspondence:

<i>From</i>	<i>Subject</i>	<i>Disposition</i>
CAO	CAO Report from Oct 15 th to Nov 14 th	Resolution #349-19
R. Chubaty	approach request SW 5-3-6E	Resolution #350-19
L. Chubaty	secondary approach request NW 32-2-6E	Resolution #351-19
RRBC	Annual Red River Basin Land & Water International Conference	Resolution #352-19
OFC	Fire Protection Workshop for Elected Officials & CAO's	Resolution #353-19
RM of Hanover	Public Hearing Notice	Information
Arbakka Excavating	Revised Equipment Rates	Resolution #354-19
Evergreen Excavating	Equipment Rates	Resolution #355-19
RRBC Gala Dinner	sponsorship request	Resolution #356-19
D. Miller	Horse Shelter Request	Table
Zhoda Community Hall	donation request for Meet & Greet Santa Event	Resolution #357-19
Eastman Tourism	advertising opportunity in 2020 Tourism Guide	Resolution #358-19
E. Swarey	road request to access SW13-1-7E	Resolution #359-19
MB Crime Stoppers	donation request	Information

349-19 Moved by Jerry Lubiansky

Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby accepts the CAO report dated October 15th, 2019 to November 4th, 2019 as presented.

Carried

350-19 Moved by Dan Bodz

Seconded by Ed Penner

BE IT RESOLVED THAT Council hereby approves R. Chubaty's approach request on SW 5-3-6E, subject to the amended Culvert & Driveway Policy with works to be done under the supervision of council.

Carried

351-19 Moved by Dan Bodz

Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby approves L. Chubaty's secondary approach request on NW 32-2-6E, subject to the amended Culvert & Driveway Policy with works to be done under the supervision of council.

Carried

352-19 Moved by Konrad Narth

Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby authorizes Reeve Kiansky & Councillor Penner to attend the 37th Red River Basin Land and Water Conference in Fargo, ND on January 14th to 16th, 2020 with related expenses to be paid by the RM.

Carried

353-19 Moved by Ed Penner

Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby authorizes Reeve Kiansky, Councillor Narth & the CAO to attend the Fire Protection Workshop for Elected Officials and CAO's in Brandon, with related expenses to be paid by the RM.

Carried

354-19 Moved by Jerry Lubiansky

Seconded by Konrad Narth

BE IT RESOLVED THAT Council hereby includes Arbakka Excavating's revised rates to the list of approved equipment rates.

Carried

355-19 Moved by Konrad Narth Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby includes Evergreen Excavating to the list of approved equipment rates. **Carried**

356-19 Moved by Ed Penner Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby buys a Bronze Sponsor level for the RRBC Annual South Chapter Gala on November 21st, 2019 in Morris, MB. **Carried**

357-19 Moved by Dan Bodz Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby donates \$350.00 to the Zhoda Community Hall for their Community Meet and Greet with Santa on December 1st, 2019. **Carried**

358-19 Moved by Konrad Narth Seconded by Ed Penner

BE IT RESOLVED THAT Council hereby purchases a 1/8th page ad in the 2020 Tourism Guide at a cost of \$ 205.00. **Carried**

359-19 Moved by Ed Penner Seconded by Jerry Lubiansky

WHEREAS Enos Swarey made a request at the October 1st council meeting to have a road built for access to a newly purchased property SW 13-1-7E;

AND WHEREAS Council tabled their decision until a policy could be developed;

AND WHEREAS Mr. Swarey is in a rush to do the construction of the road this fall for spring time home build;

AND WHEREAS he has asked administration to bring forward the request again this time requesting permission to build the road completely at his cost;

AND WHEREAS Mr. Swarey has been informed that a draft policy has not been developed yet, therefore there is no guarantee of reimbursement at this time;

THEREFORE BE IT RESOLVED THAT Council hereby authorizes Mr. Swarey to build road access to SW 13-1-7E at his cost to municipal standards and under the supervision of council.

BE IT FURTHER RESOLVED THAT Council will prioritize to get a policy drawn up for future requests and make it retro-active to Mr. Swarvey's request. **Carried**

Reports/Minutes from Committees:

360-19 Moved by Konrad Narth Seconded by Dan Bodz

BE IT RESOLVED THAT Council accepts the reports/minutes from the following committees:

- SRRCD Sub-District 2 Meeting of September 12th, 2019
- SRRCD September 19th, 2019 meeting minutes
- Transportation Sub-Committee Meeting Notes of September 24th, 2019
- SAR Stewardship Credit Program Development Meeting of October 24th, 2019
- Piney Stuartburn Weed Control District Meeting of October 30th, 2019
- Piney Stuartburn Weed & Building Inspector Report October 30th, 2019

Carried

361-19 Moved by Dan Bodz Seconded by Ed Penner

BE IT RESOLVED THAT Council of the RM of Stuartburn hereby approves and supports the Multi Phase Hwy 201 – Road Improvement Submission as proposed by Emerson Franklin Community Development Corporation Transportation Sub-Committee. **Carried**

General Business

362-19 Moved by Konrad Narth Seconded by Dan Bodz

Whereas the R.M. of Stuartburn incurred extensive damage to private and public infrastructure and prompt action was required to prevent harm or damage to the safety, health and welfare of persons

and livestock located within those townships and to prevent damage to property within these areas due to the fall flooding;

Be it resolved that council hereby requests financial assistance from the Province of Manitoba Disaster Assistance Program for Public and Private Disaster Claims resulting from the Fall 2019 Flooding Event.

Carried

363-19 Moved by Konrad Narth

Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby authorizes the ward councillors to engage a contractor from the approved equipment rates list based on contractor on availability to do the following works under the supervision of council:

- Site restorations from the fall flooding event
- Gravel application to each of the sites
- Gravel reclaiming from washed away gravel

Carried

364-19 Moved by Jerry Lubiansky

Seconded by Dan Bodz

WHEREAS the RM of Stuartburn recently experienced a flooding event thus declaring a State of Local Emergency;

AND WHEREAS many of the ditches and drains were unable to keep up with the amount of flow;

AND WHEREAS in some areas it became apparent that upgrades and or infrastructure replacement was needed which would have improved the overland flooding problems during the fall flooding event;

THEREFORE BE IT RESOLVED THAT Council hereby forwards a letter of request to the department of infrastructure to replace/upgrade the following culverts to :

- Upsize the culvert through the PR 209 at Road 7N
- Upsize the culvert through PR 201 at Road 39E

Carried

365-19 Moved by Ed Penner

Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby renews the software license and support agreement with Muniware for 2020.

Carried

366-19 Moved by Jerry Lubiansky

Seconded by Konrad Narth

BE IT RESOLVED that council hereby cancels taxes totaling \$80.42, per attached listing. **Carried**

Councillor Penner calls for a recorded vote

367-19 Moved by Konrad Narth

Seconded by Ed Penner

BE IT RESOLVED THAT Council hereby approves Arbakka Excavation & Levelling Invoice #26 dated October 6th, 2019 for flood works on Road 46E.

For: Councillor Lubiansky, Councillor Narth & Reeve Kiansky

Against: Councillor Penner

Abstention: Councillor Bodz

Carried

368-19 Moved by Konrad Narth

Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby supports the verbal agreement between Councillor Narth and the Kostyniuk's regarding a drainage solution along Road 1N from Road 48E for 1 mile going east;

AND WHEREAS the agreement was that if the cleaning of said ditch solves their (Kostyniuk family) flooding concerns and they are satisfied with the work then the RM would pay the invoice, however if the cleaning of said ditch was a failure then the Kostyniuk family agrees to pay the invoice;

AND WHEREAS said works did in fact satisfy the drainage concerns of the Kostyniuks;

NOW THEREFORE BE IT RESOLVED that Council hereby agree to pay Arbakka Excavation & Levelling Invoice #30 dated October 29th, 2019.

Carried

Unfinished Business: Nil

In Camera: Nil

Adjournment:

369-19 Moved by Jerry Lubiansky

Seconded by Ed Penner

WHEREAS all matters pertinent to this meeting have been completed,

BE IT RESOLVED THAT this meeting do now adjourn, and Council shall meet again in Regular Session November 19th, 2019. Time: __8:43__ P.M.

Carried

THE RURAL MUNICIPALITY OF STUARTBURN

Lucie Maynard, Chief Administrative Officer

David Kiansky, Reeve