



RURAL MUNICIPALITY OF STUARTBURN

Rural Municipality of Stuartburn

Minutes of the regular council meeting of Tuesday June 18th, 2019 at 7:00pm in the Municipal Council Chambers, Vita, Manitoba

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

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

Adoption of Agenda:

174-19 Moved by Ed Penner

Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby adopts the agenda for the June 18th, 2019 regular meeting with addition to General Business: Endangered Species Stop Workorders/Violations. **Carried**

Adoption of Minutes:

175-19 Moved by Jerry Lubiansky

Seconded by Dan Bodz

WHEREAS the minutes of the Regular meeting of June 4th, 2019 are correctly recorded as presented,

BE IT RESOLVED THAT the minutes of the June 4th, 2019 meeting be adopted as circulated. **Carried**

Delegation/Hearings:

Hearings:

Reeve Kiansky opens the public hearing portion of the meeting at 7:02 p.m.

CAO presents the application to council and the audience.

Application: C1-19-228200
Owner: Linda Dooley
Applicant: Linda Dooley & Dale Dooley
Proposal: To allow a private aggregate quarry to be established for the purpose of extracting and producing various aggregates in a mixed use zone "LD/A1" – Limited Development/Agriculture1 zone.
Premises: SE ¼ 25-2-9E – off Sundown Road N & road allowance 10N

C.A.O. advises that no objections were received.

Reeve opens the session for discussion.

Dale Dooley, Linda Dooley, Emil Melnychuk and Julie Monastyrski are present.

CAO presents the application to council and the audience.

Application: V3-19-120000
Owner: Jacob, Helena, Michael & James Elias
Applicant: Jacob Elias
Proposal: To vary the minimum front yard requirement of 125ft to 27.75ft for the dwelling, to 48.3ft for the barn & to 82.2ft for the shed in the "A1" – Agriculture 1 Zone for the purpose of facilitating subdivision no. 4612-19-8124.
Premises: SE ¼ 17-2-7E, 8076 Road 38E

C.A.O. advises that no objections were received.

Reeve opens the session for discussion.

Reeve Kiansky closes the hearing portion of the meeting at 7:12 p.m.

176-19 Moved by Konrad Narth

Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby approves C1-19-228200 as applied by Linda & Dale Dooley to establish a private aggregate quarry with conditions:

- That the applicant enter into a development agreement with the municipality to address:
 - Road upgrades of road 10N,
 - Road upgrades of road 53E to accommodate for truck route
 - Ongoing Road maintenance on 10N & 53E
 - Determining designated truck route for the quarry operation
 - Restrictions on quarry operation, ie: location & hours
 - Rehabilitation plan of the site
- That the applicant provides estimated traffic impacts to Manitoba Infrastructure to review and determine if a traffic impact study is required;
- That the applicant enters into an easement agreement with Manitoba Hydro with respect to the proposed transmission line through the property. **Carried**

177-19 Moved by Ed Penner

Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby approves V3-19-120000 as applied by Jacob Elias. **Carried**

Reception of Petitions: Nil

Notice of Motions: Nil

By-Laws and Policies: Nil

Accounts:

178-19 Moved by Ed Penner

Seconded by Dan Bodz

BE IT RESOLVED THAT cheques 20190442- 20190482 inclusive, in the amount of \$65,446.55 be approved and paid as presented and further broken down as follows:

- Payroll, Benefits & Receiver General \$7,460.96
- Office & Building Expenses \$3,836.05
- Sunrise Corner Partner 4 Growth Expenses \$707.36
- Utilities \$3,158.46
- Drainage Expenses \$698.25
- Road Maintenance \$3,678.56
- Arbakka Road Rehab Project \$6,378.75
- Landfill Expenses \$1,176.65
- Fire Dept Expenses \$ 1,613.94
- Building Permit Refund \$560.00
- Levies \$22,883.30
- Sewer Expenses \$10,531.77
- Lagoon Upgrade Expenses \$2,362.50
- Grants to Vita Canada Day (In & Out) \$300.00
- Grants to St. Nicholas Cemetery (In & Out) \$100.00

Carried

179-19 Moved by Ed Penner

Seconded by Konrad Narth

BE IT RESOLVED THAT Council Indemnities and Expenses in the amount of \$5,588.31 cheques 20190483 - 20190492, be approved and paid as presented. **Carried**

Communications & Correspondence:

<i>From</i>	<i>Subject</i>	<i>Disposition</i>
CAO	CAO Report from June 4 th to June 17 th	Resolution #180-19
Community Futures Triple R	AGM July 15 th	Information
RM of Hanover	copy of ATV resolution	Information
RM of Piney	Mel Parent running for Eastern District	Information
RM of Hanover	copy of dialysis resolution	Information
RM of Hanover	Stan Toews running for Eastern District	Information
Minister of Sport, Culture & Heritage	New Heritage Resources Fund & Grant Program	Information
RM of Hanover	Invite to Blumenort Fire Station grand opening	Information
MNP	2018 Audited Financial Statements & 2018 Federal Gas Tax Report	Resolution #181-19
Bell MTS	Municipal Rights-of-way Application	Information
Shevchenko School	Yearbook Advertising Request	Resolution

180-19 Moved by Konrad Narth

Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby accepts the CAO report dated June 4th to June 17th, 2019 as presented. **Carried**

181-19 Moved by Dan Bodz

Seconded by Jerry Lubiansky

WHEREAS section 193(2) of The Municipal Act requires the auditor's report be tabled at the first regular meeting of council after receiving the report;

AND WHEREAS the financial statements will be available for public inspection;

BE IT RESOLVED THAT Council approve the 2018 Financial Report and the 2018 Federal Gas Tax Report for the Rural Municipality of Stuartburn as prepared by MNP LLP. **Carried**

182-19 Moved by Ed Penner

Seconded by Jerry Lubiansky

BE IT RESOLVED that Council hereby agrees to purchase a half page ad in the Shevchenko Year Book in the amount of \$135.00. **Carried**

Reports/Minutes from Committees:

183-19 Moved by Ed Penner

Seconded by Dan Bodz

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

- MB-MN Working Group Meeting Lobby Package of June 7th

Carried

General Business

184-19 Moved by Ed Penner

Seconded by Dan Bodz

WHEREAS Arbakka Road is a main market road in the RM of Stuartburn;

AND WHEREAS this road is heavily travelled on a daily basis;

AND WHEREAS sections of Arbakka Road from Road 8N to 4N are in need of rehabilitation works;

AND WHEREAS council has budgeted \$20,000.00 to the rehabilitation of this road;

THEREFORE BE IT RESOLVED THAT Council hereby hires the following contractors to do the required rehabilitation works:

- Marc Maynard Backhoe for boulder removal
- Kevin Nickel for discing of shoulders
- Gordon Tysoski and Johnnie G to do grader works
- Derksen Trucking to bring 10-12 loads per mile of A Base
- Max Buechi for rock picking

Carried

185-19 Moved by Jerry Lubiansky

Seconded by Konrad Narth

BE IT RESOLVED that council hereby approves the June 7th, 2019 taxes added listing totaling \$926.84. **Carried**

Additions to Agenda

186-19 Moved by Ed Penner

Seconded by Dan Bodz

WHEREAS The RM of Stuartburn is home to 23 rare plant species, 4 of which are listed as Endangered, Threatened or Special Concern under Canada's Species at Risk Act and 6 are listed under Manitoba's Endangered Species Act including the Wester Prairie Fringed Orchid as per the Rate Plant Surveys & Stewardship document by the Manitoba Conservation Data Centre dated March 2004;

AND WHEREAS The RM of Stuartburn is also home to 2,200 hectares (5,436 acres) of Tall Grass Prairie Preserve, an endangered ecosystem, where over half (63%) of the Province's Western Prairie Fringe Orchids occur;

AND WHEREAS Nature Conservancy of Canada owns approximately 9585 hectares (23,685 acres), the Manitoba Naturalists Society approximately 358 hectares (885 acres) and Manitoba Habitat Heritage Corporation approximately 416 hectares (1036 acres) all of whom promote the protection of Endangered, Threatened or Special Concern Species;

AND WHEREAS the Acts provide legislation on privately owned lands with the presence of the orchid, thereby regulating the activities of farmers trying to provide a livelihood for their families by farming as much aerable acreages as possible;

AND WHEREAS the Municipality does not have much aerable acreages with 38% of the municipality covered in wooded treed areas, 34% is grasslands, wetlands is 16%, human built structures is 3% leaving 4% for annual crop land and 5 % for forage areas;

AND WHEREAS promotion of the natural areas of Tall Grass Prairie Preserve and all the endangered or threatened species provides seasonal tourism and economic benefit to the municipality, it however does not sustain the future growth and development of the municipality;

AND WHEREAS the council for the Municipality of Stuartburn recognizes the uniqueness of the endangered ecosystem, plants and animals within our municipality, however with the orchids thriving on many of our 1,162 km² of ditches, NCC lands, MNS lands and MHHC lands, council feels that the federal and provincial endangered species act should be amended to exclude privately owned farm lands;

THEREFORE BE IT RESOLVED THAT Council hereby sends a letter to The Minister of Agriculture, The Minister of Sustainable Development, MLA for La Verendrye, MP for Provencher and any other government body that council feels will be advantageous towards their lobbying efforts:

- To review the Endangered Species Act and the Species at Risk Act to make amendments so private landowners can make a living off of their land farming; and
- That this is affecting the progress and growth of this municipality, as well as others affected with Endangered Species.

Carried

187-19 Moved by Ed Penner

Seconded by Jerry Lubiansky

BE IT RESOLVED THAT Council hereby requests the support of neighboring RMs to help lobby to change the Canada's Species at Risk Act and the Manitoba's Endangered Species Act to exempt all farming activities on privately owned property to allow farmers relying on best farm practices to make a living and to provide for their families.

Carried

Unfinished Business: Nil

188-19 Moved by Ed Penner

Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby authorizes Jerry Lubiansky to attend the Annual East Interlake Municipal Golf Tournament in Pinawa on July 8, 2019 with related expenses to be paid by the RM.

Carried

In Camera: Nil

Adjournment:

189-19 Moved by Dan Bodz

Seconded by Konrad Narth

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 July 2nd, 2019. Time: __8:08__ P.M.

Carried

THE RURAL MUNICIPALITY OF STUARTBURN

Lucie Maynard, Chief Administrative Officer

David Kiansky, Reeve