



Rural Municipality of Stuartburn

Minutes of the regular council meeting of Wednesday, December 21st, 2022 at 7:00pm in the Municipal Council Chambers, Vita, Manitoba

Present: Reeve Michelle Gawronsky Deputy Reeve Dan Bodz
Councillors: Jon Mellor, Dylan Gurman and Michael Paciorka
Chief Administrative Officer Lucie Maynard, CMAA

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

Adoption of Agenda:

352-22 Moved by Dan Bodz

Seconded by Michael Paciorka

BE IT RESOLVED THAT Council hereby adopts the agenda for the December 21, 2022 regular meeting as presented.

Carried

Adoption of Minutes:

353-22 Moved by Michael Paciorka

Seconded by Dylan Gurman

WHEREAS the minutes of the regular meeting of November 15th, 2022 and special meeting of November 29th, 2022 are correctly recorded as presented,

BE IT RESOLVED THAT the minutes for November 15th & 29th meetings be adopted as circulated.

Carried

Conflict of Interest Declaration: Nil

Delegations:

Paul Stadnyk – drainage & culvert concerns/request and hunting on RM land

Mr. Stadnyk came before council to request that a longer/bigger culvert be installed at his field approach. He will complete the drainage request form and submit it. Mr. Stadnyk is also requesting council to review the hunting and trapping policy on RM land.

Shon McLaren, “The Encouragers” – would you like to be encouraged?

Ms. McLaren presented council with a letter of encouragement on behalf of the businesses and private citizens to show their appreciation to council and administration.

Hearing:

Reeve Gawronsky opens the public hearing portion of the meeting at 7:15 pm

CAO presents the application.

Application: C6-22-113255/102800

Owner: Eva Dyck

Applicant: Michael Grieger and Erich Janzen

Proposal: To allow for the establishment of a Used Automobile Sales Business with Restaurant/Kitchen facilities in the General Development Zone for the purpose of complying with the Municipality’s Zoning By-law to establish a mixed-use commercial business.

CAO advises that no objections were received.

Reeve Gawronsky opens the session for discussion.

Michael Grieger - Here to present his application to council and explain their business plan in relation to the used car dealership.

Gordon Malmsten – how many vehicles on property proposed? 20 cars on property, considered a satellite location, only plans to park cars on gravel portion of property, remainder grassy area will be left and maintained as such.

- Where would extra storage of vehicles be? At the Can-Am corner
- Will property be fenced off? Alters neighborhood, not aesthetically pleasing

Bev Neufeld – Any plans on the West side of property, concerns with proximity to well. – None

- Concerns with repairs being done to vehicles on this property and possibility of well contamination – No repairs planned at this location
- She would be ok with the cars being limited to the gravel portion of the properties.

Council – Would applicant and neighboring residents be satisfied with a 6ft buffer to property line? – applicant would prefer only 4ft buffer.

Reeve Gawronsky closes the hearing portion of the meeting 7:47pm. Council will table their decision to the January 13th, 2023 council meeting.

Reception of Petitions: Nil

Notice of Motions: Nil

By-Laws and Policies:

354-22 Moved by Dan Bodz Seconded by Michael Paciorka

BE IT RESOLVED THAT Council hereby gives 1st reading to By-law 187-2022 being the Procedural By-law. **Carried**

355-22 Moved by Jon Mellor Seconded by Michael Paciorka

BE IT RESOLVED THAT Council hereby gives 1st reading to By-law 188-2022 being the Organizational By-law. **Carried**

Accounts:

356-22 Moved by Dylan Gurman Seconded by Jon Mellor

BE IT RESOLVED THAT cheques 20221037 –20221123 inclusive, in the amount of \$940,429.22 be approved and paid as presented. **Carried**

357-22 Moved by Dan Bodz Seconded by Dylan Gurman

BE IT RESOLVED THAT council hereby approves the financial statement for the period ending November 30th, 2022 as presented. **Carried**

358-22 Moved by Jon Mellor Seconded by Michael Paciorka

BE IT RESOLVED THAT Council Indemnities and Expenses in the amount of \$9,137.79 cheques 20221124 – 20221133, be approved and paid as presented. **Carried**

Communications & Correspondence:

<i>From</i>	<i>Subject</i>	<i>Disposition</i>
CAO	CAO Report from Nov 14 th , 2022 to Dec 16 th , 2022	Resolution #359-22
PW	PW Report from Nov 14 th , 2022 to Dec 16 th , 2022	Resolution #360-22
Eco-West Canada	Electric Vehicle Charger Program Application Approved	Resolution #361-22
MTI	Partnership approval for pipe thru PR 209	set up mtg with Ron Kaatz
MB Gov't News Release	2023/2024 BSC & Heritage Grant	CAO to apply
Minister of Resource Management And Protection	reply letter regarding beaver management on Rat River & Joubert Creek	Information
STARS	Thank you for donation	Information
MMA	2023 Finance and Admin Boot Camp	Resolution #362-22
Vita Curling Club	Advertising Sign Renewal	Resolution #363-22
E. Taylor	Tax Incentive Application	Resolution #364-22
Municipal Relations	B&L Kehler Subdivision No. 4612-22-8745	Resolution #365-22
AMM	AMM Municipal Visit Jan 30 th , 2023 @ 11am	Information
Western AMM Director	MASC offices reopening in Rural MB	Reeve to Respond
Municipal Relations	Bulletin 2022-37 Human Resource Practice and Employment	Information
Municipal Relations	Bulletin 2022-38 I was Elected, now what? Webinar	Resolution #366-22

359-22 Moved by Michael Paciorka Seconded by Jon Mellor

BE IT RESOLVED THAT Council hereby accepts the CAO report dated November 14th, 2022 to December 16th, 2022 as presented. **Carried**

360-22 Moved by Michael Paciorka

Seconded by Dylan Gurman

BE IT RESOLVED THAT Council hereby accepts the PWM report dated November 14th, 2022 to December 16th, 2022 as presented. **Carried**

361-22 Moved by Jon Mellor

Seconded by Michael Paciorka

BE IT RESOLVED THAT Council hereby reconfirms their commitment to the Electric Vehicle Charting Program out of the 2023 budget now that the grant application has been successful with the CAO obtaining 2 more quotes before proceeding with the works. **Carried**

362-22 Moved by Jon Mellor

Seconded by Dylan Gurman

BE IT RESOLVED THAT Council hereby authorizes CAO Lucie Maynard to attend the 2023 Finance and Admin Boot Camp January 18th to 20th, 2023 in Pinawa with related expenses to be paid by the RM. **Carried**

363-22 Moved by Michael Paciorka

Seconded by Dan Bodz

BE IT RESOLVED that Council hereby renews their 4x8 advertising sign at the Vita Curling Club for 3 years in the amount of \$250.00. **Carried**

364-22 Moved by Michael Paciorka

Seconded by Jon Mellor

BE IT RESOLVED THAT Council hereby approves E. Taylor’s application for the Tax Incentive Program for 2022, 2023 & 2024. **Carried**

365-22 Moved by Dan Bodz

Seconded by Dylan Gurman

BE IT RESOLVED THAT Council hereby approves CPS File No. 4612-22-8745 as applied by Barry and Lorie Kehler for SE ¼ 22-2-6E as applied with conditions:

- That any land monument restoration costs shall be borne by the applicants;

Carried

366-22 Moved by Dan Bodz

Seconded by Dylan Gurman

BE IT RESOLVED THAT Council hereby authorizes _Michelle Gawronsky_ to attend the “I was elected, now what?” virtual webinar on January 11th, 2023 or January 19th, 2023 with related expenses to be paid by the RM. **Carried**

Reports/Minutes from Committees:

367-22 Moved by Dan Bodz

Seconded by Dylan Gurman

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

- PSEDB Meeting Minutes of October 11, 2022
- BPPS Recycling & Waste Board meeting Minutes of November 16th, 2022
- Economic Development & Tourism Manger’s Report for November 2022

Carried

General Business:

368-22 Moved by Jon Mellor

Seconded by Michael Paciorka

WHEREAS, in accordance with Section 163 of the Municipal Act, Council has made provisional estimates of all operating and capital expenditures of the R.M. of Stuartburn for the period January 1, 2023 until the adoption of the annual budget;

BE IT RESOLVED THAT these provisional estimates be hereby adopted:

Operating Requirements	\$300,000
Capital Requirements	\$150,000

Carried

369-22 Moved by Jon Mellor

Seconded by Dylan Gurman

WHEREAS the Council of the Municipality of Stuartburn (herein referred to as the Corporation) deems it necessary to borrow the sum of (\$900,000.00) in the form of a line of credit to meet the current expenditures of the Corporation for the year 2023 until such time as the taxes levied therefore are collected; and

WHEREAS the total of taxes collected by the Corporation in 2022 was the sum of \$ 1,214,586.69; and

WHEREAS the amounts (if any) heretofore borrowed and outstanding for the purposes and the amount hereby authorized to be borrowed do not exceed the total amount of taxes so collected as aforesaid;

NOW THEREFORE it is hereby enacted by the Corporation as follows:

THAT the Reeve and Chief Administrative Officer of the Corporation be and they are hereby authorized to borrow under the Seal of the Corporation from the Access Credit Union the sum of (\$900,000.00) for the purposes aforesaid and pay or agree to pay interest thereon, either in advance or at maturity and in either case after maturity, at the current bank loan rate;

THAT a promissory note or notes under the Seal of the Corporation and signed by the Reeve and Chief Administrative Officer thereof duly executed and given to the said bank for the amount so borrowed with interest as aforesaid;

THAT the Corporation hereby mortgages, assigns, transfers, pledges and hypothecates to the said bank the taxes of the Corporation for the year 2023 for Municipal or Municipal Commissioner purposes as additional security for the repayment of the amount so borrowed for any of such respective purposes;

THAT the Corporation shall deposit said taxes with said bank as collected in a special account as collateral security for payment of the amount so borrowed and interest, but the bank shall not be restricted to the said taxes for payment of the sum borrowed hereunder, nor shall it be bound to wait for repayment of the said sum until said taxes are collected or be required to see that they are deposited or applied as aforesaid;

THAT the amount so borrowed and interest shall be payable within the year 2023

THAT the Reeve and Chief Administrative Officer are hereby authorized to give to the said bank in the name, on behalf of and under the Seal of the Corporation as security for the monies so borrowed, and interest thereon, a covenant or agreement containing a clause that all taxes levied or to be levied by the Corporation for the present year be and they are hereby pledged, hypothecated, mortgaged, transferred and assigned to the bank as security for the said loan and interest thereon and are charged as a first charge with repayment of such loan and interest or a clause to like effect, and that said taxes shall be deposited forthwith on being collected in said bank to the credit of the Corporation in a special account as collateral security for said advance.

Carried

370-22 Moved by Dan Bodz

Seconded by Dylan Gurman

BE IT RESOLVED THAT Council hereby appoints Gary Hora as the Municipality's Weed Supervisor for 2023.

Carried

371-22 Moved by Dan Bodz

Seconded by Jon Mellor

WHEREAS Section 365(2) of The Municipal Act provides that Council may in any year designate the immediately preceding year, or any earlier year, as the year for which properties, the taxes in respect of which are in arrears for the year, must be offered for sale by auction to recover the tax arrears and costs,

BE IT RESOLVED THAT the Designated Year for which properties in arrears be offered for sale by auction, be 2022 (meaning all properties with outstanding taxes from the year 2021 or prior); and

BE IT FURTHER RESOLVED THAT in accordance with s. 363 (1) of the Municipal Act, "costs" shall be the actual costs incurred for each parcel listed for the tax sale plus an administration fee of \$50.00 per roll as set forth in Manitoba Regulation 50/97; and

BE IT FURTHER RESOLVED THAT the 2023 tax sale be held September 21st, 2023 at 1:00pm at the Rural Municipality of Stuartburn council chambers.

Carried

- Snow Clearing Policy – Tabled
- Steel Bridge over Vita Drain – CAO to send letter to MTI Structures Department
- Horse Manure Complaints – CAO is to request any similar Bylaw from other Municipalities that deal with the issue, including Ontario and present a draft Bylaw for Councils consideration

372-22 Moved by Dan Bodz

Seconded by Michael Paciorka

BE IT RESOLVED THAT Council hereby renews the Piney Stuartburn Economic Development District Agreement with the RM of Piney to 2026. **Carried**

373-22 Moved by Dylan Gurman

Seconded by Michael Paciorka

BE IT RESOLVED THAT Council hereby concurs to maintain the MOU originally signed in 2015 between the RM of Stuartburn and the following Municipalities:

- RM of Emerson-Franklin
- RM of Piney
- RM of Hanover
- City of Steinbach
- De Salaberry
- La Broquerie

Carried

374-22 Moved by Michael Paciorka

Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby reschedules the regularly scheduled Council meeting of January 3rd, 2023 and January 17th, 2023 to January 13th, 2023 @5pm & January 24th, 2023 @ 7pm__ due to the Red River Basin Annual Conference. **Carried**

Unfinished Business:

375-22 Moved by Jon Mellor

Seconded by Michael Paciorka

BE IT RESOLVED THAT the Council of the Rural Municipality of Stuartburn hereby adopts the revised Emergency Plan as presented and;

BE IT FURTHER RESOLVED THAT the Emergency Plan be revised by the RM of Stuartburn Emergency Coordinator and be approved on an annual basis. **Carried**

Adjournment:

376-22 Moved by Dan Bodz

Seconded by Dylan Gurman

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 January 13th, 2023. Time: 9:07 P.M.

THE RURAL MUNICIPALITY OF STUARTBURN

Michelle Gawronsky, Reeve

Lucie Maynard, Chief Administrative Officer
(Subject to errors and omissions)