



Rural Municipality of Stuartburn

Minutes of the regular council meeting of Tuesday, May 7, 2024 at 7:00pm in the Municipal Council Chambers, Vita, Manitoba

Present: Reeve Michelle Gawronsky Deputy Reeve: Dan Bodz
Councillors: Dylan Gurman, Michael Paciorka and Jon Mellor
Assistant CAO Brittany Fisher, CMMMA

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

Adoption of Agenda:

153-24 Moved by Jon Mellor

Seconded by Michael Paciorka

BE IT RESOLVED THAT Council hereby approves the May 21st, 2024 agenda as presented.

Carried

Adoption of Minutes:

154-24 Moved by Michael Paciorka

Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby approves the May 7th, 2024 regular meeting minutes as presented.

Carried

Conflict of Interest Declaration:

9. a) Accounts Payable: Councillor Gurman

Hearing/Delegation:

MB Assessment Branch – 2025 Tax Impact

Provincial Assessor Mark Budey came before council to discuss the impact of reassessment 2025 in the RM of Stuartburn. Municipal Services Officer, Shelley Jensen, was available for questions.

Bill Derksen, Derksen Trucking, re: gravel supply

Mr. Derksen came to council to discuss the 2024 gravel program and to show interest in providing service for future gravelling programs.

Allan Ross – livestock request in town

Mr. Ross was not present for the delegation.

Reception of Petitions: Nil

Notice of Motions: Nil

By-Laws and Policies: Nil

Accounts:

155-24 Moved by Jon Mellor

Seconded by Dan Bodz

BE IT RESOLVED THAT cheques 20240336 – 20240371 inclusive, in the amount of \$140,695.09 be approved and paid as presented.

Councillor Gurman abstained from voting.

Carried

156-24 Moved by Michael Paciorka

Seconded by Dylan Gurman

BE IT RESOLVED THAT Council Indemnities and Expenses in the amount of \$ 5,575.25, cheques 20240372 – 20240378, be approved and paid as presented.

Carried

Communications & Correspondence:

<i>From</i>	<i>Subject</i>	<i>Disposition</i>
CAO	CAO Report from May 6 th to May 17 th	Resolution #157-24
PWM	PWM Report from May 6 th to May 17 th	Resolution #158-24
E. Bauman	secondary approach request	Resolution #159-24
Village of St. Pierre Jolys	Frog Folly Invite	Resolution #160-24

Martin's Excavation Inc. MMA MMA RM of Ste. Anne	Equipment Rates PD Session on Financial Governance Best Practices PD Session on Respectful Workplace Agreements Request for Support – AMM Resolutions	Resolution #161-24 Resolution #162-24 Information Resolutions #163-24, #164-24, #165-24
MTI/EMO Heartland Rodeo	Climate Adaptation & Disaster Mitigation Workshop Ideas from RM of Stuartburn Sponsorship Request	Information Information

157-24 Moved by Michael Paciorka Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby accepts the CAO report dated May 6th, 2024 to May 17th, 2024 as presented. **Carried**

158-24 Moved by Jon Mellor Seconded by Michael Paciorka

BE IT RESOLVED THAT Council hereby accepts the Public Works Manager's report dated May 6th, 2024 to May 17th, 2024 as presented. **Carried**

159-24 Moved by Michael Paciorka Seconded by Jon Mellor

BE IT RESOLVED THAT Council hereby approves E. Bauman's secondary approach request for NE 35-1-7E as per the amended culvert and driveway policy with works to be done under the supervision of the public works manager. **Carried**

160-24 Moved by Dylan Gurman Seconded by Jon Mellor

BE IT RESOLVED THAT Council hereby authorizes any interested members of council to attend the Annual Frog Follies event on August 10th, 2024 in the Village of St-Pierre-Jolys, with related expenses to be paid by the RM. **Carried**

161-24 Moved by Michael Paciorka Seconded by Dylan Gurman

BE IT RESOLVED THAT council hereby accepts the hourly contractor rates as submitted by Martin's Excavation Inc. for April 1st 2024 to March 31st, 2025. **Carried**

162-24 Moved by Michael Paciorka Seconded by Dan Bodz

BE IT RESOLVED THAT Council hereby authorizes members of Council and the ACAO to participate in the virtual professional development session, Financial Governance Best Practices, on June 14th, with any related expenses to be paid by the RM. **Carried**

163-24 Moved by Michael Paciorka Seconded by Dylan Gurman

WHEREAS the RM of Stuartburn Council supports Res #2024-187 of the RM of Ste. Anne;

WHEREAS the RM of Ste. Anns has been impacted by ongoing improper use of Crown Lands at various locations including those known as Reynolds Ponds, Fireguard 13/13A, and the gravel pits on PR 302 (29-8-8E & 19-7-8E), among others;

WHEREAS in municipalities across Manitoba, various concerns are being raised regarding the uncontrolled use of Crown Lands;

AND WHEREAS the nature of the concerns include such examples as dangerous ATV use, camping, fires, littering, discharge of firearms, among others such as public use of intoxicating substances and brawling requiring the need for RCMP involvement and leading to known deaths;

AND WHEREAS Crown Lands are ultra vires of municipalities;

AND WHEREAS the offenders are often from larger urban centers looking for secluded and unmonitored places to behave in a manner contrary to what is socially acceptable;

AND WHEREAS Provincial authorities are seemingly refusing to act on the above concerns, despite many requests to the Provincial authorities to enforce these behaviours under provincial legislation, including the Litter Regulation under the Environment Act, among others;

AND WHEREAS, when faced with these situations on Crown Lands, municipalities reach out to the Department of Environment, Climate and Parks for assistance from the authority having jurisdiction,

and municipalities are in turn being asked to enforce the matter under their littering by-laws, despite Crown Lands being Ultra-Vires;

THEREFORE BE IT RESOLVED THAT the AMM be requested to lobby the Province of Manitoba, in coordination with the Association of Manitoba Watershed districts, to address the ongoing, uncontrolled, improper use of Crown Lands, including the removal and enforcement of litter under the provincial legislation, at the expense of the Province of Manitoba, rather than the municipal taxpayers. **Carried**

164-24 Moved by Dylan Gurman

Seconded by Dan Bodz

WHEREAS the province of Manitoba owns drainage infrastructure in numerous locations throughout the province of Manitoba; and

WHEREAS the province of Manitoba is responsible for the maintenance and upkeep of these drainage infrastructures; and

WHEREAS the lack of continuous maintenance of these drainage systems leads to a back up or bottleneck of flowing waters; and

WHEREAS each municipality, where provincial drainage infrastructure is located, is dependent on these drainage infrastructure systems for the efficient and continuous operation of municipal drainage systems that flow into the provincial drainage infrastructures;

BE IT RESOLVED THAT the AMM be requested to lobby the Government of Manitoba to ensure that the provincially owned drainage infrastructure systems be continuously maintained and updated in a manner that allows for the continuous and efficient flow of spring run-off and rain waters to flow from municipal drainage systems into and through provincial drainage systems. **Carried**

165-24 Moved by Dan Bodz

Seconded by Michael Paciorka

WHEREAS Section 2 of the Municipal By-law Enforcement Regulation (M.R. 116/2016), being a Regulation of the Municipal By-law Enforcement Act, C.C.S.M.C.M245, states that the maximum administrative penalty that a municipality may impose for a designated bylaw contravention is \$1,000;

AND WHEREAS the Municipal By-law Enforcement Regulation has been in effect since August 8.2016, with no inflationary increases to this maximum allowable penalty;

AND WHEREAS the Consumer Price Index rose by 7.8% in 2022 in Manitoba, following years of increases ranging from 0.5% to 3.3% as per the Manitoba Bureau of Statistics;

AND WHEREAS By-laws established under the authority of the Provincial Offences Act are not restricted to this \$1,000 maximum fine for identical offenses;

AND WHEREAS Municipalities must bear the increasing cost of providing by-law enforcement services, at the expense of taxpayers at large when amounts cannot be fully recovered through fines;

BE IT RESOLVED THAT the Association of Manitoba Municipalities be requested to Lobby the Province of Manitoba to review the Municipal By-law Enforcement Regulation's Section 2 as it pertains to the maximum imposable fine imposed under the authority of the Municipal By-law Enforcement Act. **Carried**

Reports/Minutes from Committees: Nil

General Business:

- Summer Student Discussion – Two summer student positions to fill. Applicants will be contacted.
- Setting of special meeting to prioritize drainage requests – Set for June 10th at 4pm
- 11 Cedar Crescent – Send letter

Unfinished Business:

- AMM – June District Resolutions – Resolution #166-24
- Strategic Plan Proposals – Tabled

166-24 Moved by Dan Bodz

Seconded by Michael Paciorka

WHEREAS the Canadian and Manitoba Health Act states all Canadians have the right to basic and equal health care;

AND WHEREAS rural Manitobans in many areas throughout the province have had their health care services cut dramatically and are now forced to drive farther to access emergency care and basic health care due to these health cuts;

BE IT RESOLVED THAT we request AMM to lobby the Provincial Government and FCM to lobby the federal government in restoring equal access to healthcare in all rural municipalities working in partnership with Council and local communities.

Carried

In Camera: Personnel

167-24 Moved by Michael Paciorka

Seconded by Jon Mellor

BE IT RESOLVED THAT Council meet in camera as a committee of the whole to discuss Item 14 (Personnel) on the agenda, and as such discussions be kept in confidence as required under Section 16.13 of By-Law 187/22. Time: 8:11 PM

Carried

168-24 Moved by Jon Mellor

Seconded by Michael Paciorka

BE IT RESOLVED THAT Council adjourn their in camera session and resume regular business, Time: 8:28 PM

Carried

169-24 Moved by Michael Paciorka

Seconded by Dylan Gurman

WHEREAS the CAO has submitted their resignation, with their last day of full-time employment being July 1st, 2024;

AND WHEREAS the CAO is using banked and vacation time until July 1st, 2024;

BE IT RESOLVED THAT Council hereby appoints ACAO Brittany Fisher as the Acting Chief Administrative Officer, until July 1st, 2024.

Carried

170-24 Moved by Dan Bodz

Seconded by Dylan Gurman

BE IT RESOLVED THAT Council hereby advises administration to advertise for the position of Office Assistant.

Adjournment:

171-24 Moved by Michael Paciorka

Seconded by Jon Mellor

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 June 4, 2024, Time: 8:29 P.M.

Carried

THE RURAL MUNICIPALITY OF STUARTBURN

Michelle Gawronsky, Reeve

Brittany Fisher, Assistant Chief Administrative Officer