

RURAL MUNICIPALITY OF ROSEDALE  
December 10, 2021

Minutes of the Regular Meeting of Council of the Rural Municipality of Rosedale held on the above date in the Municipal Office, Neepawa, commencing at 10:00 A.M. with Reeve Michael Porrok presiding with Councillors Ernie Schure, Robert Scott, Bruce Fleger, Ron Kostenchuk, Councillor - Andrew Somers, Earl Burton and Chief Administrative Officer Kara Sylvester present

21/277 Burton - Scott

That this regular meeting of Council convene at 10:00 a.m. with Reeve Michael Porrok as chairman.

CARRIED

21/278 Schure – Kostenchuk

That Be It Resolved that the Council of the R.M. of Rosedale approves the Agenda for December 10, 2021.

CARRIED

21/279 Burton – Somers

That the minutes of the Organizational and regular meetings held November 15, 2021 be adopted as circulated.

CARRIED

21/280 Schure - Burton

That Council approved the accounts for the month and the amount as follows:

	<u>General</u>	<u>Water</u>
November 2021	\$213,484.71	\$889.99

CARRIED

21/281 Fleger - Kostenchuk

That we the Council agree to adopt the November 2021 financial statements.

CARRIED

21/282 Schure – Fleger

Whereas Section 80(1) of The Planning Act provides that a Zoning By-law may be amended in accordance with Sections 80 to 82 of the Act, following the amendment process pursuant to Sections 74 to 79;

And Whereas the Council of the Rural Municipality of Rosedale deem it expedient and in the best interest of the corporation to amend the Rural Municipality of Rosedale Zoning By-law No. 9-2018;

Therefore Be It Resolved that By-law 6-2021 being a by-law for the purpose of amending the Rural Municipality of Rosedale By-law No. 9-2018 be now read a first time.

CARRIED

21/283 Scott – Kostenchuk

That By-law 5-2021 being a by-law for the purpose of Establishing Remuneration and Reimbursement of Expenses for Municipal Officials be read a third time, passed, signed and sealed.

CARRIED

For: Scott, Schure, Burton, Somers, Kostenchuk, Fleger, Porrok

Against: None

21/284 Burton – Fleger

That the Public Hearing be now open at 10:20 a.m. for Joel and Manda Wiebe Conditional Use Application.

CARRIED

21/285 Burton – Somers

That the Public Hearing now be closed at 10:30 a.m.

CARRIED

21/286 Schure – Kostenchuk

Whereas a hearing was held on Friday, December 10, 2021 to hear representation for or against the proposed Conditional Use request by Joel and Amanda Wiebe on NE 20-18-15 WPM;

Whereas there was no representation for or against the proposed Conditional Use request;

Now Therefore Be It Resolved that, the Council of the Rural Municipality of Rosedale approves the Conditional Use Order request to allow for the extraction of gravel from within the AG-Agricultural General Zone providing the following conditions are met:

- a) Gravel pit must be rehabilitated to Provincial Standards
- b) The applicant must provide dust control to Councils satisfaction
- c) The top of the road rehabilitation shall be maintained at the discretion of Council during the time of hauling
- d) The application must sign a road haul agreement with the R. M. of Rosedale
- e) that preliminary traffic projections be provided to Manitoba Infrastructure including aggregate tonnage and number of trucks hauling to Manitoba Infrastructure.

CARRIED

21/287 Scott – Fleger

That we do now adjourn this regular meeting at 10:32 a.m. to hold a public hearing regarding Ridge Road Welding – Darrel Goossen Conditional Use hearing on 103154 PTH 5 (Riding Mountain: Lot 4, Block 2, Plan 618).

CARRIED

21/288 Burton – Somers

That the Public Hearing be now open at 10:33 a.m. for Ridge Road Welding – Darrel Goossen Conditional Use application.

CARRIED

- Development Officer, Jeff Braun provided an overview of the Conditional Use Application details.
- Reeve, Michael Porrok asked if anyone in attendance had questions or concerns and that speakers must state their name and whether they are in support of or objecting to the application.
- Comments were presented by objectors in the audience regarding noise concerns, smoke and air pollution, in addition to added traffic in the area. There is also concern that this business should be considered industrial, not residential and the financial impact of the resale value of their home which is located nearby.
- Another resident objected by stating their bedroom window is located 30 yards away and concerns regarding noise and smell in addition to the possibility of expansion of the business in the future.
- A resident objected by speaking on behalf of their elderly family members and voiced concerns by objecting to manufacturing, the fire risk involved, pollution and contaminants created by the business, Photos were presented of the proximity to the home owned by family member(s). Suggested that access to lane is limited and susceptible to pollutants. Sign was placed on front lawn of house and lane has been formed into circle lot with potential for trucks up against house.
- An objection was presented stating that the property is zoned commercial not industrial. That noise is a concern in the General Development Zone and the property values in the area will decline.
- An objection was presented by another resident regarding noise concerns from grinding etc., large equipment, and fumes created by the business, They feel this business will de-value property in the area and create traffic concerns, Questions

were asked: How will the municipality benefit from this (Conditional Use approval) and Why is the owner (Mr. Goossen) re-locating the business?

- Jeff Braun read aloud two objection letters that were received by the Neepawa & Area Planning District: Received from Deborah Kushner & Ken Poncsak regarding noise from trucks and due to fabrication and Barry & Julie Glowa raised concerns regarding increased noise issues and stated that re-sale value of property would depreciate.
- Development Officer, Jeff Braun stated for clarification that this application is not to rezone the particular property and that the General Development allows for a mix of uses, some permitted and some conditional use. Some examples of permitted uses are fuel stations, ag & vehicle repair shops and retail establishments.
- Mr. Goossen was asked speak in regards to his reasons for the application but no further comments were made.

In attendance:

Darrel Goossen

Jasper Goossen

Laurie Benzie (Roll 31700) – opposed

Susan Wilson (Roll 29000) – opposed

Karen Poncsak (Roll 28500) – opposed

Heather Timlick (Roll 28600 & 28700) – opposed

Malcolm Timlick (Roll 28600 & 28700) – opposed

Heather Seddon (Roll 30800) – opposed

Calvin Wilson (Roll 29000) - opposed

James McLuckie (Roll 30800) – opposed

21/289 Schure – Fleger

That the Public Hearing be now closed at 11:00 a.m.

CARRIED

21/290 Burton – Scott

That the Public Hearing be now open at 11:01 a.m. for Gary Poncsak and Shayne Henton Conditional Use request.

CARRIED

21/291 Burton – Scott

That the Public Hearing now be closed at 11:04 a.m.

CARRIED

21/292 Kostenchuk – Schure

Whereas a hearing was held on Friday, December 10, 2021 to hear representation for or against the proposed Conditional Use requested by Gary Poncsak and Shayne Henton on 103030 PTH #5 (SE 09-18-15 WPM);

Whereas there was no representation for or against the proposed Conditional Use request;

Now Therefore Be It Resolved that, the Council of the Rural Municipality of Rosedale approves the Conditional Use Order request to allow for the location of a single-unit dwelling within the “AGR” Agricultural Restricted Zone.

CARRIED

21/293 Fleger – Scott

That we the Council agree to renew our agreement with the Yellowhead Development Society for a further three year term in the amount of \$850.00 Jan. 2022- Dec. 2024.

CARRIED

21/294 Schure – Fleger

That we the Council agree to grant Katie Cares \$600.00 to support the charity and continued work in 2022.

CARRIED

21/295 Fleger – Schure

That we the Council agree to grant the Franklin Community Hall \$3,000.00 in 2021. VLT Ward 3 \$2,000.00; Ward 1 \$1,000.00

CARRIED

21/296 Fleger – Kostenchuk

That we the Council agree to grant the Springhill Hall \$600.00 in 2021.

VLT Ward 3

CARRIED

21/297 Scott – Somers

WHEREAS the Rural Municipality of Rosedale advertised a Request for Tender for a vehicle described as 1976 Ford F750 Truck, and;

WHEREAS three submissions were received on or prior to the deadline of December 9, 2021, and;

WHEREAS the results are as follows:

Bidder	Purchase Price
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Greg Murphy	\$600.00
David Burton	\$1,850.00
Melvin Thiessen	\$200.00

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Rosedale sells 1976 Ford F750, no tank, to David Burton for a price of \$1,850.00.

CARRIED

21/298 Kostenchuk – Schure

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 2021 (meaning all properties with outstanding taxes from the year 2020 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 by the municipality 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.

CARRIED

21/299 Burton - Scott

Whereas Council is responsible to ensure the health and safety of its employees and volunteers;

And Whereas Council believe that the best way to ensure the health and safety is through vaccination or mandatory testing;

Therefore Be It Resolved That the administration be directed to prepare a vaccination policy for Council review.

CARRIED

21/300 Schure – Kostenchuk

Where That Whereas Section 10(1) of the Municipal Councils and School Board Elections Act requires each municipality to appoint a senior election official (SEO) who will be responsible to manage and conduct all aspects of municipal elections;

And Whereas the municipality is required to establish the rate of remuneration for the SEO;

Now Therefore Be It Resolved that Kara Sylvester is hereby appointed to the position of SEO for the R.M. of Rosedale;

And Furthermore Be It Resolved that Council shall reimburse the SEO at the rate of 50 cents per kilometer for each kilometer actually travelled in the performance of the duties of the SEO. The SEO is required to record and present a travel expense sheet to Council for their review and approval prior to payment being issued for mileage expenses.

And Furthermore Be It Resolved that Reeve is hereby authorized to sign the attached agreement with Kara Sylvester, establishing the duties and the remuneration of the SEO.

CARRIED

21/301 That we the Council agree to hire Ann Mandziuk to prepare the 2022 Voters List for \$1,500.00 plus mileage.

CARRIED

21/302 Somers – Fleger

That we the Council agree to request that Administration send a letter to the Kelwood LUD Committee to address concerns regarding:

Committee meeting procedures

Request submission of a Service Plan

Request submission of Rules of Procedure

CARRIED

21/303 Kostenchuk – Scott

That we the Council agree to accept the bid submitted by Wide Open Contracting for the amount of \$7,000.00 for culvert placement and ditching in Kelwood in 2021.

CARRIED

21/304 Burton – Schure

That we the Council agree to pay Doug Wood \$26.17 for the reimbursement of Christmas lights for the Village of Kelwood.

CARRIED

21/305 Scott – Somers

That we the Council agree to pay Glenn Axford of Boreal Night Films \$1,330.00 for the creation of a website: Kelwood.ca.

Defeated

21/306 Schure – Somers

That we the Council agree to purchase and install a holding tank from \_\_\_\_\_ for the amount of \$\_\_\_\_ at the Kelwood Skating Rink.

Defeated

21/307 Somers – Scott

That we the Council agree to purchase a fire suit for the amount of \$3,000.00 for the Kelwood & Riding Mountain Fire Department.

Defeated

21/308 Somers – Burton

Be It Resolved That in accordance with Section 152(3) of The Municipal Act, Council of the Rural Municipality of Rosedale do now move in-camera to discuss legal and personnel matters, the time being 3:30 p.m.

And Further Be It Resolved That in accordance with Section 83(1)(d) of The Municipal Act, any issues that are discussed are kept confidential until discussed at a Regular Meeting of Council.

CARRIED

21/309 Scott – Kostenchuk

Be It Resolved That Council of the Rural Municipality of Rosedale reconvenes into regular session of Council, the time being 4:00 p.m.;

And Further That all information discussed 'In Camera' is kept in confidence until the matter is discussed at a meeting of council or of a committee conducted in public.

CARRIED

21/310 Scott – Somers

That we the Council agree to increase the hourly wage of the Eden Water Treatment Operator to \$25.00 per hour and Kelwood Water Treatment Operator to \$40.00 per day effective December 10, 2021.

CARRIED

21/311 Burton – Scott

That we the Council agree to request the Administrator to draft a Contract Labour agreement for the Water Plant Operators.

CARRIED



21/312 Kostenchuk – Schure

That we the Council agree to grant the following committees the amounts listed below:

Prairie Mountain Snowdrifters - \$1,500.00 (Ward 1 VLT)

Mountain Road Hall - \$1,000.00 (Ward 4 VLT)

Polonia Community Hall - \$1,500.00 (Ward 4 \$1,000 & Ward 1 \$500 VLT)

Birnie Community Club - \$1,095.00 (Ward 5 VLT)

Eden Fire Department - \$1,900.00 (Ward 5 \$1000, Ward 1 \$400, Ward 4 \$500 VLT)

Kelwood Fire Department - \$2,500.00 (Ward 6 & 5 \$1000, Ward 1 \$500 VLT)

Kelwood Legion - \$2,250.00 (Ward 6 \$1,750 & Ward 2 \$500 VLT)

Eden Rink and Hall - \$3,095.00 (Ward 2 VLT)

Rosedale Farm Trail Committee - \$1,500.00 (Ward 4 \$1000 & Ward 1 \$500)

CARRIED

DELEGATIONS

Conditional Use Application - Ridge Road Welding

Conditional Use Application - Wiebe

Conditional Use Application - Poncsak & Henton

Environmental Consulting Solutions - Landfill Feasibility Study

BY-LAWS

Zoning By-law Amendment

Remuneration By-law

CORRESPONDENCE

Minister of Municipal Relations - Regional Handi-Transit Program

Dan Mazier - New Horizons Grant Funding

Multi-Material Stewardship Manitoba - Update – In-Kind Advertising Program

COMMITTEE REPORTS

Neepawa & Area Planning District Meeting Minutes

RCMP Monthly Report Oct/21 & Nov/ 21, Fiscal Year Report Apr – Sep, 2021 &

BWC Program

Kelwood LUD Committee Meeting Minutes – Oct/21 & Nov/21

Councillor Burton excused himself from the meeting at 2:30 pm and returned at 2:45 PM.

Councillor Fleger excused himself from the meeting at 2:40 pm.

Council directed that the Eden Fire Department remove the tank from the old fire truck.

Council directed that the Public Works Department erect 'Watch for Children' signs in Birnie.

Council instructed the CAO to write to L. Hanlan to advise they would not be applying to MIT for Speed Signs for Birnie.

Schure - Scott

21/313 That we do now adjourn this regular meeting at 4.20 pm to meet again for our regular meeting on Friday, January 14, 2022 at 10:00 A.M.

CARRIED

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Kara Sylvester  
CAO

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Michael Porrok  
Reeve