

THE RURAL MUNICIPALITY OF OAKVIEW

The minutes of the seventh regular meeting of the Council of the Rural Municipality of Oakview held Tuesday, April 12th, 2022 at 7:30 p.m. in the Oak River Memorial Rink Hall in Oak River.

PRESENT: REEVE: Brent Fortune
COUNCILLORS: Walter Froese, Ken Hyndman, Gavin Reynolds, Frank Hyndman, Mark Gill and Robert Christie
C.A.O.: Marci Quane

Reeve Brent Fortune presiding.

ADOPTION OF AGENDA

Motion : Walt Froese – G. Reynolds
#66/22 : That the agenda for April 12, 2022 be adopted as presented. CARRIED

MINUTES

Motion: K. J. Hyndman – G. Reynolds
#67/22 : That the minutes of the sixth regular meeting held March 28th, 2022 adopted as circulated. CARRIED

ADJOURNMENT FOR FINANCIAL PLAN HEARING

Motion : K. J. Hyndman – Walt Froese
#68/22 : That the Council of the R. M. of Oakview do now adjourn to reconvene again after the Public Hearing for the 2022 Financial Plan CARRIED

PUBLIC HEARING – 7:30 – 2022 Financial Plan

The hearing was advertised and notices were placed as required.

In attendance: Brent Fortune, Chair; Walt Froese, Mark Gill, Ken Hyndman, Gavin Reynolds, Frank Hyndman, Robert Christie and Marci Quane, C.A.O.

Diane Kuculym, Finance Manager and Brand Kingdon, Public Works Manager attended the hearing.

Public were in attendance; Dick Heapy, Lloyd & Joanne Evans, Steven Reid, Ryan English.

PUBLIC HEARING FOR FINANCIAL PLAN CLOSED – 8:30 p.m.

Motion : K. J. Hyndman – G. Reynolds
#69/22 : That Council, having completed its duties at the Public Hearing to hear public presentation in respect to the Financial Plan Hearing do now close the hearing and reconvene the regular council meeting. CARRIED

ADJOURNMENT FOR CONDITIONAL AND VARIATION ORDER HEARING

Motion : G. Reynolds – M. Gill
#70/22 : That the regular meeting now adjourn to reconvene after the Public Hearing regarding joint application for Conditional Use Order Application #02-O-22-CU, Variation Order Application #01-O-22-VO. CARRIED

PUBLIC HEARING – 8:30 p.m. – Conditional Use 02-O-22-CU & Variation Order 01-O-22-VO, Zariwney (Longstaff)

The hearing was advertised and notices were placed as required.

In attendance: Brent Fortune, Chair; Walt Froese, Mark Gill, Ken Hyndman, Gavin Reynolds, Frank Hyndman, Robert Christie , Marci Quane, C.A.O.

Public were in attendance, Emil Zariwney, Brad Kingdon; and Ryan English

PUBLIC HEARING FOR CONDITIONAL AND VARIATION ORDER CLOSED - 8:45 P.M.

Motion : K. J. Hyndman – Frank Hyndman
#71/22 : That Council, having completed its duties at the Public Hearing to hear public presentations in respect to Conditional Use Hearing #02-O-22-CU and Variation Order #01-O-22-VO, do now close the hearing and reconvene to the regular council meeting.

CARRIED

2022 FINANCIAL PLAN

Motion : Walt Froese – G. Reynolds
#74/22 : Whereas a public hearing was held on April 12th, 2022 to hear representation for or against the proposed 2022 Financial Plan for the R. M. of Oakview;
 And whereas no representation was received on the proposed financial plan;
 Therefore, be it resolved that the Council of the Rural Municipality of Oakview accept the 2022 Financial Plan.

CARRIED

Motion : Robert Christie – M. Gill
#75/22 : Whereas Section 162 of The Municipal Act requires each municipality to adopt a financial plan of the amounts required for the lawful purposes of the municipality and to adopt the said financial plan by resolution;
 And Whereas the Council of the Rural Municipality of Oakview has made such a financial plan;
 Now therefore be it resolved that the financial plan for the Rural Municipality of Oakview for the 2022 year, as set out in the form approved by the Minister, be and the same are hereby adopted and that the said estimates shall be incorporated and form part of the 2022 tax levy by-law.

CARRIED

Motion : M. Gill – G. Reynolds
#76/22 : Whereas Section 568 of The Municipal Act requires each municipality to prepare a program showing proposed capital expenditures and sources of revenue for the next five years;
 And Whereas the Council of the R. M. of Oakview has prepared such a program;
 Therefore, be it resolved that the Capital Expenditure program for the Rural Municipality of Oakview for the next five years, as set out in the form approved by the Minister, be and the same, is adopted.

CARRIED

Motion : G. Reynolds – Walt Froese
#77/22 : Be it resolved that the R. M. of Oakview is in favour of having all taxes and rates imposed and levied and be due and collectable on the 31st day of October, 2022. A penalty of 1.25% per month is to be added to all unpaid taxes as at November 1st, 2022.

CARRIED

CONDITIONAL AND VARIATION ORDER HEARING - ZARIWNEY

Motion : K. J. Hyndman – M. Gill
#72/22 : Whereas a public hearing was held on April 12th, 2022 to hear representation for or against the Variation Order Application #01-O-22-VO;
 And whereas no representation was received on the application;
 Therefore, be it resolved that the Council of the Rural Municipality of Oakview approve Variation Order #01-O-22-VO to vary the maximum site area from 10 acres to 36.89 acres in the “AG” Agricultural Zone, by the way of subdivision.

CARRIED

Motion : Walt Froese – G. Reynolds
#73/22 : Whereas a public hearing was held on April 12th, 2022 to hear representation for or against the Condition Use Application #02-O-22-CU;
 And whereas no representation was received on the application;
 Therefore, be it resolved that the Council of the Rural Municipality of Oakview approve Conditional Use Application #02-O-22-CU to allow a non-farm dwelling in the “AG” Agricultural Zone, by way of subdivision.

CARRIED

RECEPTION OF DELEGATIONS

1. Manager of Public Works, B. Kingdon,- 8:45 p.m. - B. Kingdon attended the meeting to discuss matters regarding the operations of public works including plans in preparation of the upcoming snow storm, repair and maintenance of equipment.

REPORTS OF COMMITTEES**Midwest Planning**

-Reeve Fortune provided Council an update from the last meeting held Thursday, April 7th, 2022.

Rapid City Regional Library

-Councillor F. Hyndman will reach out to the library to discuss future programming.

Midwest Weed District

-Councillors Froese and Christie updated the group regarding the past weed district meeting held on April 11th, 2022.

Protective Services

-Spruce Plains RCMP March Stats were reviewed.

Oak River LUD

-A meeting was held April 11th, 2022 and members discussed student employment, hedge around the memorial bell, as well as other topics pertaining to the LUD.

CAO Report

-The CAO report was presented to Council

BY-LAWS1. 2022-2 Borrowing By-Law for the Fire Emergency Vehicle – 1st Reading

Motion: G. Reynolds – M. Gill

#78/22 : Be it resolved that the Council of the R. M. of Oakview do hereby give first reading to By-Law No. 2022-2, being a by-law to authorized borrowing for the purchase of a Fire Emergency Pumper Apparatus.

CARRIED

2. 2022-3 Appointment of Senior Election Official – 2nd & 3rd Reading

Motion: K. J. Hyndman – M. Gill

#79/22 : Be it resolved that the Council of the R. M. of Oakview do hereby give second reading to By-Law No. 2022-3, being a by-law appointing the Senior Election Official for the municipality of Oakview.

CARRIED

Motion: Walt Froese – G. Reynolds

#80/22 : Be it resolved that the Council of the R. M. of Oakview do hereby give third and final reading to By-Law No. 2022-3, being a by-law appointing the Senior Election Official for the municipality of Oakview.

FOR: FORTUNE, FROESE, GILL, REYNOLDS, K. J. HYNDMAN, CHRISTIE
AND F. HYNDMAN
AGAINST: NONE

CARRIED

3. 2022-4 Use of Municipal Resources in an Election – 2nd & 3rd Reading

Motion: M. Gill – Robert Christie

#81/22 : Be it resolved that the Council of the R. M. of Oakview do hereby give second reading to By-Law No. 2022-4, being a by-law establishing rules and procedures for the use of municipal resources in an election.

CARRIED

Motion: Frank Hyndman – M. Gill

#82/22 : Be it resolved that the Council of the R. M. of Oakview do hereby give third and final reading By-Law No. 2022-4, being a by-law establishing rules and procedures for the use of municipal resources in an election

FOR: FORTUNE, FROESE, GILL, REYNOLDS, K. J. HYNDMAN, CHRISTIE
AND F. HYNDMAN
AGAINST: NONE

CARRIED

4. 2022-5 Tax Levy By-Law – 1st Reading

Motion: K. J. Hyndman – Walt Froese

#83/22 : Resolved that the Council of the R. M. of Oakview give first reading to By-Law No. 2022-5, being the 2022 Tax Levy By-Law for the R. M. of Oakview.

CARRIED

GENERAL BUSINESS

1. Manitoba Municipal Relations – Subdivision Application 4107-22-8388, NE 13-15-19

Motion: G. Reynolds – M. Gill
#84/22 : Be it resolved that Council of the R. M. of Oakview approves subdivision File #4107-22-8388, NE 13-15-19W with the following conditions:

1. THAT a variation order be granted reducing the minimum site area required for Lot 1 from 80 acres down to the 55.85 acres being proposed and reducing the 1,000-foot minimum site width required for the residual parcel down to the proposed +/- 412 feet being proposed (i.e., the easterly limit of the residual parcel lying south of P.T.H. No. 16).

CARRIED

2. Manitoba Habitat Heritage Corporation, Notice of Intent to file SW 10-14-19 was reviewed.
3. Product Care Association of Canada, Collection Site Agreement – Rapid City

Motion: K. J. Hyndman – Walt Froese
#85/22 : That the Council of the R. M. of Oakview authorized the CAO to enter into an agreement for Product Care Association of Canada for the collection of hazardous waste from the Rapid City Waste Collection Site.

CARRIED

4. MTS Right of Way Application, M013354 was reviewed with no concerns.
5. The Town of Minnedosa, Minnedosa Regional Events Centre Invitation to Open House – The event was postponed until a later date.
6. Water Control Proposal – G. Lennox, S ½ 27-15-22

Motion: Walt Froese – G. Reynolds
#86/22 : Whereas Glenn Lennox has requested land owner approval for proposed drainage work on the South half of 27-15-22;
 Whereas the land owner approval is required for the application for a water control works permit;
 Therefore, be it resolved that Council of the RM of Oakview authorize ~~that~~ the CAO to give land owner consent as per the proposal dated November 14th, 2021.

CARRIED

7. Manitoba Emergency Measurers Organization, Approval of payment for submission Number 8 and Number 9 – Noted.
8. Manitoba Emergency Measurers Organization, Acknowledgement of Submission Number 11 – Noted.
9. Manitoba Hydro, Underground Hydro Installation Road 80, NW 8-14-20 – no concerns were addressed.
10. CL van Veen Construction, Request for Underground Hydro Installation Road 110, SE 27-13-19 – no concerns were addressed.
11. Gravel Crushing Tender Results

Motion: K. J. Hyndman – Walt Froese
#87/22 : Whereas three tenders were received and reviewed for crushing gravel for the R. M. of Oakview for 2022;
 Therefore, be it resolved that the Council of the R. M. of Oakview agree to contract Zenith Paving Ltd. to crush approximately 20,000 yards of traffic gravel at the Manitoba Infrastructure and Providence Farms Pits in 2022 as per the gravel crushing tender submission received dated April 12th, 2022.

CARRIED

12. RM of Oakview Policy 2022-1 – Asset Management Policy

Motion: K. J. Hyndman – G. Reynolds
#88/22 : Be it resolved that Council approve RM of Oakview Policy 2022-1 Asset Management Policy.

CARRIED

13. Manitoba Public Utility Board, 2022 Filing Fees were noted.

GENERAL BUSINESS

14. Offer to Purchase – G. Boak

Motion: G. Reynolds – Walt Froese
#89/22 : Whereas Garrett Boak has offered to purchase Lots 5/8, Block 35, Plan A; Whereas the purchaser will be responsible for completing the drainage plan construction and the cost thereof; Therefore, be it resolved the Council of the RM of Oakview authorize that CAO to sign all necessary paperwork to complete the sale of Roll #'s 419600 and 419630.
CARRIED

15. LUD of Oak River 2022 Service Plan

Motion : Walt Froese – G. Reynolds
#90/22 : That the Council of the R. M. of Oakview accept the L.U.D. of Oak River's service plan for 2022, as submitted.
CARRIED

COMMUNICATIONS

1. CN Vegetation Management Program
2. Dan Mazier – Letter to the Minister of Public Safety, National Police Federation Collective Bargaining
3. BRHC Foundation – Donation Request

IN CAMERA

Motion : K. J. Hyndman – H. F. Hyndman
#91/22 : That the Council of the R. M. of Oakview do now adjourn to meet in-camera.
CARRIED

Motion : M. Gill – G. Reynolds
#92/22 : That the Council of the R. M. of Oakview close the in-camera meeting and return to the regular council meeting.
CARRIED

Councillor Mark Gill left the meeting.

ACCOUNTS

1. List of Accounts

Motion: K. J. Hyndman – Walt Froese
#93/22 : Be it resolved that the report of the Finance Committee be received and that R. M. of Oakview's General Pay List Cheque's #8605 - #8644 and payroll Cheque's #54301 - #54327 amounting to \$102,918.47, and accounts payable amounting to \$71,946.99.
CARRIED

2. Gill Farms Ltd – Invoice #4529

Motion: Robert Christie – Frank Hyndman
#94/22 : That the Council of the R. M. of Oakview authorized the C.A.O to pay Gill Farm's Ltd Invoice #4529 in the amount of \$24,181.50 including taxes.
CARRIED

Pursuant to Section 5(1) of the Municipal Council Conflict of Interest Act, Councillor Gavin Reynolds declared a personal interest in the following item and withdrew from the meeting.

3. Celtic Power and Machining – Invoice #391838

Motion: Walt Froese – Robert Christie
#95/22 : That the Council of the R. M. of Oakview authorized the C.A.O to pay Celtic Power & Machining Invoice #391838 in the amount of \$482.12 including taxes.
CARRIED

Councillor Gavin Reynolds returned to the meeting

ACCOUNTS

4. January Financial Statements

Motion: K. J. Hyndman – Frank Hyndman
#96/22 : Therefore be it resolved that council accept the January 2022 financial statements as presented.

CARRIED

5. February Financial Statements

Motion: Walt Froese – G. Reynolds
#97/22 : Therefore be it resolved that council accept the February 2022 financial statements as presented.

CARRIED

6. March Financial Statements

Motion: Robert Christie – Walt Froese
#98/22 : Therefore be it resolved that council accept the March 2022 financial statements as presented.

CARRIED

ADJOURNMENT

Motion : Walt Froese – G. Reynolds
#99/22 : That the meeting now adjourn to meet again on Thursday, April 14th, 2022 via zoom.

CARRIED

TIME: 11:05 p.m.

REEVE

CHIEF ADMINISTRATIVE OFFICER