

## THE RURAL MUNICIPALITY OF OAKVIEW

The minutes of the twenty-first regular meeting of the Council of the Rural Municipality of Oakview held Tuesday, December 13<sup>th</sup>, 2022 at 7:30 p.m. in the Rapid City Council Chambers

PRESENT: REEVE: Robert Christie  
COUNCILLORS: Bill Aaroe, Marie Andrew, Gavin Reynolds, Lloyd Evans, and Mark Gill  
C.A.O.: Marci Quane  
ABSENT: Frank Hyndman

Reeve Robert Christie presiding.

### **ADOPTION OF AGENDA**

Motion : Gavin Reynolds – B. Aaroe  
#311/22 : That the agenda for December 13<sup>th</sup>, 2022 be adopted as presented.

CARRIED

### **MINUTES**

Motion: Marie Andrew – G. Reynolds  
#312/22 : That the minutes of the twentieth regular meeting held November 28<sup>th</sup>, 2022 be adopted as circulated.

CARRIED

### **REPORTS OF COMMITTEES**

**Midwest Planning-** Councillor Aaroe provided an update to council.  
**Rapid City Regional Library-** Councillor Evans provided an update to council.  
**Rapid City Museum-** Reeve Christie provided an update to council.  
**Blanchard CDC-** Councillor Reynolds provided an update to council.  
**Rapid City LUD-** Councillor Andrews provided an update to council.  
**CAO Report-** The CAO report was presented to council.

### **ADJOURNMENT**

Motion: M. Gill – G. Reynolds  
#313/22 : That the regular meeting now adjourn to reconvene after the Public hearing regarding a Variation Order Application for #07-0-22-VO #08-0-22-VO, #09-0-22-VO, #10-0-22-VO and #11-0-22-VO.

CARRIED

### **PUBLIC HEARING**

1. 7:45pm Joint Hearing for Variation Orders 7-O-22-VO, 8-O-22-VO, 9-O-22-VO, 10-O-22-VO, & 11-O-22-VO, Lot 9, Block 24, Plan A, Roll # 413000, Woloski

The hearing was advertised and notices were placed as required.

In attendance: Robert Christie, Chair; Mark Gill, Lloyd Evans, Gavin Reynolds, Bill Aaroe, Marie Andrew and Marci Quane, C.A.O.

Public were in attendance: Jay Woloski

Public Hearing closed at 8:05 p.m.

### **PUBLIC HEARING CLOSED**

Motion: Marie Andrew – L. Evans  
#314/22 : That Council, having completed its duties at the Public Hearing to hear public presentations in respect to Variation Order Applications for #07-0-22-VO, and #08-0-22-VO, #09-0-22-VO, #10-0-22-VO and #11-0-22-VO, do now close the hearing and reconvene to the regular council meeting.

CARRIED

Motion: M. Gill – G. Reynolds  
#315/22 : Whereas a public hearing was held on December 13th, 2022 to hear representation for or against the Variation Order Application #07-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 Application #07-O-22-VO to vary the minimum site area for a dwelling by way of change of occupancy from the minimum 5000 sq feet to 1950 sq feet in the General Development Zone; conditional to the applicant entering into an agreement to purchase neighboring property to consolidate with Roll #413000.

CARRIED

Motion: L. Evans – Marie Andrew  
#316/22 : Whereas a public hearing was held on December 13th, 2022 to hear representation for or against the Variation Order Application #08-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 Application #08-O-22-VO to vary the minimum site width for a dwelling by way of change of occupancy from the minimum 50 feet to 30.5 feet in the General Development Zone.

CARRIED

Motion: M. Gill – Bill Aaroe  
#317/22 : Whereas a public hearing was held on December 13th, 2022 to hear representation for or against the Variation Order Application #09-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 Application #09-O-22-VO to vary the minimum font setback distance for a dwelling by way of change of occupancy from the minimum 25 feet to 5 feet in the General Development Zone.

CARRIED

Motion: L. Evans – Bill Aaroe  
#318/22 : Whereas a public hearing was held on December 13th, 2022 to hear representation for or against the Variation Order Application #10-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 Application #10-O-22-VO to vary the minimum side yard setback distance for a dwelling by way of change of occupancy from the minimum 6 feet to 0 feet in the General Development Zone.

CARRIED

Motion: G. Reynolds – L. Evans  
#319/22 : Whereas a public hearing was held on December 13th, 2022 to hear representation for or against the Variation Order Application #11-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 Application #11-O-22-VO to vary the minimum building area for a dwelling by way of change of occupancy from the minimum 900 sq feet to 768 sq feet in the General Development Zone.

CARRIED

## BYLAWS

### 1. 2022-9 Indemnity Bylaw

Motion: M. Gill – G. Reynolds  
#320/22 : Be it resolved that Council of the Rural Municipality of Oakview do hereby give first reading to By-Law 2022-9, being a by-law to authorize council compensation and expenses.

CARRIED

### 2. 2022-10 Procedure By-Law

Motion: Marie Andrew – L. Evans  
#321/22 : Be it resolved that Council of the Rural Municipality of Oakview do hereby give first reading to By-Law 2022-10, being a by-law to regulate the proceedings and conduct of council.

CARRIED

**GENERAL BUSINESS**

## 1. Councillor Request, Virtual Attendance

Motion: M. Gill – G. Reynolds  
#322/22 : That the Council of the R. M. of Oakview approve Councillor Evans to attend the regular meetings of Council by electronic means as permitted in By-Law 2020-6 from January 18<sup>th</sup> to March 5<sup>th</sup>, 2023.

CARRIED

2. Education Remittance – December 31<sup>st</sup>, 2022

Motion: Bill Aaroe – G. Reynolds  
#323/22 : That the Chief Administrative Officer be hereby authorized to pay the remaining 2022 school tax levies as follows;

Public Schools Finance Board ..... \$ 50,094.37  
Park West School Division .....\$ 16,066.41  
Rolling River School Division ..... \$ 179,754.15

CARRIED

## 3. 2022 Reserve Fund and Year End Transfers

Motion: M. Gill – Marie Andrew  
#324/22 : That the Council of the R. M. of Oakview authorize the C.A.O. to pay the debenture debt payable on December 31<sup>st</sup>, 2022 to the Minister of Finance for \$21,391.61 for the Rapid City pipeline and \$15,626.64 for the Oak River Utility Deficit as per By-Laws #2015-11 and 2015-12 respectively.

CARRIED

Motion: Marie Andrew – Bill Aaroe  
#325/22 : Be it resolved that the Council of the R. M. of Oakview authorizes the C.A.O. to transfer \$600.00 to the Oak River Utility Fund and \$570.00 to the Rapid City Utility fund for fire hydrant rental for 2022.

CARRIED

Motion: M. Gill – G. Reynolds  
#326/22 : Whereas Subsection 252(2) of *The Municipal Act* indicates that utility charges and labour to carry out private works, on private property, may be collected by the municipality in the same manner as a tax may be collected;  
And whereas there are overdue utility bills;  
Therefore, be it resolved that the Council of the R. M. of Oakview authorizes the C.A.O. to add over-due bills outstanding on December 15<sup>th</sup>, 2022 to the taxes of the benefiting properties.

CARRIED

Motion: Bill Aaroe – L. Evans  
#327/22 : That the Council of the R. M. of Oakview authorizes the C.A.O. to transfer the following amounts from the Oakview Operating Fund to the reserve funds as per the 2022 financial plan:

- 1) \$190,000.00 To the Machinery Reserve Fund
- 2) \$91,483.00 To the Gas Tax Reserve Fund
- 3) \$25,000.00 To the Recreation Reserve Fund
- 4) \$69,000.00 to the Building Reserve Fund
- 5) \$10,000.00 To the Rapid City Fire Reserve Fund
- 6) \$10,000.00 To the Oak River Fire Reserve Fund

CARRIED

Motion: L. Evans – Bill Aaroe  
#328/22 : Be it resolved that Council approve the utility reserve transfers from the Oak River Utility Operating Fund in the amount of \$20,000.00.

CARRIED

Motion: M. Gill – Marie Andrew  
#329/22 : That the Council of the R. M. of Oakview agree to pay the Blanshard CDC \$2,100. to support the LSRCD office in Oak River as per Resolution #180/07 of the R. M. of Blanshard.

CARRIED

**GENERAL BUSINESS**

Motion: M. Gill – G. Reynolds  
#330/22 : That the Council of the R. M. of Oakview authorize the C.A.O. to pay the debenture debt payable on December 31<sup>st</sup>, 2022 to the General Reserve Fund in the amount of \$5,838.08 for the By-Law 2021-1 Rapid City Water Treatment Plant Upgrades.  
 CARRIED

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

## 4. 2023 Land Rental Renewals

Motion: M. Gill – Bill Aaroe  
#331/22 : Whereas land rental agreements in Rapid City will expire December 31<sup>st</sup>, 2022; Therefore, be it resolved that Council approve the CAO to renew land rental agreements for 2023 through 2024.  
 CARRIED

Councillor Lloyd Evans returned to the meeting.

5. RM of Oakview Holiday Hours were reviewed.  
 6. 2023 Interim Budget

Motion: M. Gill – G. Reynolds  
#332/22 : Whereas in accordance with Section 163 of *The Municipal Act*, the Council of the R. M. of Oakview has made provisional estimates of all operating expenditures of the municipality for the period of January 1<sup>st</sup>, 2023 until the adoption of the annual estimates;  
 Therefore, be it resolved that the following provisional estimates be hereby adopted:

**REQUIREMENTS****OPERATING FUND**

General Government Services	\$ 150,000.00
Protective Services	\$ 30,000.00
Transportation Services	\$ 200,000.00
Environmental Health Services	\$ 35,000.00
Public Health & Welfare Services	\$ 10,000.00
Environmental Development Services	\$ 25,000.00
Economic Development Services	\$ 25,000.00
Recreation And Cultural Services	\$ 20,000.00
Fiscal Services	\$ 400,000.00
Total	\$ 895,000.00

**UTILITY OPERATING REQUIREMENTS**

Oak River Utility	\$ 50,000.00
Rapid City Utility	\$100,000.00
Total Expenditures	\$150,000.00

**UTILITY CAPITAL REQUIREMENTS**

Borne by Reserves	\$50,000.00
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CARRIED

7. 2022 Fire Chief Renumeration  
 8. Manitoba Environment, Climate and Parks – Letter Regarding Contaminated Site

Motion: M. Gill – Marie Andrew  
#333/22 : Therefore be it resolved that council accepts the report from Manitoba Environment, Climate and Parks letter regarding tank removal at 415-2<sup>nd</sup> Ave, Rapid City through the underground storage tank removal program.

## 9. 2022 Supplementary Taxes

Motion: Marie Andrew – L. Evans  
#334/22 : Whereas the Assessment Officer has submitted additional properties that the assessment may have increased or decreased on the 2022 assessment roll; Therefore, be it resolved that the additional assessment changes, dated November 28<sup>th</sup>, 2022 for the 2022 tax year be entered into the 2022 tax roll in accordance with the requirements of Section 326 of The Municipal Act as per tax listing received for 2022.

**GENERAL BUSINESS**

10. 2022- Council Electronic Device Policy – Review

Motion: M. Gill – G. Reynolds  
#335/22 : That Council of the RM of Oakview approve policy 2022-5 Council Member Electronic Device.

CARRIED

**IN CAMERA**

Motion : M. Gill – G. Reynolds  
#336/22 : Be it resolved that Council does now resolve into committee of the whole council to meet in camera to discuss personnel issues;  
And be it further resolved that all matters discussed in camera be kept confidential until such matters are discussed in an open council or committee meeting.

CARRIED

Motion : Marie Andrew – Bill Aaroe  
#337/22 : That the meeting of the committee of the whole council be adjourned and that council resume the former order of business.

CARRIED

**ACCOUNTS**

1. List of Accounts

Motion: M. Gill – G. Reynolds  
#338/22 : Be it resolved that the report of the Finance Committee be received and that R. M. of Oakview’s General Pay List Cheque’s #9441 – #9528 payroll Cheque’s #54647 – #54669 including pre-authorized payments amounting to \$904,933.77.

CARRIED

**ADJOURNMENT**

Motion : Bill Aaroe – Marie Andrew  
#339/22 : That the Council of the R. M. of Oakview do now adjourn to meet again on Tuesday, December 20<sup>th</sup>, 2022 at 3 p.m. in Oak River or at the Call of the Chair.

CARRIED

TIME: 10:59 p.m.

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REEVE

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CHIEF ADMINISTRATIVE OFFICER