



**Rural Municipality of Reynolds**

**Meeting Minutes**

**Regular Meeting of Council May 14, 2024 - 06:00 PM**

**RURAL MUNICIPALITY OF REYNOLDS-REGULAR MEETING-DRAFT AGENDA**

**HELD IN THE COUNCIL CHAMBERS ON MAY 14, 2024**

**PRESENT**

**REEVE: RUSS GAWLUK**

**DEPUTY REEVE: BLAINE WEBSTER**

**COUNCILLORS:**

JESSICA THURSTON

CURTIS BULEY

MICHAEL HUZEL

CURT STELMACK

KIM ZALITACH

**CHIEF ADMINISTRATIVE OFFICER: KIM FURGALA**

**ADMINISTRATIVE ASSISTANT: LAECIE LEVESQUE**

**REGRETS: ASSISTANT CHIEF ADMINISTRATIVE OFFICER SHERRI PEARCH**

**COUNCILLOR: HARRIET YARMILL**

**1 CALL TO ORDER**

The May 14, 2024, Regular Meeting of Council was Called to Order by Reeve Gawluk at 6:04 pm.

**2 ADOPTION OF AGENDA**

**Res. 24/152 M/S** Councillor Buley/ Councillor Stelmack

**BE IT RESOLVED** that the Agenda of the May 14, 2024, Regular Meeting of Council be adopted as presented.

**CARRIED**

**3 NOTICE OF CONFLICT OF INTEREST**

**4 MINUTES**

**Res. 24/153 M/S** Councillor Buley/ Councillor Stelmack

**BE IT RESOLVED** that the Minutes of the April 23, 2024, Regular Meeting of Council be approved as presented.

**CARRIED**

**4.1 Regular Meeting of Council - April 23, 2024 Minutes - Draft**

**5 DELEGATIONS / HEARINGS**

**5.1 Open Public Hearing VO 02/2024 @ 6pm**

**Res. 24/154 M/S** Councillor Buley/ Councillor Stelmack

**BE IT RESOLVED THAT** Council does now recess the Regular Meeting of Council in order to open the Public Hearing in the matter of Variation Order 02/2024.

**CARRIED**

**5.2 Variation Order 02/2024 - Streuber**

Notices were mailed out and all requirements of The Planning Act were met. The applicants were not present, and three objections were received.

**5.3 Close Public Hearing VO 02/2024**

**Res. 24/155 M/S** Councillor Buley/ Councillor Stelmack

**BE IT RESOLVED THAT** after the closing the Public Hearing in the matter of Variation Order 02/2024 Council does now resume the Regular Meeting of Council.

**CARRIED**

**5.4 Delegation - Yasinski 6:10pm**

**6 PLANNING AND DEVELOPMENT**

**6.1 Variation Order 02/2024 - Streuber**

**Res. 24/156 M/S** Councillor Stelmack/ Councillor Buley

**WHEREAS** a Public Hearing has been held in the matter of Variation Order 02/2024 - Streuber Subd. 4611-24-7770; The requested variance is for a reduced area for the proposed Parcel A in the subdivision to be 78.56 acres instead of the minimum 80 acres as specified in Zoning By-Law 7/13 for property Zoned RGZ "Rural Green Zone".

**AND WHEREAS** Council has considered the application and held a public hearing; **THEREFORE BE IT RESOLVED THAT** after consideration of Variation Order 02/2024, and any representation made for or against the Variances sought by Elaine Streuber the owner of the property described as Pt. of RL 42-9-12 EPM to reduce the area for the proposed Parcel A in the subdivision to be 78.56 acres instead of the minimum 80 acres as specified in Zoning By-Law 7/13 for property Zoned RGZ "Rural Green Zone" be approved.

**CARRIED**

**7 COMMITTEES / REPORTS**

**Res. 24/157 M/S** Councillor Stelmack/ Councillor Zalitach

**BE IT RESOLVED** that the Committee and all other reports be accepted as presented.

**CARRIED**

**7.1 Springfield Chamber of Commerce - Multi Chamber Function Reeve Report**

**7.2 Springfield Chamber of Commerce - 8th Annual Business Awards Reeve Report**

**7.3 Springfield Chamber of Commerce - Meeting Minutes April 1, 2024**

**7.4 LGD Ad Hoc Committee - Market Road Funding Study - April 9, 2024 Reeve Report**

**7.5 AMM Spring Convention - April 9-11, 2024 Reeve Report**

**8 BY-LAWS**

**8.1 By-Law 03/2024 - Fire Department - Second Reading**

**Res. 24/158 M/S** Councillor Stelmack/ Councillor Zalitach

**BE IT RESOLVED** that Fire Department By-Law 03/2024, being a By-Law to establish and regulate the RM of Reynolds Fire Department, be read a second time.

**CARRIED**

**8.2 By-Law 03/2024 - Fire Department - Third Reading**

**Res. 24/159 M/S** Councillor Stelmack/ Councillor Zalitach

**BE IT RESOLVED** that Fire Department By-Law 03/2024, being a By-Law to establish and regulate the RM of Reynolds Fire Department, be read a third and final time, be signed, sealed, and therefore done and passed as a By-Law of the RM of Reynolds.

Name	Yes	No	Abstained	Absent
Curtis Buley	✓			
Russ Gawluk	✓			
Michael Huzel	✓			
Curt Stelmack	✓			
Jessica Thurston	✓			
Blaine Webster	✓			
Harriett Yarmill				✓
Kim Zalitach	✓			

**CARRIED**

**9 UNFINISHED BUSINESS**

**9.1 Ste. Rita Friendly Hands Club - Permanent Liquor License - NEED OCCUPANT LOAD REPORT**

**WHEREAS** David Schulz, a licensing advisor from the Liquor Gaming Cannabis Authority of Manitoba requires a letter of support from the RM of Reynolds Council for the Ste. Rita Friendly Hands Club Inc., which operates out of the Ste. Rita Community Centre to obtain a permanent liquor license.

**THEREFORE BE IT RESOLVED THAT** Council authorizes the Building Inspector/Development Officer to issue a letter of support to Ste. Rita Friendly Hands Club Inc. and the Liquor Gaming Cannabis Authority of Manitoba.

**TABLED**

**9.2 Policy 37 - Fire Guard Roads**

**Res. 24/160 M/S** Councillor Stelmack/ Councillor Zalitach

**BE IT RESOLVED THAT** Council accept Policy 37 - Fire Guard Roads as presented.

**CARRIED**

**10 NEW BUSINESS**

**10.1 Maintenance Agreement Watershed Districts**

**Res. 24/161 M/S** Councillor Zalitach/ Councillor Stelmack

**BE IT RESOLVED THAT** the Reeve and CAO be hereby authorized to sign the updated Road 13 & 13A Maintenance Agreement with the RM of Ste Anne, RM of Tache, North East Red Watershed District and the Seine Rat Rosseau Water Shed District for 2024.

**CARRIED**

**10.2 Coffee with Council - Dates**

**Res. 24/162 M/S** Councillor Zalitach/ Councillor Stelmack

**BE IT RESOLVED THAT** Council authorizes all Council members, Reeve, Fire Chief, Deputy Fire Chief, & CAO to attend the Coffee with Council in Rennie on Saturday, September 14, 2024 at the Rennie Community Club and Coffee with Council in Prawda on Saturday, November 2, 2024 at the Reynolds Community Club.

**AND BE IT RESOLVED THAT** all eligible expenses be approved.

**CARRIED**

**10.3 Legal Representation**

**Res. 24/163 M/S** Councillor Zalitach/ Councillor Stelmack

**BE IT RESOLVED THAT** Council does hereby appoint Thompson Dorfman Sweatman LLP as Legal Counsel for the RM of Reynolds.

**CARRIED**

**10.4 Fire Fighter Appointment**

**Res. 24/164 M/S** Councillor Zalitach/ Councillor Stelmack

**WHEREAS** By-Law 08-2022, section 5.2 - After four training or fire practices the Fire Chief may recommend in writing to Council for member appointment;

**AND WHEREAS** Fire Chief Don McDougall has submitted a recommendation to Council to appoint Fire Fighter Kieran McDougall;

**BE IT RESOLVED THAT** Council authorizes Fire Chief Don McDougall to appoint Kieran McDougall as a member of the Reynolds Fire Department as of May 15, 2024

**CARRIED**

**10.5 RM of Ste. Anne - Memorandum of Understanding**

**Res. 24/165 M/S** Councillor Zalitach/ Councillor Stelmack

**BE IT RESOLVED THAT** Council hereby authorizes the Reeve and CAO to sign the Memorandum of Understanding with the RM of Ste Anne

**AND FURTHER BE IT RESOLVED THAT** the Fire Chief be appointed as the primary contact in the communication list.

**CARRIED**

**11 FINANCIAL / ACCOUNTS**

**11.1 Combined A/P Payroll Cheque Register Report**

**Res. 24/166 M/S** Deputy Reeve Webster/ Councillor Thurston

**BE IT RESOLVED** that cheques numbered 24293 to 24321 including the Electronic Fund Transfer payments, for a total payment of \$200,640.64 be hereby approved for payment on this day.

**CARRIED**

**11.2 Inv. 23901 - Add to Roll #0081400.000**

**Res. 24/167 M/S** Deputy Reeve Webster/ Councillor Thurston

**WHEREAS** Invoice number 23901 was sent for Fire Call FC 39-23 on November 23, 2023 and the invoice has not been paid;

**THEREFORE BE IT RESOLVED THAT** Council authorizes the CAO to add \$3,945.00 plus interest at a rate of 1.25% to Roll #0081400.000.

**CARRIED**

**11.3 Fencing Fees - Inv. 23957 - Add to Roll 0196700.000**

**Res. 24/168 M/S** Deputy Reeve Webster/ Councillor Thurston

**WHEREAS** Invoice 23957 was sent to Roll #0196700.000 to recoup costs for the security fence for March 12 - April 8, 2024 and the invoice has not been paid;

**THEREFORE BE IT RESOLVED THAT** Council authorizes the CAO to add \$597.70 to Roll 0196700.000.

**CARRIED**

**12 CORRESPONDENCE**

**12.1 Association of Manitoba Municipalities - Education Workshop**

**12.2 2024 Association of Manitoba Municipalities June Eastern District Meeting**

**Res. 24/169 M/S** Deputy Reeve Webster/ Councillor Thurston

**WHEREAS** the 2024 June Eastern District Meeting of Association of Manitoba Municipalities is on June 18, 2024, located at Lac du Bonnet Community Centre, 25 McArthur Avenue, Lac du Bonnet, Manitoba.

**BE IT RESOLVED THAT** Council authorizes the Reeve, CAO, and all Council Members to attend the meeting and all eligible expenses be approved.

**CARRIED**

**12.3 June District Resolution - RM of Reynolds - Hydro Connection to Vacant Property**

**Res. 24/170 M/S** Councillor Thurston/ Councillor Huzel

**WHEREAS** Travel Trailers, RVs and similar recreational vehicles are becoming more common in Rural areas on privately owned lots and being used as permanent campsites;

**AND WHEREAS** access to a hydro connection makes this much more desirable;

**AND WHEREAS** the Rural Municipality of Reynolds Zoning By-Law states that travel trailers including motor homes, tent trailers, and similar recreational vehicles are not for long-term residential occupation;

**AND WHEREAS** a building permit is required to be obtained from the RM prior to any construction on a property;

**AND WHEREAS** Manitoba hydro has been providing services to properties that do not have a building permit or have illegally occupied the property;

**THREFORE BE IT RESOLVEDTHAT**AMM Lobby Manitoba Hydro to Include as part of the application process to contact the municipality when a residential service request has been submitted to determine if a building permit has been issued for an approved dwelling;

**AND FURTHER BE IT RESOLVED** that if a building permit has not been issued the application for hydro connection be denied.

**CARRIED**

**12.4 June District Resolution - RM of Reynolds - Northeast Red Watershed District Expansion**

**Res. 24/171 M/S** Councillor Thurston/ Councillor Huzel

**WHEREAS** in the year 2020, the Manitoba provincial government expanded the boundaries of the former Cooks Creek Conservation District to include the municipalities of Springfield, Tache, Ste Anne, Brokenhead, Lac Du Bonnet, St Clements, and Reynolds;

**AND WHEREAS** the expanded watershed district was re-named the "Northeast Red Watershed District";

**AND WHEREAS** the expansion into the municipality of Reynolds did not include the entire municipality;

**AND WHEREAS** the included part of the municipality of Reynolds does include that municipalities portion of the Brokenhead river and Hazel Creek;

**AND WHEREAS** the excluded portion of the municipality does exclude the Whitemouth

River, Birch River, and the Boggy River and does exclude almost all of the current agricultural community;

**AND WHEREAS** the excluded portion of the municipality prevents the municipality from utilizing the Levy charged to the municipality for membership in the NRWD, to participating in current and future watershed programs and activities;

**AND WHEREAS** these excluded areas and the rivers and the agricultural communities include almost all of the Watershed program and activity opportunities that could be available to the municipality;

**THEREFORE BE IT RESOLVED THAT** the Rural Municipality of Reynolds requests that the AMM does lobby the Minister of Environment and Climate Change and the Minister of Economic Development, Investment, and Trade, and Natural Resources, and the Premier of the Manitoba provincial government to immediately adjust the eastern border of the Northeast Red Watershed District to include the entire municipality of Reynolds, which will allow the residents and agriculture communities of the municipality to participate in current and future watershed programs aimed at improving our waterways, and agricultural methods, and environmental sustainability.

**CARRIED**

## **12.5 June District Resolutions - Request for Support**

### **12.5.1 June District Resolutions - Manitoba Liquor and Lotteries Eligibility**

**Res. 24/172 M/S** Councillor Thurston/ Councillor Huzel

**WHEREAS** rural small businesses play vital roles within communities by offering diverse services and products to fulfill local demands, thereby contributing to the economic foundation of the area;

**AND WHEREAS** the Association of Manitoba Municipalities (AMM) recognizes the value that rural small businesses provide to the people, organizations, and the local economy;

**AND WHEREAS** Manitoba Liquor and Lotteries allows existing rural businesses to apply for a retail liquor license, but limits new applications to locations at least 15 km away from current rural liquor vendors thereby prohibiting businesses within 15 km of another liquor vendor from applying for a vendor license;

**AND WHEREAS** the current permit criteria does not consider factors like seasonal population increases, or the significant transportation barriers between urban and rural access to vendors;

**AND WHEREAS** it is possible for a community to support two such vendors in proximity that is closer than 15 km;

**THEREFORE, BE IT RESOLVED** that the AMM will encourage the Manitoba Government to review the current Manitoba Liquor and Lotteries eligibility criteria for rural businesses applying to become retail liquor vendors, with the goal of expanding the criteria and modifying the application process to include comprehensive community assessments and the consideration of support from local municipal councils, community organizations, and ratepayers when determining eligibility.

**CARRIED**

### **12.5.2 June District Resolutions - Drain Maintenance**

**Res. 24/173 M/S** Councillor Thurston/ Councillor Huzel

**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 backup 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**

### **12.5.3 June District Resolutions - Crown Lands**

**Res. 24/174 M/S** Councillor Thurston/ Councillor Huzel

**WHEREAS** the RM of Ste. Anne 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 PR302 (29-8-SE & 19-7-SE), among others;

**AND 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 fire-arms, 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 behaviors 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**

**12.5.4 June District Resolutions - Maximum Fines**

**Res. 24/175 M/S** Councillor Thurston/ Councillor Huzel

**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 by-law 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**

**12.6 Letter from Honourable Ian Bushie**

**12.7 Special Services Levies letter to the MB Gov - RM of Riding Mountain**

**12.8 RM of Springfield - Zoning By-Law Amendment 24-07 - Agricultural Preserve Area to Rural Residential**

**12.9 Town of Ste. Anne Annexation Proposal**

**12.10 Rogers Communication Tower - Ste. Rita**

**12.11 Petition Received May 13, 2024**

**13 AGENDA ADDITIONS**

**14 NOTICE OF MOTIONS**

**15 IN CAMERA**

**15.1 Move In Camera**

**Res. 24/176 M/S** Councillor Thurston/ Councillor Huzel

**BE IT RESOLVED** that Council now move "In Camera" as per Section 152(3) of The Municipal Act to discuss **Legal Matters**;

**AND BE IT FURTHER RESOLVED** that all matters discussed while in Camera are to remain confidential as per Section 83(1)(d) of The Municipal Act.

**CARRIED**

**15.1.1 Legal Matters 1**

**15.2 Move Out of Camera**

**Res. 24/177 M/S** Councillor Thurston/ Councillor Huzel

**BE IT RESOLVED** that as per Section 152(4) of the Municipal Act, Council now re-opens the meeting to the public;

**AND BE IT FURTHER RESOLVED** that all matters discussed are to remain confidential as per Section 83(1)(d) of the Municipal Act.

**CARRIED**

**16 ADJOURNMENT**

**Res. 24/178 M/S** Councillor Thurston/ Councillor Huzel

**BE IT RESOLVED** that the next Regular Council Meeting be held on May 28, 2024;

**AND BE IT FURTHER RESOLVED** that Council does now adjourn at 7:50 pm.

**CARRIED**

**Russ Gawluk, Reeve**

**Kim Furgala, CMMA, CMML  
Chief Administrative Office**