RURAL MUNICIPALITY OF WHITEMOUTH

Minutes of the regular meeting of Council held on May 14, 2024, at 1:00 p.m., in the Council Chambers of the Rural Municipality of Whitemouth.

Present: Reeve Amerongen, Deputy Reeve Honke, Councillors McDougald, Staerk,

Stead and Chief Administrative Officer Johnson

Reeve Amerongen called the meeting to order at 1:00 p.m.

Reading and Confirming of Agenda and Minutes:

Moved by Stead and seconded by Staerk

107/24 **WHEREAS** the agenda for this regular meeting has been reviewed by Council:

NOW THEREFORE BE IT RESOLVED THAT the agenda shall be adopted as amended.

For: All

Against: None

CARRIED

Moved by Honke and seconded by Staerk

108/24 **WHEREAS** the minutes of their regular meeting held on April 23, 2024, have been submitted to Council for their review; **NOW THEREFORE BE IT RESOLVED THAT** these minutes be

adopted as presented.

For: All

Against: None

CARRIED

Financial:

1. Payment of Accounts

Moved by McDougald and seconded by Honke

109/24 WHEREAS the following items have been submitted for approval of

payments: Cheque No. 24905 to 24971

Electronic Payments EFT 7879 to 7903

Cheque Nos. 28 & 29

NOW THEREFORE BE IT RESOLVED THAT payments be approved for an amount not to exceed \$293,515.81, of which \$4,779.04 is Child Care Project expense.

For: All

Against: None

CARRIED

Moved by Staerk and seconded by Stead

110/24 **WHEREAS** the following items have been submitted for approval of payment: Electronic Fund Transfers 7904 and 7905

NOW THEREFORE BE IT RESOLVED THAT payments be approved for an amount not to exceed \$2,676.47.

For: All

Against: None

CARRIED

Prior to any discussion on Resolution 110/24, Reeve Amerongen and Deputy Reeve Honke requested permission to be excused from all discussions. They left and did not return to the meeting until the resolution was completed.

Moved by Honke and seconded by Staerk

111/24 **WHEREAS** the following items have been submitted for approval of payment: Electronic Fund Transfers 7911 to 7923

NOW THEREFORE BE IT RESOLVED THAT payments be approved for an amount not to exceed \$5,022.41.

For: All

Against: None

CARRIED

Prior to any discussion on Resolution 111/24, Councillor Stead requested permission to be excused from all discussions. He left and did not return to the meeting until the resolution was completed.

2. Financial Statements ending April 30, 2024.

Moved by Stead and seconded by Staerk

112/24 **BE IT RESOLVED THAT** the financial statements ending April 30, 2024,

be hereby adopted as circulated.

For: All

Against: None

CARRIED

Public Works Update: April 22, 2024

Utility Report: April 30, 2024

Building Inspector: April 30, 2024

By-Law Officer: March 31, 2024

Reports of Committees:

- Community Futures Winnipeg River re: minutes of March 25, 2024; and

- Two Rivers Service to Seniors re: minutes of March 21, 2024.

Verbal Reports of Committees:

Councillor McDougald reported on Whitemouth Childcare; Deputy Reeve Honke on Rural Forum and an emergency Two Rivers Service to Seniors meeting; Reeve Amerongen on Rural Forum, the Whitemouth Emergency Response Team, Whitemouth Childcare and the Seven Sisters Family Shooting Day.

Delegations:

1:30 p.m. Cst Taylor re: Fraud Presentation – not available.

1:45 p.m. Grant Kurian, Jim Blaney, and Tim North attended to express their concern on the new fees implemented at the Whitemouth Reynolds North Whiteshell Waste Management Facility. Reeve Amerongen advised that this is a joint venture between our municipality, the Rural Municipality of Reynolds and the Province of Manitoba. Communication was received from the delegation and permission granted to share with the Whitemouth Reynolds North Whiteshell Waste Management Facility Committee for them to review and advise back. Tabled.

2:00 p.m. Shaun Thompson and Candice Bakx-Friesen purchase of land. Referred to In Camera discussions.

Communications:

- 1. Emergency Management Organization re: Approval of 2024 Emergency Plan. Noted.
- 2. S/Sgt Meyers re: Quarterly RCMP report and offer to attend Council. Council requested S/Sgt Meyers attend Council for an update as offered. Tabled.
- 3. Whitemouth Emergency Response Team re: conference & new member Moved by Honke and seconded by McDougald
- 113/24 **WHEREAS** the Manitoba Association of Municipal Emergency Coordinators Conference will be held on June 18, 2024, in Winnipeg, Manitoba;

NOW THEREFORE BE IT RESOLVED THAT 4 members of the Whitemouth Emergency Response Team be hereby authorized to attend same;

AND BE IT FURTHER RESOLVED THAT they are reimbursed as per municipal by-laws.

For: All

Against:

None

CARRIED

Moved by Honke and seconded by Stead

114/24 **WHEREAS** the Whitemouth Emergency Response Team requires a member;

NOW THEREFORE BE IT RESOLVED THAT Kate Reid-Thorpe be hereby appointed to the Whitemouth Emergency Response Team.

For: All

Against: None

CARRIED

4. Murray Barkman – request to hook onto municipal water and sewer for Roll No. 86790

Moved by Honke and seconded by Stead

115/24 **WHEREAS** a request and deposit to hook onto our municipal water and sewer has been received from Murray Barkman;

AND WHEREAS this property is Lot 4 of Block 1 of Plan No. 34834 WLTO, and identified by assessment roll number 86790;

NOW THEREFORE BE IT RESOLVED that this request be hereby approved;

AND BE IT FURTHER RESOLVED THAT the appropriate fees be paid in full to the municipality for the connection, prior to the installation by the contractor.

For: All

Against: N

None

CARRIED

5. Manitoba Infrastructure and Transportation re: housekeeping to finalize their 1964 Agreement.

Moved by Honke and seconded by Stead

116/24 **WHEREAS** the Manitoba Consumer Protection and Government Services-Asset Management Real Estate Services Branch requires that an Agreement be signed to finalize an Agreement which was not fully executed for By-Law No. 12/64;

NOW THEREFORE BE IT RESOLVED THAT Reeve Amerongen and Chief Administrative Officer Johnson be hereby directed to sign same on behalf of the Rural Municipality of Whitemouth.

For: All

Against: None

CARRIED

- 6. Darrin Klann re: offer to purchase municipal land Referred to In Camera
- 7. Association of Manitoba Municipalities re: District Resolution Protocol. Noted.
- 8. Rural Municipality of West Interlake request for resolution support regarding snow removal by Manitoba Infrastructure and Transportation Moved by Honke and seconded by Stead
- 117/24 **WHEREAS** Main Streets, especially the portions falling within local government jurisdiction, are under the purview of Manitoba Transportation and Infrastructure (MTI); and

WHEREAS it is within MTI's mandate to ensure proper maintenance of roads, including snow removal, for the safety and convenience of the general public; and

WHEREAS certain Main Streets that are not designated as part of the Provincial Trunk Highway system are not given priority for snow removal, adversely impacting businesses and residents reliant on these routes:

THEREFORE, BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to prioritize the snow removal operations on all Main Streets within municipalities, irrespective of their designation as part of the PTH; and

FURTHER BE IT RESOLVED THAT the AMM lobby the Province of Manitoba to formulate a mutually agreeable protocol with all local governments to address this issue effectively.

For: All

Against:

None

CARRIED

9. Lieutenant Governor re: Public Speaking Series at the Government House.Noted.

- 10. Education and Early Childhood Learning re: Child Care Initiative won Project of the Year. Noted.
- 11. Rural Municipality of Lac du Bonnet request for resolution support regarding Manitoba Liquor and License Vendors.

Moved by McDougald and seconded by Stead

118/24 **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.

For: All Against: None CARRIED

- 12. Manitoba Good Roads re: nomination forms. Tabled.
- 13. Rural Municipality of Ste. Anne re: request for support for resolutions regarding 1.Municipal By-Law Enforcement Regulations, 2.Municipal to Provincial Drainage Systems, and 3. Improper/Uncontrolled Use of Crown Lands

Moved by McDougald and seconded by Honke

119/24 **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.

For: All Against: None CARRIED

Moved by Honke and seconded by Stead

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 dependant 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.

For: All Against: None CARRIEI

Moved by Honke and seconded by Staerk

121/24 **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 (29-8-8E & 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.

For: All Against: None CARRIED

- 14. North Eastern Municipal Forum re: various reports for Monday's meeting. Noted.
- 15. Municipal and Northern Relations re: Manitoba School Tax Rebate. Noted.
- 16. Whitemouth Child Care Centre Inc. Children re: thank you to Council. Noted.
- 17. Eastman Juried Art Show invitation to Gala. Noted.

18. Rural Municipality of Alexander – request for resolution support regarding Spring Weight Restrictions on designated Municipal Roads

Moved by Stead and seconded by McDougald

122/24 **WHEREAS** the Rural Municipality of Whitemouth has enacted a Bylaw to regulate traffic and the use of streets and roads during Spring Weight Restrictions;

AND WHEREAS it is cost prohibitive to provide staffing to monitor and enforce restricted municipal roads under the By-law;

AND WHEREAS it is cost prohibitive to purchase and maintain the equipment (scale) required to verify the weight of vehicles travelling on weight restricted municipal roads;

AND WHEREAS the municipality does not have the ability to issue fines based off of weight without a calibrated scale;

AND WHEREAS the Province of Manitoba has already established the Manitoba Motor Carrier Enforcement Officers (MCEO's) to enforce the Provincial Spring Weight Restrictions on Provincial Highways;

AND WHEREAS the MCEO's will not currently assist municipalities with spring restrictions enforcement on designated municipal roads when assistance is requested;

AND WHEREAS the Province of Manitoba has restricted more Provincial Highways, causing more traffic to be diverted to municipal roads destroying them at the cost of the municipality;

THEREFORE BE IT RESOLVED that AMM lobby the Manitoba Government to assist municipalities by enabling MCEO's to aid in enforcing Spring Weight Restrictions on designated municipal roads; AND BE IT FURTHER RESOLVED that a review of the Provincial

Regulation be performed to provide a standardized set of rules and regulations for restricted roads for municipalities to all follow.

For: All Against: None CARRIED

19. Steven McAlpine re: offer to purchase municipal land - Referred to In Camera

Unfinished Business:

- 1. Lagoon ongoing Tabled.
- 2. Waterline South of Elma confirmation fund raising is acceptable. Information to be shared. Tabled.
- 3. MLA Ewasko re: Childcare Funding meeting on May 13, 2024. Meeting completed.
- 4. Annexation Tabled
- 5. Animal By-Law re: number of dogs By-Law Officer input requested. Tabled.
- 6. Whitemouth Grocer request for liquor sales update re: Minister Simard called April 5, 2024 Share resolution going to the Association of Manitoba Municipalities. Tabled.
- 7. Seven Sisters Falls Community Centre tax exemption by-law. Legal opinion received, and to be shared with them.
- 8. By-Law No. 758/24 re: utility rates awaiting Public Utilities Board response. Tabled.
- 9. Whitemouth Child Care Centre Inc. re: on-site meeting and update. Noted.
- 10. Minister of Municipal and Northern Relations re: request for participation in independent study on inclusion. Noted.
- 11. Commercial Lots in Seven Sisters Falls square footage comparisons to Whitemouth Industrial Park. Referred to In Camera

New Business:

- 1. Councillor McDougald re: personnel referred to In Camera
- 2. Building Permit timeframes Tabled.
- 3. Deputy Reeve Honke re: lights for fire fighters. Tabled.
- 4. By-Law No. 759/24 re: Short Term Rental. Tabled.
- 5. Driving Tour Check. Noted.
- 6. Picnic Shelter at the Whitemouth Recreation Centre Grounds to be moved to the River Hills Beach.
- 7. Noise By-Law Council directed Administration to have the by-law reviewed by their Municipal Solicitor. Tabled.

In Camera:

Moved by Staerk and seconded by McDougald

123/24 **BE IT RESOLVED THAT** Council recess the Regular meeting and go "In Camera" as per Section 152(3) of The Municipal Act to discuss the following item: Negotiations/Legal

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

For: All Against: None CARRIED

Moved by Staerk and seconded by Stead

124/24 **BE IT RESOLVED THAT** as per Section 152(4) of The Municipal Act Council does hereby now re-open the meeting to the public.

For: All Against: None CARRIED

Moved by Stead and seconded by Staerk

125/24 **WHEREAS** the Rural Municipality of Whitemouth has lots available for sale in the Seven Sisters Commercial Lots of Plan No. 59808;

NOW THEREFORE BE IT RESOLVED THAT Lots 9 to 16 inclusive be put up for sale for \$20,000.00 per lot;

AND BE IT FURTHER RESOLVED THAT Lots 2 to 8 inclusive be put up for sale for \$12,000.00 per lot;

AND BE IT FURTHER RESOLVED THAT all sales are on the condition that buyers have access to their property and road construction will be ongoing.

For: All Against: None CARRIED

Administration was directed to offer each prospective purchaser from the highest offer received to the lowest for first choice on lot purchases commencing from the East to West on Natalie Lake Drive to accommodate infrastructure works.

Adjournment:

Moved by Staerk and seconded by Stead

126/24 **BE IT RESOLVED THAT** the regular business has concluded and this meeting does hereby adjourn at 3:42 p.m.

For: All

Against: None

CARRIED

Reeve

Chief Administrative Officer