



Rural Municipality of Whitehead

Meeting Minutes

Regular Meeting of Council April 8, 2024 - 05:30 PM (RM Office)

In attendance: Reeve Trevor Tuttosi, Councillor Dennis Foerster, Councillor Kevin Klassen, Councillor Kaley Mykula, Councillor Jeff Owens, Councillor Chris Semeschuk and Councillor Curtis Storey

1 CALL TO ORDER

None

2 ADOPTION OF THE AGENDA

2024-057

Councillor Mykula
Councillor Storey

Resolved that the Agenda be adopted as presented.

CARRIED UNANIMOUSLY

3 ADOPTION OF MINUTES AS CIRCULATED

2024-058

Councillor Klassen
Councillor Owens

Resolved that the minutes from March 1, 2024 and March 11, 2024 be approved as presented.

CARRIED UNANIMOUSLY

4 PUBLIC HEARINGS

2024-059

Councillor Semeschuk
Councillor Mykula

Be it resolved that the regular meeting of council be recessed to allow council to hold a Public Hearing to receive representations for any person who wishes to make them in respect to the following:

Subdivision Application 4202-23-8583 - Fergusson

CARRIED UNANIMOUSLY

4.1 Subdivision 4202-23-8583 - Fergusson - NE19-10-21 W

2024-060

Councillor Storey
Councillor Foerster

Whereas all representatives in regard to matters listed below have been dealt with:

Subdivision Application 4202-23-8583 - Fergusson - NE19-10-21 W

Therefore be it resolved that the public hearing be concluded and open the next Public Hearing:

V2024-01 - Tess Manning - SE12-9-21 W - To allow for an accessory use building to exceed the area of the dwelling.

CARRIED UNANIMOUSLY

- 2024-061 **4.2 Variance V2024-01 - Tess Manning - SE12-9-21 W**
Councillor Owens
Councillor Klassen
- Whereas all representatives in regard to matters listed below have been dealt with:
- V2024-01 - Tess Manning - SE12-9-21 W - To allow for an accessory use building to exceed the area of the dwelling.
- Therefore be it resolved that the public hearing be concluded, and open the next Public Hearing:
- Conditional Use CO2024-02 - Alair Homes - SE 21-10-22 - To allow a farm dwelling located in the "AG" Agricultural Zone **CARRIED UNANIMOUSLY**
- 2024-062 **4.3 Conditional Use CO2024-02 - Alair Homes - SE 21-10-22**
- Whereas all representatives in regard to matters listed below have been dealt with:
- Conditional Use CO2024-02 - Alair Homes - SE 21-10-22 - To allow a farm dwelling located in the "AG" Agricultural Zone
- Therefore be it resolved that the public hearing be concluded, and open the next Public Hearing:
- Conditional Use CO2024-03 - Alair Homes - SW 10-10-22 - To allow a non-farm dwelling located in the "AG" Agricultural Zone
- 2024-063 **4.4 Conditional Use CO2024-03 - Alair Homes - SW 10-10-22**
Councillor Foerster
Councillor Mykula
- Whereas all representatives in regard to matters listed below have been dealt with:
- Conditional Use CO2024-03 - Alair Homes - SW 10-10-22 - To allow a non-farm dwelling located in the "AG" Agricultural Zone
- Therefore be it resolved that the public hearing be concluded, and Council resume its normal order of business.
- Time: 5:46 p.m. **CARRIED UNANIMOUSLY**
- 5 DELEGATIONS**
- 2024-064 **5.1 Regional Cabinet Office - Jason Gobeil**
Reeve Tuttosi
Councillor Mykula
- That the presentation by Jason Gobeil be received.
- CARRIED UNANIMOUSLY**
- 2024-065 **5.2 GovFox Municipal Consulting - Cheryl Christian**
Councillor Mykula
Councillor Storey
- That the presentation by Cheryl Christian with respect to the RM of Whitehead's strategic plan be received.
- CARRIED UNANIMOUSLY**

6 BYLAWS AND POLICIES

2024-066 **6.1 Aggregate Mining and Transportation By-law 2024-03 - 3rd Reading**
 Councillor Klassen
 Councillor Storey

That By-Law No. 2024-03 - To amend the Aggregate Mining and Transportation By-Law be read a third and final time

In accordance with Section 137 of the Municipal Act, a recorded vote was taken in the motion to give by-law no. 2024-03 third reading.

Name	Yes	No	Abstained	Absent
Dennis Foerster	✓			
Kevin Klassen	✓			
Kaley Mykula	✓			
Jeff Owens	✓			
Chris Semeschuk	✓			
Curtis Storey	✓			
Trevor Tuttosi	✓			

CARRIED UNANIMOUSLY

2024-067 **6.2 Organizational Amending By-law 2024-02 - 3rd Reading**
 Councillor Semeschuk
 Councillor Storey

That By-Law No. 2024-02 - To amend the Organizational By-Law be read a third and final time

In accordance with Section 137 of the Municipal Act, a recorded vote was taken in the motion to give by-law no. 2024-02 third reading.

Name	Yes	No	Abstained	Absent
Dennis Foerster	✓			
Kevin Klassen	✓			
Kaley Mykula	✓			
Jeff Owens	✓			
Chris Semeschuk	✓			
Curtis Storey	✓			
Trevor Tuttosi	✓			

CARRIED UNANIMOUSLY

2024-068 **6.3 2024 Tax Levy By-law 2024-05 - 1st Reading**
 Councillor Storey
 Councillor Owens

That By-Law No. 2024-05 - 2024 Tax Levy By-Law be given first reading.

CARRIED UNANIMOUSLY

2024-069 **7 ACCOUNTS**
 Councillor Owens
 Councillor Klassen

Resolved that the List of Accounts as paid for March, cheques numbers #15723 to #15774 (both inclusive) totaling \$107,927.49 and Direct Deposit Register totaling \$26,982.53 including council indemnity as per by-law no. 2023-01 be approved.

CARRIED UNANIMOUSLY

2024-070 **7.1 Bank Reconciliation**
 Councillor Foerster
 Councillor Storey

Resolved that the February 2024 Bank Reconciliation be approved as presented.

CARRIED UNANIMOUSLY

8 CORRESPONDENCE

None

9 SUBDIVISION

2024-071 **9.1 Subdivision 4202-23-8583 - Fergusson - NE19-10-21 W**
 Reeve Tuttosi
 Councillor Owens

Whereas Warren Barber on behalf of AJC Fergusson Farms LTD. registered owners of NE 19-10-21 W (156.06 acres) made an application for subdivision.

The intent of the application is to sever a 32 acre parcel on the east part of NE19-10-21W which contains the remnants of an existing dwelling and grain bins. The yard site is serviced by a holding tank and municipal piped water.

Therefore, be it resolved that Subdivision File No. 4202-23-8583 be approved with the following conditions:

- 1 - That the applicant obtain approval for a conditional use application to allow for a non-farm dwelling in the AG Zone
- 2 - That the applicant obtain a variance order to increase the allowable site area for Proposed Parcel A from 10 acres to 31.3 acres to ensure compliance with the Zoning By-law;
- 3 - That a Development Agreement; prepared by the municipal solicitor at the expense of the applicant, be signed and placed on the resulting title requiring the existing machinery road be built up to all-weather standards if an attached laneway were to ever be built
- 4 - That the \$105.00 subdivision application fee for a single lot be paid to the Rural Municipality of Whitehead
- 5 - That a financial levy of \$750.00 be made to the Rural Municipality of Whitehead Fire Capital Reserve Fund By-law No. 2111 for the creation of a new title.
- 6- That any new or restored survey monuments required due to the subdivision are to be paid by the applicant.

CARRIED UNANIMOUSLY

10 UNFINISHED BUSINESS

11 NOTICE OF MOTION

12 NEW BUSINESS

2024-072 **12.1 Variance V2024-01 - Tess Manning - SE12-9-21 W**
 Councillor Mykula
 Councillor Storey

Whereas Tess Manning has applied for a variance order to allow for an accessory use building to exceed the area of the dwelling.

And whereas a public hearing was held this day to hear any representation for or against the application.

Therefore Be it Resolve that Variance Order V2024-01 be approved.

Reeve Trevor Tuttosi abstained from the vote

CARRIED

2024-073 **12.2 Conditional Use CO2024-02 - Alair Homes - SE 21-10-22**
 Councillor Klassen
 Councillor Storey

Whereas Alair Homes has applied for a conditional use to allow a farm dwelling located in the "AG" Agricultural Zone.

And whereas a public hearing was held this day to hear any representation for or against the application.

Therefore Be it Resolve that Conditional Use application CO2024-02 be approved.

CARRIED UNANIMOUSLY

2024-074 **12.3 Conditional Use CO2024-03 - Alair Homes - SW 10-10-22**
 Councillor Semeschuk
 Councillor Klassen

Whereas Alair Homes has applied for a conditional use to allow a non-farm dwelling located in the "AG" Agricultural Zone.

And whereas a public hearing was held this day to hear any representation for or against the application.

Therefore Be it Resolve that Conditional Use application CO2024-03 be approved with the following conditions:

1. That a Development Agreement; prepared by the municipal solicitor at the expense of the applicant, be signed and placed on the title to prevent further rural residential/non agricultural buildings.
2. Should a new approach be required for access to the AG lands, a new approach would require approval from Council in accordance with the RM of Whitehead access/approach policy at the expense of the applicant and added to the Development Agreement.

CARRIED UNANIMOUSLY

2024-075 **12.4 Appointment of Deputy Reeve**
 Reeve Tuttosi
 Councillor Storey

Resolved that Councillor Jeff Owens is now appointed as the Deputy Reeve.

CARRIED UNANIMOUSLY

Discussion **12.5 AMM Resolutions**

2024-076 **12.6 2024 Gravel Hauling Tender**
 Councillor Foerster
 Councillor Storey

Whereas the 2024 Gravel Hauling Tender was posted on March 14, 2024 with a submission deadline of March 22, 2024 at 4:00 p.m.
 And whereas one submission was received:

- Bluestar Construction LTD
- A. Loading from Stockpile(s): \$1.00 per cubic yard
 - B. Hauling and Spreading Flat Rate: \$10.25 per cubic yard

Therefore be it resolved that Bluestar Construction LTD be awarded the 2024 Gravel Hauling Tender.

CARRIED UNANIMOUSLY

Discussion **12.7 MWSB Project Funding Request**

13 COMMITTEE AND BOARDS REPORTS

2024-077
13.1 Infrastructure Committee

Councillor Klassen
Councillor Mykula

Whereas in October 2022, unauthorized drainage work on municipal property by adjacent property owner Jack Amos, caused damage to municipal ditches at several locations and damaged a culvert at Road 122W and 52N south of the railway tracks.

And Whereas the damaged culvert had been replaced with costs of same being invoiced to the property owner and subsequently placed on the associated tax roll number.

And Whereas the property owner has met with the Infrastructure Committee Chair and Reeve of the RM of Whitehead to consider a resolution to the outstanding invoice and damage to municipal property.

Therefore, be it resolved that David Amos has agreed to resolve the outstanding damage to RM property by July 15, 2024 and that the RM of Whitehead has committed to removing the outstanding balance from the tax roll number and invoice the Estate of John (Jack) Amos for a total of \$2000.00 upon completion of same.

Councillor Chris Semeschuk removed himself from Council chambers prior to discussion and abstained from the vote. **CARRIED**

2024-078
14 IN CAMERA

Councillor Semeschuk
Councillor Klassen

BE IT RESOLVED THAT this regular meeting now adjourns to an "in camera" meeting to discuss matters in the preliminary stages as per Subsection 152(3)(b)(iii) of The Municipal Act and all matters discussed in-camera are confidential until discussed in an open meeting as per Section 83(1)(d) of The Municipal Act. **CARRIED UNANIMOUSLY**

2024-079
14.1 Personnel & Legal Matters
14.2 BACK TO OPEN SESSION

Reeve Tuttosi
Councillor Mykula

BE IT RESOLVED THAT this 'in camera' meeting does now resume back to a regular meeting. **CARRIED UNANIMOUSLY**

2024-080
15 Adjournment

Councillor Foerster
Reeve Tuttosi

Resolved that we now adjourn to meet again on April 29, 2024 at 6pm for the Financial Plan Public Hearing or at the call of the Reeve.

Time: 9:23 p.m. **CARRIED UNANIMOUSLY**

Reeve

Chief Administrative Officer

DRAFT