

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on February 7, 2023 at 9:00 a.m. at the Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Councillors Bill Fast and Meghan Beasant.

Res#25-23 Excuse	B. Fast – M. Beasant BE IT RESOLVED that Deputy Mayor Chris Wiebe and Councillor Nathan Dueck be excused due to personal commitments. “Carried”
Res#26-23 Agenda	M. Beasant – B. Fast BE IT RESOLVED that the agenda be approved subject to the following deletion: New Business: 11 c) Development Fees Update. “Carried”
Res#27-23 Minutes	M. Beasant – B. Fast BE IT RESOLVED that the minutes of the regular Council meeting held on January 17, 2023, be approved as presented. “Carried”
Res#28-23 Table Agenda	B. Fast – M. Beasant BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with <i>The Planning Act</i> to hold the Public Hearing for Conditional Use C3-23 for Lot 14 Plan 61759, civically known as 460 Kuzenko Street. “Carried”
Res#29-23 Resume	B. Fast – M. Beasant BE IT RESOLVED that the Public Hearing for Conditional Use C3-23 be closed and Council resume its former order of business (9:06 a.m.). “Carried”
Res#30-23 C3-23	B. Fast – M. Beasant WHEREAS a Public Hearing was held regarding Conditional Use C3-23, an application from Bryan Trottier on behalf of 6183728 Manitoba Ltd. to allow for rental units to accommodate construction trades on Lot 14 Plan 61759, civically known as 460 Kuzenko Street in the Niverville Business Park; AND WHEREAS there was no opposition received to the proposal; THEREFORE BE IT RESOLVED that Council approves Conditional Use C3-23 to allow for rental units to accommodate construction trades on Lot 14 Plan 61759, civically known as 460 Kuzenko Street in the Niverville Business Park, subject to the property owner entering into a Development Agreement with the Town. “Carried”
Res#31-23 A2-23	M. Beasant – B. Fast BE IT RESOLVED that Council adopts an Abuse & Molestation Policy A2-23, which stresses the importance of the Town’s commitment to an environment free from abuse, by educating individuals about abuse, outlining how the Town will work to prevent abuse, and how abuse or suspected abuse can be reported and addressed by the Town, with a copy attached as Schedule “A”. “Carried”

Mayor Dyck noted how he is looking forward to attending Niverville Elementary School on February 21st for "I Love to Read" activities and further noted that the first Capital Planning Region meeting is to occur in March.

Res#32-23
Accounts

B. Fast – M. Beasant
BE IT RESOLVED that cheque nos. 42358 to 42451 totalling \$494,884.18 be hereby approved for payment.

"Carried"

Res#33-23
BL 849-23
1st Reading

B. Fast – M. Beasant
BE IT RESOLVED that Council gives first reading to Bylaw 849-23, a bylaw to regulate activities on the frozen surfaces of waterways within the Town.

"Carried"

Res#34-23
Tax Sale

B. Fast – M. Beasant
BE IT RESOLVED that in accordance with Section 365(2) of *The Municipal Act*, that Council designate 2021 as the designated year for tax sale and that all properties in tax default for 2020 or earlier be offered for sale by auction on December 19, 2023 to recover the tax arrears and costs.

"Carried"

Res#35-23
Nighthawks
Grant

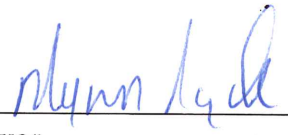
M. Beasant – B. Fast
WHEREAS citizens have donated funds to support the Niverville Nighthawks Legacy Capital;
AND WHEREAS the Niverville Nighthawks are owned by the Niverville Junior A Hockey Club, a community-owned not for profit hockey organization representing Niverville and region;
THEREFORE BE IT RESOLVED a grant in the amount of \$78,000.00 representing donations received for the Niverville Nighthawks Legacy Capital be provided to the Niverville Junior A Hockey Club Inc.

"Carried"


Res#36-23
Adjourn

M. Beasant – B. Fast
BE IT RESOLVED that the meeting be adjourned. (9:16 a.m.)

"Carried"



Mayor



Chief Administrative Officer

Schedule “A”



TOWN OF NIVERVILLE-ADMINISTRATION

POLICY NO. A2-23:	<u>Abuse & Molestation Policy</u>		
EFFECTIVE DATE:	<u>February 7, 2023</u>	RESOLUTION	<u>31-23</u>
REVISION DATE:	_____	RESOLUTION	_____

1. Purpose

The Town of Niverville (Town) is committed to an environment free from abuse. The purpose of this Policy is to stress the importance of that commitment by educating individuals about abuse, outlining how the Town will work to prevent abuse, and how abuse or suspected abuse can be reported and addressed by the Town.

2. Zero Tolerance Statement

The Town has zero tolerance for any type of abuse. Individuals are required to report instances of abuse or suspected abuse to The Association of Manitoba Municipalities, and Western Financial Group (hereunder referred to as The Program Administrator) to be immediately addressed under the terms of the applicable policy.

3. Definitions of Abuse

The following description of “Child”, “Youth” and “Vulnerable Population” and any other defined terms that are at the discretion of the Town include, but are not limited to:

Child is defined as anyone under the age of majority. Manitoba: 18-years-old.

Youth is defined as the period between childhood and legal age of majority.

Vulnerable Population is defined as populations that include: racial and ethnic minorities, children, the elderly, socioeconomically disadvantaged people, and those with physical or mental health conditions.

The forms of abuse referred to in this policy are defined so that all individuals bound by this policy have a clear understanding of the behaviours that will not be tolerated.

Physical Abuse is defined as, but not limited to any intentional act, causing injury or trauma to another person. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling, or the abusive use of restraints.

Sexual Abuse is defined as, but not limited to any unwanted touching, fondling, observations for sexual gratification, any penetration or attempted penetration with a penis, digit or object in the vagina or anus, verbal or written propositions or innuendos, exhibitionism, or exploitation for profit including pornography.

Emotional Abuse is defined as, but not limited to a chronic attack on an individual's self-esteem. It can take the form of name calling, bullying, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoat, blaming.

Verbal Abuse is defined as, but not limited to, humiliating remarks, name calling, swearing at, taunting, teasing, continual put downs. The use of harsh words, abuse of trust, embarrassing people in public, and threatening in the form of words.

Psychological Abuse is defined as, but to limited to, communication of an abusive nature, sarcasm, exploitive behavior, intimidation, manipulation and insensitivity to race, sexual preference, or family dynamics.

Cultural Identity/Spiritual Abuse is defined as abuse targeting a victim's particular cultural or spiritual identity to inflict suffering or as a means of control.

Neglect is defined as, but not limited to any behaviour that leads to a failure to provide services which are necessary such as withdrawing basic necessities as forms of punishment, failing to assess and respond to changes in health status and refusing or withdrawing physical or emotional support. Neglect may include the failure to provide sufficient supervision, nourishment, or medical care, or the failure to fulfill other needs for which the victim cannot provide themselves.

Harassment is defined as, but not limited to, any unwanted physical or verbal conduct that demeans, humiliates, or embarrasses a person, including gender-based harassment. It can be a single incident or several incidents over time. It includes threats, intimidation, display of racism, sexism, unnecessary physical contact, suggestive remarks or gestures, offensive pictures or jokes. Harassment will be considered to have taken place if a reasonable person ought to have known that the behaviour was unwelcome.

4. Governing Legislation

This policy references the applicable legislation that gives grounds to the entity's abuse policy. Examples of legislation include:

- Child and Family Services Act, CCSM c C80
- The Community Child Care Standards Act, CCSM c C158
- The Human Rights Code, CCSM c H175
- Criminal Code of Canada, RSC 1985, c C-46
- The Regulated Health Professions Act, CSSM c R117
- The entity must refer to its governing legislation

5. Abuse reporting procedures

Reports of abuse that are shared confidentially with an individual by a Child, Youth, or member of any Vulnerable Population requires the individual to report the incident to parents/guardians, the Town, The Association of Manitoba Municipalities, or the Program Administrator.

Individuals must respond to such reports in a non-judgmental, supportive and comforting manner, but must also explain that the report may need to be escalated to the proper authority, which may include Child, Youth, or member of the Vulnerable Population's parent/guardian, or in cases of an ongoing threat of abuse, the police.

In addition, any disclosure (disclosed or observed) of abuse must be reported to CFS if the incident involves a "Child" or "Youth". Any report of abuse may need to be reported directly to the police if the individual is in danger.

6. Screening

The Town will regularly monitor those individuals who have access to, or interact with Children, Youth and/or a member of the Vulnerable Population. This will include adherence to the Town's hiring protocols for Vulnerable Populations and include:

- Criminal record check
- Vulnerable persons and child abuse registry check

Screening is to take place upon initial employment, and every three years thereafter.

7. Investigative & Disciplinary Procedures

Disclosure of abuse (disclosed or observed) will undergo an investigation that will determine applicable disciplinary action. The details of the investigation will be kept on record with the Town and will be disclosed as necessary to parties to the investigation. Details of the investigation will include:

- The role of the alleged assailant within the organization
- Action taken as a result of the disclosure (i.e.: Suspended with/without pay, terminated, moved to another position)
- Action required by individuals within the Town
- Resolution of the complaint- counselling, disciplinary action
- Appeal process (if applicable)
- Identification of false allegations
- Documentation procedures

This must all be made available for any civil or criminal proceedings.

8. Media Representative

The Town will appoint a "media representative" to respond to any and all inquiries from any media outlet (Television, Radio, Newspapers, Social Media) and all staff are to refer any media personnel to the "media representative" for response.

9. Training

The Town will provide training to all staff that includes safety and handling of "Child", "Youth" and "Vulnerable Population" as defined above.

I acknowledge that I have received, read, and understand the abuse policy and/or have had it explained to me. I understand, the liability of the Town could extend to me in my role as a Municipal representative.

I understand that it is my responsibility as _____
(Role within Town)

to adhere to all processes and responsibilities contained in this policy and agree to report any incidents of abuse (disclosed or observed) as set forth in this policy.

Name

Signature of CAO or person representing the Entity

Date

Additional resources to be reviewed for information on Abuse in Manitoba:

- Manitoba Child and Family Services
- Provincial Advisory Committee on Child Abuse
- Manitoba network for the Prevention of Abuse of Older Adults
- Manitoba Abuse Registries <https://www.gov.mb.ca/fs/abuserestries.html>

Minutes of the Public Hearing held on February 7, 2023 at 9:04 a.m. regarding Conditional Use C3-23, an application from Bryan Trottier on behalf of 6183728 Manitoba Ltd. to allow for rental units to accommodate construction trades on Lot 14 Plan 61759, civically known as 460 Kuzenko Street in the Niverville Business Park. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Councillors Bill Fast and Meghan Beasant in attendance.

CAO Eric King noted the proposal was to allow for rental units to accommodate construction trades at 460 Kuzenko Street.

The recommendation from the CAO was to approve the Conditional Use as requested subject to the property owner entering into a Development Agreement with the Town.

Bryan Trottier noted that no confirmed use is decided upon and that other uses would come forward for additional conditional uses should they not be construction trades. Mr. Trottier also noted that he is working on a driveway and fencing plan with Town staff.

There was no opposition received to the proposal.

The Public Hearing was closed at 9:06 a.m.
