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*Municipal Board*

**Board Members**

Chairperson

Jeff Bereza, Portage la Prairie

Vice-Chair

Diane Stasiuk, Portage la Prairie +

Members

Margaret Bonekamp, St. Georges (bil.)

Rick Borotsik, Brandon

Denise Carlyle, Sandy Hook

Tammy Harper, Winnipeg (bil.)

Kathryn Jasienczyk, Neepawa

Amit Kapoor, Winnipeg

Leonard Klassen, Steinbach

Steven Lupky, Winnipeg

George Orle Q.C, Winnipeg

Tom Raine, Winnipeg (bil.)

Elisabeth Saftiuk, Brandon

Dr. Barry Todd, Winnipeg

Gilles Vielfaure, Portage la Prairie (bil.)

+ Civil Servant

**Mandate:**

The Municipal Board is a quasi-judicial tribunal whose members sit to hear applications, appeals and referrals pursuant to various statutes of the Legislature including the Municipal Act the Municipal Assessment Act, The Planning Act and The Municipal Board Act.

**Authority:**

The Municipal Board Act

Board By-Laws

**Responsibilities:**

The Board hears application appeals and referrals and has three main functions:

1. Appeal tribunal
2. Local government finance
3. Miscellaneous matters

### Appeal Tribunal

*The Municipal Assessment Act* provides for appeals to be made to the Board from a Board of Revision decision. A party, including the Assessor, dissatisfied with the decision of the Board of Revision, may appeal that decision to the Municipal Board regarding the amount of an assessed value or classification of the property. Appeals from the decision of the Board of Revision relating to liability to taxation are made to the Court of Queen's Bench.

*The Planning Act* provides for a Municipal Board hearing an appeal in respect of a proposed subdivision and appeals from the Minister of Indigenous and Municipal Relations dealing with water rights issues (*The Water Rights Act*).

### Local Government Finance

Proposed borrowing by a Manitoba Municipality (other than the City of Winnipeg) must be approved by the Board pursuant to *The Municipal Act* or *The Municipal Board Act*. Information is supplied to the Board by the Municipality. The Board is responsible to review the nature of the proposed project, the financial position of the Municipality, the necessity or expediency in proceeding with the project and any other relevant matters. The Board issues an Order approving, rejecting, or varying the by-laws. A hearing is not required when there are no objections.

The Board may determine that a hearing is necessary; or it may be required by *The Municipal Act* and hold a hearing under certain circumstances. The hearing provides an opportunity for potential taxpayers to present their objections/positions and to hear from the Municipality with respect to the cost of the project and how the taxpayers will be affected. An Order is issued by the Board following the consideration of the evidence and submissions made at the hearing.

### Miscellaneous Matters

The Board is responsible for considering the following matters, the authority for which is provided in *The Municipal Act*.

- Applications with respect to amalgamations and annexations.
- Applications with respect to the formation or dissolution of a Municipality.
- Formation of a local urban district.
- Hearing objections relating to the establishment or changing of ward boundaries in a Municipality.
- Hearing and determining disputes between Municipalities with respect to a municipal road, bridge, or drain.
- The Board is also charged with the responsibility, imposed by other Acts, as follows:
  - Approving by-laws establishing regional or municipal libraries (*The Public Libraries Act*).
  - Objections to zoning by-laws, development plans, planning districts (*The Planning Act*).
  - Building restriction caveats (*The Municipal Board Act*).
  - Plan cancellations (*The Municipal Board Act*).
  - Dispensing signature when registering a subdivision plan (Section 117(6)(g), *The Real Property Act*).

**Membership:**

Up to 16 members, including the Chair, Vice-Chair and part-time members.

**Quorum:**

Three (3) Members per Panel (Includes Chair)

**Length of Terms:**

Up to a 3 year term.

All members' terms except the Vice Chair have an expiry date. Members may be reappointed, and continue to serve until reappointed, replaced, or revoked.

**Desirable Expertise:**

There is no formal education requirement. Board members should:

- Be able to communicate verbally, having the ability to ask questions in an open-ended and non-judgmental manner;
- Possess excellent listening skills;
- Have the ability to interpret policies/legislation and their application to each file;
- Maintain strict confidentiality, and
- Make decisions in a fair and unbiased manner according to evidence and arguments presented.

**Meetings:**

Frequency: Monthly (1-2 days)

Location: Winnipeg (75%)  
Within Manitoba (25%)

**Remuneration:**

Chair: \$280/half day; \$560/full day

Member: \$182/half day; \$320/full day

If the Board sits for more than eight (8) hours on any day (as determined by the Chair) they are to be paid an additional (\$60) for that day. Rural members are paid mileage, plus travel compensation when they travel to Winnipeg for a hearing or meeting.