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Municipal Board

Board Members

Chairperson

Jeff Bereza, Portage la Prairie

Vice-Chair

Vacant

Members

Amit Kapoor, Winnipeg
Denise Carlyle, Sandy Hook
Elisabeth Saftiuk, Brandon
Gilles Vielfaure, Portage la Prairie (bil.)
Kathryn Jasienczyk, Neepawa
Leonard Klassen, Steinbach
Lori Lavoie, Winnipeg
Margaret Bonekamp, St. Georges (bil.)
Michael Kowalson, Winnipeg
Rick Borotsick, Brandon
Roxane Anderson, Selkirk
Steven Lupky, Winnipeg
Steven Lupky, Winnipeg
Tom Raine, Winnipeg
Valerie Whyte, Pukatawagan

+ civil servant

Mandate:

The Municipal Board is established under the authority of the The Municipal Board Act, and is charged with the duty of performing those functions assigned to it under the Act or other Manitoba statutes.

Responsibilities:

Board members hear applications appeals and referrals pursuant to various Manitoba statutes in addition to The Municipal Board Act these include: The Municipal Act, The Municipal Assessment Act, The Planning Act, The City of Winnipeg Charter, The Water Right Act, The Public Libraries Act, The Special Surveys Act, The Heritage Resources Act, The Real Property Act, The Expropriation Act, The Highway Traffic Act, The Health Services Insurance Act, The Regional Waste Management Authorities Act, The Water Resources Administration Act and The Public Schools Act.

The Board 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 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 Sustainable Development dealing with water rights issues (The Water Rights Act).

Local Government Finance

Every 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 and the Board reviews 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 matter. 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).

The above is not meant to be exhaustive of all of the Board's responsibilities.

Membership:

The Board is comprised of a Chair, Vice Chair and 30 part-time members, all of whom are appointed by the Lieutenant Governor in Council. Some of the part-time members have, by Board Resolution, been appointed as Acting Chairs.

Length of Terms:

Appointments to the Board have been for one, two and three year terms. A member can, at the end of the term, be re-appointed.

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-judgemental 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.

Time Commitment:

Members must devote the amount of time to their duties that the Chairman requires – this averages 1-2 days per month.

Meetings:

Hearings and meetings are held throughout the province with 75-85% taking place in Winnipeg and the remainder throughout the province.

Remuneration:

Chair: \$280.00 per meeting under 3 ½ hours; \$560.00 per meeting over 3 ½ hours
Member: \$182.00 per meeting under 3 ½ hours; \$320.00 per meeting over 3 ½ hours

In addition, 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.