



## THE RURAL MUNICIPALITY OF FISHER

Minutes of the Regular Meeting of The Council of the Rural Municipality of Fisher held on Wednesday September 7, 2022 at the Ukrainian National Home in Fisher Branch, Manitoba.

Present: Reeve Pyziak, Deputy Reeve Abas and Councillors Lindal, Gagaluk, Webb, Nevakshonoff and Chief Administrative Officer Marykuca

Reeve Pyziak called the meeting to order at 9:00 a.m.

### Adoption of Agenda:

Moved by Councillor Lindal and seconded by Councillor Gagaluk  
179/22 **WHEREAS** the agenda for the Regular Meeting of Council has been circulated for them to review;  
**THEREFORE BE IT RESOLVED THAT** this agenda be adopted as presented.

**CARRIED**

### Confirming of Minutes:

Moved by Councillor Gagaluk and seconded by Councillor Lindal  
180/22 **WHEREAS** the minutes for the Quarterly Meeting of Council held on June 16, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Lindal and seconded by Councillor Gagaluk  
181/22 **WHEREAS** the minutes for the Special Meeting of Council held on June 24, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Gagaluk and seconded by Councillor Webb  
182/22 **WHEREAS** the minutes for the Special Meeting of Council held on June 28, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Lindal and seconded by Councillor Webb  
183/22 **WHEREAS** the minutes for the Regular Meeting of Council held on July 6, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Lindal and seconded by Councillor Gagaluk  
184/22 **WHEREAS** the minutes for the Special Meeting of Council held on July 8, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Webb and seconded by Councillor Gagaluk  
185/22 **WHEREAS** the minutes for the Special Meeting of Council held on July 21, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Gagaluk and seconded by Councillor Webb  
186/22 **WHEREAS** the minutes for the Special Meeting of Council held on July 25, 2022 have been circulated for their review;

**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Lindal and seconded by Councillor Gageluk  
187/22 **WHEREAS** the minutes for the Special Meeting of Council held on July 29, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Gagluk and seconded by Councillor Webb  
188/22 **WHEREAS** the minutes for the Special Meeting of Council held on August 5, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Webb and seconded by Councillor Lindal  
189/22 **WHEREAS** the minutes for the Special Meeting of Council held on August 11, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

Moved by Councillor Lindal and seconded by Councillor Gageluk  
190/22 **WHEREAS** the minutes for the Special Meeting of Council held on August 19, 2022 have been circulated for their review;  
**THEREFORE BE IT RESOLVED THAT** the minutes are hereby adopted as presented.

**CARRIED**

#### **Delegates:**

##### **Mark Troschuk**

Mr. Troschuk was directed by Minister Johnson to speak to the municipality in regards to his concerns of drainage on his farms. Mr. Troschuk has stated that there are 3 beaver dams that are of main concern to him, that are impeding flow of water. He stated that it would be desirable to have a drain continue further west on section 14 into 22-22-3W. Warren Toderan, Conservation Officer was consulted by Mr. Troschuk on the removal of the dams. The following quarters have the blockages: Rocky Wallack SW 22-22-3W, Stanley Wallack NE /NW 35-22-34 and Mark Troschuk SW 35-22-3W. He also would like the culverts East of 13 to be increased from 8" to 18" culverts through the driveways.  
Patrick Fillion, Water Resources - was consulted as well and on the cleanout of cement culverts at road 12W and Provincial highway 68.

##### **Clifford Kopec**

Requests a culvert at road 127N and for road to be built up. Councillor Nevakshonoff has placed gravel there recently but it has since washed out.  
Spoke of road 12 W being cut during flooding and asked if it has since been filled in.  
Also requested that cement culverts at highway be cleaned out by the Province.

##### **RCMP**

Gave an update on monthly crime stats in municipality.

##### **Jamie Packulak**

Did not attend

#### **Financial:**

##### **1. Approval of Accounts**

Moved by Councillor Gagaluk and seconded by Councillor Lindal  
191/22 **WHEREAS** the following items have been submitted for approval of payment:  
Cheque Nos. 5547 to 5677 with the exception of cheque numbers  
5556,5559,5560,5618,5619,5620,5622,5623,5626,5638,5649,5655,5669,5673  
Electronic Payments EFT to PayWorks 2068 to 2088;  
**THEREFORE BE IT RESOLVED THAT** payments be approved for an amount not to  
exceed \$404,236.77.

**CARRIED**

### **Fuel Surcharge**

Council has discussed the recent announcement by the Province of Manitoba for the allowance of a fuel surcharge for contractors top rate being a charge is 20%.

Moved by Deputy Reeve Abas and seconded by Councillor Lindal  
192/22 **RESOLVED THAT** Council for the RM of Fisher will allow a 10% to 15% percent  
maximum fuel charge on all disaster financial assistance repairs going forward.

**CARRIED**

### **2. Budgetary Control Report**

Moved by Councillor Webb and seconded by Councillor Nevakshonoff  
193/22 **RESOLVED THAT** the draft Budgetary Control report dated August 31, 2022  
be hereby accepted as presented.

**CARRIED**

### **3. Progress Payment of Gravel Program / Extension Request**

Moved by Deputy Reeve Abas and seconded by Councillor Webb  
194/22 **RESOLVED THAT** invoice 1341 from Stocki Trucking Inc. for the amount of  
\$90,300.00 be approved for first progress payment.

**CARRIED**

Moved by Councillor Lindal and seconded by Councillor Webb  
195/22 **WHEREAS** a request for an extension of the Gravel Program 2022, the deadline of  
September 4, 2022 was made by Stocki Trucking Inc.  
**THEREFORE BE IT RESOLVED THAT** an extension be granted to September 25,  
2022 with no weather provisions and liquidated damages of \$1,500.00 to be applied  
September 26, 2022 and every day thereafter until program is complete.

**CARRIED**

### **Communications:**

#### **1. Letter Honorable Doyle Pivniuk – Minister of Transportation and Infrastructure**

Info Only

#### **2. Buddy Chudy Request**

CAO to arrange landscaping

#### **3. Fisherton Hall**

Info Only

#### **4. Patrick Kopec**

Moved by Councillor Nevakshonoff and seconded by Deputy Reeve Abas  
196/22 **RESOLVED THAT** upgrade to road 127N be performed and costs associated with  
upgrades including culvert installation be the private landowner's responsibility. All  
upgrades be per RM specifications and Water Stewardship approval.

**CARRIED**

### **5. Mothers Against Drunk Drivers**

Moved by Councillor Lindal and seconded by Deputy Reeve Abas

197/22 **RESOLVED THAT** Donation to MADD for \$169.00 be made to support the MADD message yearbook.

**CARRIED**

#### **6. Amber Thomas**

A request was made to purchase Lot 6 Bk 2 Plan 27892 in the town of Hodgson. Tabled. Council would like a clean policy drafted on the sale of all municipal land. Reeve to contact school board in regards to “first choice schools”.

#### **7. Interlake Woman’s Resource Centre**

Info Only

#### **8. Linda Podaima**

Moved by Deputy Reeve Abas and seconded by Councillor Webb

198/22 **WHEREAS** a request for ditching of the south ditch of N 31-22-1W was made;

**THEREFORE** be it resolved that a hydraulic survey be ordered and license be applied for;

**AND BE IT FURTHER RESOLVED** that Councillor for Ward 4 add it to his list of projects.

**CARRIED**

#### **9. Golas Petition**

Mr. Nathan Golas submitted a petition for ditch cleanout of various locations throughout the municipality. He obtained signatures for his petition from neighbors in the area. CAO to draft letter to Mr. Golas stating that the municipality is already using the Non-Site Specific Program.

Moved by Councillor Lindal and seconded by Councillor Gagaluk

199/22 **RESOLVED THAT** letter be sent to Nathan Golas in regards to the Non-Site Specific program through Emergency Management Services.

**CARRIED**

#### **10. Raymond Imlah**

Various Calcium sites have been covered up by the DFA work. CAO to contact Fort Distributors to cover sites through DFA.

Moved by Councillor Gagaluk and seconded by Councillor Nevakshonoff

200/22 **WHEREAS** numerous calcium sites have been bladed and graveled by DFA repairs;

**THEREFORE BE IT RESOLVED THAT** Fort Distributors be hired to reapply calcium sites and claim be made under the DFA program.

**CARRIED**

Moved by Deputy Reeve Abas and seconded by Councillor Webb

201/22 **WHEREAS** calcium be applied over the road reconstruction project on Road 1W up to and including ½ south of road 129N with water application prior;

**AND WHEREAS** calcium be applied over road reconstruction project on Road 148N between 6W and 5W and 3W and 2W for a single 12-foot pass with water application prior

**THEREFORE BE IT RESOLVED THAT** Fort Distributors be hired to apply calcium on the reconstructed sites.

**CARRIED**

#### **11. Kristen Rudyk**

Piles on the SW 24-24-2W from the 2022 Flood excavation require leveling. Public works will level off with municipal tractor.

**Unfinished Business:**

## **1. Flood Repair**

### **a.) Dust Control Sites**

see communications number 10

### **b.) Fuel Surcharge / Contractor Agreement**

see financials

### **c.) WSP Change Order Request**

Moved by Councillor Gagaluk and seconded by Councillor Webb

202/22 **WHEREAS** a change order was requested for an increase of \$50,000.00 to the contract between WSP Canada Inc. and the Rural Municipality of Fisher for a total of \$150,000.00.

**THEREFORE BE IT RESOLVED THAT** the RM of Fisher approve said increase as per Project change request, Project number 221-06425-00 PCN-002, Fisher Flood Assessment Project, Change Request Number PCN-001 on condition that weekly detailed work preformed invoices be submitted.

**CARRIED**

### **d.) Quote from WSP for Weir in Fisher River**

Moved by Councillor Lindal and seconded by Councillor Webb

203/22 **RESOLVED THAT** WSP be contacted to provide a quote for replacement to the Weir in the town of Fisher Branch.

**CARRIED**

### **e.) Update from Patrick Fillion – Water Resources**

Update on scheduled Provincial Water Works.

### **f.) Other**

#### **Culverts on 148**

Moved by Deputy Reeve Abas and seconded by Councillor Webb

204/22 **WHEREAS** a proposal of professional engineering consultation services for site 605 was received from WSP Canada;

**THEREFORE BE IT RESOLVED THAT** quotation for \$96,600.00 from WSP Canada be accepted.

#### **Glacier**

Reeve Pyziak to write letter to Glacier North.

## **2. Interlake Pioneer Trail**

Numerous meetings have taken place. Request to be delegates at the quarterly meeting on September 15, 2022.

## **3. Micro Cultivation**

Deputy Reeve Abas has declared conflict and left the meeting. He will abstain from any official vote.

Moved by Councillor Webb and seconded by Councillor Lindal

205/22 **WHEREAS** a Conditional Use for Micro Cultivation has been submitted to Council for approval.

**AND WHEREAS** a Public Hearing has been held on July 6, 2022;

**THEREFORE BE IT RESOLVED THAT** Conditional Use application CU2022-01 for the establishment of a licensed Cannabis Retail and Micro-Cultivation Unit for purposes of growing and selling Cannabis be approved

**BE IT FURTHER RESOLVED** those conditions of Conditional Use be followed, odor abatement, building maintenance, landscaping, graffiti removal, security of premises, and all Provincial and Federal regulations be adhered to.

**CARRIED**

#### 4. Hodgson Grass Cutting

Obtain quote on cutting additional sites in town of Hodgson.

#### 5. West Interlake Watershed District Building Purchase

Councillor Nevakshonoff abstained from discussion.

Moved by Councillor Gagaluk and seconded by Deputy Reeve Abas

206/22 **WHEREAS** the RM of Fisher has met with West Interlake Watershed District regarding the district's borrowing authority and limits.

**AND WHEREAS** the West Interlake Watershed District requests authority to borrow funds over the current approved limit of \$100,000 set out in Schedule 12 of the Watershed Districts Regulation, approval is sought to borrow a maximum of \$225,000 using a financial loan (mortgage) to fund the purchase of commercial property at 9 Main Street in Lundar, Manitoba, including the building to be used as a district office. The mortgage will only be used for the purchase of the outlined property and building and the mortgage will be closed once the balance is paid in full.

**AND WHEREAS** the member municipalities of the West Interlake Watershed District understand they will assume full financial responsibility for their portion of 0.0027% loan in the RM of Fisher would mean a maximum of \$607.50 in the event the West Interlake Watershed District ceases to exist before the loan is paid off.

**AND WHEREAS** the member municipalities understand that the Province of Manitoba is not responsible for any debt assumed by the district.

**THEREFORE BE IT RESOLVED** that the RM of Fisher approves the request for a temporary increase in the West Interlake Watershed District's borrowing authority to a total amount of \$225,000 for the specific purpose of purchasing the outlined property and building, as a district office.

**CARRIED**

### New Business

#### 1. Driveway requests Bouchard / Conan

##### **BOUCHARD**

Moved by Councillor Lindal and seconded by Deputy Reeve Abas

207/22 **WHEREAS** a new driveway installation request was made for the NW 27-24-1W

**THEREFORE BE IT RESOLVED THAT** said request be approved and all culverts be new, minimum 18" culverts, all costs responsibility of landowner and administration to apply for all licensing.

**CARRIED**

##### **CONAN**

Moved by Councillor Lindal and seconded by Deputy Reeve Abas

208/22 **WHEREAS** a new driveway installation request was made for the SE 30-24-1W

**THEREFORE BE IT RESOLVED THAT** said request be approved and all culverts be new, minimum 18" culverts all costs responsibility of landowner and administration to apply for all licensing.

**CARRIED**

#### 2.a) Lease for Sand and Gravel

Moved by Deputy Reeve Abas and seconded by Councillor Webb

209/22 **RESOLVED** that all paperwork be applied for with the Mines Branch for the NW 20-22-3W and SE 26-25-2WPM.

**CARRIED**

#### b.) Access Agreement

Letter was sent to leaseholder for Access fee to the NW 20-22-3W.

c.) Signage be placed on the NW 20-22-3W that it is municipal property. Fence and gate will be considered in the future. CAO and Public Works to inspect property.

### 3. Crown Administered Parcels

Moved by Councillor Deputy Reeve Abas and seconded by Councillor Webb  
210/22 **WHEREAS** NW 04-26-1E (roll #147000), NW 08-26-1E (roll #148600), and SW 08-26-1E (roll #148800) is presently under the administration of the Real Estate Services Division formerly Crown Lands and Property Agency;  
**AND WHEREAS** the Council of the RM of Fisher deems it in the best interest of the municipality to administer said properties;  
**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Rural Municipality of Fisher hereby request direct return of the RM of Fisher vested lands NW 04-26-01E, NW 08-26-01E and SW 08-26-01E.

**CARRIED**

### 4. Dionco Sales and Service Ltd.

Moved by Deputy Reeve Abas and seconded by Councillor Lindal  
211/22 **RESOLVED THAT** Quote from Dionco Sales for the purchase of (2) two Road Tech Reliant Blades for the municipal grader be ordered.

**CARRIED**

### 5. Indemnities By-Law

CAO to research other municipalities and what their indemnity by-laws look like for Council to adjust By-Law 1179/19 accordingly.

### 6. Electric Vehicle Charger Program

Info Only

### 7. New Computer/Monitor

Moved by Councillor Gagaluk and seconded by Deputy Reeve Abas  
212/22 **RESOLVED THAT** one new office computer and monitor be ordered from Munisoft.

**CARRIED**

### 8.a.) Garbage/Recycling Pick Up Contract Renewal

Moved by Councillor Gagaluk and seconded by Councillor Nevakshonoff  
213/22 **WHEREAS** an email dated September 1, 2022 from 4570732 MB Ltd. stating that for the upcoming year 2023, the fee of garbage pick up at the time of recycling pick up will be \$250.00 and \$325.00 for any additional trips. If required, haul to Waste Connections will be \$325.00.  
**AND WHEREAS** the recycling will stay the same at \$420.00 plus taxes per tonne;  
**AND WHEREAS** garbage hauling from Hodgson and Fisher Branch to Poplarfield will be \$250.00;  
**THEREFORE BE IT RESOLVED THAT** terms stated in email be approved for the 2023 season.

**CARRIED**

### b.) Other

Large loads of cardboard and mattresses are being dumped at property on 145N and 9W. Letter to be sent to landowner. Fire Chief to inspect before allowing landowner to burn.

Moved by Councillor Webb and seconded by Councillor Gagaluk  
214/22 **RESOLVED THAT** landowner be sent letter to clean up property of Garbage.

**CARRIED**

### 9. Poplarfield Disposal Maintenance

Moved by Deputy Reeve Abas and seconded by Councillor Webb  
215/22 **WHEREAS** an email dated August 30, 2022 received from Toomey Construction stating all fees to remain the same for October 2022 to October 2023.  
**THEREFORE BE IT RESOLVED THAT** Toomey Construction perform compaction for \$2,100.00 once every 3 weeks year-round and covering waste with earth to a minimum of 15 cm once per month using a 2011 John Deere 225D Excavator and a 2004

CAT 750C Dozer;

**BE IT FURTHER RESOLVED THAT** contract be for 1 year from the date of award with option to renew at same price;

**AND BE IT FURTHER RESOLVED THAT** compaction performed when disposal site is closed.

**CARRIED**

#### **10. Board of Revision**

Board of Revision October 12, 2022 at 10 a.m Ukrainian National Home

Reeve Pyziak, Councillor Gagaluk, Councillor Nevakshonoff to attend

#### **11. In Camera**

Moved By Councillor Webb and seconded by Deputy Reeve Abas

216/22 **BE IT RESOLVED THAT** Council recess the Regular meeting and go into “In Camera” as per Section 152(3) of The Municipal Act to discuss the following item:

Personnel

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

**CARRIED**

Moved by Deputy Reeve Abas and seconded by Councillor Webb

217/22 **BE IT RESOLVED THAT** as per Section 152(4) of The Municipal Act Council does now re-open the meeting to the public.

**CARRIED**

CAO performance review and remuneration as discussed.

#### **Adjournment:**

Regular business has concluded and this meeting does hereby adjourn at 3:30 p.m.

**CARRIED**

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer  
(Subject to errors and/or omissions)