



## **THE RURAL MUNICIPALITY OF FISHER**

Minutes of the Regular Meeting of The Council of the Rural Municipality of Fisher held on Wednesday, May 7, 2025 Council Chambers in Fisher Branch, Manitoba.

Present: Reeve Pyziak, Deputy Reeve Abas, Councillors Tanchak, Gagaluk, Lindal, Nevakshonoff and Chief Administrative Officer Kelly Marykuca  
Call to Order: 8:58 a.m.

### **Adoption of Agenda:**

Moved by Councillor Lindal and seconded by Councillor Gaglaur

95/25 **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 amended.

**CARRIED**

### **Under New Business:**

18. George Bernier request

19. Texas Gate

In Camera

### **Confirming of Minutes:**

Moved by Councillor Tanchak and seconded by Councillor Gagaluk

96/25 **WHEREAS** the minutes for the Regular Meeting of Council held on April 2, 2025 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 Nevakshonoff

97/25 **WHEREAS** the minutes for the Special Meeting of Council held on April 22, 2025 have been circulated for their review;

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

**CARRIED**

### **Delegates:**

**9:30**

**RCMP**

Did not attend

**10:00**

**Aaron Janzen – Tria Products**

Mr. Janzen presented a proposal on 16 Main Street in Fisher Branch.

Moved by Deputy Reeve Abas and seconded by Councillor Lindal

98/25 **WHEREAS** a request for proposals was advertised for 16 Main Street in Fisher Branch for development.

**AND WHEREAS** 1 tender was received and opened at a public meeting

**THEREFORE BE IT RESOLVED THAT** tender for purchase of 16 Main Street in Fisher Branch for \$9,000.00 and construction of a two story, single family dwelling from Tria Products be awarded.

**BE IT FURTHER RESOLVED THAT** transfer of land and caveat be filed on property.

**CARRIED**

## 10:30 Richard Woloshyn

### Broad Valley Drain

Councillor Nevakshonoff stated that a license was obtained for Road 132N and it was relayed to Mr. Woloshyn that on-field drainage will be the responsibility of the landowner and he can hook up to the municipal infrastructure.

Mr. Woloshyn did not agree with that, stating that the municipality has done multiple works on private land for people over the years. Councillor Nevakshonoff said that there is an interested party in changing out the size of the culverts through the railbed to two 24" culverts.

Mr. Woloshyn agreed.

Councillor Nevakshonoff will now Consult drainage officer Ian Prise *one last time* for this issue. CAO, Kelly Marykuca spoke to Council as a private landowner of the NE 4-23-1W located on Road 133N and her concerns of excess water which will flood where her mother lives. Each year Road 133N requires ditching of the Shurka drain or it will flood the yard site. Pictures were shown of flood in 2024. Property has been owned by the Podaima's for over 100 years and when the Shurka drain was built is when flooding occurred due to the increase in water. Council policy states that homes, livestock and grain take precedence. Deputy Reeve Abas stated the Podaima's should have taken advantage of the grant to build a berm around their property which was provided by the government years ago to alleviate the flooding from the increase in water.

June meeting bring back Water policy to review. No on field private drainage.

## Financial:

### 1. Approval of Accounts

Moved by Deputy Reeve Abas and seconded by Councillor Tanchak

99/25 **WHEREAS** the following items have been submitted for approval of payment:

Cheque Nos. 7757 to 7818

Electronic Payments EFT to PayWorks 3122-3124

**THEREFORE BE IT RESOLVED THAT** payments be approved for an amount not to exceed \$275,732.00.

**CARRIED**

### 2. Budgetary Control Report

Reviewed

### Committee Reports:

Councillor Lindal – LUD meeting moved to May 14, 2025, flowers were ordered and Speed sign to be installed.

Reeve Pyziak – EIWD replaced Provincial appointee Ross Fridfinson. Funding MCH grants, working with managers of each watershed district. Changes may be made. Staff changes. Reeve went to The Pas, to meet with the watershed district and spoke to highways regarding PR 329 upgrade. A 2-page report will be submitted to Province. Met with Minister Simard regarding the LGD Ad Hoc group and to ensure funding stays consistent.

Councillor Nevakshonoff – Spoke of the WIWD. Class one or two wetlands that are retained by the farmer can be compensated by 25 to 100 per acre. Percy E. Moore meeting in Fisher River. They would like the hospital re named. Committee discussed complaints of the hospital. Would like to establish an official board.

Deputy Reeve Abas – Deputy Reeve Abas and Councillor Lindal to get agreement in writing with prices on a spay and neuter clinic. RM will compensate possibly 20-25 dollar per animal.

Councillor Tanchak – Rink and Curling Board expressed their dissatisfaction on municipal financial help. They believe that an addition to the tax bill for the rink should be made, also that proceeds from Olga Grouch's estate should be given to the rink. Rink board has been applying for lots of grants. Complaint that calcium is too costly.

## Communications:

### 1. Murray Shepell

CAO to send letter from Council about the concern of ditching – yearly areas have been identified and will be cleaned despite what type of year it is over an abundance of caution. Homes, livestock and grain will be priority. Drainage concerns can be addressed with the water Licencing officer. Provide contact info.

## 2. Interlake Woman's Resource Centre Inc.

Moved by Deputy Reeve Abas and seconded by Councillor Lindal

100/25 **RESOLVED** that \$300.00 be donated to the Interlake Woman's Resource Centre Inc.  
**CARRIED**

## 3. Fisher Flyers Soccer

Moved by Deputy Reeve Abas and seconded by Councillor Lindal

101/25 **RESOLVED THAT** the RM of Fisher cover the financial cost of having the soccer fields professionally measured and created for the Fisher Flyers Soccer club.

**CARRIED**

## 4. Dawn Penner

Thank you card provided to Council.

## 5. Burns Maendel – Drainage Restrictions

Moved by Councillor Lindal and seconded by Councillor Gagaluk

102/25 **WHEREAS** in the Province of Manitoba, reconnaissance soil surveys were completed between 1926 and 1996 and detailed soil surveys were completed between 1972 and 2022, classifying surface soils by their agricultural capability in accordance with the *Canada Land Inventory*; and

**WHEREAS** the soil classifications from the *Canada Land Inventory* referenced in the *Planning Regulation*, the *Water Rights Regulation*, and the *Nutrient Management Regulation* are defined as: the mineral soils are grouped into seven classes according to their potentialities and limitations for agricultural use. Where Class 6 soils are capable only of producing perennial forage crops, and improvement practices are not feasible and Class 7 soils have no capability for arable culture or permanent pasture; and

**WHEREAS** Manitoba Environment and Climate Change through the Drainage and Water Rights Licensing Branch regulate drainage within the Province of Manitoba through the *Water Rights Act*; and

**WHEREAS** all persons including municipalities must obtain a valid and subsisting license as per the *Water Rights Act*; and

**WHEREAS** development of land cannot take place without obtaining a valid drainage license to construct pertinent development features such as roads and ditches; and

**WHEREAS** the Drainage and Water Rights Licensing Branch, as of 2019, has implemented an internal policy in which drainage licenses on Class 6 and 7 soils cannot be approved, for registrable or licensable projects; and

**WHEREAS** the term "registerable project" is defined, separately from other licensable projects for drainage works, in the *Water Rights Act*. These are typically minor or less impactful drainage projects, often involving surface or subsurface drains. Registration allows for a streamlined process compared to full licensing, but still ensures compliance with regulations; and

**WHEREAS** licensable applications for water control works are not restricted on Class 6 and 7 soils, only "registerable projects" are restricted per the *Water Rights Regulation*; and

**WHEREAS** municipalities recognize the need to restrict development in environmentally sensitive areas and critical/significant wildlife habitats such as wetlands and habitats for migratory species; and

**WHEREAS** The *Planning Act*, The *Planning Regulation*, The *Environment Act*, The *Water Protection Act*, The *Water Rights Act*, The *Water Rights Regulation*, and The *Nutrient Management Regulation* do not restrict the issuance of Water Control Works Licenses on Class 6 and 7 soils; and

**WHEREAS** the municipalities recognize that some subclasses of Class 6 and 7 soils are strongly associated with the presence of wetlands, however development of wetlands is already limited per the *Water Rights Regulation*; and

**WHEREAS** many subclasses of Class 6 and 7 soils are often viewed as desirable for rural subdivisions, lakeside cottage developments, and campgrounds due to their lack of agricultural capability, including soils which:

have a restricted rooting zone depth for crops,

contain poisonous plants to farm animals,

are heavily forested,

are affected by drouthiness (sandy and gravelly soils),

have high salinity,

have high groundwater table,

are too stony to permit cultivation, and

have a topographic slope of greater than 31%; and

**WHEREAS** the *Canada Land Inventory* soil classification system used in the reconnaissance and detailed soil surveys was published in 1965, this classification speaks only to agricultural uses, and predates current drainage practices and drainage regulations by 60 years; and  
**WHEREAS** the Drainage and Water Rights Licensing Branch is applying this internal policy to all undeveloped lands on Class 6 and 7 soils, regardless of current zoning designations; and  
**WHEREAS** many municipalities are experiencing significant loss of developable land, portions of which have already been designated/zoned for development, from the implementation of this internal policy; and  
**WHEREAS** this internal policy is unnecessarily restricting development and the potential for increased tax-base of municipalities;  
**THEREFORE BE IT RESOLVED THAT** the AMM lobby the Province of Manitoba to only enforce current limitations published in the Acts and Regulations, and remove the internal policy denying Water Control Works Licenses on Class 6 and 7 soils; and  
**FURTHER BE IT RESOLVED THAT** the Province of Manitoba engage AMM to participate as stakeholders in the preparations of future internal policies within the Drainage and Water Rights Licensing Branch to adequately evaluate the impact of these internal policies on growth and future development.

Submit to AMM June District Meeting

## **6. Community Futures / Reschedule quarterly**

Moved by Deputy Reeve Abas and seconded by Councillor Lindal  
103/25 **RESOLVED THAT** Reeve Shannon Pyziak attend the 40<sup>th</sup> Gala for Community Futures East Interlake Inc.

**CARRIED**

## **7. George and Vivian Bernier – Cattle**

Private Civil matter – but letter from the office with Animal at large By-law be sent to owner of the land and renter.

## **8. West Interlake Watershed**

Moved by Councillor Gagaluk and seconded by Deputy Reeve Abas  
104/25 **RESOLVED THAT** Invoice 013-25 for the 2025-20256 Annual Levy for the West Interlake Watershed District be approved.

**CARRIED**

## **Unfinished Business**

### **1. Whitetail Woods**

Tabled

### **2. Animal Alliance**

Tabled

### **3. Right of Way Agreements**

South Interlake ATV Club and Northern Trail blazers signed a user agreement for the trail.

### **4. AMM June resolution**

Moved by Councillor Lindal and seconded by Councillor Gagaluk  
105/25 **WHEREAS** Statistics reveal that the deposit-return system by beverage producers has a greater success rate for recycling by consumers and businesses than curbside recycling programs offered by municipalities; and  
**WHEREAS** Beer producers in Manitoba are the only beverage producers who have chosen the option of setting up a deposit-return system for domestic beer bottles and cans instead of paying a \$0.02 per container levy through the WRAP (Waste Reduction and Prevention) program; and  
**WHEREAS** Many of Manitoba's recyclable beverage containers end up in landfill sites because there is little incentive for consumers and businesses to recycle them through a deposit-return system; therefore, be it  
**RESOLVED** That the Rural Municipality of Fisher, urge the Manitoba provincial government to:

- Require beverage producers to charge a refundable deposit for recyclable beverage containers in Manitoba and
- Provide for the establishment of depots for consumers to return recyclable beverage containers to recoup the deposit

**DEFEATED**

## **5. Culvert NW 20-24-2W**

Tabled till license is issued.

## **6. Sleeve Lake Update**

Information only. Forward response from the province to lawyer.

## **7. Culvert through railway Osnach**

Councillor Ward 4 to discuss with Drainage Officer.

## **New Business**

### **1. Ward 7 – Road 138N Beaver Dam**

Moved by Deputy Reeve Abas and seconded by Councillor Nevakshonoff

106/25 **RESOLVED THAT** trapper and bid hourly contractor be hired to remove beaver and dam from Road 138N.

**CARRIED**

### **2. Ward 7 – McKay Road 14W – Require new culvert, cloth, rip rap, gravel (wash out) E27-26-3W**

Moved by Councillor Tanchak and seconded by Deputy Reeve Abas

107 /25 **WHEREAS** a culvert on Road 14W has been damaged and area is unstable due to frequent washouts,

**THEREFORE BE IT RESOLVED THAT** culvert be installed at Road 14W between sections 27 and 26-26-3WPM.

**CARRIED**

### **3. Ward 7 – Johnny Krawchuck, Jim and Dustin Cymbalisty spot gravel request on 143N**

Moved by Councillor Tanchak and seconded by Councillor Nevakshonoff

108/25 **WHEREAS** gravel requested on road 143N

**THEREFORE BE IT RESOLVED THAT** 40 yards gravel be deposited on road 143N.

**DEFEATED**

### **4. Drainage Meeting with Fisher River May 14, 2025**

Moved by Deputy Reeve Abas and seconded by Councillor Lindal

109/25 **RESOLVED THAT** Reeve Pyziak, Councillor Nevakshonoff and CAO Kelly Marykuca attend a drainage meeting in Fisher River.

**CARRIED**

### **5. Subdivision Rudnicki NE 23-24-2W**

Moved by Councillor Gagaluk and seconded by Deputy Reeve Abas

110/25 **WHEREAS** a request to subdivide the NE ¼ 23-24-2 WPM (roll 332750; CT 1744777/1) being subdivision number 4605-25-8495 requesting property be split into two lots in order to separate the homestead and sell the residual farm land;

**AND WHEREAS** no variances are required from the RM of Fisher

**THEREFORE BE IT RESOLVED THAT** Council for the RM of Fisher hereby approve the application to subdivide to separate the homestead from the agricultural portion being 10.02 acres and the residual being 147.29 acres.

**BE IT FURTHER RESOLVED THAT** taxes are paid in full for 2024 and there are no outstanding taxes due.

**CARRIED**

## 6. Grass Cutting Tender

Tenders for the 2025 Grasscutting Season advertised in the Express Weekly News, Facebook, and posted in the municipal office and were due May 6, 2025 at 4:00 p.m.

Tenders were sealed and opened at a public meeting. CAO Kelly Marykuca left the room.

The following tenders were awarded:

Town of Poplarfield – 68 Service Inc. \$250.00/cut

RM of Fisher Office – 68 Service Inc. \$100.00/cut

RM of Fisher Water Plant – Chris Heindrichs \$85.00/cut

Interlake Forest Centre – Johnathan Hofer \$120.00/cut

No tenders received for Broad Valley and Hodgson. Contact the 3 contractors and invite them to bid. Due Wednesday May 14, 2025 at noon. Reeve to come to office to open tenders.

## 7. Staff Meeting

Info Only

## 8. Grader Inspection

Moved by Deputy Reeve Abas and seconded by Councillor Tanchak

111 /25 **RESOLVED THAT** grader inspection for both graders for the price of \$1,450.00 from Brandt Tractor be ordered.

**CARRIED**

## 9. Dog By-Law

CAO to contact By-Law officer on rural animal at large By-Law.

## 10. Ward 4 Drainage Request Road 132N Podaima

Any works to the municipal right of way will not improve drainage on the private property. Culvert and surrounding area was cleaned Summer 2024.

## 11. Ward 7 Packulak gravel request

Councillor Tanchak will add to his gravel program.

## 12. Ward 5 – Gravel West of Bob Davis Road 142N bus route

Councillor Lindal to add to his gravel program.

## 13. Assessment update

Info Only

## 14. NE 19-22-2E Crown Land Administered Parcel

Moved by Councillor Gagaluk and seconded by Councillor Lindal

112/25 **WHEREAS** the NE 19-22-2W being roll 225500 is presently under the administration of the Real Estate Services Division, Department of Public Service Delivery;

**AND WHEREAS** the Council of the RM of Fisher deems it in the best interest of the municipality to administer said properties;

**THEREFORE BE IT RESOLVED THAT** the Council of the Rural Municipality of Fisher hereby request direct return of the RM of Fisher vested land NE 19-22-2 WPM

**CARRIED**

## 15. Ward 4 – Larry Mazur Brushing Request

Moved by Councillor Nevakshonoff and seconded by Deputy Reeve Abas

113 /25 **RESOLVED THAT** Ward 4 Councilor hire bid – hourly contractor to brush road 1W East ditch between Road 132N and 131N.

**CARRIED**

## 16. Fire

### a.) SE 12-23-2W

Moved by Councillor Nevakshonoff and seconded by Councillor Nevakshonoff

114 /25 **WHEREAS** a burn permit was obtained on March 21, 2025 where a fire rekindled from brush piles on April 26, 2025 on the SE 12-23-2W

**AND WHEREAS** landowner piled more debris on top of pile to reignite without

obtaining another permit;

**AND WHEREAS** fire was called in by a passerby and members responded to the fire  
**AND WHEREAS** proper cultivated buffers around brush piles at the west edge of the field were not done and that landowner did not take necessary precautions to have fire fighting equipment present as stated in original permit.

**NOW THEREFORE BE IT RESOLVED THAT** a fine with costs be issued to the property owner of the SE 12-23-2W.

**CARRIED**

**b.) NE 20-22-3W**

Moved by Councillor Nevakshonoff and seconded by Councillor Gagaluk

115/25 **WHEREAS** a fire was started on the NE 20-22-3W without a burn permit

**AND WHEREAS** landowner was contacted and no response was made

**AND WHEREAS** fire spread to the neighboring 5 quarters

**NOW THEREFORE BE IT RESOLVED THAT** a fine with costs be issued to the property owner of the NE 20-22-3W.

**CARRIED**

**c.) Fee for Drone Usage / Certification**

CAO to research fees. Jerry Flett became a certified drone operator through Transport Canada.

**d.) Peguis Fire**

Fisher Fire assisted Peguis Fire on a large wildfire in Peguis First Nation.

**e.) Lights for Volunteers**

Moved by Councillor Gagaluk and seconded by Councillor Nevakshonoff

116/25 **RESOLVED THAT** personal vehicle safety lights be ordered for fire and emergency personnel.

**CARRIED**

**f.) Wildfire Coveralls for Ladies**

Moved by Councillor Lindal and seconded by Deputy Reeve Abas

117/25 **RESOLVED THAT** (3) 2 piece coveralls be ordered for 3 female volunteer fire fighters.

**CARRIED**

**g.) Fire Medals**

CAO to consult OFC

**17. Tax Bill**

Put as an insert and on website

**18. George Bernier**

Moved by Councillor Gagaluk and seconded by Councillor Tanchak

118/25 **WHEREAS** culvert through Road 13W is collapsed

**THEREFORE** collapsed 18” culvert on Road 13 W be replaced.

**CARRIED**

Reports of beaver dams on Road 150. See if dams are in our jurisdiction.

**19. Texas Gate**

Landowner not happy with install of remanufactured Texas gate. Councillor Lindal to follow up.

**9. In Camera**

**In Camera:**

Moved by Deputy Reeve Abas and seconded by Councillor Lindal

119/25 **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:

Legal

**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 Lindal  
120/25 **BE IT RESOLVED THAT** as per Section 152(4) of The Municipal Act Council does now re-open the meeting to the public.

**CARRIED**

Discussion of recent fires.

**Adjournment:**

Moved by Councillor Gagaluk and seconded Councillor Nevakshonoff  
121/25 **BE IT RESOLVED THAT** the regular business has concluded and this meeting does hereby adjourn at 2:50 p.m.

**CARRIED**

\_\_\_\_\_  
Reeve

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