



THE RURAL MUNICIPALITY OF FISHER

Minutes of the Regular Meeting of The Council of the Rural Municipality of Fisher held on Wednesday, September 4, 2024 Council Chambers in Fisher Branch, Manitoba.

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

Call to Order: 8:58 a.m.

Adoption of Agenda:

Moved by Deputy Reeve Abas and seconded by Councillor Tanchak
186/24 **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
187/24 **WHEREAS** the minutes for the Special Meeting of Council held on July 19, 2024 and July 22, 2024 have been circulated for their review;
THEREFORE BE IT RESOLVED THAT the minutes are hereby adopted as presented.

CARRIED

Delegates:

10:00

Dan Malofie

Canceled

10:30

Gordon Barrett

Mr. Barrett presented Council with a "We Remember" metal sign that the Fisherton Community Center will be selling as a fundraiser.

11:00

Farr North Construction

Clinton and Bruce Graham attended requesting permission to discharge water from their mining operation into the municipal right of way.

Financial:

1. Approval of Accounts

Moved by Deputy Reeve Abas and seconded by Councillor Gagaluk
188/24 **WHEREAS** the following items have been submitted for approval of payment:
Cheque Nos. 7213 to 7279
Electronic Payments EFT to Pay Works 3091 to 3093;
THEREFORE BE IT RESOLVED THAT payments be approved for an amount not to exceed \$268,489.77

CARRIED

Moved by Deputy Reeve Abas and seconded by Councillor Gagaluk
189/24 **WHEREAS** the following items have been submitted for approval of payment:
Cheque Nos. 7280 to 7344
Electronic Payments EFT to Pay Works 3093A to 3096;
THEREFORE BE IT RESOLVED THAT payments be approved for an amount not to
exceed \$715,953.91

CARRIED

2. Budgetary Control Report

Moved by Councillor Gagaluk and seconded by Councillor Tanchak
190/24 **RESOLVED THAT** the draft Budgetary Control report dated July 31, 2024 and
August 30, 2024 be hereby accepted as presented.

CARRIED

Committee Reports:

Councillor Nevakshonoff - Tour of WIWD on drone usage for spraying, seeding. Water retention project at Tom's property was toured. Narcisse DUL. NWIWM consultations for First Nations and Metis were discussed.

Deputy Reeve Abas – Meeting to be held with the Vet Board soon. Complaints about lack of communication from office.

Councillor Lindal – LUD Matters. Homecoming was successful.

Communications:

1. James Bezan

Info Only

2. West Interlake Watershed District

Moved by Councillor Nevakshonoff and seconded by Deputy Reeve Abas
191/24 **WHEREAS** the 2024-2025 Annual Levy is due to the West Interlake Watershed District
AND WHEREAS expansion of the WIWD has resulted in a lower levy than anticipated
THEREFORE BE IT RESOLVED THAT The RM of Fisher choose option 2 and
requests a revised invoice in the amount of \$180.40 and a refund of \$37.31 be returned.

CARRIED

3. Ernest Abas

Moved by Deputy Reeve Abas and seconded by Councillor Nevakshonoff
192/24 **RESOLVED THAT** a letter be sent to the Minister of Transportation requesting that
Phase 2 of the highway 17 project be completed.

CARRIED

4. Stars

Info only

5. Seniors Resource

Info Only

6. P Cameron

Complaints about noise coming from agricultural and mining industry and requests Council to enforce By-Law, if they have, on neighboring properties. CAO to send letter.

7. Northern Trail blazers

Request to complete work to be approved but they must use bid – hourly contractor. Invite Dustin Cymbalisky to quarterly meeting.

8. Madeline's Closet

Info only

9. The Public Interest Disclosure Act

Tabled for Councillors to read up more on topic.

10. Carl Fleury

Moved by Deputy Reeve Abas and seconded by Councillor Gagaluk
193/24 **RESOLVED THAT** Invoice from Carl Fleury for milege be approved.

CARRIED

11. Paul Berry

Requests driveway installed. Councillor to obtain GPS Coordinates of driveway and downstream and upstream size of culverts.

12. Duplex in Fisher Branch

Moved by Councillor Lindal and seconded by Deputy Reeve Abas
194/24 **WHEREAS** a request for a conditional use was presented to move in a multi-family dwelling in the town of Fisher Branch;
THEREFORE BE IT RESOLVED THAT request be approved and the conditional use public hearing process be started.

CARRIED

Unfinished Business

1. Whitetail Woods

Councillor Nevakshonoff wants a separate committee meeting to be held to discuss options once things like cost of hydro and road building can be obtained. Layout to be a basic layout and cost effective.

2. Tom Pyziak Request

Report from drainage officer Ian Prise, he is aware of request but has not had the time to look into yet. He will contact Ward 3 Councillor when he is able.

3. Tractor Operator

Moved by Councillor Lindal and seconded by Councillor Tanchak
195/24 **RESOLVED THAT** Gilbert Mayer be hired as the Municipal Tractor Operator with a start date of September 3, 2024.

CARRIED

Council requests Public Works Supervisor to put offset hitch on tractor and widen tires on John Deere Tractor. Hire Enns Brothers to install weights son inside of tires.

4. Illegal Culvert 136N and 8W

Moved by Deputy Reeve Abas and seconded by Councillor Lindal
196/24 **WHEREAS** invoice for removal of unauthorized culvert is still outstanding
THEREFORE BE IT RESOLVED THAT once invoice has been satisfied culvert can be returned to Marvin Gulay who has claimed ownership.

CARRIED

5. IPT Agreement

CAO to draft policy and bring back to Council

6. Derelict Buildings Peguis

The RM of Fisher does not have a place to burn the buildings as per Peguis request. However the Fisher Fire Department will be willing to assist once a suitable location can be found.

7. 18 Tache Tank Removal

If the RM sells property at 18 Tache then all costs to date will be added to sale price.
Budget next year for cleanup
Local retailer may be interested.

8. Driveway Access Permit Fee?

Moved by Councillor Lindal and seconded by Councillor Nevakshonoff

197/24 **RESOLVED THAT** all new driveway requests require a permit filled out and submitted to Council for approval

AND BE IT FURTHER RESOLVED THAT a fee of \$100.00 will be added to the permit application.

CARRIED

9. Road 4W Remove Hill

Moved by Councillor Gagaluk and seconded by Councillor Tanchak

198/24 **WHEREAS** a request to remove the hill at the intersection of 4W and 139N was made to Council.

AND WHEREAS upon discussion of quote provided by Yoder and Sons, Council has determined it will not be a project that they will be undertaking.

THEREFORE BE IT RESOLVED THAT a bid hourly contractor be hired to brush intersection from all directions and ensure signage installed by municipality is in place.

CARRIED

10. Gravel Program 2024

Look at different options of aggregate type in the future to ensure longevity and not quick pulverization.

New Business

1. Compaction Of Waste Tender

1 Tender was received but not accepted. Councillor Nevakshonoff to ask other contractors.

2. Assessment Appeal

Info Only

3. Fire Fines

a.) SE 2-23-1W

Moved by Councillor Nevakshonoff and seconded by Councillor Lindal

199/24 **WHEREAS** a burn permit was not obtained for burning of a building on the SE 2- 23 -1W

AND WHEREAS Fire Chief was not consulted on the burning of a large structure

THEREFORE BE IT RESOLVED THAT a fine of \$100.00 for the first offence as per By-Law 1188/20 be imposed.

CARRIED

b.) NE 15-25-1W

Moved by Councillor Tanchak and seconded by Councillor Nevakshonoff

200/24 **WHEREAS** a burn permit was not obtained to burn crop residue from the Northern District, agriculture nor the municipality;

AND WHEREAS the property was not inspected by the Fire Chief

THEREFORE BE IT RESOLVED THAT a fine of \$100.00 plus the cost of attendance by fire department from a 911 call as per By-Law 1188/20 be imposed.

CARRIED

4. Driveway on Zagrodnik's - Reeve Request

Reeve Pyziak to declare conflict and left the room.

Moved by Councillor Lindal and seconded by Deputy Reeve Abas

201/24 **WHEREAS** a driveway request was made for the SE 35-24-2W

THEREFORE BE IT RESOLVED THAT a new minimum 18" culvert be installed at the cost of landowner and provide municipal office with GPS location;

AND BE IT FURTHER RESOLVED THAT municipal office apply for Provincial License.

CARRIED

5. Ward 3 Ditching request road 136N (We have license)

Tabled.

Office to check with legal and Province that in light of the current legal situation is the municipality allowed to do any ditching with an approved water license.

6. Reserve Bid Tax Sale

Moved by Councillor Gagaluk and seconded by Councillor Tanchak
202/24 **WHEREAS** pursuant to s 372 of the Municipal Act a municipality may set a reserve bid in the amount of the tax arrears and costs in respect of the property
BE IT RESOLVED THAT the Rural Municipality of Fisher place a reserve bid on all properties in the amount of all arrears and costs in respect of each property.

CARRIED

7. Drone Policy

Moved by Councillor Lindal and seconded by Councillor Gagaluk
203/24 **WHEREAS** Council was presented with a draft policy on the usage and regulation of the municipal drone.
THEREFORE BE IT RESOLVED THAT draft policy be accepted with Council changes.

CARRIED

8. Regulation and Control of Animals in the LUD By-Law 1st and 2nd reading

Moved by Councillor Lindal and seconded by Councillor Nevakshonoff
204/24 **WHEREAS** By-Law 1210/24 being a By-law for the RM of Fisher to regulate and control of animals within the limits of the Local Urban District of Fisher Branch
THEREFORE BE IT RESOLVED THAT By-Law 1210/24 be read a first time.
AND BE IT FURTHER RESOLVED THAT By-Law 1156/13 is hereby repealed.

CARRIED

Moved by Councillor Tanchak and seconded by Deputy Reeve Abas
205/24 **WHEREAS** By-Law 1210/24 being a Bylaw for the RM of Fisher to regulate and control of animals within the Local Urban District of Fisher Branch
THEREFORE BE IT RESOLVED THAT By-Law 1210/24 be read a second time.
AND BE IT FURTHER RESOLVED THAT By-Law 1156/13 is hereby repealed.

CARRIED

9. Plan 2050

Info Only

10. Quote for sign install

Moved by Councillor Gagaluk and seconded by Deputy Reeve Abas
206/24 **RESOLVED THAT** quote from ATS traffic for installation of sign for Broad Valley be accepted.

CARRIED

11. Conditional Use Request

Tabled upon further info from Health Canada

12. SE 9-26-3W Ward 7

Councillor Tanchak and Municipal Hydraulic Surveyor to visit area and bring findings back to Council

13. 32-23-3W Hydro Poles

Call Hydro to inspect as well as Road 148N (second request)

14. S 28-26-3W Beavers Ward 7

Councillor Tanchak to declare conflict

a.) SW 27-23-3W

Moved by Councillor Lindal and seconded by Deputy Reeve Abas

207/24 **WHEREAS** a beaver and dam has been situated on the SW 27-23-3W being Crown Land

AND WHEREAS approval from Conservation has been obtained

THEREFORE BE IT RESOLVED THAT Municipal trapper be hired and bid- hourly contractor to remove the obstruction.

CARRIED

b.) S 28-26-3W

Moved by Councillor Tanchak and seconded by Councillor Gagaluk

208/24 **WHEREAS** a beaver and dam has been situated on the SW 28-26-3W

THEREFORE BE IT RESOLVED THAT Municipal trapper be hired to trap problematic Beavers.

CARRIED

15. SE 17-26-3W Drainage Request Ward 7

Tabled

CAO has reached out to the Province for a copy of the license.

16. N 21-26-3W Brushing Request Ward 7

Councillor for Ward 7 to obtain quote for brushing and bring back for Council review.

17. Dust Control 2025

Tabled

18. Hearing Test

Moved by Councillor Lindal and seconded by Councillor Gagaluk

209/24 **RESOLVED THAT** quote 78 from Ross Hearing for \$787.50 be accepted for hearing tests on all Municipal Employees.

CARRIED

19. Snow Removal in Hamlets

Tabled – advertise

20. Road 138 and 3 Illegal Ditching

Report on Portal and restore area to pre unauthorized ditching.

Moved by Councillor Nevakshonoff and seconded by Councillor Tanchak

210/24 **WHEREAS** unauthorized work in the municipal right of way has been done for a second time on Road 138N and 3W

THEREFORE BE IT RESOLVED THAT illegal works be recorded on the Provincial portal and a bid- hourly contractor be hired to restore municipal right of way.

CARRIED

21. Broad Valley Town Drainage

Tabled till survey is obtained

22. Other

Nil

9. In Camera

In Camera:

Moved by Councillor Lindal and seconded by Councillor Gagaluk
211/24 **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 Councillor Gagaluk and seconded by Councillor Nevakshonoff
212/24 **BE IT RESOLVED THAT** as per Section 152(4) of The Municipal Act Council does
now re-open the meeting to the public.

CARRIED

Update on legal matters pertaining to drainage.

Moved by Councillor Nevakshonoff and Seconded by Councillor Gagaluk
213/24 **THEREFORE, BE IT RESOLVED**, that the RM of Fisher hereby grants permission for
the use of its infrastructure and ROW to allow for the pumping of the above-mentioned
water only when a license has been issued by the Province, and has no objection to a
license being granted by the Province to that effect, and
BE IT FURTHER RESOLVED, that the Province give serious consideration to
including in that license permission to install an 18-inch culvert through Road 8 West
immediately to the south of its intersection with Road 136 North, and
BE IT FURTHER RESOLVED, that the license allow for improvements to the ditch on
the west side of Road 8 West for a distance of approximately 500 meters running south of
the intersection and also for improvements to the ditch on the south side of Road 136
North immediately to the east of the intersection for a distance of less than 100 meters in
order to facilitate the flow of the water out of the area in a more efficient and expedited
manner, and
BE IT FURTHER RESOLVED, that pumping out of the quarry by way of this license
not be undertaken during spring thaw, during an extreme rainfall event, or in times of
flooding downstream.

CARRIED

Adjournment:

Moved by Councillor Gagaluk and seconded by Councillor Nevakshonoff
214/24 **BE IT RESOLVED THAT** the regular business has concluded and this meeting
does hereby adjourn at 1:57 p.m.

CARRIED

Reeve

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