

Organized Hamlet of Lone Rock

Community Meeting

October 22, 2020 7:00pm

Donna Woods's residence

**Attendance: Lloyd Ludwig, Melissa Heney, Terry Kashuba, Tracy Kashuba
Brian Heney, Hands Pederson, Elaine Heney, Sean Heney, Donna Woods,
Harvey Woods, Theresa Buck, Candice Blain, Temina Ludwig, Greg Blain,
Steve Rhodenizer**

- 1. Welcome & Introductions:** Meeting commenced 7:10 PM
- 2. Opening Remarks from the Chairman:** Review & update of last meeting minutes regarding Judicial review proceeding through the courts. There has been no ruling from judge yet on the matters taken to court Feb 2019. As to the letter the deputy minister sent out & CC'd RM of Wilton that pending attempt of settling disagreements Ministry would hold off on appointing supervisor to RM to let the new & upcoming legislation try to settle that if we would also agree to hold off on the federal & provincial separation process. This was agree & we are now proceeding through the Sask Municipal Board to resolve the disputes which we have requested a formal hearing in November, 2020 so a decisions can be rendered by beginning of December, 2020.

Went through year in review.

- 3.** New business brought forward discussion as to the applications that were heard in court October 3rd 2019 & the instructions given by the judge in proceeding forward with the Appeal Board has been done although will have to be revisited as the RM was supposed to wait for those decisions before proceeding & they have not. The Minister has made changes to the Legislation that have greatly helped us with further changes to be made later this year or early spring. (Public Interest & further definition of process & responsibilities Leg).
- 4.** Conversion of Hamlet to Resort (Agricultural) village or for implementation of referendum of self-governance or territorial conversion has been tabled for the time being pending the outcome of the mediation & formal hearings through SMB which on direction from the ministry are to be concluded before end of November there are a number of matters so we may roll some matters together for efficiency. The referendum may go forward as a separate vote but would also have to be concluded before end of year to stay within Legislative regulations will have to follow up with ministry after Provincial election.

5. Water & Sewer Bills have not been approved by the Hamlet Board & are now moving to mediation or formal hearing under the Municipal Board. The Hamlet Board forming a public utility is also under review. There is also a matter which was brought up as to when & if the water infrastructure was properly & formally transferred to the RM as there doesn't seem to be documentation as to this transfer this will have to be brought forward to ministry for review. Legal is also looking at the refund of all water billing prior to Sept 23, 2019 as the Sask Municipal Board advised them it became effective only as of that date & not retroactive so an investigation will have to be done as to billing of any amounts prior. This will be brought up at the SMB hearing. Another letter will have to be sent for a breakdown of water & for another request for the license.

All in attendance agree water & sewer are to be returned back to annual Tax notices?

Seconded by Candice Blain

By show of Hands unanimously passed

The Hamlet Board form a public utility to take over all the water sewer operations & infrastructure?

Seconded by Donna Woods

By Show of Hands unanimously passed

Set compensation for disruption of water utility service set at \$12.00 per day for any service disrupted longer than 48hrs.

Seconded by Steve Rhodenizer

By Show of Hands unanimously passed

6. The budget is still under review of the Judge pending the outcome of mediation as there are a number of matters that have to be resolved by the SK municipal board going forward. The budgets going back to 2015 are under review in this as there were a number of things which began in 2015 that have not been addressed. The assembly process is slow as the RM is less than forthcoming with the materials which is now going through a Freedom of information investigation but in working with government agencies to assemble all of the financial data & reports a very clear picture is forming as to the RM operation & legislative observance which has been sent to the police dept for further review. Auditors report has some errors regarding legislation which is also being brought to the Ministry & RCMP attention.
7. Tracy Kashuba as well as Darrell Dunn have both stepped down Karen Crawford was our nominee but as the legislation indicated there wasn't an agreement as to chairperson within the 30 day time limit so the matter was referred to the Saskatchewan Municipal Board. This whole matter has brought a number of issues to light as the Ministry has clarified the RM is responsible for legal costs of hamlet board & volunteers in the matters of public interest & within scope of duty. Also this has caught attention of civil liberties association as they have requested all the material to investigate conduct & compliance & with the Wilton Law firm founder (Tony Merchant) getting

a board sanction for conduct unbecoming & suspension as well as with the sanction against the RM realtor (Dave Jarvis) it has brought up a number of concerns & further legal issues.

Motion that all legal costs for matters of Organized Hamlet of Lone Rock community interest be paid from the hamlet account or as the Ministry advised under 356 or 69.1 of the Municipalities Act for all volunteers & Board members.

Seconded by Steve Rhodenizer

By Show of Hands unanimously passed

The previous costs awarded against the Hamlet Board members & Terry & Tracy Kashuba is to also be paid from the Hamlet Account as budgeted for in the previous budgets under 69.1 or until further clarification is received under 356 from the Minister for payment by the RM of Wilton.

Seconded: Brian Heney

All attending by show of hands unanimously passed.

8. We are now nominating: Lloyd Ludwig for Chairman
 Donna Woods for Secretary
 Melissa Heney for Board
 Candice Blain for Board Member

Terry Kashuba as Hamlet Manager

All nominees agree to nomination & retained position.

Seconded: Hands Pederson

All attending by show of hands unanimously passed.

9. **Septic Tank pumping:** Septic Pumping was included in our 2019 & 2020 budgets which will be a matter for the Sask Municipal Board hearing, will keep everyone informed.

10. **Special levy:** Under section 70 of Municipalities Act it gives authority to the Hamlet Board to enact a special levy to cover shortfalls in budget. A levy was set in 2019 for 2020 & motion is brought to set same for 2021 RM shall pay \$3000.00 for all property bought & demolished until time that that tax revenue has been returned for those properties.

Seconded Donna Woods

All attending in favor by show of hands unanimously passed.

11. Fundraising: The recreation board bottle drive in November. Future fundraising there has been a lot of interest from region & many ideas coming in with November -fall supper, December - Craft, Bake sale , scavenger hunt & sled rally all depending on the Covid 19 restrictions although there has been some Federal & Provincial grants made available so we are now looking into that..

12. Next Meeting: The next meeting will let residents know if anything comes back on court cases or what happens with mediation.

13. Other issues raised:

In camera session (legal matters)

The complaints put forward with regard to property damage & failing to comply with legislation & requirements submitted to RCMP with a question coming back as to if the Hamlet residents wanted to proceed to formal charges.

As there doesn't appear to be any meaningful dialog between Lone Rock & RM of Wilton motion is made to proceed with the charges.

Seconded Donna Woods

All attending in favor by show of hands unanimously passed.

New Legislation may also have other requirements which will have to be followed thanks to the resources offered to us by SIGA & all of the other assisting agencies they are going through it to see what applies & continue advising us on it. There is also a number of matters to report as to budgets passed & use of funds which formal complaints will have to be made along with issues surrounding the sanctions of Dave Jarvis by the Real Estate Board & the other code violations that go with it.

14. Resolutions voted & unanimously passed:

Water & Sewer to return to annual Tax notices.

Hamlet Board establishes Water/Sewer utility under Utility Corp.

Set compensation of \$12.00 per day for water service disruption.

Legal fees paid from Hamlet Account

Legal costs be paid from Hamlet account

Hamlet Board re-elected.

Special Levy.

Complaints to proceed to charges.

15. Meeting Adjourned: 9:40PM

Report to Voters of the Hamlet of Lone Rock for 2020

1. The ongoing discussion with area farmers as we go into fall election as the RMs spending on the Hamlet venture into Lone Rock far exceeds what will be returned with cursory audits showing huge losses for no reason the documentaries have brought to light many issues not only with Council but also with agencies that have made contact to review & investigate. The requests we received as to Legislative changes have come to help us as most of what was put forward did receive assent or is in the process of being adopted. The hamlet board will continue to pursue best interests of Hamlet voters.
2. Still awaiting a decision as to the February court application but are moving forward with the Saskatchewan Municipal Board as the Legislative changes discussed above has now put in place a process in which we can now address all the issues going forward we currently have 42 matters to be addressed including water sewer issues, rates & Hamlet self-governance .
3. There has also been some development in the Hamlet moving forward with self-governance as the wording of the binding referendum has been constructed so as to meet legislative & judicial requirements this has been tabled pending outcome of the Sask Municipal Board mediation regarding the Appeal Board issues although Covid 19 has slowed the progress both discussion Federally & Provincially is awaiting the Municipal Board outcome.
4. Many discussions with the Water security agency as to procedure on a Public Utility being formed & we are moving forward on that as this will be a matter before the Sask Municipal Board & as we have seen from other like rulings they have sided with the development side as to residents taking over the utility to increase development which has always been the Hamlet Board's focus.
5. The Ombudsperson has been contacted & the Hamlet Board is still submitting regular updates as a report was prepared which also referenced the process to settle the disputes but also they will be looking into all the conflict of interest matters as in the new Legislation there authority has also expanded. The RCMP has also been contacted in this regard & there are many matters which have arisen over the course & through the affidavits that has been seen as actionable. This may come down to very similar situation as RM of Sherwood. Dave Jarvis the Realtor has been sanctioned by the Real Estate Board as to procedure there may be further issues regarding financial compensation as the offers, assessments & the sales contracts are now being investigated with most being well under market value.
6. We are thankful to the Minister of Government relations & all the associates as they have been terrific in providing clarity & guidance in moving forward with the ongoing situation & are looking forward to all their help in the future. They have been very helpful in steps required for installation of a supervisor & we are just waiting the outcome of the SK Municipal board process before going forward on that.
7. SaskPower has been contacted about the streetlights & it was indicated that the RM had put forward a removal request this matter has been added to the Appeal Board list that is now in front of the Municipal Board. The Hamlet Board will more than likely put this under the Utility Board oversight.

8. Tax rates continue to be an issue as this is another matter before the Municipal Board as to review RM hasn't been following the legislation as to reports & interaction with the Organized Hamlet Board which has been noted & is now being looked into. The cursory audit is showing up some questionable items & a further investigation by Sask Freedom of information commission is ongoing.
9. An auditor came out in June to take a look at the hamlet we supplied her with the pictures of everything previously & a link to the documentary which showed before & after footage they are reviewing now but we should hear something back as they are going through all the appraisals to review. In light of the sanctions levied against Dave Jarvis for breaking the Real Estate Act this many have further consequences as indicated in their letter.
10. Road maintenance is an ongoing issue which is being addressed & the Hamlet Board has reached out to Minister & Premier for guidance & assistance who both have stated its direct liability of the RM so we will continue to monitor & bill. This is also an issue for discussion with the SK Municipal Board.
11. The Appeal board issue list has grown but there has not been any appeal board hearings as it has been forwarded to the Saskatchewan Municipal Board as per the new legislation.
12. A special Levy was put forward in 2020 & 2021 of \$3000.00 per property that has been purchased by the RM & demolished to offset the reduction of tax revenue until such time as that revenue has returned. The Hamlet Board is now reviewing whether a separate 1 will be needed for water & sewer going forward.
13. RM auditors report has a few errors & doesn't quite capture the legislative infractions so a report has been compiled which included the ombudsperson report as to the errors & forwarded to the premier & minister.