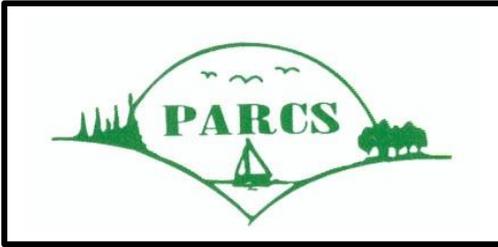


NOVEMBER 14, 2018

"It's a matter of principle . . ."

An Editorial Edition



EXAMPLE #1 - When a ratepayer in the RV of Tobin Lake was alleged to have hijacked the 2016 election and a former councillor pointed out the changes needed in our election practices . . .

In **May of 2017**, PARCS Update #73 carried a press release from a former councillor of the RV of Tobin Lake describing how the owner of a campground in that resort village (who had a beef with council) issued back-dated lease fees to campers so that a cadre of 200 of these pseudo-ratepayers could elect two of their allies.

While transcribing the feedback from our recent convention, I recorded the following comment:

"I seriously challenge the PARCS Board about getting involved in individual RM/OH/RM issues unless it relates to legislation or regulations provincially. You will lose members by doing this." (Anonymous)

In response, I offer the editorial opinion that **getting involved in individual issues has typically happened when those issues are part of a larger trend pointing us in the direction of an associated range of provincial legislative issues.** Consider the following **three recent examples.**

Lynne Saas, editor

The principle here is perceived to be an error in the Local Government Elections Act that states that if you are a person or spouse of a person who has leased land **in a resort village** for a period of 3 months prior to the date of the election then you are eligible to vote in that municipality. For **regular villages, towns and RMs**, however this same clause states that this person or spouse must be leasing **"assessable land"**¹.

At **last year's 2017 fall convention**, this former councillor was invited to present his views on Tobin Lake's election event and on the principle that was at stake. As a result of that presentation, a RESOLUTION was passed by the 2017 convention delegates, asking that **"that the Provincial Association of Resort Communities of Saskatchewan (PARCS) support changes to the Local Government Election Act (2015) that would restrict lessee and/or renter voter eligibility to those lessee and/or renter occupants of primary residences and/or operators of active businesses."**²

In the **spring of 2018**, the Ministry of Government relations called on PARCS³ to submit their recommended input to the Ministry's review of the Local Government Elections Act (LGEA). One of the first feedback items from PARCS was drawn from the above resolution. This item was part of a list of other recommendations from PARCS such as **flexible alternatives for calling for nominations, volunteers not being disqualified from running, candidate disclosure statements being submitted with nomination papers**, requiring **BOTH a mail-in ballot and an advance poll**, a requirement for **municipal voters' lists**, a **simplified mail-in ballot process** and others⁴. These additional items were passed as RESOLUTIONS at our recent 2018 convention and have been submitted to the Ministry.

PARCS received a follow-up from the RV of Tobin Lake former councillor saying: **"I want to thank you for the good work and support that you personally and the PARC group provided to help leverage some immediate action. I just heard from our MLA and he has confirmed that changes to the act are in the hands of the legal people so that the changes will be in place for next spring. I will keep you informed as things develop."**

¹ A camping spot in a campground does not qualify as "assessable". There is a significant discrepancy between these two provisions.

² In other words, "assessable land".

³ As were SUMA and SARM

⁴ This input about the Local Government Election Act was summarized in President Dixon's Convention Session and will be included such in the 2019 revised PARCS RESOURCE GUIDE - SOON TO BE RELEASED.

EXAMPLE #2 – When the ratepayers in the RM of McKillop received notices of tax increases averaging 87% for an owner of cottage property and 5% for an owner of agricultural properties, and PARCS realized that current legislation may not protect organized hamlets as it should. . .

Like the previous example, the RM of McKillop example has focussed our attention on a whole host of legislative issues regarding the relationship between the organized hamlet cottage communities and their RM, IN SOME RMs.

The **August 16th, 2018**, PARCS Update #90, carried a summary of the news story pointing out that these ratepayers had done everything they legally could to try to remedy a bad situation, including **two legal petitions**, one calling for a financial audit and another calling for an administrative audit (both were ignored by the RM).

The principle here is that although the Municipalities Act makes provisions for ratepayers to demand changes of their rural council, the Act fails to put any enforcement provisions in place to ensure that RM Councils respond to ratepayer associations that follow the provisions set out in law.

On **August 22, 2018** a letter from Andrea Ulrich, senior Legislative Officer in the office of Policy and Planning in the Ministry of Government Relations, put out a call for suggestions⁵ for the Ministry's review of the Municipalities Act for possible amendments in the 2019-20 legislative session. Certainly some of the first suggestions that went into PARCS initial draft were changes that would address the enforcement issues that had come to light in the McKillop situation.

At **our 2018 convention in October**, a draft of 13 resolutions were presented, of which 10 were passed by the delegates. Of these 10 resolutions, it is no doubt that nine of the resolutions addressed issues that had come to light in the RM of McKillop situation, such as: **setting a time frame** for the appointment of council representative to appeals boards; **clarifying 'authorized OH expenditures** under the Act; **including legal fees, auditor fees and mediator fees as an authorized legal expenditure** of an OH; **allowing for an appeal on an Administrative decision as to a petition's sufficiency**; giving **authority for the Ombudsman's office to refer illegal activity to the courts for prosecution**; **clarifying who is qualified to vote in an Organized Hamlet**; and **reviewing RM division boundaries** every 10 years to achieve representation by population⁶

The 10 resolutions that were passed at convention have since gone forward to the Ministry of Government Relations. Certainly these resolutions came to light, not only because of the McKillop situation, but also because the Ministry asked for our input. Once again, one extreme example has helped PARCS focus our attention on the need for **province-wide legislative changes!**

- *For those of you who were not at convention, these very important resolutions that were passed at convention will be available in mid-December, on our web site, watch for instructions in our December newsletter.*
- *It should be noted that while our 2018 convention was dealing with resolutions aimed at addressing broken relationships between OHs and their RM, a full morning convention session was devoted to examining ways to achieve a better working relationship between OHs and their RM. The session was facilitated by the team of: Ron Palmer (former OH Board chair, now a councillor in the RM of North Qu'Appelle) and Sherry Jimmy (from a cottage community and now Reeve of the RM of Meota).*
- *Certainly, we must stress that not all OH/RM relationships are broken. Many function effectively!*

⁵ To PARCS, SUMA and SARM.

⁶ **It is interesting that the resolution calling on the province to redraw division boundaries to reflect "representation by population" has since come to the forefront in the McKillop saga (follow the link to: <https://www.cbc.ca/news/canada/saskatchewan/rm-mckillop-lake-people-1.4893320>).**

EXAMPLE #3 – When two organized hamlet boards jumped through all the required hoops to become a new resort village and then discovered that a November vote might prevent their ratepayers from voting. . .

In this example, PARCS was informed of the possibility of an optional vote being scheduled for a date that works against the democratic principle of giving all parties an equal chance to vote.

Since **2015**, the Organized Hamlets of Indian Point Golden Sands and Turtle Lake Lodge⁷ in the RM of Parkdale have been looking at incorporating to become Saskatchewan's 41st resort village. They had prepared by building the necessary infrastructure.⁸ Their work was postponed until the census count released in 2017 revealed that their total permanent population was 119⁹.

On **August 17, 2018**, after the assistance of a mediator, the 2 OH's and the RM signed a legal agreement to proceed and the requisite public meeting followed the following day. Subsequent to these events, the RM decided to hold a ratepayers' vote on November 10.

At our **October 2018 fall convention**, the chair of the OH's joint committee, Jim Glasrud, detailed the events leading up to the proposed vote and their concerns that the November date might prevent many cottage owner ratepayers from voting. An emergent resolution was passed calling on PARCS to write to Warren Kaeding, Minister of Government Relations **indicating PARCS support for the incorporation of these 2 OH's into a new Resort Village and calling on the Minister to require the co-operation of the RM in moving forward as per the signed agreement between the RM and the two OH's.**

The principle here was that the parties involved had already arrived at a signed agreement. They has already met the requirements for publishing notice, signing an agreement and holding a public meeting. The calling of a vote is optional and certainly a November voting date could be prejudicial to those ratepayers in the cottage communities who had already moved hundreds of miles back to their permanent homes.

Since the convention: (1) PARCS' letter has gone forward to the Minister of Government Relations, Warren Kaeding. (2) The vote was held November 10th with 159 ratepayers voting in favour of the incorporation into a resort village and 78 ratepayer voting against.

On November 11th PARCS received a letter from a member of the Committee to Establish the East Side Resort Village of Turtle Lake stating: "Thanks to you and President Garry Dixon and the delegates at the PARCS convention for sending in a letter of support to the Minister. Although he won't see the letter until this coming week, and our vote was positive, he still has to make the final decision once our application is sent in by the RM of Parkdale. Your assistance will go a long way to back up our application, schedules of information, etc., that will soon go in to the Minister. Thank you on behalf of the residents of IPGS and TLL Organized Hamlets."

To the convention delegate who offered the opinion (**page 1**) that PARCS should only take sides in local issues when those disputes relate to legislation or regulations provincially, PARCS states that **WE AGREE**. We hope that we have demonstrated that each of the three local issues (above) had provincial applications¹⁰. Thank you for your reminder that we need to maintain a provincial perspective. In each example, the issues went before our membership, resolutions were voted on directing PARCS' follow-up action. Democracy prevailed. **PARCS' mission statement is "to support and represent the interests of cottage communities in Saskatchewan at a local, provincial and federal level."**

⁷ Located on the on Turtle Lake, about 2 km apart.

⁸ A **heated shop for a new fire-fighting truck** (2006), a new **3-cell wastewater lagoon** (2011) and decommissioning an old dump to build a **new transfer station** on the site.

⁹ One of the legal requirement before organized hamlet may apply to incorporate as a resort village is a permanent population of at least 100. Another requirement includes a taxable assessment of \$ 35 million (these 2 OHs have a joint assessment of over \$110 million).

¹⁰ In each case, note: **"The principle here. . ."** on the preceding pages"