



## PARCS UPDATE #95

DECEMBER 18, 2018

“Rep by Pop - a fundamental principle of democracy”

**An Editorial Edition**

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### 1. THE STORY - Background from PARCS and from CBC

The issue of “*representation by population as a fundamental principle of democracy*” was first raised in the **October 2012 edition of PARCS UPDATE** (#30) by Cliff Schmidt, writing on behalf of the property owners of Wakaw Lake (POWL) regarding the RM of Hoodoo #41. Cliff pointed out that although 2 of the 6 divisions in the RM contained up to 70% of the RM’s eligible voters<sup>1</sup>, these voters only got to elect 33% of the councillors (2 out of 6 council seats).

The issue was raised again in **April 2016 edition of PARCS UPDATE** (#62) by Garry Dixon, speaking on behalf of the cottage owners in the RM of McKillop<sup>2</sup>. Garry pointed out that in each of two of the rural divisions in the RM, 68 voters could elect one councillor - while in another division, 970 eligible cottage owner voters only got to elect one councillor. It was pointed out that there are 3 ways that voting boundaries could be changed:

- 1) The RM could initiate the process.
- 2) Ratepayers could petition the RM for public consultation on the issue.
- 3) Ratepayers could petition for the RM to hold a referendum on the issue which the RM would be required to act upon.

The **November 2016 edition of Parcs Update** (#69), told about Cliff Schmidt’s report to the 2016 convention telling how POWL had obtained the necessary signatures for the referendum (option 3 above), but because the RM held the referendum during the winter when few cottage owner were available to vote, the vote was lost.<sup>3</sup>

A **November 7<sup>th</sup>, 2018, CBC news report**<sup>4</sup> described how the McKillop Ratepayers Association<sup>5</sup> had not only successfully petitioned for a referendum (option 3 above), but had also presented the province with a draft map with six new subdivisions, each with roughly equivalent number of eligible voters. CBC describes how the map was put forward to all of the eligible voters in the RM in the resulting referendum held October 24, 2018 and how it was **passed by 73% of those eligible voters who voted**. (See link in post-script #4 below to see a sketch of this new map.)

A **December 13<sup>th</sup>, 2018, CBC news report**<sup>6</sup> stated that the province had already announced, on **Dec. 10<sup>th</sup>**, their approval of the changed electoral boundaries as per the referendum map, and that the vote for the six new councillors<sup>7</sup> will be held on **February 27<sup>th</sup>, 2019**. Other details in the Minister’s Orders are said to name the returning officer, the date and location of the advance polls.



This **binding referendum vote about new subdivision boundaries**, thoroughly researched and clearly promoted by the RM of McKillop Ratepayers Association, was passed by 73% of those who voted on **Oct. 24<sup>th</sup>** and promptly approved by the Minister on **Dec.10<sup>th</sup>**.

<sup>1</sup> The RM of Hoodoo include all of the cottages communities (beaches) along the shores of Wakaw Lake (including the organized hamlets of Balone Beach and Cudsaskwa) but excludes the RV of Wakaw Lake.

<sup>2</sup> See Item #45 in the PARCS RESOURCE GUIDE FOR RESEARCH - on the front page, bottom, of our web site at [www.skparcs.com](http://www.skparcs.com).

<sup>3</sup> Cliff wrote to PARCS on Nov. 30, 2018 suggesting we might consider advocating the Ontario compromise of electing councillor at large. **To be continued.**

<sup>4</sup> <https://www.cbc.ca/news/canada/saskatchewan/rm-mckillop-lake-people-1.4893320>.

<sup>5</sup> Described as a “group primarily representing people along the lake”.

<sup>6</sup> <https://www.cbc.ca/news/canada/saskatchewan/saskatchewan-government-rm-mckillop-1.4944256>.

<sup>7</sup> The reeve will be allowed to complete his original term as reeve.

## 2. THE EDITORIAL – Four implications of the recent Minister’s orders to McKillop <sup>8</sup>

**2.1 Ratepayers in the RM of McKillop may be feeling confused**, in that they will have had three different RM Councils within 7 months.

- The **first council passed a budget in August of this year**, “increasing the mills rate for residential properties by 85% and only by 5% for agricultural properties.” <sup>9</sup>
- The **2<sup>nd</sup> council, the current council, changed after the elections last October in 3 of the subdivisions**, has been working under the eye of government appointed advisor, Vern Palmer.
- The **3<sup>rd</sup> council will be elected on Feb.27 to represent the newly approved subdivisions** and will likely result in a change in demographic representation.

It is our understanding that the current council (the 2<sup>nd</sup> council) has been working hard to come up with a different plan for addressing the million dollar shortfall that originally brought the RM of McKillop under public scrutiny. Will the efforts of this current council be cast aside after the new 3<sup>rd</sup> council is elected in February? One would assume that the answer is “no”. It has always been a fact that every new municipal government inherits the decisions of the previous governments.

**2.2 Councillors in other municipalities have a critical lesson to learn from the actions of McKillop’s 1<sup>st</sup> council<sup>10</sup>**, namely that **EVERY ELECTED COUNCILLOR HAS A RESPONSIBILITY TO LEARN THE KEY POINTS ABOUT THEIR FINANCES**. There are checks and balances built into the financial operations of a municipal council (requirements for a **signature** from a mayor/reeve/designated councillor, required **monthly financial reports**, and **annual reports** from an auditor). Every councillor should be able to quote:

- Their annual total **operating budget** [example: “We spend a total of \$\_ dollars per year.”]
- The different **parts of that operating budget** [example: “We spend \$\_ on administration, \$\_ on transportation services, \$\_ on utilities, \$\_ on police and fire protection, \$\_ on garbage, etc.]
- The **different reserves** and their purpose [examples: “We have \$\_ dollars set aside in a capital trust” or “We have \$\_ dollars set aside for utility upgrades.”]

When the reeve of the RM of McKillop blames the administrator because he did not know the key points of his own financial statements, he is revealing his own failure to pay attention and to learn these facts. Every elected council member has a duty to pay attention to monthly financial reports. Whenever the administrator asks for a 2<sup>nd</sup> signature, that councillor who is signing has a duty to ask questions about what that councillor is signing.

**2.3 It’s cheaper to learn ways of working together than paying for ways to quarrel**

Every PARCS convention for the past four years has featured presentations about ways for RMs and their OHs to work together. PARCS has published the OH Toolkit which details forms and deadlines for RMs and their OH cottage communities to use.<sup>11</sup> A new resource was unveiled at our recent convention. (Note insert CBC report about RM spending on quarrels.)<sup>12</sup>

**What McKillop Council (#1) spent in 2018 on dealing with conflict (footnote 12):**

- \$16,500 for a Management firm to investigate ethics complaints against the Reeve.
- \$159, 000 for their legal counsel to handle lawsuits against Council.
- \$152,000 for a consultant to examine development costs.
- #31,000 for a law firm to help the RM deal with a private developer.
- \$6,000 for municipal bylaw experts to assist in bylaw appeals.
- \$15,000 to a communications firm
- \$10, 500 for a consulting firm’s advice about allocating costs to certain tasks.
- \$5,500 for a lawyer to defend their administrator against complaints.
- \$395,500 TOTAL**
- Plus an administrator contracted at an annual rate of \$166,000.

<sup>8</sup> Note that while the first page is a compilation of background information reported over the past 6 years in our own newsletters, as well as recently by CBC news, the second page is the opinion of editor, Lynne Saas, Parcs Director of member services. Readers are welcome to email their opinions or responses to us at [parcs@sasktel.net](mailto:parcs@sasktel.net)

<sup>9</sup> <https://www.cbc.ca/news/canada/saskatchewan/taxes-rm-of-mckillop-1.4786709>

<sup>10</sup> Whether they be councillors in rural municipalities, in resort villages, in regular villages, in towns or in cities.

<sup>11</sup> See our catalogue on the front (bottom of our website) Catalogue Items #3, #32, #44.

<sup>12</sup> <https://www.cbc.ca/news/canada/saskatchewan/spending-like-drunken-sailors-how-the-rm-of-mckillop-got-into-such-a-financial-mess-1.4839811>

## **2.4 The Minister's response to the McKillop referendum will be precedent setting**

Back in **August of 2009**, when newly appointed as Director of Member Services, I wrote, in Parcs Update #2, an article called the Urbanization of Rural Municipalities part of which is quoted in the attached appendix. The phenomenon of rural municipalities having to deal with the needs of urban communities under their care has increased. The reasons include the trends that:

- More and more small villages have been dis-established and handed over to rural municipalities to administer as hamlets.
- More and more new urban settlements have sprung up within the rural municipalities around cities and even around some towns.<sup>13</sup>
- Cottage community developments are also springing up. Sometimes rural municipalities approve these developments as being a source of new tax revenue without considering that these same community members will want a say on the councils that administer to their needs.

Ontario has just undergone dialogue about this issue, and has decided, in some jurisdictions at least, to move to an "at large" system for voting in rural municipalities with these burgeoning new urban developments, thus eliminating divisional boundaries<sup>14</sup>.

It goes without saying that other ratepayers (in other small urban hamlets, subdivisions, or organized hamlets with increasing numbers of ratepayers) may be requesting a reorganization of division boundaries such that their votes during elections are fairly representative of their share of the total population within the RM that administers to their needs.

In fact, the Policy and Planning Branch of the Ministry of Government Relations has recently sent out a 56-page document for stakeholder review about possible 2019 amendments to the Municipalities Act, (including the suggestions passed as resolutions by PARCS delegates at our October convention). One of these suggestions ***calls for a regular review of RM division boundaries***<sup>15</sup>!

***Representation by population is a fundamental principle of democracy!***

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<sup>13</sup> Around the cities – such as Aberdeen, Corman Park and also around towns such as Dundurn.

<sup>14</sup> See Parcs Update #88 (July 2018) for a letter we received from the Ontario Cottage Owners Association (Newsletter section in on our web site <http://www.skparcs.com/home>).

<sup>15</sup> Thank you to the Parcs delegates who supported this resolution on October 20.

## APPENDIX A – Article from Parcs Update #2 (August, 2009)

### THE URBANIZATION OF RURAL MUNICIPALITIES

Anyone who has driven through the countryside surrounding our cities cannot help but notice the many new housing developments springing up in rural areas of Saskatchewan.

The trend toward the urbanization of rural areas is happening not only because of the increasing numbers of homes on rural acreages but also because of the growing number of cottages and cottage communities.

In Saskatchewan there are 24 rural municipalities that administer more than 100 organized and unorganized hamlets that are cottage communities. Both the number of cottages and the number of cottage subdivisions have been on the increase.

	Organized	Unorganized	
	<u>Hamlets</u>	<u>Hamlets</u>	TOTAL
RM of McKillop #220	9	11	20
RM of Mervin #499	12	4	16
RM of Meota #468	13	2	15
RM of Hoodoo #401	2	12	14
RM of Grayson #184	4	1	5
RM of Leask #464	1	3	5
RM of Sasman #336	2	2	4
RM Hudson Bay #394	3	1	4
16 other RMs, with 1-3 resort hamlets, totaling			23
<b>RESORT HAMLETS:</b>			<b>106</b>

**GROWTH** - Interest in cottage communities continues to increase. The significant increases in cottage prices over the last few years have, for the most part, held in spite of the current recession. On lakes surrounded by private property, land is being purchased by private developers. Rural municipalities are dealing with requests to take quarter-sections of agricultural land out of production to allow for new cottage development. Four new subdivisions have sprung up on the east side of Last Mountain Lake in recent years as a result of privately owned land being sold to developers. Some rural municipalities have a policy that any new subdivisions must amalgamate with existing subdivisions. Many rural municipalities are working with a community planner to arrive at an Official Community Plan and Zoning Bylaw to facilitate orderly future development.

**NOTE** - The upcoming **PARCS CONVENTION** will feature a session on *Dealing with Sewage at the Lake*. A cottage owner will tell how their cottage community and the RM cooperated to plan and obtain grant funding for a regional lagoon to service the needs of a number of cottage communities.

**SERVICES** - As the number of people in cottage communities increases, so do the request from these communities for improvements to their existing services. Some cottage communities are looking for upgrades to their **potable water systems** to meet the demands of their increased population. Some rural municipalities have partnered with neighboring towns or villages to contract rural water lines from Sask Water. Many rural municipalities are finding increased demands on their lagoons from sewage being hauled in from cottage holding tanks. Those cottage communities that continue to field spray the effluent from holding tanks are wondering how long such arrangements will be permitted. Many cottage communities are looking to accelerate their plans for a **regional sewage lagoon**. Increasing numbers of permanent residents at cottage communities are asking for more road maintenance and for snow removal.

**ADMINISTRATION AND GOVERNANCE** - Having a dozen or more cottage communities in a rural municipality imposes a unique set of administrative demands on the rural municipality. There are more roads to be graded, more signage to be erected, more green areas to be mowed, more accounts to be paid, more bylaws to be enacted and enforced, more assessment notices and tax notices to send out, more needs to be assessed and more communication to facilitate. Rural municipalities enter into agreements with their organized hamlets such that 40% to 75% of the taxes collected from within the hamlet goes into their "special Hamlet account" in accordance with The Municipalities Act. Administrators report ongoing **urban issues** such as the behaviour of quad users, problems with dogs, and the need for bylaw enforcement. There is a growing trend in Saskatchewan whereby the growth in resort communities has resulted in the **urbanization of some rural municipalities**.