

Organized Hamlet of Lone Rock Board Meeting (Zoom)

April 20, 2021

7:05pm

**Attendance: Lloyd Ludwig, Donna Woods, Melissa Heney, Candice Blain,
Terry Kashuba**

1. **Welcome & Introductions:** Meeting commenced 7:05 PM
2. **Opening Remarks from the Chairman:** We are still dealing with matters from the Judicial review QGB 301 A number of those matters will proceed through the Appeal Board. Ron has prepared a list of legislative compliance recent cases for the Appeal board. Further information has been forwarded to the RCMP & Justice & we are waiting for the outcome of the Appeal Board on a few matters but the delay has increased the time for that to be resolved so a formal complaints will be made to the RCMP in that regard . A judicial review is being assembled to take a look into the entire process of the RM numbered company as well as the financials those will also be submitted to the Premier. Terry Kashuba's title will remain as Administrative Assistant to the Secretary all duties will remain & he will replace Candice Blain who has resigned as Organized Hamlet Board member effective immediately this will also be forwarded to Minister of Government Relations. The official Organized Hamlet Board email & letters will reflect the same continuing as: LoneRockOHB@hotmail.com . In speaking with Government relations they have confirmed zoning would need to have a number of changes before it could be approve & it will not change organized hamlet status.

Continuing business:

- a. As directed under section 69 (2):

Hamlet account

69(1) The council of the rural municipality in which an organized hamlet is located shall allocate to a special hamlet account:

(a) all grants received on behalf of the hamlet; and

(b) at least 40% but not more than 75%, as may be agreed to by the council of the rural municipality and the hamlet board, of the taxes collected for municipal purposes and the municipal portion of any special licence fees established pursuant to section 306 from within the organized hamlet.

(2) The council of the rural municipality shall use moneys in the hamlet account at the request of the hamlet board and only for any purpose authorized by this Act.

2005, c.M-36.1, s.69; 2006, c.7, s.7.

This has been clarified by the Ministers office as the RM is required to cover the costs of any court actions against any board members or Hamlet volunteers & extending to Appeal Board members as per 356. As this is being sorted specifically The Hamlet board is directing the RM of Wilton to pay legal fees & costs that are of Hamlet interest out of the Hamlet account. A court application is

in development to affirm. This may also make up part of the judicial review & an injunction until such time as the Appeal Board can have a hearing & determine matters depending on how fast the Appeal board can be assembled. Specifics will follow in resolutions

- b. Still haven't been receiving the RM of Wilton's Minutes. There was no response to the formal letter we included the Minister & Premier in on the correspondence. A Freedom of Information request was sent in for both Minutes & Financials this has moved along to the Commissioner who has set it for investigation which is now taking place.
- c. The Saskatchewan Municipal Board has made a ruling as to Lloyd's property as it is declared Residential without need for further permits. RM refused to correct so a complaint has been made to the RCMP for failure to comply with an order of the SMB. A registry will also be made with the local sheriff so that interest on the abatement can be collected & in case this has to go for review on other utility matters.
- d. We have forwarded the investigators information along with our photos videos in the submission package which was sent to both RCMP & Conservation through after we submitted through the TIPS line.
- e. Appeal Board is proceeding a resolution was not found in mediation so now it proceeds through SMB hearing to choose a chairperson.
- f. Depending on what happens in June we will either file criminal & health board charges or proceed with self-government formalities & as per the decision at the annual hamlet meeting we have submitted the completed forms to the Federal & provincial Governments with the amended dates. The issues of Metis nation claim of Lone Rock as ancestral lands which are being looked into. Covid is slowing the process as the finale document requires sworn oath which we can now provide but the lockdowns are causing issues. We are keeping Health & RCMP updated on developments.
- g. Contact continues with Water security both provincially & federally as to the letters included in the water & sewer billing which we have forwarded & they are unaware of any way in which this can be done without consultation & an alternate process put in place as per the Federal & Provincial legislation. They both seemed to agree this will more than likely end up in Gov directed mediation if not the SMB may have to directly install a supervisor. There is also a process that takes place for this but it has never taken less than 3years & it hasn't even started yet which adds to the confusion. SK water has sent all the materials they have regarding the Hamlet of Lone Rock an issue has arisen as there is no record of a proper transfer of assets from Village of Lone Rock to the RM of Wilton. We are all looking into it to see what that means exactly as they said the authority may still be with the elected board of the hamlet. In any regard this could also all be changed by the Appeal Board as they can reverse any of the RM decisions regarding Lone Rock & the court ruling which highlighted many RM decision defects. Gov Dept.'s have asked to be kept updated & we have advised that No

consultation or meaningful discussion with Hamlet residents has taken place on this matter. This will more than likely have to be included in the injunction.

- h. The review of Tax exemptions has been completed & they have been excluded as shown in the budget. There is no reason as indicated by the SMB that these properties would be excluded. We have also included this with the Appeal Board roster.
- i. They also indicated that any of the funds that were not in our budget & used as per the legislation were legislation violations. We have forwarded the adjusted amount to Gov relations auditor & are assembling the materials we have for the RCMP which extends back to 2015.

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- j. The Hamlet Board from all minutes never agreed to a change from the 75% of annual revenue a formal breakdown has been forwarded to Gov Relations auditor as discussed at last meeting previous percentages should have been set at 75% so that will need to be audited from 2015 Also the percentage amount of transfer into Hamlet account for taxation was set at 75% & 85% for the special Levy the amount proposed by the RM wasn't agreed on. The RM of Wilton did not bring it to the Appeal Board so it reverts to Legislated amounts.
- k. Further follow up with the RCMP is being made as there appears to be a matter of Darren Elders name on a number of documents & conflicting information that he has been on medical leave for a number of months.
- n. We will be forwarding the minister the information provided to the RCMP as that should trigger a formal investigation as in RM of Sherwood & since mediation is over & hearing has potentially stalled this can be pursued.

3. Government Correspondence: A reply was received from Premier & Minister to follow up on the reporting issues they addressed in the letter. Also this affects any Grants the RM receives from both the Federal & Provincial Gov as all depts are fully aware of the issues taking place in Lone Rock & with the media now contacting the ministers for the documentary they are coordinating with RCMP as part of the issue & why a public Inquiry hasn't happened but have been slowed by Covid .

As per Judge's ruling the 2015 -2021 budgets have now been corrected. RM of Wilton budgets relating to Lone Rock are invalid until they have been heard by the Appeal Board unless the Hamlet Board & RM of Wilton comes to an agreement. This is also

under RCMP review as the legislation is clear that all expenses are at discretion of the Hamlet Board. Ron has put together the case law on that.

4. In Camera Session: Legal discussion

Return from in camera session nothing to vote on or report as just a clarification on necessary steps in moving forward on further budgets & RCMP issues with our legal counsel.

5. SK Water Security Agency: Requirements provided by Sask water & they have provided direction going forward with the Hamlet Utility this may change with the other Federal issues but as of now proceeding on their recommendations. Department of Health has provided instruction as to boil water advisories as well as disruption procedures & follow up was done as directed. Municipal Board have responded to some information so we have forwarded that to the Ombudsman as well as RCMP as directed. Received a letter from Jill Parton the acting Administrator or the RM of Wilton that the RM would not be following the resolutions in this regard so this has also been forwarded to Health & RCMP as well as the Federal water security agency.

As per the last minutes a \$12 dollar a day credit per household will need to be issued as per legislation & the previous resolutions total calculations will be made & forward to Minister & Municipal Board as well as the other Government departments involved in review.

There is also questions arising as to where the money is going as the money from these invoices is supposed to be placed in an account directed by the Hamlet Board as per the legislation & the RM of Wilton has yet to provide financials & invoices in that regard which has also been forwarded to Minister & RCMP.

6. Rates on Well & Sewage Conversions: This matter has been directed by the Judge to be heard in front of the Appeal Board but as always the Hamlet is still supporting all water /sewer utility remain as part of annual tax notice. Further follow up with the Ministers office are needed as there seem to be a number of inconsistencies with the budgets provided by the RM & what is being collected. Also the question has been raised why is the RM charging infrastructure costs with the intention of shutting down the system & where are those funds going which will have to be audited prior if they intend to decommission the system as per the legislation that would also go into the Hamlet account.

7. Tax Rates: Discussion Hamlet Board still awaiting information that was agreed to by RM Council in mediation & as indicated by the Municipal Board zoning has to follow procedure first being consultation with the Hamlet Board then if not agreed Appeal Board process. The RM has violated the legislation in this regard as the Hamlet Board is supposed to set the rate not the RM. A question was also raised as depreciation being an expense for appearance of deficit which is currently being investigated.

8. Hamlet Communications: Formal freedom of information request was made regarding all the gaps in the financials as well as the minutes under the public good request in which fees are waived as it is a matter of public record. RM is now under investigation in this regard & as advised also forwarded to RCMP for investigation.

9. In Camera Session: Legal discussion

Return from Legal discussion nothing of note as the Privacy Commissioner can forward matters they deem to the RCMP. Affidavits & investigative notes regarding number company have been packaged & forwarded to the RCMP. As well as law society request.

10. RM Tractor & Hamlet Road Maintenance: We have forwarded our previous submission & have received a reply that they will bring this up with the new Minister of Public Relations. They did want a breakdown of how many households were affected & how the \$500.00 was arrived at as well as any photos. We have forwarded the breakdown & now awaiting reply.

11. Street Lights: Street lights will have to be tabled until transition is completed.

12. Trees & Buildings: Environmental problems persist with the buildings that were obtained by the RM this also lends to the 346 claim as more issues arise & are seeing more effects due to the destruction.

Asbestos issue with the houses is an ongoing issue with a total look now from the 1st house demolished to the last basement being removed with further investigations ongoing. The report has been submitted & we have been advised to forward to law enforcement we have been referred to a specific firm which has agreed to look over all the material & advise on a best course possibly on contingency.

13. Resolutions: Put forward by Lloyd Ludwig Seconded by Donna Woods

- (1) Candice Blain has resigned & Terry Kashuba has been unanimously elected to fill the vacancy he will retain his current title as well as be a board member of the Lone Rock Organized Hamlet board a copy of the notice has also been forward to Minister of Advisory services
- (2) RM Directed to pay for legal fees & costs as provided for in the above mentioned legislation at the direction of the Organized Hamlet Board. As well as in the Annual Organized Hamlet of Lone Rock meeting.
- (3) Further submit formal complaints to RCMP as per the legislative infractions as well as the Affidavit & number company issues
- (4) Follow up as to the Saskatchewan Municipal Board & confirmation that Terry Kashuba being hamlet board member will be representing the hamlet board for that hearing.
- (5) Set that the RM of Wilton implement the water & sewer utility remains within the yearly taxes as in previous years & reimbursement or credit be supplied to those that have already paid them along with reimbursement for time periods in which loss of service or Boil water advisory in place. Confirm with SK water & Federal water agency a rate of \$12.00 a day for Boil water & or service disruption & set that as rate for compensation to be reimbursed to each ratepayer after 72 hr is implemented & billing will be prepared.
- (6) Further approve of legal counsel forwarding letters to ministers & filing matters with the court that he deems appropriate & provide him with the materials that will go out to the media regarding the investigations.

- (7) Follow up with Minister & Legal counsel as to state of Supervisor implementation in the RM office.
- (8) The Organized Hamlet Board take over operations of the water & sewer utility & any infrastructure assets. In the alternative to raise the issue of the transfer never actually taking place to the RM so the Hamlet Board would resume operation.
- (9) As instructed by Gov relations that virtual or digital meetings have the same effect & force as previous meetings as per the Covid recommendations.
- (10) Follow up with all the ratepayers submitting claims as per the violations regarding land sales so they may be combined into 1 class & if they also intend to pursue RCMP charges regarding the same. Review of last 5 years of RM acquisitions to continue.
- (11) Official email will remain the same: LoneRockOHB@hotmail.com
- (12) Submit the review of year to year building permit values & Hamlet Board analysis report as requested to ministers & premier.

Resolutions are hereby voted on & unanimously passed as listed .

14. Next Meeting: Next Hamlet Board meeting to be determined by consensus.

15. Meeting Adjourned: 8:30PM

Donna Woods.
