

**RURAL MUNICIPALITY OF BAILDON NO. 131**  
**Minutes of the Regular Meeting of Council on January 18, 2023**  
**at the Regional Municipal Plaza**

Those in attendance were:  
Division 1 – Dennis Shortland  
Division 3 – Kristine Hanlan  
Division 5 – Kaiser - Absent – Suspended

Reeve: Terry Anthony  
Division 2 – Philip Huntley  
Division 4 – Jeff Lewis  
Division 6 – Absent

Administrator – Carol Bellefeuille

Reeve Anthony called the meeting to order at 8:26 a.m.

**Conflict of Interest** – None

**Agenda**

**1/23**           **Huntley:** THAT the agenda be accepted as presented.

**Carried Un.**

**In Camera**

**2/23**           **Lewis:** That Council agrees to go in-camera at 8:31 a.m. to discuss Staff wages for 2023.

**Carried Un.**

**Reconvene**

**3/23**           **Shortland:** That Council reconvene to regular session at 9:34 a.m.

**Carried Un.**

**Staff Wages 2023**

**4/23**           **Hanlan:** That Council approve the Staff wages in Schedule 2023 and attached to these minutes.

**Carried**

**Maintenance Report January 2023**

- Repaired backhoe fuel tank leak, was a cracked rubber tank plug.
- Have cleaned water loading area a number of times due to ice buildup, also there is a pail of sand /salt mix in the area.
- Mechanic went over tractor and could find nothing wrong with it. Recommended replacing the fan belt tensioner pulley bearing being replaced and will do here.
- Quotes coming in for grader blades and will probably be purchased by the time this is read.
- Have bladed all main grids due to icy conditions.
- Brandt has been here to repair faulty fuel gauge sending unit in Vern's Machine , will be back here again due to wrong sending unit being ordered(Brandt Issue) .
- Side Arm has been gone through, replaced some gearbox seals that were leaking and changed all oils, repacked wheel bearings. Had some difficulty finding seals for electric solenoid valve so hoping this does the trick and stops this leaking as well.
- Mower still to come in for wheel bearing repack and truck still needs front engine seal done.

**Administration report – January 2023**

- Baildon Utility Water Board water had no arrears at year end, to transfer to Municipal taxes
- Audit January 24 & 25, 2023
- Grant confirmation update
- Spring Workshop – Weyburn – March 28, 2023
  - o (EMAP) Enhanced Municipal Administration Program
- Time Cards/New system
- Moose Jaw Fire Dept. Levy
- Pest Control within RM

**Administrator & Maintenance Reports**

**5/23 Shortland:** THAT the Administrator & Maintenance reports be accepted as presented.

**Carried Un.**

**Professional Building Inspectors 2023**

**6/23 Shortland:** That Council appoint the following Licensed Building Officials through Professional Building Inspectors (PBI) for 2023:

Doug Mulhall  
Bobby Baker  
William Hudema  
Virginia Shepley  
Walter Schroeder  
David Kindred  
Dustin Masuk  
AmandaKaufmann  
Joshua Nitz

**Carried Un.**

**SARM Convention, March 14-16, 2023**

**7/23 Hanlan:** That Council will appoint Administrator, Carol Bellefeuille to speak to the resolutions submitted on behalf of the RM of Baildon #131 if Reeve Terry Anthony or Deputy Reeve Dennis Shortland are unable to attend. The 2023 SARM Convention is to be held in Saskatoon March 14-16, 2023.

**Carried Un.**

**Resolution – SARM Convention - Municipal Code of Ethics Bylaw**

**8/23 Shortland:** That the Council of the RM of Baildon #131 forward the following resolution to SARM for consideration at the March 2023 Convention.

Municipal Code of Ethics Bylaws – Provision to Disqualify from Office

It is a requirement of The Municipalities Act that RM's implement a Code of Ethics Bylaw. Neither the Municipalities Act nor the Regulations clearly stipulate what remedial actions are permitted when a member of Council violates their Municipal Code of Ethics. The Ministry's template does showcase some example remedies, but only advises that "These are examples only and represent possible options. It is important that council discuss appropriate courses of action before passing a bylaw AND consult their legal counsel. Any actions chosen for your bylaw must be allowed by the applicable legislation and regulations."

While it is clear that members of Council have to abide by the code of Ethics, and that RM's are given the power to alter the Bylaw, it also seems to us that Code of Ethics section of the Act lacks the teeth that are found in the Conflict of Interest section of the Act. This can leave a municipality vulnerable to bad actors. If Ethics violations are brought forward, can be independently substantiated and remedial

actions are taken against an offending Council member, but that member chooses to not abide by those remedies set out in the Bylaw, what recourse do we as an RM have?

Around our Council table, it seems to us that if failing to complete a Public Disclosure Statement or failing to disclose a Conflict of Interest can be grounds for disqualification from office, why wouldn't there be similar provisions for the most serious of Ethics violations?

We are asking our fellow SARM members to support our motion to have the provincial government provide us with more tools for enforcement for Code of Ethics Violations and for disqualification from office to be made such an option for the most serious of such violations.

#### Municipal Code of Ethics Bylaws – Immunity Provisions for Municipalities from Litigation

Further to our other resolution, the RM of Baildon has had a challenging, firsthand experience with Code of Ethics bylaws. As a result of formal complaints made, following our bylaw we had a third party investigate. When the third-party investigation report was released, it validated numerous ethics violations. As a result, our Council followed our prescribed remedial actions and requested an apology from the member in question to the impacted individual(s), as well as set up Educational training on ethical and respectful conduct (by an outside source). When the member in question would not abide by these requests, they were then suspended from council committees, and eventually for suspended from Council altogether until there was compliance.

While our municipality has followed the outlined procedures and prescribed steps within our Ethics Bylaw, not only has the member in question not complied with the remedial actions requested, we have found ourselves in a costly, ongoing court battle with this member over the validity of our provincially mandated Ethics Bylaw. We are seeking our fellow SARM members support of this resolution so that in the future all Municipalities could have legal protection, in the form of immunity from liability from similar such actions, so long as the municipality was acting in good faith through the development and utilization of its Code of Ethics bylaws. This would help municipalities eliminate some risk and give a clear off ramp for any future similar litigation, should it arise.

#### Municipal Code of Ethics Bylaws – Provision to Disqualify from Office

Rural Municipality of Baildon No. 131

WHEREAS all Rural Municipalities are required to have a Code of Ethics bylaw, pursuant to Section 93.1 of *The Municipalities Act*.

WHEREAS subsection 93.1(7)(d) of *The Municipalities Act* states that the Lieutenant Governor in Council may make regulations prescribing rules or limitations regarding the censure or suspension of a member of council who has contravened a code of ethics adopted pursuant to this section

WHEREAS the sample Code of Ethics Bylaw prepared by the Ministry of Government Relations only contemplates remedial actions as strong as suspension of a member of council for a Code of Ethics violation.

WHEREAS section 147 of *The Municipalities Act* states the reasons that a member of council may be disqualified, which include violations of section 142 (Public Disclosure Statements) and section 144 (Disclosure of Conflict of Interest) of the act, but not around matters relating to violations of Code of Ethics.

BE IT RESOLVED that SARM lobby the Provincial Government to amend *The Municipalities Act* to contemplate members of council being disqualified from council as a remedial measure to the most severe violations of a Code of Ethics bylaw.

#### Municipal Code of Ethics Bylaws – Immunity Provisions for Municipalities from Litigation

Rural Municipality of Baildon No. 131

WHEREAS all Rural Municipalities are required to have a Code of Ethics bylaw, pursuant to Section 93.1 of *The Municipalities Act*.

WHEREAS aggrieved members of council, committees, controlled corporations or other bodies established by council who are not members of council, who, upon being made subject to remedial provisions of a municipal Code of Ethics bylaw, could pursue legal recourse against the municipality, rather than complying with the bylaw provisions.

WHEREAS such legal recourse taken against the municipality can cost the municipality greatly in terms of financial resources, human resources and morale.

WHEREAS municipalities placed in this situation can be there through no fault of their own, other than the legal requirement to have a Code of Ethics bylaw.

BE IT RESOLVED that SARM lobby the Provincial Government to amend *The Municipalities Act* to add provisions for immunity for municipalities against litigation over their Code of Ethics bylaws, unless the aggrieved party can prove that such action was taken as a result of bad faith on the part of the Municipality.

**Carried Un.**

#### **Resolution – SARM Convention – Saskatchewan Crop Insurance**

**9/23 McDonald:** That the Council of the RM of Baildon #131 forward the following resolution to SARM for consideration at the March 2023 Convention.

Producers in the Province of Saskatchewan have the option to buy crop insurance through the Saskatchewan Crop Insurance Corporation program. Currently the program allows producers to buy up to 80% coverage.

WHEREAS with input costs being significantly higher producers should have the option to purchase additional coverage.

#### **RESOLUTION**

BE IT RESOLVED that SARM lobby the Provincial Government to amend the Saskatchewan Crop Insurance Corporation Policy to allow for increased coverage up to 95%.

**Carried Un.**

#### **Resolution – APAS Annual Convention – Saskatchewan Crop Insurance**

**10/23 Huntley:** That the Council of the RM of Baildon #131 forward the following resolution to APAS for consideration at the Annual 2023 Convention.

Producers in the Province of Saskatchewan have the option to buy crop insurance through the Saskatchewan Crop Insurance Corporation program. Currently the program allows producers to buy up to 80% coverage.

WHEREAS with input costs being significantly higher producers should have the option to purchase additional coverage.

#### **RESOLUTION**

BE IT RESOLVED that APAS lobby the Provincial Government to amend the Saskatchewan Crop Insurance Corporation Policy to allow for increased coverage up to 95%.

**Carried Un.**

### Delegation

10:02 a.m. – 10:38 a.m.

Carmen Kaweski- Executive Director – Moose Jaw River Watersheds

Kristina Berry MJRWS

Trevor Simpson

Discussion took place in regards to the Big Baidon/Little Baidon Project as how to proceed going forward.

Trevor Simpson spoke about culvert condition and drainage problems. Culvert needs to be lowered to allow for proper drainage and needs replacement. Location is at SW 29-15-25-W2.

### Regular Council Minutes

**11/23 McDonald:** That Council approve the minutes of the Regular Meeting of December 2022 and be accepted as presented.

**CARRIED UN.**

### Arrears List – December 31, 2022

**12/23 Shortland:** That Council approve the arrears list as of December 31, 2022.

**Carried Un.**

### Employee – Recall

**13/23 Lewis:** That Council set the re-call date for seasonal employees as April 3, 2023.

**Carried Un.**

### 2023 Weed Inspector/Weed order Enforcement Officer

**14/23 Lewis:** That Council appoint John Langford as the 2023 Weed Inspector and Weed Control Act Enforcement Officer for the R.M. of Baidon.

**Carried UN.**

### 2023 Pest Control Officer

**15/23 Hanlan:** That Council appoint Ryan Budd – Pest Arrest as the 2023 Pest Control Officer for the R.M. of Baidon

**Carried UN.**

### Auditor Appointment & Engagement Letter

**16/23 Shortland:** That Council engage for the audit to be completed for the RM of Baidon by Dudley & Co. for the year ending December 2023.

**Carried Un.**

### Financial Activity & Bank Reconciliation Report for December 2022

**17/23 McDonald:** That the financial statement and bank reconciliation report for the month of December 2022 be accepted as presented.

**Carried Un.**

**Accounts for Approval**

**18/23 McDonald:** That the list of accounts paid by cheque number 1626-1658 Conexus Credit Union totaling \$224,451.20 as well as the list of accounts paid by Electronic Fund Transfer \$129,989.60 and Pay Period 25,1 & 2 totaling \$23,049.96 be approved for payment and ratified.

**Carried Un.**

**Culvert Replacement**

**19/23 Lewis:** That the RM of Baildon contribute \$10,000 to the replacement of the culvert located at NW 24-14-25-W2.

**Carried Un.**

**Council Reports**

**Division #1-6 & Reeve -** Icy conditions over Christmas

**Carried Un.**

**Approval Council Reports**

**20/23 Huntley:** THAT the Council reports be accepted as presented.

**Carried Un.**

**Next Regular Meeting of Council**

**21/23 Huntley:** That the Council meeting will be held Wednesday March 8, 2023 @ 8:30 a.m.

**Carried Un.**

**Correspondence**

**22/23 Shortland:** That the correspondence being read now be filed.

**Carried Un.**

**Adjourn**

**23/23 Lewis:** That the meeting be adjourned at 12:25 p.m.

**Carried Un.**

**Certification**

Presented to Council of the RM of Baildon No. 131 this \_\_\_\_\_ day of

\_\_\_\_\_, 2023 and accepted as Presented.

\_\_\_\_\_  
Terry Anthony - Reeve

\_\_\_\_\_  
Carol Bellefeuille – Administrator