



MINISTER'S ORDER
REVERSION OF THE ORGANIZED HAMLET OF SAND POINT BEACH
AND
MERGER OF A PORTION OF
THE RURAL MUNICIPALITY OF MARQUIS NO. 191
WITH
THE RESORT VILLAGE OF SOUTH LAKE

Pursuant to Section 53 and 61 of *The Municipalities Act*, the Resort Village of South Lake and the Rural Municipality of Marquis No. 191 have jointly applied to merge a portion of the Rural Municipality of Marquis No. 191 with the Resort Village of South Lake.

It is deemed appropriate and in the public interest to revert the Organized Hamlet of Sand Point Beach at this time and merge a portion of the Rural Municipality of Marquis No. 191, including the area known as Sand Point Beach, with the Resort Village of South Lake. The undersigned, therefore, issues an Order pursuant to Section 61 of *The Municipalities Act*.

IT IS HEREBY ORDERED THAT:

1. The area of the Organized Hamlet of Sand Point Beach within the Rural Municipality of Marquis No. 191, being that area described in an Order dated August 11, 1988, is reverted.

IT IS FURTHER ORDERED THAT:

2. The portion of the Rural Municipality of Marquis No. 191 described as follows be withdrawn from the Rural Municipality of Marquis No. 191 and merged with the Resort Village of South Lake:

Township 20, Range 26, West of the Second Meridian and described as:

- (1) The NE Section 8 Ext 1, parcel 147687980;
- (2) The SE Section 8 Ext 1, parcel 147688116;
- (3) The NW, SW, and SE of Section 17, EXCEPTING lands covered by the waters of Buffalo Pound Lake;
- (4) The SE and NE Section 18;
- (5) The NW, SW, NE and SE Section 19, lying east of Highway No. 2, Plan 91MJ12767, EXCEPTING the lands covered by Buffalo Pound Lake;
- (6) The road allowance, and road widening plan 99MJ10955, lying north of and adjacent to NW of Section 8 and NE and NW of Section 7 to the intersection with Provincial Highway No. 2, Plan 91MJ12767, and
- (7) Road Plan 99MJ10955 lying along the north boundary of the NW Section 7.

3. The boundaries of the new municipality of the Resort Village of South Lake shall be confirmed as described and shown in Appendix A.
4. The terms and conditions of the restructuring agreement entered into by the Rural Municipality of Marquis No. 191 and the Resort Village of South Lake are confirmed as follows:

Application of by-laws and resolutions of the former municipalities

- 1) *Bylaws and resolutions in force in the former municipalities continue to apply to the territory of the former municipalities for one year or until they are sooner repealed or others are made in their place by the Resort Village of South Lake.*
- 2) *Subsequent to the merger the bylaws and resolutions of the remaining portion of the RM will continue to be in force until amended or repealed by the RM.*

Name and Boundaries

- 3) *The Resort Village of South Lake consists of the land as described in Schedule 2.*
- 4) *A reference to any land described in Schedule 2 in any order, regulations, bylaw, or resolution, certificate of title, agreement or other instrument is deemed to be a reference to Resort Village of South Lake.*

Planning and Zoning

- 5) *South Lake agrees to amend the Zoning Bylaw within one (1) year of the Minister's Order to incorporate an Agricultural District for all agricultural lands included in the merger with separate and specific development regulations applying to this new district as follows: Pt. NE 8-20-26-W2; Pt. SE 8-20-26-W2; Pt. SW 17-20-26-W2; Pt. NE 18-20-26-W2; Pt. SE 18-20-26-W2; Pt. NE 19-20-26-W2; Pt. NW 19-20-26-W2; Pt. SE 19-20-26-W2; and Pt. SW 19-2-26-W2.*
 - a) *The Agricultural District will incorporate all of the terms and conditions that presently exist in the Zoning Agricultural District of the RM to ensure continuity for the affected properties.*
 - b) *Pursuant to Section 198 of "The Municipalities Act" South Lake agrees to sign fixed assessment agreements with owners in the Agricultural District to provide a fixed rate of taxes equal to the rate established by the RM.*
 - c) *A discretionary use will be included in the Agricultural District to permit one seasonal trailer on a parcel.*
 - d) *The term for the fixed assessment agreements shall be 5 years with the agreements being reviewed and re-negotiated (if necessary) after 3 years to ensure any renewals will be completed prior to the expiry a current agreement.*
- 6) *The RM has a development agreement with T Robert Hicks and Maxine Hicks for the purpose of developing specific lands in Pt. NE 18-20-26-2 and Pt. SE 19-20-26-W2. This agreement will transfer, in its entirety, to the new municipality.*
- 7) *All other lands affected by the merger will be included in the Residential District of the new municipality's Zoning Bylaw.*
- 8) *The council of the new municipality may review and further amend the Zoning Bylaw and Development Plan of the municipality as necessary.*

Location of the Municipal Office

- 9) *The Municipal Office of the new municipality of the Resort Village of South Lake shall be located at the following location:*

#6 - 1410 Caribou Street W, Moose Jaw, Saskatchewan, S6H 7S9

First Municipal Election

- 10) *The election of members of the first council of the new municipality is to take place on a date set out in the Minister's Order.*

The costs of the election process in the new municipality are a charge on the Resort Village of South Lake as a whole.

The costs of an election required in the RM will be a charge against the RM as a whole.

The Administrator of the Resort Village of South Lake shall be designated to hold the office of Returning Officer for the purpose of the first election of the new municipality; and shall appoint other election officials pursuant to The Local Government Elections Act.

General Elections

- 11) *All subsequent municipal general elections after the election referred to in Section X, above, are to be conducted in accordance with The Local Government Election Act for the respective municipalities.*

Composition of Council

- 12) *Until changed by a bylaw of the Resort Village of South Lake:*
- a) *the council of the Resort Village of South Lake consists of a Mayor and three (3) councillors.*
 - b) *the Mayor is to be elected at large.*

Election of councillors on basis of wards

- 13) *The councillors of the new municipality are to be elected on the basis of wards with two (2) councillors being elected to represent the Ward of South Lake; and one (1) councillor being elected to represent the Ward of Sand Point Beach.*

Description of wards

- 14) *The wards of the new municipality are established as described in Schedule 3.*

Employees

- 15) *Effective on the date of the Minister's Order the employees of the former Resort Village of South Lake continues as an employee of the new municipality and the employees of the RM of Marquis #191 remain employees of the RM each with the same rights and duties until the council of the respective municipalities otherwise directs.*

Assets and Liabilities

- 16) *The new municipality shall not be required to compensate the RM for any loss of municipal tax revenues as a result of this merger effective on and after the date of the Minister's Order.*
- 17) *It is agreed that the RM will transfer 100 percent of the reserves held in the account of the Organized Hamlet of Sand Point Beach to the new municipality on the date of the Minister's Order.*
- 18) *Any outstanding legal issues in the Organized Hamlet of Sand Point Beach or other areas within the proposed merger will be taken over by the new municipality and accepted as part of the responsibilities of the new municipality should the issue not be resolved by the date of the Minister's Order.*
- 19) *All infrastructure and other tangible capital assets on or within the area to be merged with the new municipality shall form a part of the assets of the new municipality.*
- 20) *All other assets and liabilities of the RM will remain with the RM and the new municipality shall have no rights or responsibilities respecting the said assets and liabilities.*
- 21) *All grants received by the new municipality in recognition of the former municipalities will be set for provisions and/or benefits within the former municipalities respectively.*
- 22) *It is agreed that all taxes due in the portion of the RM that is merged into the new municipality at the time of incorporation are deemed to be taxes and charges due to the new municipality.*

Amend Agreement

- 23) a) *The Council of the municipalities, party to this restructuring agreement, may amend this agreement, prior to the application to the Minister, by passing complimentary resolutions, and authorizing the Mayors and Administrators to sign the amended agreement.*
- b) *The Council of the new municipality may only amend this restructuring agreement by resolution with unanimous consent, during the first two years following the effective date of the Minister's Order; and shall comply with all legislative requirements and processes regarding the same.*

Counterparts

- 24) *The imposition of special levies is authorized on affected properties for a period not greater than ten years or in the case of retiring a debt of the municipality not greater than the term of the debt, for the following purposes: renewing municipal infrastructure; remedying and reclaiming contaminated sites; and settling any liabilities.*

SCHEDULE 2

The boundaries of the Resort Village of South Lake shall comprise the territory within the Province of Saskatchewan lying within

- (1) NE 8-20-26-2; PT NW 8-20-26-W2; Pt. NW 9-20-26-W2; SE 8-20-26-2; SW 9-20-26-2; NW 17-20-26-2; SE 17-20-26-2; SW 17-20-26-2; NE 18-20-26-2; SE 18-20-26-2; and portions of Section 19-20-26-2.

The area noted above is identified as all those lands between the southern boundary of the SE 8 and SW 9-20-26-2, travelling north westerly along the southern shore of Buffalo Pound Lake up to and including all land in Section 19-20-26-2 lying east of Highway #2 where the highway intersects with the shore of Buffalo Pound Lake.

- (2) *The original road allowance N. NW 7-20-26-2 including the roadway widening identified by ISC Parcel #103232337, Parcel #103242518; and Parcel #103242529.*

SCHEDULE 3

Description of Wards

The wards of the new municipality are established as follows:

WARD OF SOUTH LAKE

All lands within NE 8-20-26-2; PT NW 8-20-26-W2; SE 8-20-26-2; and SW 9-20-26-2.

WARD of SAND POINT BEACH

All lands within NW 17-20-26-2; SE 17-20-26-2; SW 17-20-26-2; NE 18-20-26-2; SE 18-20-26-2; NE 19-20-26-2; NW 19-20-26-2; SE 19-20-26-2; and SW 19-20-26-2.

IT IS FURTHERED ORDERED THAT:

5. The new municipality of the Resort Village of South Lake be divided into two wards namely the Ward of South Lake and the Ward of Sand Point Beach:
 - a) The boundaries for the Wards of South Lake and Sand Point Beach are confirmed as described and shown on the map Appendix B;
 - b) The new council shall appoint a municipal wards' commission pursuant to the requirements of section 84 of *The Municipalities Act* prior to December 31, 2015; and
 - c) The municipal wards' commission shall subsequently review the wards established in this Order pursuant to sections 85-88 of *The Municipalities Act*.

6. The Council for the new municipality of the Resort Village of South Lake shall consist of a Mayor and three Councillors:
 - a) The Mayor elected at large;
 - b) Two Councillors elected for the Ward of South Lake; and
 - c) One Councillor elected for the Ward of Sand Point Beach.

7. An election for Mayor and Councillors for the new municipality of the Resort Village of South Lake shall be held on July 25, 2015:
 - a) The Mayor and Councillors elected at the July 25, 2015, election shall hold office for a term of one year until the general election to be held in 2016, and all subsequent municipal elections shall be conducted pursuant to *The Local Government Election Act*; and
 - b) The first meeting of the elected council following the election held on July 25, 2015, is to be held within 31 days; and at a time, date and place determined by the administrator.

8. The following persons be appointed as interim council, to act as members of council for the Resort Village of South Lake, with all the powers, rights and obligations of an elected member from the effective date of this Order until the first meeting of the elected council for the new municipality of the Resort Village of South Lake:
 - a) Terry Rollie, as Mayor;
 - b) Art Schick, as Councillor for the Ward of South Lake;
 - c) Brenda Winter, as Councillor for the Ward of South Lake; and
 - d) Scott MacQuarrie, as Councillor for the Ward of Sand Point Beach.

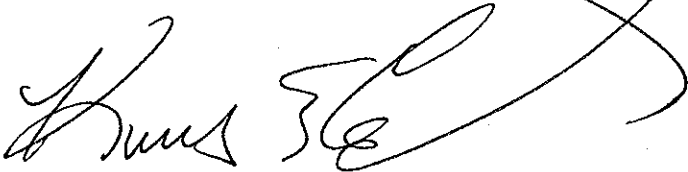
9. Vernon Palmer is appointed to adjust and settle the assets and liabilities of the portion of the Rural Municipality of Marquis No. 191 merging with the Resort Village of South Lake including the area known as the Organized Hamlet of Sand Point Beach:
 - a) the sale of, the disposition of and the conversion into money of sufficient assets to satisfy the liabilities of the village and pay the remuneration of the person appointed by this Order;
 - b) the allocation of any grants, surplus funds and reserves; and the manner of dealing with the liabilities, pursuant to Section 63(4) of *The Municipalities Act*, if there are insufficient realizable assets to satisfy the liabilities of the municipality to: assess, levy, collect and enforce payment of any amount that may be required to satisfy the liabilities of the municipality; and
 - c) all associated expenses and pay the remuneration of the person appointed pursuant to this Order.

10. Remuneration for settling the assets and liabilities be paid to Vernon Palmer at a rate of \$50.00 per hour of work, and 42.27 cents/travelled kilometre and reimbursement of related miscellaneous expenses by the Resort Village of South Lake.

11. Melinda Smith is appointed as Returning Officer, to conduct the election in accordance with *The Local Government Election Act*.

12. The effective date of this order is December 31, 2014.

Dated at the City of Regina, in the Province of Saskatchewan, this 19th day of December, 2014.



Keith Comstock, Assistant Deputy Minister for and on behalf of the
Minister of Government Relations

Appendix A

The boundaries of the Resort Village of South Lake shall comprise the territory within the Province of Saskatchewan described as follows and shown on the attached map lying within:

Township 20, Range 26, West of the Second Meridian and described as:

NE and SE of Section 8,
EXCEPTING lands covered by the waters of Buffalo Pound Lake;

Blocks 22 and 23, and Tatanka Drive, shown on Plans 59MJ02267 and 89MJ02802 in the NW of Section 8;

SW Section 9,
EXCEPTING lands covered by the water of Buffalo Pound Lake;

NW, SW and SE Section 17,
EXCEPTING lands covered by the waters of Buffalo Pound Lake;

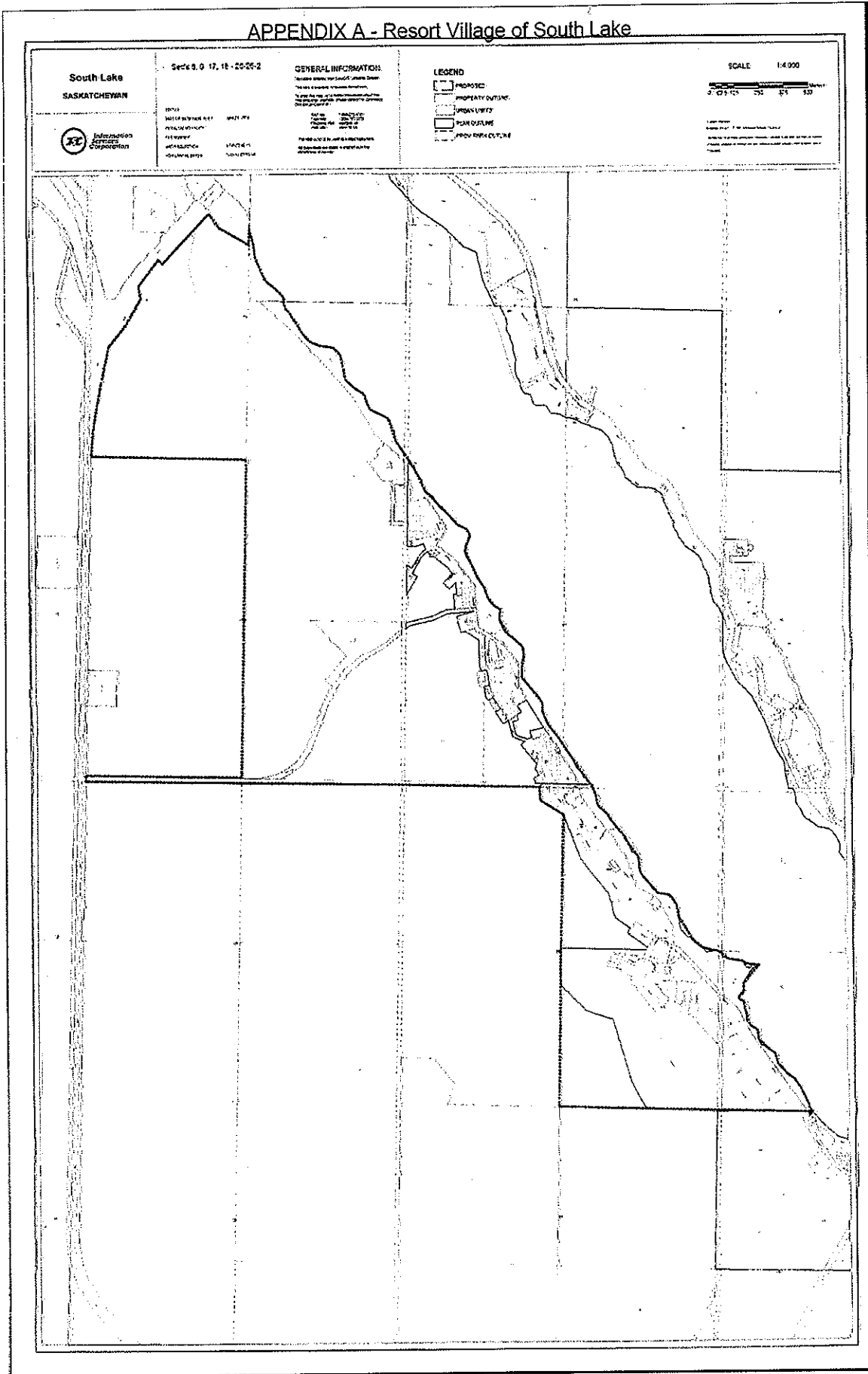
NE and SE Section 18;

NW, SW, NE and SE Section 19, lying east of Highway No. 2, Plan 91MJ12767,
EXCEPTING the lands covered by Buffalo Pound Lake;

The road allowance, and road widening plan 99MJ10955, lying north of and adjacent to NW of Section 8 and NE and NW of Section 7 to the intersection with Provincial Highway No. 2, Plan 91MJ12767, and

Road Plan 99MJ10955 lying along the north boundary of the NW Section 7.

APPENDIX A - Resort Village of South Lake



Appendix B

The boundaries of the electoral wards of the Resort Village of South Lake shall comprise the territory within the Province of Saskatchewan described as follows and shown on the attached map lying within:

WARD OF SOUTH LAKE

Township 20, Range 26, NE and SE Section 8,
EXCEPTING lands covered by the waters of Buffalo Pound Lake;

Township 20, Range 26, Blocks 22 and 23, and Tatanka Drive, shown on Plans 59MJ02267 and 89MJ02802 in the NW of Section 8;

Township 20, Range 26, SW Section 9
EXCEPTING lands covered by the waters of Buffalo Pound Lake; and

All West of the 2nd Meridian in the Province of Saskatchewan.

WARD OF SAND POINT BEACH

Township 20, Range 26, NW, SW and SE Section 17,
EXCEPTING lands covered by the waters of Buffalo Pound Lake;

Township 20, Range 26, NE and SE Section 18;

Township 20, Range 26, NW, SW, NE and SE Section 19, lying east of Highway No. 2, Plan 91MJ12767, EXCEPTING the lands covered by Buffalo Pound Lake;

The road allowance, and road widening plan 99MJ10955, lying north of and adjacent to NW of Section 8 and NE and NW of Section 7 to the intersection with Provincial Highway No. 2, Plan 91MJ12767, and

Road Plan 99MJ10955 lying along the north boundary of the NW Section 7.

All West of the 2nd Meridian in the Province of Saskatchewan.

APPENDIX B - Wards for the Resort Village of South Lake

