

HAMLET POLICIES AND PROCEDURES FOR THE ORGANIZED HAMLET OF TAYLOR BEACH

IN THE RURAL MUNICIPALITY OF NORTH QU'APPELLE NO. 187

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Introduction

These are prepared to help guide and inform elected Hamlet Board members of the Organized Hamlet (OH) of Taylor Beach within the Rural Municipality (RM) of North Qu'Appelle #187. It sets out the information that is important to all members of the Hamlet Board and details the many parameters that affect the operations and decisions of the Hamlet Board and RM Council.

Regulations to follow are outlined in the Municipalities Act [MA] [Municipalities Act M36.1](#) and Municipalities Regulations [MR]- [Municipalities Regulations M36.1 Reg.](#)

An organized hamlet (OH) is created by Minister's order that is represented by a hamlet board. Residents of an OH elect a three-person board that acts in an advisory capacity to the RM council, representing the needs and interests of the community. Despite having a OH designation, the RM is the legal governing body. In addition to other legislative requirements for the OH, the hamlet board is required to remain active, which involves:

- Holding an annual general meeting each year;
- Conducting at least four regular board meetings;
- Submitting an annual budget to the RM; and
- Submit meeting minutes of board meetings and annual general meetings to the RM

Who is a Voting Member in an Organized Hamlet?

Members that are eligible to vote must be Canadian citizens, at least 18 years old, and be a property owner in the hamlet, a spouse of a property owner, or a resident of the hamlet for at least 3 months prior to the meeting.

Authority & Responsibilities of the OH Board

The Hamlet Board has a role to play in relation to the following:

- a) Reporting to RM Council in an advisory capacity and as a liaison between Council and the residents of the OH.
- b) Preparing and submitting an annual budget to Council by March 1st.
- c) Holding minimally 1 annual electors meeting (Annual General Meeting).
- d) Holding elections for Board members.
- e) Holding minimally 4 Board meetings annually.
- f) Requesting and or consenting to various tax measures to be taken by RM Council with respect to the OH.
- g) Requesting RM Council to use moneys in the Hamlet account for the purposes authorized by the Municipalities Act. (MA69-76, MR32-34)

A Hamlet is part of a Rural Municipality but has its own local government – the Hamlet Board. The Hamlet Board works with the municipality to provide services and meet the need of the community. The RM is obliged to provide services and meet the needs of the OH based on budget.

The Hamlet Board's role is to facilitate the needs of the Hamlet and to foster a safe, secure, vibrant community. It is more than just roads, services, budgets and money. It is about community building. It is about governing. It is about developing a community and making it a wonderful place to live and to visit.

Election of the Hamlet Board Members

The Hamlet Board consists of three members, each elected for 4-year staggered terms at the Hamlet's Annual General Meeting (AGM).

Voting in an OH election is by show of hands but at the request of any voting member must be by secret ballot. Within 7 days after the AGM, the hamlet board shall select a Chair, Secretary, and Vice Chair. Although not a Hamlet Board Member, the RM Division 6 Councillor serves as the liaison between the RM and the OH.

In the event of a vacancy on the Hamlet Board, the Hamlet Board may call a meeting of the voters to replace the Board member or wait until the next AGM to fill the vacancy.

OH Board members may be disqualified and removed from the Hamlet Board if absent from 3 consecutive board meetings unless authorized or is convicted of a criminal offence while in office or ceases to be a voter of the organized hamlet. (MA REG 31.2(1))

Duties of Chair

The Hamlet Board Chair shall:

- a) Preside at all Board meetings.
- b) Preserve order at Board meetings.
- c) Enforce the rules of the Hamlet Board.
- d) Assist with budget preparation.
- e) Prepare agendas for meetings.
- f) Track on-going projects and report progress at Board meetings
- g) Keep good management of community environment (e.g., roads, MRs, boat launch, garbage bin area, signage, etc).
- h) Scrutinize and review meeting minutes for errors and omissions.
- i) Notify and remind members of meetings.
- j) Be the spokesperson for the Board.
- k) Chair the AGM.

The chair shall have the same rights and be subject to the same restrictions, when participating in debate or making motions, as other meeting members.

Duties of Secretary

The Hamlet Board Secretary shall:

- a) Make available prior to the AGM:
 - I. Final approved budget
 - II. Minutes of last AGM
 - III. Update on any issues taken to an appeal Board where there has been a dispute between the Hamlet Board and Council.
- b) Ensure minutes recorded at Board meetings and general Hamlet meetings.
- c) Send minutes to the RM administrator within 10 days of the meeting.
- d) Assist with budget preparation.
- e) Track on-going projects and report progress at Board meetings
- f) Update the Hamlet email list when needed.
- g) Accept and send correspondence.
- h) Keep the minute book and other records electronically.
- i) Keep good management of community environment (e.g., roads, MRs, boat launch, garbage bin area, signage, etc).

Duties of the Vice Chair

- a) Make available at the AGM:
 - I. Final approved budget
 - II. Annual financial statement

Lead budget preparation

- b) Annual financial statements
- c) Lead budget preparation
- d) Scrutinize and review meeting minutes for errors and omissions.
- a) Track on-going projects and report progress at Board meetings
- b) Keep good management of community environment (e.g., roads, MRs, boat launch, garbage bin area, signage, etc).

Hamlet Meetings

There are two types of meetings: the Annual General Meeting (AGM) and Hamlet Board Meetings. Many rules are common to both.

- a) Meetings are public. Given a safe environment, the Board will strive to have a public AGM in the Hamlet but reserves the right to move the AGM to a larger off-site rental hall or virtual if necessary.
- b) Hamlet board meetings may be held by electronic or virtual means at the call of the Hamlet Board.
- c) The words 'motions' and 'resolutions' are used synonymously.
- d) Motions do not have to be seconded; the primary mover is all that is necessary to place a motion onto the floor for discussion.
- e) Minutes must be taken at all meetings and until inspected for errors and omissions at the subsequent meeting will be watermarked NOT ADOPTED. Once adopted the watermark shall be removed.

Annual General Meeting

- a) While the Hamlet Board will strive for the AGM being the spring meeting, there will be minimally one AGM annually.
- b) Rescheduling of the AGM will be at the discretion of the board.
- c) The Secretary will put out notice of the AGM and a call for agenda items minimally 21 days prior to the meeting.
- d) Community members will submit to the Taylor Beach Board email suggested motions 14 days prior to the meeting which shall:
 - i. Include in writing the full and clear intent of the motion and may be preceded by a preamble, background information or 'whereas' clause.
 - ii. Be written in a positive sense. For example, assume there is a strong sentiment in not spending the surplus. One could have a negative motion 'THAT the Hamlet not spend its surplus', or a positive motion that would read, 'THAT the Hamlet will maintain the surplus at its current level'.
 - iii. Where appropriate, written cost quotes shall be attached to the motion.
- e) The Secretary will distribute the meeting agenda via email 7 days before the meeting. A limited number of paper copies (~10) will be available at the meeting.
- f) There is no lower limit to quorum.
- g) The Chair of the Board typically Chairs the AGM, or someone appointed by resolution of the Board.
- h) The Chair is an active member that can vote, join in on the discussion or debate and make motions.

- i) The Secretary taking the minutes is typically not the Hamlet Board Secretary. This allows the Hamlet Board Secretary to participate in the AGM.
- j) At any time a member may request a secret ballot on an in-person motion.
- k) At the call of the Hamlet Board, and prior to voting, any AGM motion can be moved to an electronic ballot in order to involve a greater number of community members in the decision-making process.
- l) A motion is carried by a majority of those present together with those voting electronically.
- m) If a motion results in a tie vote, the motion is defeated.
- n) Motions take effect after being carried.
- o) When any matter relating to proceedings arise which is not covered by a provision of this document, the matter shall be decided by reference to Robert's Rules of Order [RR]
- p) Subject to the aforementioned bullet information, any ruling of the Chair shall prevail, subject, however, to the jurisdiction of the Board to consider any appeals of those rulings.

Hamlet Board Meetings

- a) Twenty-four-hour notice is required for Hamlet Board meetings by email.
- b) Two members of the Board must be present for quorum for Hamlet Board meetings.
- c) Should a board meeting need to be rescheduled, a minimum of 3 days notice will be given to the members of the board.
- d) The Board may close all or part of Hamlet Board meeting to the public if the matter to be discussed:
 - i. Is within one of the exemptions in Part III of The Local Authority Freedom of Information and Protection of Privacy Act; or
 - ii. Concerns long-range or strategic planning.
- e) Within 10 days after a Hamlet Board meeting, the Secretary shall provide to the municipality a copy of the minutes of the meeting, and the municipality shall make the minutes available for public inspection.
- f) The minutes of all Hamlet Board meetings shall be open to inspection at the subsequent AGM.
- g) Audio and video recording of Hamlet Board meetings are at the discretion of the Board.

Financial Matters of the OH

Municipal Taxes

The OH Board has no authority to levy taxes. RM tax levies and the collection of those taxes are the responsibility of the RM. The provincial government has delegated responsibility for the collection of the Education tax to RMs, so RM tax notices include provincial Education taxes. The RM plays no role in setting those taxes. The RM is legislatively required to collect the Education tax and transfer it to the provincial government.

Properties in the OH are assessed by the Sask. Assessment Management Agency (SAMA) and taxed by the RM, as are properties in the rest of the RM.

The OH Board may request the RM council set a different mill rate for the OH. The OH Board may also request a different minimum or base tax than the rest of the RM. Council sets a uniform mill rate. Council may also use tax tools (minimum tax, base tax and mill rate factors), for the municipality as a whole. The RM may use different tax tools and a different uniform mill rate for the OH only if the OH Board requests or consents to it. (MA 283(2.1); 289(3); 290(4) The OH is required to pass a resolution consenting to the mill rate and tax tools IF they are different than the rest of the RM.

The percentage of municipal taxes allotted to the OH is agreed upon by the council and the OH Board. The amount must be between 40 per cent and 75 per cent of the taxes collected within the OH. MA 69(1) In addition, council may authorize a special tax for a specific service or purpose within all or part of the municipality. (MA, 312) Therefore, where the specific purpose or service benefits only the OH, the tax will be applicable to those properties only. The OH Board may request, on or before March 1st of any year a special levy be applied to the properties within the OH. Of this special levy a sum of 85 per cent or any amount agreed upon by the Board and council shall be allotted to the OH ledger account. (MA, 70)

Grants

The RM receives a provincial revenue sharing grant for the OH. The grant is placed in an OH ledger account. On behalf of the OH, the RM may also apply for conditional grants for the OH. Conditional grants are designated for a specific purpose and may not be used for another project (e.g., Sask Lottery Community Grant Program). All grants received on behalf of the OH are credited to the OH ledger account.

Annual Budget

The OH Board is required to prepare a budget each year. It must be submitted to the RM prior to March 1st. Preparing a budget helps the OH Board understand the financial decisions made by the RM Council regarding the OH. If no budget is submitted to the Council, the OH Board has not met its legal duties. By regularly submitting a detailed budget, both sides can evaluate the financial viability of the OH.

No later than January 20th, May 1st and September 1st of each year the RM Administrator must provide the OH Board with a statement. This statement includes:

- a) The funds credited to and expended from the OH account during the previous calendar year and current year for May 1st and September 1st.
- b) The balance of accumulated reserve for the OH.
- c) Revenues and expenditures of any waterworks & sewage system provided to the OH.

This statement will help the Board prepare a budget by March 1st for the OH and keep a timely watch on OH finances throughout the budget year. Note that any funds not used from the previous years are accumulated. They are placed in a ledger reserve account.

The Administrator, or a member of Council, can discuss the different types of tax, special levy and tax tools available to the OH Board.

The RM may use different tax tools and a different uniform mill rate for the OH. This happens only if they have the consent, or at the request of the OH Board. Therefore, the OH Board should review and consider different levies and the use of different tax tools when preparing its budget. They can make recommendations to the RM when they have done so. The final responsibility for setting the OH budget lies with the RM.

REMUNERATION

Since the inception of the Hamlet, the expectations and role of the Board has continued to grow and expand. A model of remuneration is being considered and will be reviewed at the annual AGM. The RM will be responsible for payment of remuneration of Board members.

Services Provided to the OH

One or more services may be provided in the OH. This happens when:

- a) The Board and Council agree.
- b) There are enough funds available in the OH account.

Services may be delivered by:

- a) Contracting the RM Public Works department.
- b) Hiring employees.
- c) Contracting third parties.

The hamlet board and the council may agree that the hamlet board shall be responsible, if there are sufficient funds available to the credit of the organized hamlet, for providing one or more services within the organized hamlet, and may by that agreement require the municipality to: (a) retain the services of one or more employees and specify their duties; (b) enter into agreements with other parties for the purpose of carrying out the terms of the agreement between the hamlet board and the council.

Dispute Resolution

When a dispute arises between the OH Board and RM Council the first step is to meet to try to resolve the matter. If both parties cannot resolve the matter an appeal board is appointed. MA 36.1 REG 1, 35(1)-38

Reversion of an OH

RM Council can request that Government Relations dissolve an OH (revert it to an unorganized hamlet with no special tax spending account) if the OH does not meet one, or more, of the required administrative OH responsibilities for a period of 2 years. M36.1 REG 1 PART I