

## **Mary Lynn Paquette**

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**From:** MAIport@harvard.ca  
**Sent:** January-19-16 4:09 PM  
**To:** 'Gail Sloan'; Gayle  
**Subject:** REport  
**Attachments:** YOUR INVITED - Jan 28th Potash INFO SESSION.PDF

Hi folks,

Here are the following points to report on:

### **- Katepwa Landfill**

- Our Jan 29th deadline to submit our revised landfill management plan is still in effect. We are anticipating to receive the draft from MPE & XYG mid week..... apologies that it was not any sooner. Due to the fact that we are still in active negotiations with the MOE and have quite a few uncertainties, at this time we have nothing definitive to present and therefore will keep it brief to the point that we are proceeding with the proposal of a 5 year plan. Our initial phasing plan will include regrading the edges which will allow capacity up to 2,500 cubic meters of fill. Going forward on a five year plan we will be presenting an analysis of our operating plan, closure, and alternative buy in options with the Regional Land Fill once we have made further progress with the Ministry.

### **- Servicing Agreements -**

- Nathan, Rick and I met to discuss making some key revisions to our servicing agreement for future land development. Utilizing a draft that Gail has provided along with RM 187 agreement, we have made a few changes that we feel that we can accept as a council. The agreement will ensure that no liability is placed on the District that would burden our ratepayers in case of default or if the developer defaults. Please see draft for discussion purposes.

### **- Servicing agreement fees**

- In follow up to the Servicing Agreement and before we approve of a draft, we are proposing to change the fee amount and structure as well. Currently the agreement spells out that the developer pay into the landfill, lagoon, and roads for a total amount of \$3,000/lot. RM 187 also pays into the category of recreation (Note: for Gail to please check if we are able to do this). Once we have firm costs of our landfill and buy in to the Regional Land Fill we will be able to calculate an appropriate value to contribute to the landfill line item. This is not a pressing matter but would like to have completed by this spring.

### **- Calling Lakes Eco Museum-**

- Presently the Village of Lebrét is granted two permits to discharge – one in the spring and one in the fall and has been doing this for the past several years. As of 2018 WSA will not allow communities such as Lebrét to discharge any more. And that is very good news for Katepwa.

- -Yancoal Potash is having an open house in Earl Grey on Jan 28th regarding the proposed potash solution mine and the Environmental Assessment Process. It will be a chance to discuss with policy makers about using Buffalo Pound as their source of fresh water, as well as the where they're proposing to locate the tailing ponds. Please consider attending. See attached info

- Katepwa Poplar Tree will be one of the recommended plant materials to be used in the Love Your Lake program, please see attached info on it.

<http://www.poplar.ca/upload/documents/factsheets/katepwa-factsheet-2015.pdf>.

-Please see attached report from Auralee McPherson:

Calling Lakes Echo Museum report for the District of Katepwa

1. On May 4<sup>th</sup> at the File Hills Qu'Appelle Tribal Governance Centre the Calling Lakes Eco Museum will be hosting the 8<sup>th</sup> Annual UNESCO's Regional Centre of Expertise Sustainability Awards. These awards are to recognize business, non-profit groups and government for moving in a more sustainable direction. The theme for the gathering is "story – telling". We are working with the University of Regina and the Polytechnic schools to bring the program called the Blanket Exercise to our schools in the Valley.

**What is the Blanket Exercise?** *Canadian Roots Exchange* builds bridges between Indigenous and non-Indigenous youth in Canada by facilitating dialogue and strengthening relationships through leadership programs. Their vision: We believe in a Canada where youth stand in solidarity to promote respect, understanding and reconciliation between Indigenous and non-Indigenous peoples.

Video - <https://vimeo.com/41083842>

**What they would do?** The Roots exchange group from Regina, would facilitate a blanket exercise – here is the info <http://spiritoftheland.ca/wp-content/uploads/2014/04/Blanket-Exercise.pdf>

We have invited Prime Minister Justin Trudeau – not sure he will be able to make it – but he did receive an invitation.

2. "Love your Lakes " program - we have begun the conversation with the PFRA (Councillor Mike Alport built this connection) and U and K Green House to insure that the right kind of plant material is available for the residents of Katepwa. We have learned that not only how powerful the poplar tree is at drinking nitrogen and holding water we have one named after us called the Katepwa poplar. This poplar is male and does not have the cotton seeds.

a. I will be working with the District to collect advertising \$\$\$\$ to keep the cost down for the program. My goal is to collect \$2000 for the program.

b. Alice Davies from the Lower Qu'Appelle Water Shed will be contacting the District to discuss further plans for the program.

3. Katepwa Point Provincial Park

a. Mayor Rick Pattison, Manager of the Park Mike Erickson and myself met to discuss invasive species, July 1 party in the park and repairing the riparian area in the park(trees)

i. Invasive species – with oil and the Canadian dollar down this impacts the \$\$\$ available. Rick asked about a private company hired to check the boats – the Park would be open to that. Alice from the LQWSS will keep us up to date about what the Dept of Env plans to do.

ii. July 1 is on a Friday – Fort Qu'Appelle has asked us if we would consider doing our fireworks on Sunday as the town will be doing theirs on Friday. Rick to present the idea to council.

iii. Riparian repair. The park is open to repairing the riparian area. The Love your Lake Program will help with identifying the correct plant material to go in.

4. Calling Lakes District Planning Commission had a meeting with Premier Brad Wall and Deputy Premier Don McMorris in Nov. Last week they received a letter stating that the Premier support us in protecting our water by working with the WSA to insure City of Regina follow the regulations. He also made a comment about Yancoal. You can get a copy of the letter from Marcy at the RM of North Qu'Appelle.

5. We are hoping to hold a second Water Festival Sat July 23, 2016 Just working on logistics.

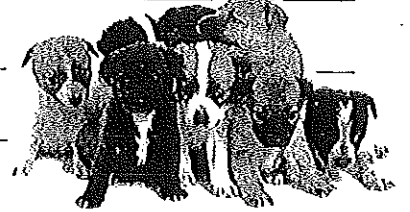
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Hello Everyone,  
Happy New Year,  
Unfortunately I heard  
about the snowmobile  
accident that happened  
on Kātepuna Lake that  
took the life of that  
person. Our thoughts &  
prayer go out to the family  
& friends. Just a reminder,  
please take care when  
snowmobiling or quacking  
on the lake. Remember the  
lay of our lake and also  
please be careful when  
on the lake  
(over)



Some Areas on the  
Lake could still  
be unsafe, Mostly  
on the Points on  
the Lake. With the  
Mild Winter we've  
had this year, some  
Areas of Ice could  
still be a little thin  
Please Take Caution  
When driving on the  
Lake.

Dwight  
EMC

## Mary Lynn Paquette

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**From:** Nathan Hollick <nhollick@mc3resources.com>  
**Sent:** January-15-16 6:20 PM  
**To:** 'Gail Sloan'  
**Subject:** Road on the West side of Katepwa Lake - Establishing a Registered Name

Hi Gail,  
Here is a topic for discussion for the Councillor's meeting,  
regards  
Nathan

I have approached the RM of North Qu'Appelle to explore the possibility of naming the road that starts at Highway 56 and continues on the West side of Katepwa Lake, through our District and into the RM of North Qu'Appelle. This same road then continues on past Taylor Beach, past Camp Monahan and terminates at the intersection of Wide Awake Road (North/South) and Invercald Road (East/West). The Road is registered on the District of Katepwa survey plats as Katepwa Road from Hwy 56 through our District and terminates at the boundary of the RM of #187 and the District of Katepwa at the sub-division of Ross Park (essentially right in the middle of the stretch of road). The RM has recently informed me that they call the road from the Wide Awake intersection, Invercald Road right down to the boundary of the District of Katepwa. I believe that we need this road named and registered with the same name, which would allow us to have a street address with our house numbers, all registered for emergency responders.

It is my understanding that the Hamlet of Taylor Beach has been approached with the proposition that I made to the RM of North Qu'Appelle and is considering which name it would like to use. To avoid any confusion we must ensure that being the same road running through both municipalities, the complete road has the same name.

Towards the end of December, we had an incident where we needed an ambulance at our place (an elderly resident fell and broke her femur at 4:15 AM). It took approximately 15 minutes to explain to the 911/ emergency dispatcher where we were located. I asked which direction the ambulance would be coming from, Indian Head or Fort Qu'Appelle, in order that I could give better directions. The ambulance dispatcher didn't know where the ambulance would come from. After a time, she thought that they would be coming from Balcarres. Finally the ambulance was dispatched, but the dispatcher continued to question exactly where we were located. One half hour later, the ambulance driver called to question and confirm our location. Soon after, I jumped in my truck to chase the ambulance down when they drove past our place which I had lit like a Christmas tree. They did eventually turn around and arrived back at our place.

I believe the time involved to get the ambulance on its way and to find our location would be substantially reduced if our road had a registered name and address. Currently our road comes up on GPS units as "No Name Road". I thought that, as we were paying a 911 designated charge on our SaskTel phone bill, the emergency responders would know our exact location when we dialed 911 on our phones. Apparently this is not the case. I wonder how many of our residents can tell a similar story?

## Katepwa Administrator

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**From:** Murray Penny <mrpenny@accesscomm.ca>  
**Sent:** 15/01/2016 11:19 AM  
**To:** Gail Sloan  
**Subject:** Jan 19 meeting report

We have sent out a letter to numerous resort villages, etc to determine how they deal or have dealt with lake public access property infringements. There have been a few replies and we will determine if their solutions parallel our issues.

The District has no Bylaw Enforcement person or agency under contract at present. Again, we are assessing our options and deciding how to get the most service for ratepayers.

Negotiations have begun for possible entertainment for Canada Day. It is early but the popular acts are booking soon. We need to determine who is available so we can budget via possible grants, donation or sponsorship.

Murray Penny

Sent from my iPhone

## Katepwa Administrator

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**From:** dlthaub@accesscomm.ca  
**Sent:** 15/01/2016 1:41 PM  
**To:** Katepwa Administrator  
**Subject:** Public Works report

Hi Gail, hope you had a nice well deserved vacation, I have a brief Public Works report.

### Public Works

The main road in Katepwa South will have to be monitored, icy patches exist. Now that we have fresh snow fall. Icy conditions on the Hills and Curves will have to be sanded. All Intersection in the entire District will have to be monitored for the same icy conditions.

Dave Thauberger  
Sent from my BlackBerry 10 smartphone on the SaskTel network.



**District of Katepwa**

**January 19, 2016 Council Meeting**

**Information RE: Lakefront Public Access & Infringements**

On December 4, 2015 the following email was sent by the office on behalf of Councillor Penny to numerous municipalities for their feedback regarding Lakefront Public Access & Infringements.

This is a copy of the email that was sent:

*Hi,*

*I am a councillor representing The Resort Village of The District of Katepwa.*

*We need to try to negotiate a satisfactory agreement with a few ratepayers that have buildings that infringe Lakefront Public Access within our District.*

*These include sheds, portions of old cottages (that may have prohibitive costs to move), boat houses, etc. Many of these structures have been there for decades.*

*How are infringements dealt with within your respective jurisdictions?*

*Please respond your suggestions. I have included Gail Sloan, CAO of The District of Katepwa and her Assistant, Mary Lynne in our correspondence.*

*They may be able to clarify any information or evaluate the methods that each of you offer.*

*Regards,*

*Murray Penny*

*(306)540-8673*

The following responses were received:

- 1. Resort Village of Sunset Cove (Provided Photos as well)**
- 2. Resort Village of Lumsden Beach**
- 3. Resort Village of Etters Beach**
- 4. Resort Village of Beaver Flats**
- 5. Resort Village of Alice Beach**

**1. Resort Village of Sunset Cove (Provided Photos as well)**

Hi Murray, Tom Fulcher here, the mayor of the Resort Village of Sunset Cove along Last Mountain Lake. Sorry for the delay in responding.

Our village has done extensive work in this regard to this matter. In brief, here is what we did.

1. We notified all the owners that all the boathouses and sheds located along the shores of Last Mountain Lake (LML) were in fact not legally located as they were on Ministry of Agriculture property without authorization. (And have been for years)
2. We recognized that our village's property line or those of the residents bordering on the lake, only extends to the "shoreline" of LML as described under the Land Surveyors Act. (Generally the point of transition in soil and vegetation from aquatic to terrestrial growth) This is often the normal high water mark of a shoreline. Most, if not all property owners will only own their property to this point, and not to the water's edge, despite what their survey certificates may show. These survey plans will often show their property extending only to the top of the bank which again is not correct. This discrepancy always causes a lot of anguish. Therefore, you cannot legally place a structure on government property, that being the shoreline, even if it is directly in front of your property and your certificate shows you own to the water's edge.
3. For years, we have only allowed any new building to occur on one's own property (behind the high water mark) and have used our local CO's to help identify where this may be, if a dispute arises.
4. Most municipalities cannot authorize construction to occur anywhere upon the shore, known as the shore area or riparian area, (below the high water mark) as they have no legal control over it or ownership of it.
5. The flood of 2011 actually helped us achieve what we wanted and where we wanted to go. First we applied to the Ministry of Agriculture to obtain a leasehold over this shoreline, permitting us to have some legal control of this area.
6. We had approximately 18 boathouses situated along the shoreline (in front of our Municipal Reserve area) that got severely damaged in the flooding. We had each owner sign an agreement to allow us to demolish them at our cost, or they would be responsible for the demolition costs themselves. There is recent case law which went to the Saskatchewan Court of Appeal authorizing municipalities to control their lakeshore property. In this case, some cottage owners who built their boathouses here refused to remove them and the courts eventually ruled that they must, even though they were originally granted building permits. (This is the short version of the three level of courts this appeared before).
7. Most of our residents complied with our wishes, but a couple refused to cooperate, resulting with us giving them copies of the court ruling and ensuring them that we would go to court if required.
8. After all the boathouses were removed, we then sought permission from SERM and DFO to alter our shoreline (to stabilize and prevent future damage and erosion from flooding) and built a 200 foot berm, 5 feet high and 25 feet deep, along the front of this damaged area. We received this permission to do so, as it was a great benefit for the lake/shoreline.
9. We then made application to the province to change our village's legal boundaries, from that of the "shoreline" (where most communities are) to that of the centre of LML. This is rarely done (if ever) and we may be the first to do so, but I learned that we could legally do so as I was going through the various processes. These new boundaries were agreed to and Gazetted and now have become the legal boundaries of our resort village. (We do not own the shoreline, the lake or lake bottom, (the Ministry of Agriculture still does) but we now have some legal jurisdiction over them. This means we can enforce our bylaws, building codes, etc and/or create new ones for the shoreline area of our resort, which we could not do before.

10. Therefore, residents wanting to re-establish a boat house on the shoreline can now do so with our permission. We are in favour of this under a strict set of new rules. We created a boat house bylaw to govern size and standards for these structures, and charge a small yearly lease for anyone using this area, to offset the maintenance costs. (We first needed permission from the Ministry of Agriculture to sublet their lease to us). Residents who chose to build on this shoreline are now protected from flood waters as their building sites are 5 feet higher than before and protected by a riprap wall out front. They all had to acknowledge that these boathouses are still only permitted, located there only as long as the Ministry of Agriculture renews our lease, which specifically states this area is for boathouses. We do not expect the Ministry to cancel this lease, but we made our residents aware of the possibility. Many people are choosing to use boat lifts now, instead of boathouses. (We charge lease fees on these as well as it is the space we are charging for, not the structure).

I hope this helps. It was a very involved and complex thing to achieve, but we are glad we are now there. I have attached a couple of before and after photos of this area. As you can see, this has greatly improved the aesthetics of our resort village from the lake. The berm is now complete and ready to be built upon. Some construction will start this year. We would have started last year but delayed another year as the flooding of 2014 caused a bit more damage that we wanted to fix before any construction was started.

Tom

(306) 533-1557 cell

## **2. Resort Village of Lumsden Beach**

At the Resort Village of Lumsden Beach there is no waterfront property that is privately owned. A Public Reserve (100 feet wide), stretching from one end of Lumsden Beach to the other as one boundary of the municipality is Last Mountain Lake, divides the lakefront from private property. No new private construction is allowed within the Public Reserve. There are boathouses along the shoreline in designated areas separate from the public beach area. The boathouses are not on privately owned land. The actual boathouse buildings are privately owned, but come under the Zoning and Building Bylaws of the municipality. A few boathouses built generations ago are on the shoreline, but also touch portions of the Public Reserve. Through the Bylaws the municipality controls development around or within each boathouse, i.e. requests to rebuild or expand existing structures. None of the boathouses stop the general public from reaching the beach or public swimming area.

Ross

Resort Village of Lumsden Beach  
c/o Mayor Ross Wilson  
P.O. Box 704  
Regina Beach, SK S0G 4C0  
Phone: (306) 222-0087  
EMAIL: [ross.wilson@usask.ca](mailto:ross.wilson@usask.ca)

**3. Resort Village of Etters Beach**

Murray: While we have not had this issue - I am assuming (not a good thing) that the easements are registered with ISC as Queen's Right of Way and that historically over time - owners have encroached on those easements either without the knowledge of the Municipal Authority or with some "informal" and tacit approval from that authority (ie - go ahead - we'll never be using that access anyway.....).

In either case - the Municipality has the authority to order their removal at the owners expense.

If the matter is sensitive politically - Council may want to consider "sharing" in some of those costs as it may feel some obligation for past inaction.

I would first suggest contacting Community Planning Branch and Gov't Relations Advisory Branch with a detailed physical and historical synopsis leading to the current situation. These offices may better provide what may or may not be accomplished.

It scares me when someone says something is "cost prohibitive" to right a wrong moving forward.

Gord

**4. Resort Village of Beaver Flats**

Hi ,We have grandfathered ours in.

Dianne Hahn, Administrator  
Resort Village of Beaver Flat  
Box 991  
Swift Current, SK  
S9H 3X1  
306-741-3362  
[www.beaverflatsk.ca](http://www.beaverflatsk.ca)

**5. Resort Village of Alice Beach**

Hi, One of our councillors responded back with the following:

I would suggest to them to inquire about it at WSA or Sask environment. If it is a question about the shoreline, either of them would be able to answer the questions.

Not sure if this helps.

Rhonda Woelk  
Administrator  
Resort Village of Alice Beach

Rick Report

**December 11, 2015**

I met with A McPherson, Friends of Katepwa and Michael Erickson, Head of the Katepwa Provincial Park.

We discussed the continued cooperation between Parks and Katepwa. Michael stated that The Friends of Katepwa is important as it acts as a liason between the District and Parks. We discussed the boat launch issues, and agreed we would work with Parks to improve. Discussion on creating awareness on the Zebra Mussel problem.

Here is Michaels report on Parks projects:

We will be installing the culverts on the nature trail and finishing up the landscaping in the spring. We are also installing power at the gazebo so there no longer will be a need to run an extension cord from the service center. We are also working on a proposal for the parking issues at the boat launch. We are looking at installing curb stops and also opening more parking along the highway. Part of the parking along the highway will also include another pier along that side. But that's still in the proposal stage. There will be to piers at the boat launch next year to help with congestion there. We are also looking at replacement of the walk way along the beach , and replacing retaining wall.

**December**

We have begun a dialogue with a major internet provider, to see if we are able to improve the internet service to the Districts residents. Will keep you informed.

**December**

Continued conversations to clear up servicing agreements on two developments.

**January 14, 2016**

Meeting, Dept. of Highways, RM's of Indian Head, North Qu'Appelle, Abernethy and District of Katepwa.

I set up a meeting to discuss the situation from last fall where the DOT was not allowing any trucks on Hwy #56 Lebret to Wide Awake road. After meeting we agreed on the following solutions.

1. Highway 56 from Wide Awake road to Downing Hill:  
This portion of the highway will continue to be signed and designated as 8 tonne max load. However, the RM's 156, 186 and 187 will be allowed to issue annual permits to farmers to access both sides of the valley, via this 8 km portion of #56. The Dept of Highways is to review the possibility of lifting the ban for regular farm traffic, decision to come forward by the end of February.
2. Highway 56 along Katepwa Lake:  
Annual permits to be issued by RM's (should district of Katepwa office be added to this?) to essential truck traffic, ie Septic, concrete etc. The caveat to be attached that the best route to be used, eliminating as much traffic on #56 as possible. Any contradiction to this will result in the cancelation of the permit.  
Dept of Highways to find solution for issuing of SGI steering axle permits.

The order states the portion of Highway #56 that is weight restricted to 8,000 kg (21.7 km north of Indian head to Lebret, excluding when directly crossing Provincial Highway No. 56 at all intersecting public roads). This is the only portion of Highway #56 that would require a permit to haul above the 8,000kg, the remainder of Highway #56 from 21.7 km's north of Indian Head to Indian Head is legal secondary weights. Note when I say permits I am referring only to permits issues by the RM to haul over the 8,000 kg it does not exclude individuals from requiring overweight permits from SGI if required.

The original alternate truck route agreement included the section of Highway #56 between 13.8 km North of Indian head and Lebret, this was amended in 2007 as the southern limit of the 8,000kg weight restriction was moved to a point 21.7 km North of Indian Head to meet up with the new Grid 619 truck access point.