

The Rural Municipality of Manitou Lake # 442

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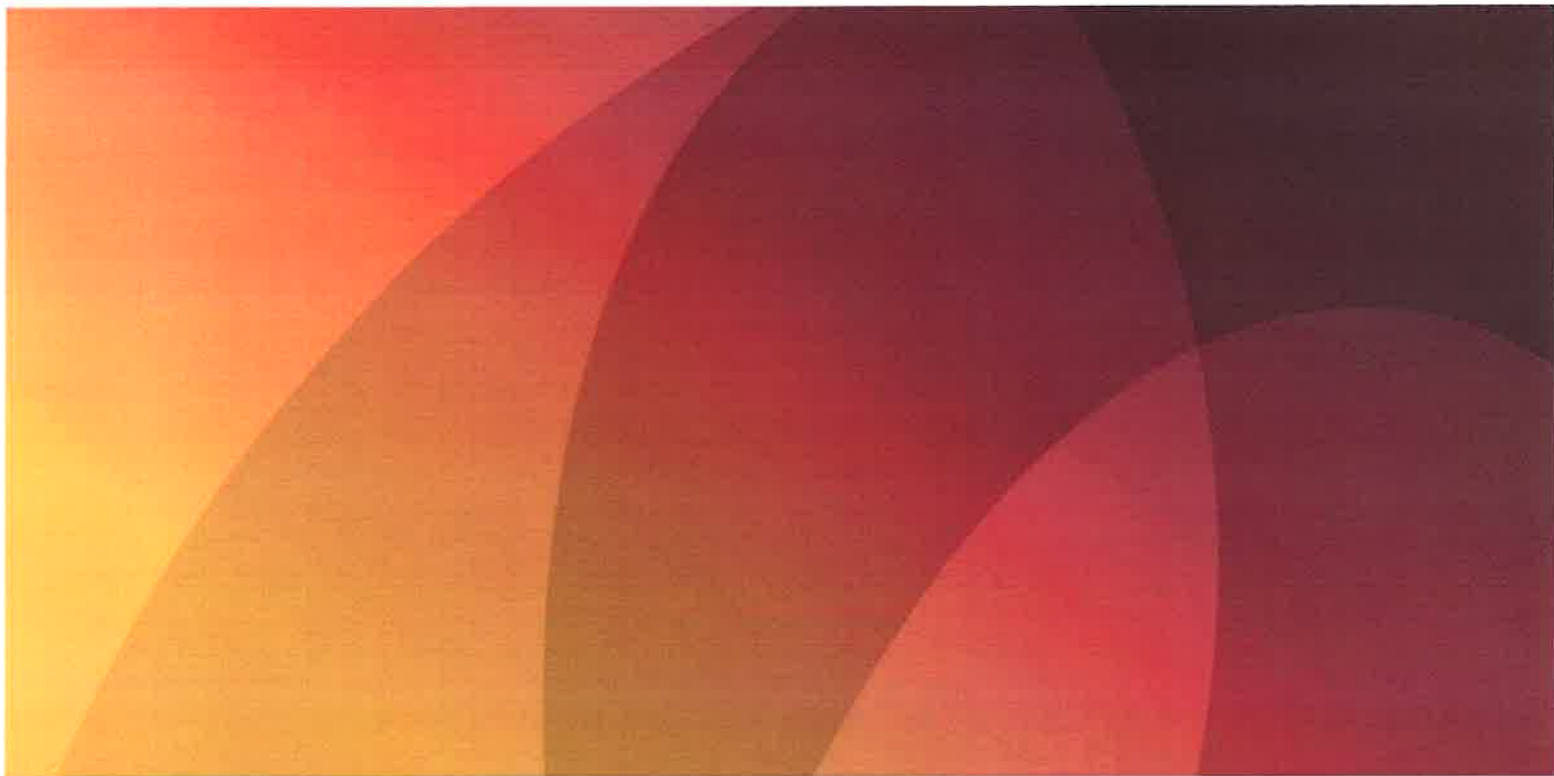


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<https://oipc.sk.ca/>



**RM of Manitou Lake
Code of Ethics Complaint
Investigation Report**

Lamb vs. Walde

March 2018



Knibbs/associates
HR Consulting

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Introduction

On January 22, 2018, Knibbs/associates HR Consulting (Kn/a) was engaged by the RM of Manitou Lake (RM) to investigate a written complaint (the Complaint) of alleged *Code of Ethics RM of Manitou Lake No 442 Bylaw No. 2016-02* (the Code of Ethics Bylaw) breaches submitted by Mr. Ian Lamb (the Complainant). Kn/a reviewed the Complaint as well as copies of emails that accompanied the Complaint, to assess possible Code of Ethics Bylaw breaches. This report reviews the alleged breaches by Mr. Bob Walde (the Respondent).

The Complainant was interviewed in person by Kn/a investigators (Ms. Dawn Hillrud and Mr. Phil Johnson) in North Battleford, Saskatchewan at the Travelodge Hotel on February 8, 2018.

The Respondent was offered a face-to-face interview on February 8, 2018, and February 9, 2018, at the Travelodge Hotel in North Battleford. He declined these interviews. The Respondent was offered face-to-face interviews on February 27, March 1 or 2, 2018 in Regina, Saskatchewan and was also offered a face-to-face interview on March 2, 2018, at the Lashburn Community Hall. He declined these interviews via email on February 25, 2018. Telephone interviews were also offered to the Respondent, for February 8, 2018, February 27, 2018, and March 2, 2018. All telephone interviews were also declined. In an email dated February 27, 2018, to investigator Dawn Hillrud, the Respondent wrote:

"I choose to respond by email to your questions and not a face to face interview."

The interview questions were sent by the investigators to the Respondent, via email on February 26, 2018.

The Respondent was given until March 5, 2018, at 9 pm to reply to the questions via email. The investigators received the Respondent's email response to the investigation questions on Sunday, March 4, 2018.

One witness to the alleged Code of Ethics Bylaw breaches was interviewed in person. Six witnesses of the alleged Code of Ethics Bylaw breaches were interviewed via telephone.

During interviews, witnesses were assured their statements would be held in strict confidence, and that neither their identities nor specific details about the information they shared would be included in the report unless required by law. Kn/a provided the witnesses with written statements of their interviews. The witnesses reviewed their statements for accuracy, made changes as warranted, signed the statements indicating their agreement with the information, and returned them to the investigators.

The Respondent emailed the names of four character witnesses as well as letters of reference from those witnesses to the investigators on March 5, 2018.

Investigation Key Points

- 1. The Complainant has been the reeve of the RM for eight years and was a councillor for three years prior to that.**
- 2. The Respondent has been a councillor of the RM for approximately 8 years.**
- 3. On January 10, 2018, the Complainant submitted a Complaint to the RM administrative assistant alleging that the Respondent had breached the Code of Ethics Bylaw of the RM.**
- 4. The RM initiated an investigation of alleged Code of Ethics Bylaw breaches by engaging Kn/a on January 22, 2018, to conduct the investigation.**
- 5. Upon review of the Complaint, Kn/a investigated alleged breaches in the following areas of the Code of Ethics Bylaw:**
 - a) Honesty;**
 - b) Objectivity;**
 - c) Respect;**
 - d) Transparency and Accountability;**
 - e) Leadership and Public Interest;**
 - f) Responsibility; and**
 - g) Municipal Time and Assets.**
- 6. Information gathered from the interviews, email responses to investigation questions, the original Complaint including copies of a series of emails exchanged between the Respondent and another RM councillor using RM-owned iPads and under RM email addresses, and other documents were used to determine the merits of the allegations.**
- 7. The findings of the Code of Ethics Bylaw breach investigation are discussed below.**

RM of Manitou Lake Code of Ethics Bylaw

The Code of Ethics Bylaw states, in part, as follows:

It is the responsibility of each member of Council to uphold the standards and values set out.

Honesty. Members of Council shall be truthful and open in their roles as Council members and as members of the communities they serve.

Objectivity. Members of Council shall make decisions carefully, fairly, and impartially. All municipal business must be conducted fairly and impartially.

Respect. Members of Council shall treat every person, including other members of Council, municipal employees, and the public, with dignity, understanding and respect. Members of Council shall not engage in discrimination, bullying, harassment, or be under the influence of illicit drugs or alcohol in their roles as members of Council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

Transparency and Accountability. Members of Council shall endeavour to conduct and convey Council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions. Members of Council are responsible for the decisions they make. This responsibility includes acts of commission and acts of omission.

Leadership and Public Interest. Members of Council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focusing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government. A member of Council shall keep personal agendas out of any decisions of Council and remain impartial. Members of Council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing, or unethical conduct.

Responsibility. Members of Council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*. This duty includes disclosing actual or potential conflicts of interests, either financial or otherwise relating to their responsibilities as members of Council, following policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of Council is individually responsible for preventing potential and actual conflicts of interest. Council members should not be involved in any decision-making process that may result in actual or perceived gain, benefit, or favouritism. Council members must not engage in any conduct or activity which might detrimentally affect the municipality's reputation or otherwise inhibit the municipality's ability to efficiently manage and direct its operations.



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Municipal Time and Assets: Municipal time and assets are to be used for and in the performance of the Council member's duties and responsibilities. Use of any municipal asset, including email, internet, or other electronic communication device for offensive or inappropriate use is strictly prohibited.

The complete Code can be found in [Appendix A](#).

Kn/a Incidents Review and Findings

In reviewing the information obtained during the course of this investigation, the investigators have made the following findings pertaining to the allegations against the Respondent of breaches of the Code of Ethics Bylaw.

a) Honesty:

- a. It was alleged that the Respondent has continually criticized the Complainant and RM administrative staff in the presence of members of the public in manner and words that misrepresent their competence, actions, and moral values.

The Respondent denies having criticized the RM of Manitou Lake reeve and administrative staff in the presence of members of the public in manner and words that misrepresent their competence, actions, intentions, and moral values.

It was not corroborated that the Respondent has publicly criticized the Complainant.

Two witnesses stated that they had not witnessed the Respondent publicly criticize the RM administrative staff. These witnesses would not have been present in all of the Respondent's interactions with administrative staff

One witness stated the Respondent had publicly criticized some of the RM administrative staff with reference to the interpretation of *The Municipalities Act*, in the RM office, in the presence of other administrative staff. The witness stated that these criticisms are a misrepresentation of the RM administrative staff's competence and actions.

The allegation that the Respondent had improperly criticized some of the administrative staff is founded. Further to this, a reasonable person ought to have known that criticizing the RM administrative staff in the presence of the public in a misrepresentative manner is not open or truthful and is dishonest and therefore in breach of the Code of Ethics Bylaw with reference to honesty.

- b. It was alleged that the Respondent has continually criticized the Complainant and RM administrative staff in the presence of elected officials in manner and words that misrepresent their competence, actions, and moral values.

The Respondent denies having criticized the Complainant and RM administrative staff in the presence of elected officials in manner and words that misrepresent their competence, actions, intentions, and moral values.

It was not corroborated that the Respondent has criticized the Complainant in the presence of elected officials.

Three witnesses stated that the Respondent had criticized the competence and actions of the RM administrative staff in the presence of elected officials, this criticism is specific to, but not limited to, privacy process and the interpretation of *The Municipalities Act*. These three witnesses stated that these criticisms are a misrepresentation of administrative staff competence and actions.



The allegation that the Respondent improperly criticized the competence and actions of RM administrative staff in the presence of elected officials is founded. Further to this, a reasonable person ought to have known that criticizing the RM administrative staff in the presence of elected officials in a misrepresentative manner is not open or truthful and is dishonest and therefore in breach of the Code with reference to honesty.

b) Objectivity:

- a. **It was alleged that emails exchanged between the Respondent and Councillor Rick Swanstrom indicate an agenda to undermine and/or remove the RM Human Resources Committee members and the Complainant.**

The Respondent stated that he has communicated privately with another councillor regarding concerns about the manner in which the Complainant conducts himself and that the Respondent has a duty to ensure that the RM is operated in the best interests of the ratepayers.

The emails as attached to the Complaint did not specifically name RM Human Resource committee members or the Complainant. However, one email from Division 2 as attached in [Appendix B](#), from the Respondent to SAMA dated November 29, 2017, which was primarily about RM taxes included a final sentence that said, "Often the head hides information behind the privacy act...". The Respondent has indicated in his written response to the investigators that in this particular email he was, in fact, referring to the Complainant as the "head". This particular email is an attempt to undermine the Complainant and the RM's Local Authority Freedom of Information and Protection of Privacy (LAFOIP) practices to an external public official.

This allegation is founded. Further to this, a reasonable person ought to have known that the email to SAMA could be seen as an attempt to undermine the Complainant as a member of the RM. As such, the Respondent has failed to remain fair or impartial and is therefore in breach of the Code of Ethics Bylaw with reference to objectivity.

- b. **It was alleged that the Respondent sought personal information about RM administrative staff through the use of LAFOIP requests.**

The Respondent stated he had made a LAFOIP request for RM Human Resource Committee meeting minutes.

It was confirmed by two witnesses that the Respondent had made a LAFOIP request for RM Human Resource committee minutes. These witnesses indicated that they suspect the Respondent seeks the Human Resource committee minutes to gain access to RM administrative staff's personal information. However, this was not definitively established.

The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

c) Respect:

- a. **It was alleged that the Respondent continually criticized RM administrative staff in person and in the presence of members of the public and other elected officials in manner and words that misrepresent their competence, actions, intentions, and moral values.**

The Respondent denies having criticized or been disrespectful to the RM administrative staff in person and in the presence of members of the public and other elected officials in manner and words that misrepresent their competence, actions, intentions, and moral values.

Two witnesses stated that they had not witnessed the Respondent publicly criticize the RM administrative staff. These witnesses would not have been present in all of the Respondent's interactions with the administrative staff.

Three witnesses stated that the Respondent had criticized the RM administrative staff with reference to privacy process and the interpretation of *The Municipalities Act* in the presence of elected officials. Further to this, it was confirmed three witnesses that the Respondent said that he does not believe a thing that the RM administrative assistant says (with reference to privacy process). These witnesses indicated that this is not an accurate or fair description of the administrative assistant's level of competence.

This allegation is founded. Further to this, a reasonable person ought to have known that criticizing the RM administrative staff in a disrespectful manner as well as verbalizing that the Respondent does not believe a thing the RM administrative assistant says is not treating an employee with dignity, understanding or respect and is therefore in breach of the Code of Ethics Bylaw with reference to respect.

- b. It was alleged that the Respondent continually criticizes the Complainant in person and in the presence of members of the public and other elected officials in manner and words that misrepresent the Complainant's competence, actions, intentions, and moral values.**

The Respondent denies having criticized the Complainant in person and in the presence of members of the public and other elected officials in manner and words that misrepresent his competence, actions, intentions, and moral values.

It was not corroborated that the Respondent continually criticizes the Complainant publicly in ways that misrepresent his competence, actions, intentions, and moral values.

The material and witnesses did not corroborate these allegations, and in the result this claim of a breach of the Code of Ethics Bylaw is unfounded.

- c. It was alleged that the Respondent used derogatory language and names concerning the Complainant and other council members in emails and in public where it has been overheard by members of the public.**

The Respondent stated that he "may have" resorted to name calling when referring to the Complainant in private emails that were not shared with the public and that were meant to remain private.

It was not corroborated by witnesses that the Respondent has used derogatory language and names concerning the Complainant in public.

As per the RM April 6, 2017, meeting minutes, there is a motion by the Complainant to accept the recommendation of the RM Human Resources Committee to terminate the joint administration agreement with the Village of



Marsden. These minutes can be found in [Appendix C](#). This particular motion is referred to in the email exchange in [Appendix B](#) between the Respondent and another RM councillor.

"In the minutes of the April 6 regular meeting of council, for RM 442, there is a motion by the Retard to take the recommendation of the h.r. committee"

As noted above and as per [Appendix C](#), it can be seen that this motion was made by "Lamb"/Reeve (the Complainant). Further to this, in the email exchange that followed this initial email, the Respondent refers to an individual as the "retard rat" and the "rattard". The email address being used by the Respondent in this particular exchange was div2.rm442@gmail.com identifying him with Division 2 of RM 442. Further to this, the email address the Respondent used to send these emails has an email signature that reads "Bob Walde Division 2, RM of Manitou Lake #442 Box 88, Neilburg, SK S0M 2C0 C:780 808 1839", further identifying him with Division 2 of the RM of Manitou Lake. As such, in sending the emails, the Respondent is acting as a member of the Council of RM 442 and is, therefore, acting in the scope of his position of councillor while using derogatory names.

This allegation is founded. Further to this, a reasonable person ought to have known that engaging in an email exchange, while acting as a member of council, that refers to the Complainant or any individual related to the work of the RM as a retard or retard rat is not treating other councillors or the person with dignity, understanding or respect and as such is in breach of the Code of Ethics Bylaw with reference to respect.

- d. It was alleged that the Respondent continually challenged the accuracy of interpretations and explanations of municipal policies provided to him by administrative staff and he said to the administrative staff that he doesn't believe anything they say.**

The Respondent stated that he did not tell the RM of Manitou Lake administrative assistant that he does not believe anything she says.

It was corroborated by three witnesses that the Respondent has verbalized to the administrative assistant that he does not believe anything that the RM administrative assistant says.

This allegation is founded. Further to this, a reasonable person ought to have known that telling administrative staff that he does not believe anything they say is not treating a municipal employee with dignity, understanding or respect and therefore is in breach of the Code of Ethics Bylaw with reference to respect.

- e. It was alleged that the Respondent failed to respond to opportunities to suggest corrections to council minutes in a timely manner. It was alleged that this was a strategy by the Respondent to promote public exposure of errors by administrative staff.**

The Respondent said that he points out errors to the administrative staff either before meetings or during meetings as per his duty as an RM councillor.

Three witnesses stated that the Respondent does not suggest corrections to council meeting minutes in a timely manner, he waits until after they are adopted as read or until he is in the presence of the gallery that attends RM



council meetings. These witnesses further stated that they suspect he does this to promote public exposure of errors by administrative staff. However, this was not definitively established.

The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

- f. It was alleged that the Respondent has raised his voice and pounded his fist in an attempt to intimidate council members and the RM administrative staff.

The Respondent denies having pounded his fist and/or raised his voice when dealing with RM administrative staff. The Respondent stated he is unsure if he has pounded his fist on the table or raised his voice during council meetings.

Two witnesses provided written statements that indicated that they have never seen the Respondent pound his fist or raise his voice. Two witnesses verbalized that they have not seen the Respondent pound his fist or raise his voice. These witnesses would not have been present in all of the Respondent's interactions with other RM administrative staff nor would these witnesses have been present in the "in camera" portions of RM meetings.

It was confirmed by three witnesses that the Respondent has raised his voice and pounded his fist in an attempt to intimidate council members and RM administrative staff in "in camera" council meetings.

This allegation is founded. A reasonable person ought to have known that raising one's voice and pounding one's fist is not treating a municipal employee or other council members with dignity, understanding or respect and therefore is in breach of the code with reference to respect.

d) Transparency and Accountability:

- a. It was alleged that the Respondent did not conduct council business in an open and transparent manner, in particular, that he engaged in email discussions with another councillor concerning efforts to discredit reeve and council decisions and including actions and decisions of the Human Resources Committee. It was also alleged that he refused to return the iPad to the RM and that he changed the password to the email account on the iPad.

The Respondent stated that the emails exchanged with another councillor were private and not intended for public viewing.

An email from Division 2 as attached in [Appendix B](#), from the Respondent (div2.rm442@gmail.com) to SAMA dated November 29, 2017, primarily about RM taxes included a final sentence that said, "Often the head hides information behind the privacy act...". The Respondent has indicated that in this particular email he was, in fact, referring to the Complainant as the "head". This particular email can be seen as an attempt to discredit the Complainant and the RM's LAFOIP practices to an external public official in a manner that lacks transparency and openness.



Further to this, two witnesses indicated that they have seen email exchanges between the Respondent and another RM councillor that they believe are an attempt to discredit the reeve and council. The Respondent stated that the emails exchanged with another councillor were private and not intended for public viewing.

The allegation that the Respondent has failed to return the iPad to the RM was confirmed by one witness and by the Respondent. The Respondent stated that it has on it reports, emails, and opinions that he doesn't want to be lost, and that these are his only record.

The allegation that the Respondent has changed the password to the email account assigned to him by the RM was confirmed by one witness and the Respondent. The Respondent stated that there was no policy in place prohibiting him from changing the password.

These allegations are founded. Further to this, a reasonable person ought to have known that discrediting the reeve without evidence, refusing to return the iPad to the RM, and changing the password lacks openness and transparency and is therefore in breach of the Code of Ethics Bylaw with reference to transparency.

- b. It was alleged that the Respondent engaged in email discussions with Councillor Rick Swanstrom that indicate plans and a desire to remove the Complainant from office.

The emails as attached to this report do not specifically name the Complainant or his removal.

This allegation is unfounded. The materials and witnesses did not corroborate these allegations.

e) Leadership and Public Interest:

- a. It was alleged that the Respondent exchanged emails with Councillor Rick Swanstrom that indicate a personal agenda to undermine council and remove the Complainant;

The emails as attached to the Complaint as exchanged by the Respondent with Rick Swanstrom did not specifically name the reeve when referring to the removal of an elected official.

The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

- b. It was alleged that the Respondent did not consider the cost to ratepayers when he was uncooperative regarding setting revised dates for council meetings to review time-sensitive tenders for RM work.

The Respondent stated that he has asked that the RM of Manitou Lake council to follow the *Municipal Act* when meeting dates are changed.

In delaying RM council meetings, the Respondent was following guidelines as set out by *The Municipalities Act*. There is insufficient evidence to support this claim, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.



- c. It was alleged that the Respondent does not consider the cost to ratepayers and the time required of RM administrative staff when continually arguing with administrative staff over the meaning of legal and policy documents.

The Respondent indicated that he had made one LAFOIP request for RM Human Resources committee meeting minutes.

Three witnesses stated that the information as requested by the Respondent in a LAFOIP request is personal and confidential with reference to employee relations and this information was, in fact, discussed “in camera” and is therefore not available to him or the general public. It was further stated by three witnesses that the Respondent continually argues with staff over the application and interpretation of legal and policy documents and that he continually makes time-consuming requests for unnecessary or confidential information from the administrative staff.

One witness indicated that it is common local government practice to hold human resource committee or employee relation committee meetings “in camera” to protect the confidential information of employees.

This allegation is founded. The Respondent is entitled to make LAFOIP requests for information and doing so is not a breach. However, there was evidence from four witnesses that the Respondent repeatedly challenges and disputes the right of access to RM Human Resource Committee information which takes valuable work time away from other necessary administrative tasks of the RM administration staff. A reasonable person ought to know that in continually requesting confidential information takes time and therefore incurs unnecessary costs to the RM in administrative wages and is not made in the best interests of the municipality, and therefore is in breach of the Code of Ethics Bylaw with reference to Leadership and Public Interest.

f) Responsibility:

- a. It was alleged that the Respondent continually attempts to undermine the reputation and actions of the Complainant, council, and RM administrative staff by engaging publicly in unfounded criticism of their decisions, actions, and professional competence;

The Respondent denies having publicly undermined the reputation and actions of the Complainant, council, and RM administrative staff.

It was not corroborated that the Respondent has continually attempted to publicly undermine the reputation and actions of the Complainant, council, and RM administrative staff.

The allegation is unfounded. The material and witnesses did not corroborate these allegations. There is insufficient evidence to support this claim.

- b. It was alleged that an email exchange with Councillor Rick Swanstrom indicates a personal agenda to undermine and remove the reeve.



The emails as attached to the Complaint as exchanged with Rick Swanstrom did not specifically name the reeve when referring to the removal of an elected official.

The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

g) Municipal Time and Assets

- a. **It was alleged that the Respondent used RM property to engage in an email exchange with Councillor Rick Swanstrom that is offensive, inappropriate, and conspiratorial.**

The emails as attached to the Complaint ([Appendix B](#)) use offensive and inappropriate language. The Respondent used the iPad provided to him by the RM and an email address div2.rm442@gmail.com identifying him with Division 2 of RM 442. Further to this, the email address the Respondent used to send these emails has an email signature that reads "Bob Walde Division 2, RM of Manitou Lake #442 Box 88, Neilburg, SK S0M 2C0 C:780 808 1839", further identifying him with Division 2 of the RM of Manitou Lake. As such, in sending the emails, the Respondent is acting as a member of the Council of RM 442 and is, therefore, acting in the scope of his position of councillor while using inappropriate and offensive language.

This allegation is founded. A reasonable person ought to have known that using inappropriate and offensive language while acting in the scope of his role as an RM councillor is a misuse of RM assets and privileges, and therefore in breach of the Code of Ethics Bylaw with reference to municipal time and asset use.

- b. **It was alleged that the Respondent changed the password to the RM-owned iPad in his possession.**

The Respondent stated he had changed the password for the RM iPad that he is in his possession.

There was no policy within the RM with reference to device password changes at the time that the Respondent changed the password.

As there was no standard or policy on this, there was no breach of protocols. The allegation of a breach of the Code of Ethics Bylaw is unfounded.

- c. **It was alleged that the Respondent has refused to return the property to the RM, specifically an iPad provided to him for use as a councillor.**

The Respondent confirmed that he has an RM-owned iPad in his possession that was given to him to use as a tool in being a councillor. The Respondent confirmed that he had been asked to return this iPad.

It was confirmed by three witnesses that the Respondent refuses to return RM property despite requests to do so.

It was corroborated by four witnesses that the RM has purchased new tablet devices to replace the iPads for RM councillors to use and that all other councillors have returned the iPads previously assigned to them.



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This allegation is founded. Further to this, a reasonable person ought to know that refusing to return RM property is the inappropriate use of RM assets and therefore in breach of the Code of Ethics Bylaw with reference to the use of RM assets.



Summary of Findings

It is the determination of the Investigators that breaches of the Code of Ethics Bylaw with reference to:

Honesty;

Objectivity;

Respect;

Transparency and Accountability;

Leadership and Public Interest; and

Municipal Time and Assets

did occur.



Appendix A – RM of Manitou Lake Code of Ethics Bylaw

M-11 (a)

CODE OF ETHICS BYLAW

RM OF MANITOU LAKE NO 442
BYLAW NO. 2016-02

Short Title

1. This Bylaw may be cited as the Code of Ethics Bylaw.

Legal Requirement

2. This bylaw has been created to comply with section 93.1 of *The Municipalities Act* and as outlined in section 3.1, Schedule 1, of *Municipalities Regulations*.

PART I CODE OF ETHICS

Code of Ethics for Members of Council

Preamble

As members of Council, we recognize that our actions have an impact on the lives of all residents and property owners in the community. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards.

The quality of the public administration and governance of the RM of Manitou Lake No 442 as well as its reputation and integrity, depends on our conduct as elected officials.

Purpose and Interpretation

The purpose of this code is to outline basic ethical standards and values for members of Council. It is to be used to guide members of Council respecting what their obligations are when fulfilling their duties and responsibilities as elected officials.

This code is to be interpreted in accordance with the legislation applicable to the municipality, the common law and the policies and bylaws of the municipality.

Neither the law nor this code is to be interpreted as exhaustive, and there will be occasions on which a Council will find it necessary to adopt additional rules of conduct in order to protect the public interest and to enhance the public confidence and trust in local government.

It is the responsibility of each member of Council to uphold the standards and values set out in this code.

Standards and Values

a. Honesty

Members of Council shall be truthful and open in their roles as Council members and as members of the communities they serve.

b. Objectivity

Members of Council shall make decisions carefully, fairly and impartially. All municipal business must be conducted fairly and impartially.

c. Respect

Members of Council shall treat every person, including other members of

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Council, municipal employees and the public, with dignity, understanding and respect.

Members of Council shall not engage in discrimination, bullying, harassment, or be under the influence of illicit drugs or alcohol in their roles as members of Council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

d. Transparency and Accountability

Members of Council shall endeavour to conduct and convey Council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions.

Members of Council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission.

e. Confidentiality

Members of Council must hold in strict confidence all information of a confidential nature acquired by virtue of their office except when required by law or authorized by Council to do so. This information will only be used for the purposes it was gathered or acquired for. This information can include personal information about employees or other Council members, confidential commercial or financial information about members of the public or of companies. Members shall not take advantage of or obtain private benefit from information that is obtained in the course of or as a result of their official duties or position and that is not in the public domain. This includes complying with *The Local Authority Freedom of Information and Protection of Privacy Act* in their capacity as members of Council of a local authority. The Head of Council is, by default, is the Privacy Coordinator for the municipality unless otherwise delegated.

f. Leadership and the Public Interest

Members of Council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focussing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government. A member of Council shall keep personal agendas out of any decisions of Council and remain impartial.

Members of Council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing or unethical conduct.

g. Responsibility

Members of Council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*.

This duty includes disclosing actual or potential conflicts of interest, either financial or otherwise relating to their responsibilities as members of Council, following policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of Council is individually responsible for preventing



Council, municipal employees and the public, with dignity, understanding and respect.

Members of Council shall not engage in discrimination, bullying, harassment, or be under the influence of illicit drugs or alcohol in their roles as members of Council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

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Members of Council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing or unethical conduct.

g. Responsibility

Members of Council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*.

This duty includes disclosing actual or potential conflicts of interest, either financial or otherwise relating to their responsibilities as members of Council, following policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of Council is individually responsible for preventing



at the remainder of the Council meeting. Council may apply additional penalties based on the severity of the contravention.

Remedial Action if Contravention Occurs

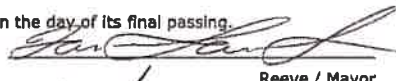
5. Should a Member of a Council breach any of the principles outlined in this code, the possible courses of action that are available to Council include but are not limited to:

- (a) An apology, either written and/or verbal, by the Member of Council to the impacted individual(s), Council, and/or the general public.
- (b) Educational training on ethical and respectful conduct.
- (c) Repayment of moneys/gifts received.
- (d) Removal of the Member from Council Committees and/or bodies.
- (e) Dismissal of the Member from a position of Chairperson of a Committee.
- (f) Reprimand.

**PART VII
COMING INTO FORCE**

6. This bylaw shall come into effect on the day of its final passing.




Reeve / Mayor


Administrator

Read a third time and adopted
this 10 day of February 2017

ca



M-11 (a)

**Schedule A
Formal Complaint Form**

Please note that knowingly signing a false affidavit may expose you to prosecution under the Criminal Code of Canada.

I _____ of _____
(First and Last Name) (Full mailing address)

do solemnly (swear/affirm and declare) that the following contents of this statement are true and correct and hereby request the council of the RM of Manitou Lake No 442 to (look into/ conduct an investigation/ inquiry/ follow-up on) whether or not the following member(s) of the RM Council has (have) contravened the Code of Ethics: *Member(s) of council name(s)*

I have reasonable and probable grounds to believe that the above member(s) has (have) contravened the Code of Ethics by reason of the following:

1. Insert date(s), time and location of conduct;
2. Include the sections of this bylaw that have been contravened;
3. provide the particulars and names of all persons involved, and of all witnesses;
4. provide contact information for all people listed;
5. any exhibits can be attached; and
6. if more space is required, please attach additional pages as needed.

(Signature of Complainant)

(Date signed)

For Office Use Only

(Date filed)

(Signature of _____ (f.e. Municipal administration City Clerk,
or other applicable position pursuant to subsection 3(a) of Bylaw))

J.L.

[Signature]

5



Appendix B - Emails

11/12/2017

Gmail - More information

62



Division5 RM442 <div5.rm442@gmail.com>

More information

3 messages

Division5 <div5.rm442@gmail.com>
To: Bob Walde <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Sun, Dec 3, 2017 at 9:12 PM

Phone me at any hour . I will not rest till I share my news. It's really good. And slightly puzzling.

Sent from my iPad

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Sun, Dec 3, 2017 at 9:30 PM

A call to one and four might just be what the doctor ordered, are you up for that since I seem to be in everyone's bad books.

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

Division5 <div5.rm442@gmail.com>
To: Division2 <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Sun, Dec 3, 2017 at 10:03 PM

I do have more information phone me asap.
Rick div5

Sent from my iPad
[Quoted text hidden]

2L

<https://mail.google.com/mail/u/0/?ui=2&ik=2e71eda28e&asv=cNUGSxrcYso.en.&view=pt&search=inbox&th=1801fa8a1712116b&siml=1801b9711b8> 1/1



11/12/2017

Gmail - Editor



Division5 RM442 <div5.rm442@gmail.com>

Editor

2 messages

Division5 <div5.rm442@gmail.com>
To: Bob Walde <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Sat, Dec 2, 2017 at 12:08 AM

In the Minutes of the April 8 regular meeting of council for RM 442, there is motion, by the Retard to take the recommendation of the h.r. committee and end the 84 year old working arrangement with the Village of Marsden. When a councillor of the RM asked for the recommendation of the h.r. committee and the minutes of the committee meeting that inspired it, he was refused. He then asked olpc to review his request for this information. The olpc conducted a review and has posted it's report on the website. It would appear in the findings and recommendations, that the RM has completely misinterpreted the Local Authority Freedom of Information and Protection of Privacy Act. The Commissioner pointed out irrelevant and nonapplicable in whole or in part concerns to everything the RM claimed and said that the information should be released to the councillor, with a few minor exceptions, in its entirety. He also noted several shortcomings in regard to The Municipalities Act. He has provided his report to the Ministries of Justice and Government Relations (Municipal Affaires). The website is whatever,whatever to see the complete report. I would encourage all that take an interest in how their tax money is used to read this report and ask their MLA to encourage both aforementioned ministries to instruct and supervise this council and administration so things can be done correctly.

Sent from my iPad

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Sat, Dec 2, 2017 at 12:53 AM

The retard ratt stated that the village wanted out of the agreement. And it was not until later I learned that was not the truth and asked for the min and recommendation.
(Quoted text hidden)

Z.L.



Kn/a
HR Consulting

80

11/12/2017

Gmail - Email

don't show up on the assessment roll, Vacant land. Commercial assessment lists. We would like to make sure that we have some idea of the questions we could ask you to make sure that these questions answer to all how SAMA works.

Often the head hides information behind the privacy act, the OIPC report on Manitou Lake will be on their website today 29 Nov 17.

Thank you

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 68, NEILBURG, SK S0M 2C0
C: 780 808 1838

[Quoted text hidden]

2-8-



Kn/a
HR Consulting

Chandra Reilly L.A.A.S., M.A.A.S.
North Battleford Regional Manager
Saskatchewan Assessment Management Agency
(P): (306) 448-7880
(C): (306) 441-6756
(F): (306) 446-7568
1-800-824-2570

From: Division2 [mailto:div2.rm442@gmail.com]
Sent: Wednesday, November 29, 2017 6:50 AM
To: Chandra Reilly
Subject: Manitou Lake RM 442

Good morning Chandra

I talk to you in your office about some concerns I have at the RM of Manitou Lake about taxes. We talked of the possibility of you coming down to the next meeting and if you were, there was some information you might send to me?

Some things we talked about: Base tax, maintenance lists, properties that have a new houses and/or new shops that don't show up on the assessment roll, Vacant land, Commercial assessment lists. We would like to make sure that we have some idea of the questions we could ask you to make sure that these questions answer to all how SAMA works.


When the Head hides information behind the privacy act, the OIPC report on Manitou Lake will be on their website today 29 Nov 17.

Thank you

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839

2 attachments

 442_Commercial.xlsx
8K

 <https://mail.google.com/mail/u/0/?ui=2&ik=2e71ada26e&asv=ghJG5xrcYsoem&view=pt&search=inbox&th=16021b943b691672&siml=16021b943b69...> 2/3



11/12/2017

Gmail - Email



Division5 RM442 <div5.rm442@gmail.com>

Email

5 messages

Division5 <div5.rm442@gmail.com>
To: Bob Walde <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Wed, Nov 29, 2017 at 5:22 AM

I have some security concerns. What if some or all of our recent exchange of email was leaked to the public? Could this be used as leverage, in that we have taken an indefensible position? Or fear the same? Rick

Sent from my iPad

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 5:27 AM

Is there a way to permanently erase them so they can't be hacked?

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 5:29 AM

Could the Hack be somebody under cover we talk to you at times? Like a mole?

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 5:31 AM

Et tu?

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 5:53 AM

Letter to BAMA:
Good morning Chandra

RL I talk to you in your office about some concerns I have at the RM of Manitou Lake about taxes. We talked of the possibility of you coming down to the next meeting and if you were, there was some information you might send to me?



11/12/2017

Gmail - Inevitable audit



Division5 RM442 <div5.rm442@gmail.com>

Inevitable audit

3 messages

Division5 <div5.rm442@gmail.com>
To: Bob Walde <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Wed, Nov 29, 2017 at 3:30 AM

Can you think of any matters on record or currently before the courts, that demonstrates our disappointment with the way that council is functioning or rather failing? It is common knowledge (but not proven) that dissenting councillors have been harassed and targeted by conspirators by numerous attempts to intimidate, suppress evidence, provide false and misleading evidence, and general defamation in the court of public opinion. I feel we may have to defend our selves, however I refuse to sink to the level that seems to have become the standard. I would like to prove my position as being insistent on proper policy and procedures, legal and lawful actions, without sliding into the realm of these backstabbing character assassins. What do we have? Rick div5

Sent from my iPad

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 3:41 AM

Are you awake

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 4:04 AM

We will have to defend ourselves and explain what has happened and what we did about it or what we did not do about it and why.

Sliding from day one of council I do have some notes that will be of some value. And may explain his mental problem and why not more was done to try and stop him.

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

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Appendix C - Minutes of RM of Manitou Meeting - April 6, 2017

RM OF MANITOU LAKE NO. 442

1

April 6, 2017

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE RURAL MUNICIPALITY OF MANITOU LAKE NO. 442 HELD IN THE MUNICIPAL OFFICE, MARSDEN, SASKATCHEWAN ON THURSDAY, APRIL 6, 2017.

Present

Reeve: Ian Lamb
Councillors: Division 1 – Travis Lindsay
Division 2 – Bob Walde
Division 3 – Norman Wright
Division 4 – Kevin Bossert
Division 5 – Rick Swanstrom
Division 6 – Joe Koch
CAO: Joanne Loy
Assistant Administrator: Brenda Appleton

**Call to
Order**

Reeve Lamb called the meeting to order at 9:00 a.m.

In Camera

17/068 LAMB: That the RM of Manitou Lake No 442 Council moves into an in camera session to discuss human resources as authorized by the legislative authority of Section 120 of *The Municipalities Act* including the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* at 9:00 am.
Carried

**Out of
Camera**

17/069 LAMB: That the RM of Manitou Lake No 442 Council rises from the in camera discussion at 9:14 am.
Carried

Delegates

Duane Perillat, RM of Britannia No 501 Emergency Management Coordinator and Anne Danielson, City of Lloydminster Emergency Management Coordinator

**Join
ASIST**

17/070 WRIGHT: That the RM of Manitou Lake No 442 join the Alberta Saskatchewan Incident Support Team for receiving and providing management support to municipalities in the event of a disaster or incident with Brenda Appleton to be the RM's appointed representative.
Carried

Minutes

17/071 SWANSTROM: That the minutes of the Regular Meeting of Council on March 9, 2017 be adopted as presented.
Carried

**State-
ment**

17/072 KOCH: That the Statement of Financial Activities for March 2017 be accepted as presented.
Carried

Accounts

17/073 LINDSAY: That the accounts to April 6, 2017 be authorized for payment and that a list of cheques numbered 19008 to 19055 inclusive and including EFT Payroll deposits and online Receiver General Remittances totaling \$107,918.97 be annexed to and form a part of these minutes.
Carried

Delegate

Ben Clipperton Midwest Surveys



RM OF MANITOU LAKE NO. 442

2

April 6, 2017

CNRL Haul Agreement 17/074 **KOCH:** That the RM of Manitou Lake No. 442 enter into an agreement with CNRL to permit Saskatchewan Secondary Weights to be hauled while the spring road bans are in place and then primary weights to be hauled East on TWP 462 for 0.14 miles (0.2 km) to access A14-32-45-27-W3M with the agreement in effect until spring road bans 2018.

Carried

CNRL Haul Agreement 17/075 **BOSSERT:** That the RM of Manitou Lake No. 442 enter into an agreement with CNRL to permit Saskatchewan Secondary Weights to be hauled while the spring road bans are in place and then primary weights to be hauled South of HWY 40 on RGE RD 3281 for 1.5 miles to access 26-44-28-W3M with the agreement in effect until spring road bans 2018.

Carried

Petrocapita Rd Maint 17/076 **LAMB:** That Petrocapita be advised that the request for a Road Maintenance agreement allowing primary weights will be tabled until such time Petrocapita begins paying the 2016 taxes and accrued interest in accordance with their letter dated February 23, 2017 as a show of good faith.

Carried

Baytex Haul Agreement 17/077 **SWANSTROM:** That the RM of Manitou Lake No. 442 enter into an agreement with Baytex Energy/AIM Transport to permit primary weights to be hauled on 3275 north of Highway 40 to access 12-5-45-27-W3M and on 3282 north of Highway 40 to access 3-10-45-28-W3M with the agreement in effect until spring road bans 2018.

Carried

Pest Control 17/078 **KOCH:** That the RM of Manitou Lake Council acknowledge the 2017 rates for pest control rates from Glen McGladdery being \$28 per hour and \$0.75 per km.

Carried

Enhanced Policing 17/079 **WALDE:** That the RM of Manitou Lake No 442 apply to the Ministry of Justice, Policing and Community Safety Services Division to acquire the services of an RCMP Officer under the Enhanced Police Services Program with the RM to assume responsibility for the costs of the position to be considered for April 1, 2018.

Carried

Hillsdale Enhanced 17/080 **KOCH:** That the RM of Manitou Lake meet with the RM of Hillsdale Council to discuss the option of sharing the Enhanced RCMP Officer.

Carried

Councillor Swanstrom requested a recorded vote on the following motion:

Financial/ Management Audit 17/081 **SWANSTROM:** That the RM of Manitou Lake hold a financial and management audit in accordance with Section 140.1(1) of *The Municipalities Act*.

FOR:

Travis Lindsay
Bob Walde
Rick Swanstrom

AGAINST:

Ian Lamb
Norman Wright
Kevin Bossert
Joe Koch
Defeated



RM OF MANITOU LAKE NO. 442 3

April 6, 2017

Reeve Ian Lamb requested a recorded vote on the following motion:

Terminate 17/082 LAMB: That the RM of Manitou Lake Council accept the recommendation of the Human Resources Committee to terminate the Joint Administration Agreement with the Village of Marsden in accordance with Section 6 of said Agreement with the final day being August 31, 2017.

FOR:

Ian Lamb
Travis Lindsay
Bob Walde
Norman Wright
Kevin Bossert
Joe Koch

AGAINST:

Rick Swanstrom

Carried

Beaver Control 17/083 LAMB: That the RM of Manitou Lake participate in the Beaver Control Program administered through SARM for 2017.

Carried

Beaver Control 17/084 LAMB: That the Council appoints Glen McGladdery as the RM of Manitou Lake's Beaver control officer.

Carried

Delegate James Czerniak, Foreman

454 Tender 17/085 WALDE: that the RM of Manitou Lake have BAR Engineering tender the construction of TWP 454 in two sections being RGE RD 3260 to 3262 and 3262 to 3264 with a request to include pricing for the entire 4 mile project with lowest or any tender not necessarily accepted.

Carried

J Donally 10 Years 17/086 LAMB: That Grader Operator Jean Donally be acknowledged with 10 years of service to the RM and be entitled to 4 weeks holidays.

Carried

Mulch Grade Park 17/087 WRIGHT: That the RM of Manitou Lake mulch the campsites and grade the roads in the Manitou Lake Regional Park with the services being donated as part of the preparations for the Canada 150 Celebration.

Carried

Canada 150 Sign 17/088 LINDSAY: That the RM of Manitou Lake approve the installation of a Canada 150 Celebration sign at the NW corner of 20-44-26-W3M providing permission is received from the adjacent landowner with the RM to install the sign at no charge.

Carried

Councillor Joe Koch declared a conflict of interest and left the meeting at 11:45 am during the following discussion:

2012 Mower Tender 17/089 LINDSAY: That the RM of Manitou Lake accept the tender from Joe Koch for the 2012 Schulte mower as is where is for \$14750 plus applicable taxes.

Carried

Councillor Joe Koch rejoined the meeting at 11:50 am

Council recessed for lunch from 11:50am to 12:37 pm



RM OF MANITOU LAKE NO. 442

5

April 6, 2017

Assessment Extension Bylaw 17/099 LAMB: That Bylaw No. 2-2017 being a Bylaw to Extend the Time for the Completion of the Assessment Roll be introduced and read a first time.

Carried

17/100 LINDSAY: That Bylaw No. 2-2017 be read a second time.

Carried

17/101 WRIGHT: That Bylaw No. 2-2017 be given three readings at this meeting.

Carried Unanimously

17/102 BOSSERT: That Bylaw No. 2-2017 being a Bylaw to Extend the Time for the Completion of the Assessment Roll be read a third time and finally adopted.

Carried

Legion Ad

17/103 WRIGHT: That the RM of Manitou Lake purchase a ¼ page ad in the Saskatchewan Command Legion book at a cost of \$295 plus taxes.

Carried

Easter Hours

17/104 LAMB: That the Municipal Office and Shop be closed for Easter April 13 and 17th.

Carried

Lashburn Bridge Repairs

17/105 SWANSTROM: That the RM of Manitou Lake proceed with the placement of icebreakers and the repairs to the Lashburn Bridge as recommended by the SARM Bridge Department and the RM of Wilton with the costs to be shared with the RM of Wilton.

Carried

10 Year Gift

17/106 KOCH: That the RM of Manitou Lake purchase a gift for Jean Donally in recognition of her 10 years of service with the RM valued between \$200 – 250.

Carried

Service Awards

17/107 LAMB: That the RM of Manitou Lake develop a policy for the recognition of long term service awards.

Carried

Correspondence

17/108 WRIGHT: That the following list of correspondence having been read be filed:

1. SARM – UPDATE
2. SARM – ROAD MAP
3. SARM – WEED INSPECTOR CLINIC
4. SASK GOVERNMENT – 2016-2017 GAS TAX FUND
5. SASK GOVERNMENT – 2017 POTENTIAL EDUCATION TAX MILL RATES
6. SASK GOVERNMENT – FARM STEWARDSHIP PROGRAM
7. AGRICULTURE & AGRI-FOOD – 2017 INSECT PEST SURVEY
8. SASK GOVERNMENT – QUEENS PRINTER
9. SMHI – ELECTRONIC AUDITED CONSOLIDATED REPORT
10. APAS – SPRING DISTRICT MEETINGS
11. RM OF BIGGAR – FIRE BAN
12. 4-H – SPONSORSHIP
13. RIVERS WEST – MEMBERSHIP
14. CABLE CONCRETE – FLYERS
15. ASA MANAGEMENT – BROCHURE
16. IECS – BROCHURE
17. HUSKY – POWERLINE – 17 TO 16-44-26
18. HUSKY – WATER PIPELINE – 25-45-27

Carried

RM OF MANITOU LAKE NO. 442 6

April 6, 2017

Adjourn. **17/109 LAMB:** That we do now adjourn.

Carried

Adopted this 4th day of May 2017

Reeve

Administrator

**Schedule A
Formal Complaint Form**

Please note that knowingly signing a false affidavit may expose you to prosecution under the Criminal Code of Canada.

I IAN LAMB of NEILBURG SK BOX 331 S0M4Z00
(First and Last Name) (Full mailing address)

do solemnly (swear/affirm and declare) that the following contents of this statement are true and correct and hereby request the council of the RM of Manitou Lake No 442 to (look into/ conduct an investigation/ inquiry/ follow-up on) whether or not the following member(s) of the RM Council has (have) contravened the Code of Ethics: Member(s) of council name(s)

ROBERT (BOB) WALDE (DIR 2)

I have reasonable and probable grounds to believe that the above member(s) has (have) contravened the Code of Ethics by reason of the following:

1. insert date(s), time and location of conduct;
2. include the sections of this bylaw that have been contravened;
3. provide the particulars and names of all persons involved, and of all witnesses;
4. provide contact information for all people listed;
5. any exhibits can be attached; and
6. if more space is required, please attach additional pages as needed.

Honesty - has shown dishonesty in email provided
and letters towards Reeve + HR
Nov 29 5:27 asking how to permanently delete email
Nov 29 4:04 amplifying mental health problem of Reeve
Nov 29 6:50 AM Making accusations of head hiding information
to OPR



(Signature of Complainant)

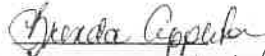
Jan 10 2018

(Date signed)

For Office Use Only

Jan 10, 2018

(Date filed)



(Signature of Assistant Administrator
(i.e. Municipal administrator, City Clerk,
or other applicable position pursuant to subsection 3(a) of bylaw)

Objectivity all emails show a clear lack of impartiality
There is clear Negative sentiments held for the HR
committee + Reeve that affects his ability to be impartial

Respect all emails show a clear lack of Respect
including threats & name calling

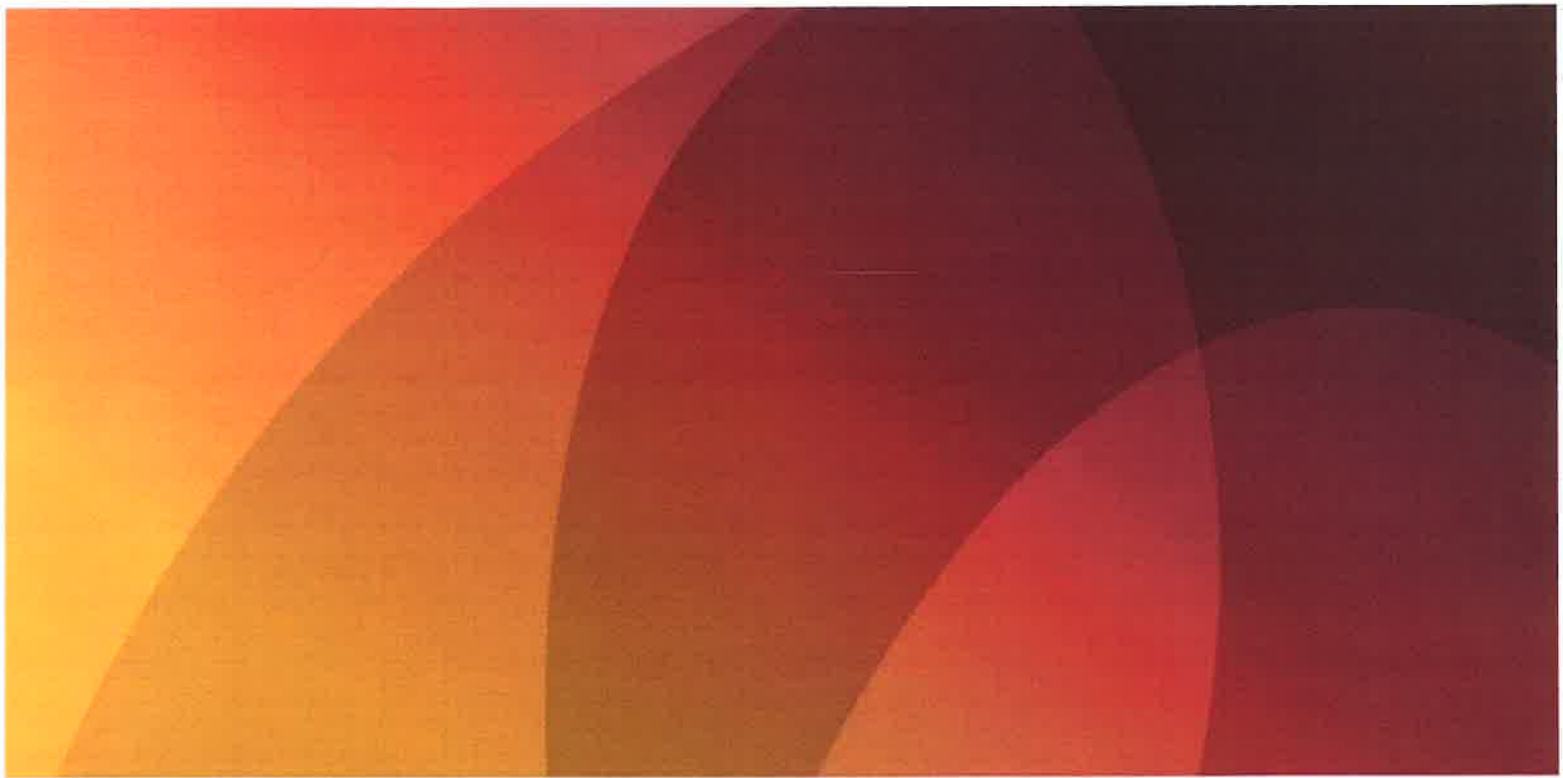
Transparency Div 2 Councillor refused to return
IPad & changed passwords to emails also refused
emails as per requested conspiring with Div 5 Councillor
to "take down" Reeve & Council

Leadership & Public interest - has shown total disregard
for Public interest & a clear Personal agenda in all
emails

Responsibility - has not shown responsibility in emails
sent to government after SAMA Making personal accusations
again displaying his personal agenda & hatred

Municipal Time & assets - refused to turn in RM Property
changed email password so it is not accessible by RM.
his conduct is a detriment to the RM's reputation
& costing the RM. Time & Money in wasteful false accusations

Jan Jan
Jan 10 2018



**RM of Manitou Lake
Code of Ethics Complaint
Investigation Report**

Lamb vs. Swanstrom

March 2018



Knibbs/associates
HR Consulting

Table of Contents

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Introduction

On January 22, 2018, Knibbs/associates HR Consulting (Kn/a) was engaged by the RM of Manitou Lake (RM) to investigate a written complaint (the Complaint) of alleged *Code of Ethics RM of Manitou Lake No 442 Bylaw No. 2016-02* (the Code of Ethics Bylaw) breaches submitted by Mr. Ian Lamb (the Complainant). Kn/a reviewed the Complaint as well as copies of emails that accompanied the Complaint, to assess possible Code of Ethics Bylaw breaches. This report reviews the alleged breaches by Mr. Rick Swanstrom (the Respondent).

The Complainant was interviewed in person by Kn/a investigators (Ms. Dawn Hillrud and Mr. Phil Johnson) in North Battleford, Saskatchewan at the Travelodge Hotel on February 8, 2018. Kn/a provided the Complainant with a written statement of his interview on Sunday, March 4, 2018, via email with instructions to review his statement for accuracy; make changes as warranted, and sign the statement indicating his agreement with the information.

The Respondent was offered a face-to-face interview on February 8, 2018, and February 9, 2018, at the Travelodge Hotel in North Battleford. He declined these interviews. The Respondent was offered face-to-face interviews on February 27, March 1 or 2, 2018 in Regina, Saskatchewan and was also offered a face-to-face interview on March 2, 2018, at the Lashburn Community Hall. The Respondent declined these interviews, and on February 22, 2018, sent an email stating:

"I believe I have made my position very clear, and I don't believe I can clarify this any more than to state there will be NO individual interview on March 2nd or any other day."

Telephone interviews were also offered to the Respondent. These were offered for February 8, 2018, February 27, 2018, and one for March 2, 2018. These were also declined.

The investigation questions were sent to the Respondent on February 26, 2018, with a deadline to reply to them by March 5, 2018. This was articulated in an email dated February 27, 2018:

"As indicated previously, you must respond within seven days of receiving the question list. As such - please respond via email, by Monday, March 5.

If we have not received an email response to the questions sent to you on February 26 by 9 pm on Monday, March 5, we will continue with our investigation process without your response."

The respondent responded via email on March 5, 2018:

"I can have no further involvement in your biased investigation."

As such, the investigators concluded the investigation and the investigation report without the Respondent's response to questions asked of him as part of the investigative process.

One witness to the alleged Code of Ethics Bylaw breaches was interviewed in person. Four witnesses of the alleged Code of Ethics Bylaw breaches were interviewed via telephone.

During interviews, witnesses were assured their statements would be held in strict confidence, and that neither their identities nor specific details about the information they shared would be included in the report unless required by law. Kn/a provided the witnesses with written statements of their interviews. The witnesses reviewed their statements for accuracy, made changes as warranted, signed the statements indicating their agreement with the information, and returned them to the investigators.

The Respondent did not provide any witness names or contact information.



Investigation Key Points

- 1. The Complainant has been the reeve of the RM for eight years and was a councillor for three years prior to that.**
- 2. The Respondent has been a councillor of the RM for approximately one year.**
- 3. On January 10, 2018, the Complainant submitted a Complaint to the RM administrative assistant alleging that the Respondent had breached the Code of Ethics Bylaw of the RM.**
- 4. The RM initiated an investigation of alleged Code of Ethics Bylaw breaches by engaging Kn/a on January 22, 2018, to conduct the investigation.**
- 5. Upon review of the Complaint, Kn/a investigated alleged breaches in the following areas of the Code of Ethics Bylaw:**
 - a) Honesty;**
 - b) Objectivity;**
 - c) Respect;**
 - d) Transparency and Accountability;**
 - e) Leadership and Public Interest;**
 - f) Responsibility; and**
 - g) Municipal Time and Assets.**
- 6. Information gathered from the interviews, email responses to investigation questions, the original Complaint including copies of a series of emails exchanged between the Respondent and another RM councillor using RM-owned iPads and under RM email addresses, and other documents were used to determine the merits of the allegations.**
- 7. The findings of the Code of Ethics Bylaw breaches investigation are discussed below.**



RM of Manitou Lake Code of Ethics Bylaw

The RM Code of Ethics Bylaw states, in part, as follows:

It is the responsibility of each member of Council to uphold the standards and values set out.

Honesty. Members of Council shall be truthful and open in their roles as Council members and as members of the communities they serve.

Objectivity. Members of Council shall make decisions carefully, fairly, and impartially. All municipal business must be conducted fairly and impartially.

Respect. Members of Council shall treat every person, including other members of Council, municipal employees, and the public, with dignity, understanding and respect. Members of Council shall not engage in discrimination, bullying, harassment, or be under the influence of illicit drugs or alcohol in their roles as members of Council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

Transparency and Accountability. Members of Council shall endeavour to conduct and convey Council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions. Members of Council are responsible for the decisions they make. This responsibility includes acts of commission and acts of omission.

Leadership and Public Interest. Members of Council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focusing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government. A member of Council shall keep personal agendas out of any decisions of Council and remain impartial. Members of Council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing, or unethical conduct.

Responsibility. Members of Council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*. This duty includes disclosing actual or potential conflicts of interests, either financial or otherwise relating to their responsibilities as members of Council, following policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of Council is individually responsible for preventing potential and actual conflicts of interest. Council members should not be involved in any decision-making process that may result in actual or perceived gain, benefit, or favouritism. Council members must not engage in any conduct or activity which might detrimentally affect the municipality's reputation or otherwise inhibit the municipality's ability to efficiently manage and direct its operations.

Municipal Time and Assets Municipal time and assets are to be used for and in the performance of the Council member's duties and responsibilities. Use of any municipal asset, including email, internet, or other electronic communication device for offensive or inappropriate use is strictly prohibited.

The complete Code of Ethics Bylaw can be found in [Appendix A](#).



Kn/a Incidents Review and Findings

In reviewing the information obtained during the course of this investigation, the investigators have made the following findings pertaining to the allegations against the Respondent of breaches of the Code of Ethics Bylaw.

a) Honesty:

- a. It was alleged that the Respondent has continually criticized the Complainant and RM administrative staff in the presence of members of the public in manner and words that misrepresent their competence, actions, and moral values.

It was not corroborated that the Respondent has publicly criticized the Complainant.

One of the witnesses stated that the Respondent has publicly criticized some of the RM administrative staff with reference to tender information and the interpretation of *The Municipalities Act*, in the RM office, in the presence of other administrative staff. The witness stated that these criticisms are a misrepresentation of the RM administrative staff's competence and actions.

The allegation that the Respondent had improperly criticized some of the RM administrative staff is founded. Further to this, a reasonable person ought to have known that criticizing the RM administrative staff in the presence of the public in a misrepresentative manner is not open or truthful and is dishonest and therefore in breach of the Code of Ethics Bylaw with reference to honesty.

- b. It was alleged that the Respondent has continually criticized the Complainant and RM administrative staff in the presence of elected officials in manner and words that misrepresent their competence, actions, and moral values.

It was not corroborated that the Respondent has criticized the Complainant in the presence of elected officials.

One witness stated that the Respondent had criticized the competence and actions of the RM administrative staff in the presence of elected officials, this criticism is specific to, but not limited to, tender information, privacy process, and the interpretation of *The Municipalities Act*. Two witnesses stated that the RM administrative staff are competent.

The allegation that the Respondent improperly criticized the competence and actions of RM administrative staff in the presence of elected officials is founded. Further to this, a reasonable person ought to have known that criticizing the RM administrative staff in the presence of elected officials in a misrepresentative manner is not open or truthful and is dishonest and therefore in breach of the Code of Ethics Bylaw with reference to honesty.

b) Objectivity:

- a. It was alleged that emails exchanged between the Respondent and Councillor Bob Walde indicate an agenda to undermine and/or remove the RM Human Resources committee members and the Complainant.



The emails as attached to the Complaint did not specifically name the Complainant with reference to his removal.

The materials and witnesses did not corroborate this allegation, and in the result, this alleged Code of Ethics Bylaw breach is unfounded.

c) Respect:

- a. It was alleged that the Respondent continually criticized RM administrative staff in person and in the presence of members of the public and other elected officials in manner and words that misrepresent their competence, actions, intentions, and moral values.

It was confirmed by one witness that the Respondent has publicly criticized the RM administrative staff with reference to tender information and the interpretation of *The Municipalities Act*. Further to this, it was confirmed by another witness that the Respondent has criticized the RM administrative staff in the presence of elected officials. These witnesses indicated that this is not an accurate or fair description of the RM administrative staff's level of competence.

These allegations are founded. Further to this, a reasonable person ought to have known that criticizing the RM administrative staff in a manner that is not indicative of their level of competence is not treating an employee with dignity, understanding or respect and is therefore in breach of the Code of Ethics Bylaw with reference to respect.

- b. It was alleged that the Respondent continually criticizes the Complainant in person and in the presence of members of the public and other elected officials in manner and words that misrepresent the Complainant's competence, actions, intentions, and moral values;

It was not corroborated that the Respondent continually criticizes the Complainant publicly in ways that misrepresent his competence, actions, intentions, and moral values.

The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

- c. It was alleged that the Respondent used derogatory language and names concerning the Complainant and other council members in emails and in public where it has been overheard by members of the public.

It was not corroborated that the Respondent has used derogatory language and names concerning the Complainant in public.

As per the RM April 6, 2017, meeting minutes, there is a motion by the Complainant to accept the recommendation of the RM Human Resources Committee to terminate the joint administration agreement with the Village of Marsden. These minutes can be found in [Appendix C](#). This particular motion is referred to in the December 2, 2017, email exchange in [Appendix B](#) between the Respondent and another RM councillor. The Respondent wrote:

"In the minutes of the April 6 regular meeting of council, for RM 442, there is a motion by the Retard to take the recommendation of the h.r. committee"



As noted above, and as per [Appendix C](#), it can be seen that this motion was made by “Lamb”/Reeve (Complainant). The email address being used by the Respondent in this particular exchange was div5.rm442@gmail.com identifying him with Division 5 of RM 442. As such, in sending the emails, the Respondent is acting as a member of the Council of RM 442 and is, therefore, acting in the scope of his position of councillor while using derogatory names when referring to the Complainant.

The allegation is founded. The evidence corroborates this allegation. Further to this, a reasonable person ought to have known that engaging in an email exchange, while acting as a member of council, that refers to the RM of Manitou Lake reeve or any individual related to the work of the RM as a retard is not treating other councillors or the person with dignity, understanding or respect and as such is in breach of the Code of Ethics Bylaw with reference to respect.

- d. It was alleged that the Respondent continually challenged the accuracy of interpretations and explanations of municipal policies provided to him by administrative staff

It was corroborated by two witnesses that the Respondent continually challenges the accuracy and interpretations of tender information, *The Municipalities Act* as well as privacy processes as interpreted and explained by RM administrative staff in the presence of the general public and otherwise.

This allegation is founded. Further to this, a reasonable person ought to have known continually challenging the interpretations and explanations of administrative staff is not treating a municipal employee with dignity, understanding or respect and therefore is in breach of the Code of Ethics Bylaw with reference to respect.

- e. It was alleged that the Respondent has raised his voice and pounded his fist in an attempt to intimidate council members and RM administrative staff.

Two witnesses stated that the Respondent has raised his voice and pounded his fist in an attempt to intimidate council members and RM administrative staff in “in camera” council meetings. It was also confirmed by two witnesses that the Respondent raises his voice when requesting information of the RM administrative staff in the RM office. One witness stated that the Respondent leans over the counter in the RM office in an intimidating manner when making requests of the RM administrative staff.

These allegations were founded. A reasonable person ought to have known that raising one's voice, leaning over a counter in an intimidating manner and pounding one's fist is not treating a municipal employee or elected official with dignity, understanding or respect and therefore is in breach of the Code of Ethics Bylaw with reference to respect.

d) Transparency and Accountability:

- a. It was alleged that the Respondent engaged in email discussions concerning efforts to discredit reeve and council decisions, particularly actions and decisions of the RM Human Resources Committee.

It was not corroborated that the Respondent engaged in email discussions concerning efforts to discredit reeve and council decisions, particularly actions and decisions of the RM Human Resources Committee.



The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

- b. It was alleged that the Respondent engaged in email discussions with Councillor Bob Walde that indicate plans and a desire to remove the Complainant from office.

The emails as attached to the Complaint did not specifically name the Complainant or reference his removal.

The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

e) Leadership and Public Interest:

- a. It was alleged that the Respondent exchanged emails with Councillor Bob Walde that indicate a personal agenda to undermine council and remove the Complainant;

The emails as attached to the Complaint as exchanged with Bob Walde did not specifically name the reeve when referring to the removal of an elected official.

The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

- b. It was alleged that the Respondent did not consider the cost to ratepayers when he was uncooperative regarding setting revised dates for council meetings to review time-sensitive tenders for RM work.

In delaying RM Council meetings, the Respondent was following guidelines as set out by *The Municipalities Act*. There is insufficient evidence to support this claim, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

- c. It was alleged that the Respondent does not consider the cost to ratepayers and the time required of administrative staff when continually arguing with staff over the meaning of legal and policy documents.

It was confirmed by three witnesses that the Respondent continually argues with staff over the application and interpretation of legal and policy documents and that he continually makes time-consuming requests for confidential information, specifically RM Human Resources Committee information, from the administrative staff.

One witness stated that it is common local government practice to hold human resource committee or employee relation committee meetings "in camera" to protect the confidential information of employees.

The allegation is founded. the Respondent repeatedly challenges and disputes the right of access to RM Human Resources Committee Information, which takes valuable work time away from other necessary administrative tasks of the RM of Manitou Lake administration staff. A reasonable person ought to know that continually making confidential information requests takes time and therefore incurs unnecessary costs to the RM in administrative wages and is not in the best interests of the municipality.



f) Responsibility:

- a. It was alleged that the Respondent continually attempts to undermine the reputation and actions of the Complainant, council, and administrative staff by engaging publicly in unfounded criticism of their decisions, actions, and professional competence;

It was not corroborated that the Respondent has continually attempted to undermine the reputation and actions of the Complainant, council, and administrative staff of the RM.

The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

- b. It was alleged that an email exchange with Councillor Bob Walde indicates a personal agenda to undermine and remove the Complainant.

The emails as attached to the Complaint as exchanged with Bob Walde did not specifically name the Complainant when referring to the removal of an elected official.

The materials and witnesses did not corroborate these allegations, and in the result, this alleged breach of the Code of Ethics Bylaw is unfounded.

g) Municipal Time and Assets

- a. It was alleged that the Respondent used RM property to engage in an email exchange with Councillor Bob Walde that is offensive, inappropriate, and conspiratorial.

The emails as attached to the Complaint ([Appendix B](#)) use offensive and inappropriate language. The Respondent used the iPad provided to him by the RM and an email address div5.rm442@gmail.com identifying him with Division 5 of RM 442 to send these emails. As such, in sending the emails, the Respondent is acting as a member of Council of RM 442 and is, therefore, acting in the scope of his position of councillor while using inappropriate and offensive language.

This allegation is founded. A reasonable person ought to have known that using inappropriate and offensive language while acting in the scope of his role as an RM councillor is a misuse of RM assets and privileges, and therefore in breach of the Code of Ethics Bylaw with reference to municipal time and asset use.



Summary of Findings

It is the determination of the Investigators that breaches of the Code of Ethics Bylaw with reference to:

Honesty;

Respect;

Transparency and Accountability; and

Municipal Time and Assets

did occur.



Appendix A – RM of Manitou Lake Code of Ethics Bylaw

M-11 (a)

CODE OF ETHICS BYLAW

RM OF MANITOU LAKE NO 442
BYLAW NO. 2016-02

Short Title

1. This Bylaw may be cited as the Code of Ethics Bylaw.

Legal Requirement

2. This bylaw has been created to comply with section 93.1 of *The Municipalities Act* and as outlined in section 3.1, Schedule 1, of *Municipalities Regulations*.

PART I CODE OF ETHICS

Code of Ethics for Members of Council

Preamble

As members of Council, we recognize that our actions have an impact on the lives of all residents and property owners in the community. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards.

The quality of the public administration and governance of the RM of Manitou Lake No 442 as well as its reputation and integrity, depends on our conduct as elected officials.

Purpose and Interpretation

The purpose of this code is to outline basic ethical standards and values for members of Council. It is to be used to guide members of Council respecting what their obligations are when fulfilling their duties and responsibilities as elected officials.

This code is to be interpreted in accordance with the legislation applicable to the municipality, the common law and the policies and bylaws of the municipality.

Neither the law nor this code is to be interpreted as exhaustive, and there will be occasions on which a Council will find it necessary to adopt additional rules of conduct in order to protect the public interest and to enhance the public confidence and trust in local government.

It is the responsibility of each member of Council to uphold the standards and values set out in this code.

Standards and Values

a. Honesty

Members of Council shall be truthful and open in their roles as Council members and as members of the communities they serve.

b. Objectivity

Members of Council shall make decisions carefully, fairly and impartially. All municipal business must be conducted fairly and impartially.

c. Respect

Members of Council shall treat every person, including other members of



Council, municipal employees and the public, with dignity, understanding and respect.

Members of Council shall not engage in discrimination, bullying, harassment, or be under the influence of illicit drugs or alcohol in their roles as members of Council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

d. Transparency and Accountability

Members of Council shall endeavour to conduct and convey Council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions.

Members of Council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission.

e. Confidentiality

Members of Council must hold in strict confidence all information of a confidential nature acquired by virtue of their office except when required by law or authorized by Council to do so. This information will only be used for the purposes it was gathered or acquired for. This information can include personal information about employees or other Council members, confidential commercial or financial information about members of the public or of companies. Members shall not take advantage of or obtain private benefit from information that is obtained in the course of or as a result of their official duties or position and that is not in the public domain. This includes complying with *The Local Authority Freedom of Information and Protection of Privacy Act* in their capacity as members of Council of a local authority. The Head of Council is, by default, is the Privacy Coordinator for the municipality unless otherwise delegated.

f. Leadership and the Public Interest

Members of Council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focussing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government. A member of Council shall keep personal agendas out of any decisions of Council and remain impartial.

Members of Council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing or unethical conduct.

g. Responsibility

Members of Council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*.

This duty includes disclosing actual or potential conflicts of interest, either financial or otherwise relating to their responsibilities as members of Council, following policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of Council is individually responsible for preventing



Council, municipal employees and the public, with dignity, understanding and respect.

Members of Council shall not engage in discrimination, bullying, harassment, or be under the influence of illicit drugs or alcohol in their roles as members of Council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

d. Transparency and Accountability

Members of Council shall endeavour to conduct and convey Council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions.

Members of Council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission.

e. Confidentiality

Members of Council must hold in strict confidence all information of a confidential nature acquired by virtue of their office except when required by law or authorized by Council to do so. This information will only be used for the purposes it was gathered or acquired for. This information can include personal information about employees or other Council members, confidential commercial or financial information about members of the public or of companies. Members shall not take advantage of or obtain private benefit from information that is obtained in the course of or as a result of their official duties or position and that is not in the public domain. This includes complying with *The Local Authority Freedom of Information and Protection of Privacy Act* in their capacity as members of Council of a local authority. The Head of Council is, by default, is the Privacy Coordinator for the municipality unless otherwise delegated.

f. Leadership and the Public Interest

Members of Council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focussing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government. A member of Council shall keep personal agendas out of any decisions of Council and remain impartial.

Members of Council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing or unethical conduct.

g. Responsibility

Members of Council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*.

This duty includes disclosing actual or potential conflicts of interest, either financial or otherwise relating to their responsibilities as members of Council, following policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of Council is individually responsible for preventing



M 11 the remainder of the Council meeting. Council may apply additional penalties based on the severity of the contravention.

Remedial Action if Contravention Occurs

5. Should a Member of a Council breach any of the principles outlined in this code, the possible courses of action that are available to Council include but are not limited to:

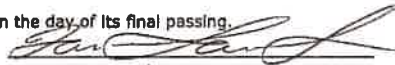
- (a) An apology, either written and/or verbal, by the Member of Council to the impacted Individual(s), Council, and/or the general public.
- (b) Educational training on ethical and respectful conduct.
- (c) Repayment of moneys/gifts received.
- (d) Removal of the Member from Council Committees and/or bodies.
- (e) Dismissal of the Member from a position of Chairperson of a Committee.
- (f) Reprimand.


**PART VII
COMING INTO FORCE**

6. This bylaw shall come into effect on the day of its final passing.



Read a third time and adopted
this 10 day of February 2017


Reeve / Mayor


Administrator



M-11 (a)

**Schedule A
Formal Complaint Form**

Please note that knowingly signing a false affidavit may expose you to prosecution under the Criminal Code of Canada.

I _____ of _____
(First and Last Name) (Full mailing address)

do solemnly (swear/affirm and declare) that the following contents of this statement are true and correct and hereby request the council of the RM of Manitou Lake No 442 to (look into/ conduct an investigation/ inquiry/ follow-up on) whether or not the following member(s) of the RM Council has (have) contravened the Code of Ethics: *Member(s) of council name(s)*

I have reasonable and probable grounds to believe that the above member(s) has (have) contravened the Code of Ethics by reason of the following:

1. Insert date(s), time and location of conduct;
2. Include the sections of this bylaw that have been contravened;
3. provide the particulars and names of all persons involved, and of all witnesses;
4. provide contact information for all people listed;
5. any exhibits can be attached; and
6. If more space is required, please attach additional pages as needed.

(Signature of Complainant)

(Date signed)

For Office Use Only

(Date filed)

(Signature of _____ (f.e. Municipal administration City Clerk,
or other applicable position pursuant to subsection 3(a) of bylaw)



Appendix B - Emails

11/12/2017

Gmail - More information

62



Division5 RM442 <div5.rm442@gmail.com>

More information

3 messages

Division5 <div5.rm442@gmail.com>
To: Bob Walde <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Sun, Dec 3, 2017 at 9:12 PM

Phone me at any hour. I will not rest till I share my news. It's really good. And slightly puzzling.

Sent from my iPad

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Sun, Dec 3, 2017 at 9:30 PM

A call to one and four might just be what the doctor ordered, are you up for that since I seem to be in everyone's bad books.

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

Division5 <div5.rm442@gmail.com>
To: Division2 <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Sun, Dec 3, 2017 at 10:03 PM

I do have more information phone me asap.
Rick div5

Sent from my iPad
[Quoted text hidden]

2L

<https://mail.google.com/mail/u/0/?ui=2&ik=2e71ada28e&isver=qtUG3xCYsq.en.&view=pt&search=inbox&th=1601fe8e1712116b&siml=1601fb9711b5> 1/1



Kn/a
HR Consulting

71

11/12/2017

Gmail - Editor



Division5 RM442 <div5.rm442@gmail.com>

Editor
2 messages

Division5 <div5.rm442@gmail.com>
To: Bob Walde <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Sat, Dec 2, 2017 at 12:08 AM

In the Minutes of the April 6 regular meeting of council for RM 442, there is motion, by the Retard to take the recommendation of the h.r. committee and end the 84 year old working arrangement with the Village of Marsden. When a councillor of the RM asked for the recommendation of the h.r. committee and the minutes of the committee meeting that inspired it, he was refused. He then asked olpc to review his request for this information. The olpc conducted a review and has posted it's report on the website. It would appear in the findings and recommendations, that the RM has completely misinterpreted the Local Authority Freedom of Information and Protection of Privacy Act. The Commissioner pointed out irrelevant and nonapplicable in whole or in part concerns to everything the RM claimed and said that the information should be released to the councillor, with a few minor exceptions, in its entirety. He also noted several shortcomings in regard to The Municipalities Act. He has provided his report to the Ministries of Justice and Government Relations (Municipal Affaires). The website is whatever.whatever to see the complete report. I would encourage all that take an interest in how their tax money is used to read this report and ask their MLA to encourage both aforementioned ministries to instruct and supervise this council and administration so things can be done correctly.

Sent from my iPad

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Sat, Dec 2, 2017 at 12:53 AM

The retard ratt stated that the village wanted out of the agreement. And it was not until later I learned that was not the truth and asked for the min and recommendation
[Quoted text hidden]

Z.L.



Kn/a
HR Consulting

80

11/12/2017

Gmail - Email

don't show up on the assessment roll, Vacant land. Commercial assessment lists. We would like to make sure that we have some idea of the questions we could ask you to make sure that these questions answer to all how SAMA works.

Often the head hides information behind the privacy act, the OIPC report on Manitou Lake will be on their website today 29 Nov 17.

Thank you

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 66, NEILBURG, SK S0M 2C0
C: 780 808 1638

[Quoted text hidden]

2. L.



Kn/a
HR Consulting

Chandra Reilly L.A.S., M.A.S.

North Battleford Regional Manager

Saskatchewan Assessment Management Agency

(P): (306) 448-7680

(C): (306) 441-6756

(F): (306) 446-7588

1-800-824-2570

From: Division2 [mailto:div2.rm442@gmail.com]
Sent: Wednesday, November 29, 2017 6:50 AM
To: Chandra Reilly
Subject: Manitou Lake RM 442

Good morning Chandra

I talk to you in your office about some concerns I have at the RM of Manitou Lake about taxes. We talked of the possibility of you coming down to the next meeting and if you were, there was some information you might send to me?

Some things we talked about: Base tax, maintenance lists, properties that have a new houses and/or new shops that don't show up on the assessment roll, Vacant land, Commercial assessment lists. We would like to make sure that we have some idea of the questions we could ask you to make sure that these questions answer to all how SAMA works.

When the head hides information behind the privacy act, the OIPC report on Manitou Lake will be on their website today 29 Nov 17.

Thank you

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839

2 attachments

442_Commercial.xlsx

8K

 <https://mail.google.com/mail/u/0/?ui=2&ik=2e71ade26e&asview=ghUGSxrcYaoem&view=pt&search=inbox&th=16021b9438691677&siml=16021b943869...> 2/3



11/12/2017

Gmail - Email



Division5 RM442 <div5.rm442@gmail.com>

Email

5 messages

Division5 <div5.rm442@gmail.com>
To: Bob Walde <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Wed, Nov 29, 2017 at 5:22 AM

I have some security concerns. What if some or all of our recent exchange of email was leaked to the public? Could this be used as leverage, in that we have taken an indefensible position? Or fear the same? Rick

Sent from my iPad

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 5:27 AM

Is there a way to permanently erase them so they can't be hacked?

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 5:29 AM

Could the Hack be somebody under cover we talk to you at times? Like a mole?

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 5:31 AM

El tu?

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
[Quoted text hidden]

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 5:53 AM

Letter to SAMA:
Good morning Chandra

RL

I talk to you in your office about some concerns I have at the RM of Manitou Lake about taxes. We talked of the possibility of you coming down to the next meeting and if you were, there was some information you might send to me?



11/12/2017

Gmail - Inevitable audit



Division5 RM442 <div5.rm442@gmail.com>

Inevitable audit

3 messages

Division5 <div5.rm442@gmail.com>
To: Bob Walde <div2.rm442@gmail.com>
Bcc: div5.rm442@gmail.com

Wed, Nov 29, 2017 at 3:30 AM

Can you think of any matters on record or currently before the courts, that demonstrates our disappointment with the way that council is functioning or rather failing? It is common knowledge (but not proven) that dissenting councillors have been harassed and targeted by conspirators by numerous attempts to intimidate, suppress evidence, provide false and misleading evidence, and general defamation in the court of public opinion . I feel we may have to defend our selves, however I refuse to sink to the level that seems to have become the standard. I would like to prove my position as being insistent on proper policy and proceduraa, legal and lawful actions, without sliding into the realm of these backstabbing character assassins. What do we have? Rick div5

Sent from my iPad

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 3:41 AM

Are you awake

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839
(Quoted text hidden)

Division2 <div2.rm442@gmail.com>
To: Division5 <div5.rm442@gmail.com>

Wed, Nov 29, 2017 at 3:50 AM

We will have to defend ourselves and explain what has happened and what we did about it or what we did not do about it and why.

Starting from day one of council I do have some notes that will be of some value. And may explain his mental problem and why not more was done to try and stop him

Bob Walde
Division 2, RM of Manitou Lake #442
BOX 88, NEILBURG, SK S0M 2C0
C: 780 808 1839

(Quoted text hidden)

2-2



Appendix C - Minutes of RM of Manitou Meeting - April 6, 2017

RM OF MANITOU LAKE NO. 442

1

April 6, 2017

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE RURAL MUNICIPALITY OF MANITOU LAKE NO. 442 HELD IN THE MUNICIPAL OFFICE, MARSDEN, SASKATCHEWAN ON THURSDAY, APRIL 6, 2017.

Present

Reeve: Ian Lamb
Councillors: Division 1 – Travis Lindsay
Division 2 – Bob Walde
Division 3 – Norman Wright
Division 4 – Kevin Bossert
Division 5 – Rick Swanstrom
Division 6 – Joe Koch
CAO: Joanne Loy
Assistant Administrator: Brenda Appleton

**Call to
Order**

Reeve Lamb called the meeting to order at 9:00 a.m.

In Camera

17/068 LAMB: That the RM of Manitou Lake No 442 Council moves into an in camera session to discuss human resources as authorized by the legislative authority of Section 120 of *The Municipalities Act* including the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* at 9:00 am.
Carried

**Out of
Camera**

17/069 LAMB: That the RM of Manitou Lake No 442 Council rises from the in camera discussion at 9:14 am.
Carried

Delegates

Duane Perillat, RM of Britannia No 501 Emergency Management Coordinator and Anne Danielson, City of Lloydminster Emergency Management Coordinator

**Join
ASIST**

17/070 WRIGHT: That the RM of Manitou Lake No 442 join the Alberta Saskatchewan Incident Support Team for receiving and providing management support to municipalities in the event of a disaster or incident with Brenda Appleton to be the RM's appointed representative.
Carried

Minutes

17/071 SWANSTROM: That the minutes of the Regular Meeting of Council on March 9, 2017 be adopted as presented.
Carried

**State-
ment**

17/072 KOCH: That the Statement of Financial Activities for March 2017 be accepted as presented.
Carried

Accounts

17/073 LINDSAY: That the accounts to April 6, 2017 be authorized for payment and that a list of cheques numbered 19008 to 19055 inclusive and including EFT Payroll deposits and online Receiver General Remittances totaling \$107,918.97 be annexed to and form a part of these minutes.
Carried

Delegate

Ben Clipperton Midwest Surveys



RM OF MANITOU LAKE NO. 442

2

April 6, 2017

CNRL Haul Agreement 17/074 KOCH: That the RM of Manitou Lake No. 442 enter into an agreement with CNRL to permit Saskatchewan Secondary Weights to be hauled while the spring road bans are in place and then primary weights to be hauled East on TWP 462 for 0.14 miles (0.2 km) to access A14-32-45-27-W3M with the agreement in effect until spring road bans 2018.

Carried

CNRL Haul Agreement 17/075 BOSSERT: That the RM of Manitou Lake No. 442 enter into an agreement with CNRL to permit Saskatchewan Secondary Weights to be hauled while the spring road bans are in place and then primary weights to be hauled South of HWY 40 on RGE RD 3281 for 1.5 miles to access 26-44-28-W3M with the agreement in effect until spring road bans 2018.

Carried

Petrocapita Rd Maint 17/076 LAMB: That Petrocapita be advised that the request for a Road Maintenance agreement allowing primary weights will be tabled until such time Petrocapita begins paying the 2016 taxes and accrued interest in accordance with their letter dated February 23, 2017 as a show of good faith.

Carried

Baytex Haul Agreement 17/077 SWANSTROM: That the RM of Manitou Lake No. 442 enter into an agreement with Baytex Energy/AIM Transport to permit primary weights to be hauled on 3275 north of Highway 40 to access 12-5-45-27-W3M and on 3282 north of Highway 40 to access 3-10-45-28-W3M with the agreement in effect until spring road bans 2018.

Carried

Pest Control 17/078 KOCH: That the RM of Manitou Lake Council acknowledge the 2017 rates for pest control rates from Glen McGladdery being \$28 per hour and \$0.75 per km.

Carried

Enhanced Policing 17/079 WALDE: That the RM of Manitou Lake No 442 apply to the Ministry of Justice, Policing and Community Safety Services Division to acquire the services of an RCMP Officer under the Enhanced Police Services Program with the RM to assume responsibility for the costs of the position to be considered for April 1, 2018.

Carried

Hillsdale Enhanced 17/080 KOCH: That the RM of Manitou Lake meet with the RM of Hillsdale Council to discuss the option of sharing the Enhanced RCMP Officer.

Carried

Councillor Swanstrom requested a recorded vote on the following motion:

Financial/ Management Audit 17/081 SWANSTROM: That the RM of Manitou Lake hold a financial and management audit in accordance with Section 140.1(1) of *The Municipalities Act*.

FOR:

Travis Lindsay
Bob Walde
Rick Swanstrom

AGAINST:

Ian Lamb
Norman Wright
Kevin Bossert
Joe Koch

Defeated



RM OF MANITOU LAKE NO. 442 3

April 6, 2017

Reeve Ian Lamb requested a recorded vote on the following motion:

Terminate 17/082 LAMB: That the RM of Manitou Lake Council accept the recommendation of the Human Resources Committee to terminate the Joint Administration Agreement with the Village of Marsden in accordance with Section 6 of said Agreement with the final day being August 31, 2017.

FOR:

Ian Lamb
Travis Lindsay
Bob Walde
Norman Wright
Kevin Bossert
Joe Koch

AGAINST:

Rick Swanstrom

Carried

Beaver Control 17/083 LAMB: That the RM of Manitou Lake participate in the Beaver Control Program administered through SARM for 2017.

Carried

Beaver Control 17/084 LAMB: That the Council appoints Glen McGladdery as the RM of Manitou Lake's Beaver control officer.

Carried

Delegate James Czerniak, Foreman

454 Tender 17/085 WALDE: that the RM of Manitou Lake have BAR Engineering tender the construction of TWP 454 in two sections being RGE RD 3260 to 3262 and 3262 to 3264 with a request to include pricing for the entire 4 mile project with lowest or any tender not necessarily accepted.

Carried

J Donally 17/086 LAMB: That Grader Operator Jean Donally be acknowledged with 10 years of service to the RM and be entitled to 4 weeks holidays.

Carried

Mulch Grade Park 17/087 WRIGHT: That the RM of Manitou Lake mulch the campsites and grade the roads in the Manitou Lake Regional Park with the services being donated as part of the preparations for the Canada 150 Celebration.

Carried

Canada 150 Sign 17/088 LINDSAY: That the RM of Manitou Lake approve the installation of a Canada 150 Celebration sign at the NW corner of 20-44-26-W3M providing permission is received from the adjacent landowner with the RM to install the sign at no charge.

Carried

Councillor Joe Koch declared a conflict of interest and left the meeting at 11:45 am during the following discussion:

2012 Mower Tender 17/089 LINDSAY: That the RM of Manitou Lake accept the tender from Joe Koch for the 2012 Schulte mower as is where is for \$14750 plus applicable taxes.

Carried

Councillor Joe Koch rejoined the meeting at 11:50 am

Council recessed for lunch from 11:50am to 12:37 pm



RM OF MANITOU LAKE NO. 442 5

April 6, 2017

Assessment Extension Bylaw 17/099 LAMB: That Bylaw No. 2-2017 being a Bylaw to Extend the Time for the Completion of the Assessment Roll be introduced and read a first time.

Carried

17/100 LINDSAY: That Bylaw No. 2-2017 be read a second time.
Carried

17/101 WRIGHT: That Bylaw No. 2-2017 be given three readings at this meeting.

Carried Unanimously

17/102 BOSSERT: That Bylaw No. 2-2017 being a Bylaw to Extend the Time for the Completion of the Assessment Roll be read a third time and finally adopted.

Carried

Legion Ad 17/103 WRIGHT: That the RM of Manitou Lake purchase a ¼ page ad in the Saskatchewan Command Legion book at a cost of \$295 plus taxes.

Carried

Easter Hours 17/104 LAMB: That the Municipal Office and Shop be closed for Easter April 13 and 17th.

Carried

Lashburn Bridge Repairs 17/105 SWANSTROM: That the RM of Manitou Lake proceed with the placement of icebreakers and the repairs to the Lashburn Bridge as recommended by the SARM Bridge Department and the RM of Wilton with the costs to be shared with the RM of Wilton.

Carried

10 Year Gift 17/106 KOCH: That the RM of Manitou Lake purchase a gift for Jean Donally in recognition of her 10 years of service with the RM valued between \$200 – 250.

Carried

Service Awards 17/107 LAMB: That the RM of Manitou Lake develop a policy for the recognition of long term service awards.

Carried

Correspondence 17/108 WRIGHT: That the following list of correspondence having been read be filed:

1. SARM – UPDATE
2. SARM – ROAD MAP
3. SARM – WEED INSPECTOR CLINIC
4. SASK GOVERNMENT – 2016-2017 GAS TAX FUND
5. SASK GOVERNMENT – 2017 POTENTIAL EDUCATION TAX MILL RATES
6. SASK GOVERNMENT – FARM STEWARDSHIP PROGRAM
7. AGRICULTURE & AGRI-FOOD – 2017 INSECT PEST SURVEY
8. SASK GOVERNMENT – QUEENS PRINTER
9. SMHI – ELECTRONIC AUDITED CONSOLIDATED REPORT
10. APAS – SPRING DISTRICT MEETINGS
11. RM OF BIGGAR – FIRE BAN
12. 4-H – SPONSORSHIP
13. RIVERS WEST – MEMBERSHIP
14. CABLE CONCRETE – FLYERS
15. ASA MANAGEMENT – BROCHURE
16. IECS – BROCHURE
17. HUSKY – POWERLINE – 17 TO 16-44-26
18. HUSKY – WATER PIPELINE – 25-45-27

Carried

RM OF MANITOU LAKE NO. 442 6

April 6, 2017

Adjourn. 17/109 LAMB: That we do now adjourn.

Carried

Adopted this 4th day of May 2017

Reeve

Administrator

**Schedule A
Formal Complaint Form**

Please note that knowingly signing a false affidavit may expose you to prosecution under the Criminal Code of Canada.

I IAN LAMB of NEILBURG BOX 331 SOMERSET
(First and Last Name) (Full mailing address)

do solemnly (swear/affirm and declare) that the following contents of this statement are true and correct and hereby request the council of the RM of Manitou Lake No 442 to (look into/ conduct an investigation/ inquiry/ follow-up on) whether or not the following member(s) of the RM Council has (have) contravened the Code of Ethics: Member(s) of council name(s)

RICK SWANSTROM (DIV5)

I have reasonable and probable grounds to believe that the above member(s) has (have) contravened the Code of Ethics by reason of the following:

1. insert date(s), time and location of conduct;
2. include the sections of this bylaw that have been contravened;
3. provide the particulars and names of all persons involved, and of all witnesses;
4. provide contact information for all people listed;
5. any exhibits can be attached; and
6. if more space is required, please attach additional pages as needed.

Honesty - has shown a clear personal agenda against
Council & Reeve & administration in emails - clearly not
showing honesty in serving Municipality (attached emails
objectivity shows a lack of impartiality & objectivity
in emails

Ian Lamb

(Signature of Complainant)

Jan 10 2018

(Date signed)

For Office Use Only

Jan. 10, 2018

(Date filed)

Brenda Appleton
Assistant Administrator

(Signature of Assistant Administrator (i.e. Municipal administrator, City Clerk, or other applicable position pursuant to subsection 3(a) of bylaw)

Respect in attached emails there are threats
~~name~~ calling & outright disrespect for Reeve & Council

Transparency - as per emails Div 5 councillor is
conspiring to "take down" Reeve & Council with another councillor

Leadership & Public Interest - Total lack of Public
interest emails show a clear Personal agenda

Responsibility - emails & personal agenda make his
conduct a detriment to the RM's reputation & costing
with all the time spent defending against allegations

Municipal time & assets all emails are offensive &
inappropriate.



Jan 10 2018