



**Minister's Order**

Subsection 396(1) of *The Municipalities Act* provides as follows:

*396(1) The Minister may require any matter connected with the management, administration or operation of any municipality, any committee or other body established by a council pursuant to clause 81(a) or any controlled corporation to be inspected:*

- (a) If the minister considers the inspection to be necessary; or*
- (b) On the request of council.*

*(2) The minister may appoint one or more persons as inspectors or the Saskatchewan Municipal Board as an inspector for the purposes of carrying out inspections pursuant to this section.*

*(3) An inspector:*

- (a) may require the attendance of any officer of the municipality or of any other person whose presence the inspector considers necessary during the course of the inspection; and*
- (b) has the same powers, privileges and immunities conferred on a commission by sections 11, 15, 25 and 26 of *The Public Inquiries Act, 2013*.*

*(4) When required to do so by an inspector, the administrator, committee or other body established by a council pursuant to clause 81(a) or a controlled corporation being inspected shall produce for examination and inspection all books and records of the municipality, committee, other body or controlled corporation.*

*(5) After the completion of the inspection, the inspector shall make a report to the minister and to the council.*

I consider it necessary to appoint the Honourable Ronald L. Barclay, Q.C. as an inspector pursuant to subsection 396(2) of *The Municipalities Act* to inspect and report on the matters connected with the management, administration or operation of the R.M. of Sherwood No. 159 identified in the terms of reference set out in Schedule "A" attached hereto.

The inspector shall carry out the inspection in accordance with the attached terms of reference.

The inspector may engage the services of legal counsel and any other professionals or experts which the inspector may consider necessary to assist the inspector in exercising his duties. The remuneration of the inspector shall be set at \$350.00 per hour and any expenses of the inspector, which shall include reasonable travelling and sustenance expenses incurred by the inspector in the performance of his duties as well as the costs of legal counsel and any other professionals or experts engaged.

This order shall take effect on the date of signing and shall terminate two weeks following receipt of the written report unless otherwise extended, or previously amended or revoked, by the Minister.

Dated at the City of Regina, in the Province of Saskatchewan, this 16 day of June, 2014.

A handwritten signature in black ink, appearing to read "Jim Reiter".

The Honourable Jim Reiter  
Minister of Government Relations

## Terms of Reference

1. The Inspector will inspect the following matters connected with the management, administration or operation of the Rural Municipality of Sherwood No. 159 (the “municipality”):
  - (a) the full history, background, process, facts and circumstances which led to the approval by the Council of the municipality (the “Council”) of the amendments to the official community plan and zoning bylaws and subsequent concept plan(s) for the proposed Wascana Village development;
  - (b) the appropriateness of the directions, actions or inactions of any employee or agent of the municipality or member of Council relating to the proposed Wascana Village development;
  - (c) whether the mechanisms in place in the municipality for the identification, disclosure and addressing of pecuniary interests in matters brought before Council are appropriate and effective.
2. The inspector shall prepare a written report in relation to the matters under his inspection outlining his findings of fact, conclusions and any recommendations and provide the report to the Minister and to the Council as soon as reasonably possible.
3. To conduct the inspection the Inspector shall have the power, privileges and immunities provided for in section 396 of *The Municipalities Act* which includes the power to:
  - (a) require the attendance of any officer of the municipality or of any other person whose presence the inspector considers necessary during the course of the inspection;
  - (b) require a person to give evidence under oath or after making an affirmation or declaration, orally or in writing, for the purpose of the inspection, and for that purpose may require a person to attend at any location; and
  - (c) require a person to produce to the inspector, or to a person designated by the inspector, all records and other property in his or her custody or control that may relate in any way to the matters that are the subject of the inspection.
4. The Inspector may determine the rules of, as well as the process and procedure for, the inspection as he sees fit.
5. The Inspector may consider any document, including electronic record, or any other evidence, verbal or written, that he considers relevant and reliable.
6. The Inspector will provide interim reports on the progress of the inspection to the Minister and the Council.