APPROVED Regular Council Meeting Community of North Shore

Wednesday, October 14th, 2015 at 7.00 p.m.

PRESENT: Chairperson Gordon Ellis Councillor Shawn Reardon Councillor Melody Gay Councillor Kent MacLean Councillor Peter Vriends Councillor Eric Ellsworth Councillor Connie Egan

Councillor Beth Pretty Councillor Charity Sheehan Councillor Justin Walsh Councillor Jamie Rae Councillor Jonathan MacLean

ADMINISTRATOR: Tracey Allen

REGRETS: Councillor Gerard Watts

1.0 CALL TO ORDER at 7:00pm Chair

2.0 APPROVAL OF THE AGENDA: It was duly moved and seconded that the agenda be approved. Chair has asked to add an in camera session for HR issues at the end of the meeting.

Moved by Councillor Ellsworth(2015-10-74)Seconded by Councillor Walsh-CARRIED- (11-0)

2.1 DISCLOSURE OF CONFLICT OF INTEREST:

Part VI, Section 23 of the *Municipalities Act*, which maintains that *No member of Council* shall derive any profit or financial advantage from his/her position as a member of Council and, where a member of Council has any pecuniary interest in or is affected by any matter before the Council, shall declare his/her interest therein and abstain from voting and discussion thereon.

(1983,c.33, s.24.)

Declaration(s): None Chair noted the issues with Montague in the news lately.

3.0 APPROVAL OF MINUTES:

It was duly moved and seconded that the Minutes of the September 9th, 2015 Council Meeting be adopted.

Moved by Councillor Vriends	(2015-10-75)
Seconded by Councillor Ellsworth	- CARRIED- (11-0)

4.0 BUSINESS ARISING:

4.1 STRATEGIC PLANNING NOVEMBER 4TH, 2015 at 6:00pm Motion – To hire Steve MacQuaid to facilitate the session.

(2015-10-76) - CARRIED- (11-0)

4.2 MEMORIAL/DONATION POLICY - Send to the Finance and HR Committee

4.3 FIBER OP – Send to Committee on the new committee structure.

Motion: To send a letter to BellAliant to advise on interest and concern of lack of fibre op in area and request a response from the company on the future of this happening.

Moved by Councillor Ellsworth	(2015-10-77)
Seconded by Councillor Gay	- CARRIED- (11-0)

5.0 REPORTS

5.1 CHAIRPERSON'S REPORT - CHAIRPERSON ELLIS

Councillor K MacLean noted that Parks Canada will be replacing the Pedestrian Bridge this fall.

Welcome to residents here. Reflection on the last little while, it has been very busy with the Planning Committee, EMO Committee has been busy organizing the structure, and the HR Committee and Ad Hoc Committee is going well on contracts. Visioning exercise. Property and Maintenance with renovations with Stanhope Place and paving for Centre parking lot. Solar PV and infrared heating. Events with Halloween kid's party and dance plus Remembrance Day. Work as well as you can and expedient but good time/job. Really pleased with work and commitment. Thank you to Tracey for efforts for the last two years.

5.2 FINANCE AND PROPERTY MANAGEMENT - COUNCILLOR WATTS/VRIENDS

Councillor Vriends noted a strong balance sheet and large expenses later in the year and draw down our balance. Income showing surplus of \$79,000. Committee will meet before year end and use any surplus to put towards the mortgage and capital reserve fund. Concern in past is the input for the next year's budget. Vriends suggested we could spread the work more on the budget.

- The Office of Energy Efficiency funding claim was submitted and funding has been received \$1,661.70. Energy retrofit projects Stanhope Place and North Shore Community Centre.
- The ACOA contract has been signed and various requirements submitted. Stanhope Place Project front entrance/washrooms.
- The Province Community Fund Program contract has been signed and first payment has been received \$8,768.75, an additional claim will be made shortly. Stanhope Place Project front entrance/washrooms.
- A funding application was submitted to Infrastructure Secretariat re: gas tax monies for the Paving Project.
- Started process for line of credit at BMO.
- Insurance yearly paperwork submitted

Major Projects:

- Energy retrofits (insulation and LED lights at Stanhope Place, LED Lights Promenade, LEDs finishing at North Shore Community Centre.) Completed.
- Stanhope Place front entrance/washrooms In progress

 North Shore Community Centre - Paving October 29th start date dependent on funding approval received.

Paving Contract Award

Whereas the Community of North Shore has a need to re-surface the parking lot at the North Shore Community Centre, and

Whereas funding has been sought from Infrastructure Secretariat Gas Tax Fund, and

Whereas quotes were requested from three vendors M&M Resources, Island Construction and Curran & Briggs, and

Whereas two quotes were received from Island Construction and M & M Resources, and

Whereas the Finance & Property Management Committee reviewed quotes and decided to go with the lowest price vendor,

Be it resolved that, the Community of North Shore hire Island Construction with their bid of \$33,000 plus HST, provided that Gas Tax Funding is approved.

Moved by Councillor Vriends
Seconded by Councillor Walsh

(2015-10-78) - CARRIED- (11-0)

Canada Day Heritage Canada Funding

Whereas the Community of North Shore applies each year for Canada Day funding from Canada Heritage and,

Whereas the deadline is now November 16th, 2015,

Be it resolved that, the Community of North Shore have the new administrator apply for funding.

Moved by Councillor Vriends	(2015-10-79)
Seconded by Councillor Ellsworth	- CARRIED- (11-0)

Snow Removal quotes have been received and the committee will review with recommendation to Council for the next meeting.

5.3 COMMUNITY ADMINISTRATOR REPORT

REMINDERS: Strategic Planning November 5th 6pm meal provided. Federation of Prince Edward Island Municipalities Meeting Saturday, November 14th in Tignish

Finance:

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- The ACOA contract has been signed and various requirements submitted. Stanhope Place Project front entrance/washrooms.
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Major Projects:

- **Energy retrofits** (insulation and LED lights at Stanhope Place, LED Lights Promenade, LEDs finishing at North Shore Community Centre.) **Completed.**
- Stanhope Place front entrance/washrooms In progress
- North Shore Community Centre Paving October 29th start date dependent on funding approval received.

Communications/Technology:

- Blogs/Facebook/Twitter/Website
 - o Halloween Dance
 - Halloween Kids Party
 - FCBB News and volunteer needed
 - Rezoning notice
 - Parks Management Input
 - Seamans Rd. Closure
 - Change of Address
 - Stanhope Place Renovations
 - Fall Construction Project Parks
 - Fall Activities
 - o LM Montgomery
 - Water Act FCCB AGM
 - o Darts event
- Print Newsletter (To be printed after Council meeting and mailed out October 19th.
- E-Newsletters several in September and one in October so far.

Planning/Development:

- 7 permits either issued or in progress
- Rezoning preparation and notes
- Beaver Run issue
- Doyle Subdivision permitting

Recreation/Infrastructure/EMO/Water & Septic/Miscellaneous:

- Developing strategic overview
- Policy for memorial/donations
- Tide logger arranged
- Solar PV summary
- Letter support FCBB

Unapproved Council Meetings, Wednesday, July 8th, 2015

- T & K fire system checks for both Stanhope Place and Centre
- Started federal account set up
- EMO agenda, minutes, MOU Template, EMO Information handout sheet

5.4 HR & EVENTS COMMITTEE – COUNCILLOR SHEEHAN

The HR & Events Committee met on Tuesday, October 6, and addressed the following items:

- 1) Human Resources Staffing for the Community of North Shore
- 2) Halloween Party & Dance Planning

Human Resources

- Discussion took place regarding the staffing needs for the Community of North Shore.
- Attached is a discussion paper and draft contracts with job descriptions for Councils consideration

Northshore Community Centre Report

- October 24th at 8a.m. decorating the NSCC for the Halloween Party for the children will take place
- The children's party is from 1-2:30 pm
- An adult dance will be held from 9:30pm to 1:00am.
- Volunteers would be welcome to help with the decorating or work the door at the dance.
- We would appreciate councillors spreading the word about both events, especially the dance.

Stanhope Place Committee Report

• No official update this month

Community Events

- Remembrance Day is fast approaching.
- If you are able to help in any way, please contact Councillor Sheehan.

5.5 PLANNING BOARD – COUNCILLOR J MACLEAN/REARDON

Permits issued:

- 1 Shed (Stanhope)
- 1 Cottages (Stanhope)
- 2 Houses (West Covehead)
- 3 demolition (2 West Covehead/1 Stanhope)

Subdivisions (Still on file...waiting on applicants)

NS-00026	843052/430629	Carrie Costain Reuel Charles	902-626-8255	2267 Eastern Rd. Stanhope 1552 Covehead Rd.	consolidate lots
NS-00027	138966	Newport	902-672-1500	Covehead	severe 9 acres consolidate
NS-00028	136051/815837	Kevin Murphy	902-393-3473	72 Deanna Ln, Stanhope	lots

Rezoning (Meetings)

Unapproved Council Meetings, Wednesday, July 8th, 2015

RZ-01-15 – Kevin Murphy 72 Deanna Lane from residential to resort commercial to allow for 12 duplex cottages on the land.

RZ-02-15 – Jack's Way – West Covehead rezoning from residential to resort commercial to correct mapping area in Planning documents – existing quadplexs and pre-approved quadplexs for phase 2 rezoning from agriculture to resort commercial for the phase 2 section only.

Beaver Run Issue

There is a property that can't be sold because there is a cottage on it in addition to the main residence. There wasn't a permit issued for the cottage.

First Reading

Jack's Way Phase 1 BY-10-2015-02

Whereas an application has been received to amend the Zoning Map of the Official Plan/Land Use Bylaw for the Community of North Shore to rezone Jack's Way Subdivision Phase 1 Pid No.s 1036268, 1062488, 1056530, 1056548, 1062462, 1062470, 1047703, 1047729, 1036367 and 1043348, Jack's Way Subdivision, West Covehead from residential (R) to resort commercial (RC);

And whereas in accordance with Section 18(2) of the *Planning Act* the Official Plan/Land use Bylaw for the Community of North Shore Council may amend the Official Plan/Land Use Bylaw to ensure the continued responsiveness of the Official Plan/Land Use Bylaw to the development goals of the municipality;

And whereas Section 16 of the Planning Act allows municipalities to adopt bylaws to implement their official Plan/Bylaw;

And whereas in accordance with Section 2.12 of the Land Use Bylaw for the Community of North Shore Council may amend the Bylaw;

And whereas a public meeting was duly advertised and held on October 7th, 2015;

And whereas approval of the application has been recommended by Planning Board on October 13th, 2015;

And whereas Council has complied with the process established in section 18 of the Planning Act and with EC 640/97 - Planning Act Minimum requirements for Municipal Official Plan/Land Use Bylaw;

And whereas the recommendation from the Professional Planner Derek French, a provision to be on record re: land owner to the south, Ewen Stewart had some concerns with the storm water running off one of the streets of Jacks Way Subdivision onto his land, that this issue being rectified prior to any further development (i.e.: new street construction). The undeveloped lots will be subject to review by the Province for septic, potable water, storm water, access and environmental issues.

Be it resolved that zoning bylaw amendment BY-10-2015-02, a bylaw to amend the Bylaw for the Community of North Shore, be hereby read a first time.

Discussion: Around the road way and adding in culverts and ditching. Is it possible to get recommendations from the Province on these issues? Suggest it be tabled. Then a rewording to identify undeveloped lots.

Moved by Councillor J MacLean	
Seconded by Councillor Gay	

(2015-10-80) -CARRIED- (11-0)

Whereas an application has been received to amend the Zoning Map of the Official Plan/Land Use Bylaw for the Community of North Shore to rezone Jack's Way Subdivision Phase 1 PID No.s 1036268, 1062488, 1056530, 1056548, 1062462, 1062470, 1047703, 1047729, 1036367 and 1043348, Jack's Way Subdivision, West Covehead from residential (R) to resort commercial (RC);

And whereas the BY-10-2015-02, a bylaw to amend the Zoning Maps Schedule A of the Community of North Shore 2014 Land Use Bylaw, a bylaw to amend the Community of North Shore Zoning Map Schedule A, was read a first time at this council meeting;

Be it resolved that zoning bylaw amendment BY-10-2015-02, a bylaw to amend the Bylaw for the Community of North Shore, be hereby read a first time.

Schedule A is attached. Moved by Councillor J MacLean Seconded by Councillor Rae

(2015-10-81) -CARRIED- (11-0)

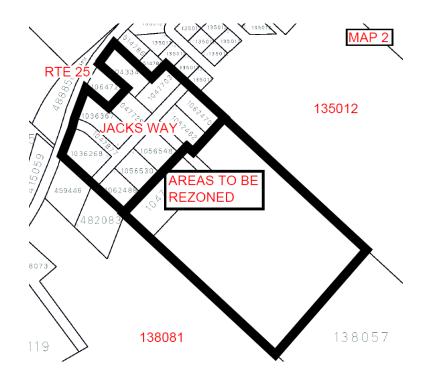
Schedule A Community of North Shore

Official Plan/Bylaw Amendment OPA-10-2015-02 BY-10-2015-02

To amend the Community of North Shore Official Plan/Bylaw

The council of the Community of North Shore under authority vested in it by Section 18 of the *Planning Act* R.S.P.E.I 1988 Cap. P-8 hereby enacts as follows:

The future land use designation of Pid No.s 1036268, 1062488, 1056530, 1056548, 1062462, 1062470, 1047703, 1047729, 1036367 and 1043348, Jack's Way Subdivision, West Covehead from residential (R) to resort commercial (RC); as shown on Map "Existing Land Use", of the Official Plan/Land Use Bylaw for the Community of North Shore, is designated as Resort Commercial Development, hereby excluding it from its former designation of Residential.



First Reading

Jack's Way Phase 2 BY-10-2015-03

Whereas an application to rezone portion of PID No. 138057, Jack's Way Subdivision, Phase 2, West Covehead from agricultural (A) to resort commercial (RC).

Whereas an application has been received from Cecil MacLauchlan to amend the Zoning Map of the Official Plan/Land Use Bylaw for the Community of North Shore to rezone Jack's Way Subdivision Phase 2 PID 138057 from agricultural (A) to resort commercial (RC);

Whereas there will be approximately 10 multi-unit lots, streets and open space consisting of approximately 21 acres of land. Details to be reviewed and approved by Council and the Province prior to any development.

Whereas the development of Phase 2 would be subject to review by the Province for septic, potable water, storm water, streets and environmental issues. The Council shall have a say where if any open space is designated in Phase 2 or money in lieu of open space.

Whereas at information meeting held on Sept. 23, 2015, there were no concerns raised.

Whereas the duly advertised Public meeting held on Oct. 7, 2015, it was noted there was an eagle's nest located along the southern boundary of the proposed phase 2. This would have to be reviewed by the Province prior to any development.

And whereas in accordance with Section 18(2) of the *Planning Act* the Official Plan/Land use Bylaw for the Community of North Shore Council may amend the Official Plan/Land Use Bylaw to ensure the continued responsiveness of the Official Plan/Land Use Bylaw to the development goals of the municipality;

And whereas Section 16 of the Planning Act allows municipalities to adopt bylaws to implement their official Plan/Bylaw;

And whereas in accordance with Section 2.12 of the Land Use Bylaw for the Community of North Shore Council may amend the Bylaw;

And whereas approval of the application has been recommended by Planning Board;

And whereas Council has complied with the process established in section 18 of the Planning Act and with EC 640/97 - Planning Act Minimum requirements for Municipal Official Plan/Land Use Bylaw;

Be it resolved that zoning bylaw amendment BY-10-2015-03, a bylaw to amend the Bylaw for the Community of North Shore, be hereby read a first time.

Discussion on the responsibilities of Province versus Municipality.

Moved by Councillor J MacLean	(2015-10-82)
Seconded by Councillor Gay	-CARRIED- (9-2)

Whereas an application to rezone portion of PID No. 138057, Jack's Way Subdivision, Phase 2, West Covehead from agricultural (A) to resort commercial (RC);

And whereas the BY-10-2015-03, a bylaw to amend the Zoning Maps Schedule A of the Community of North Shore 2014 Land Use Bylaw, a bylaw to amend the Community of North Shore Zoning Map Schedule A, was read a first time at this council meeting;

Be it resolved that zoning bylaw amendment BY-10-2015-03, a bylaw to amend the Bylaw for the Community of North Shore, be hereby read a first time.

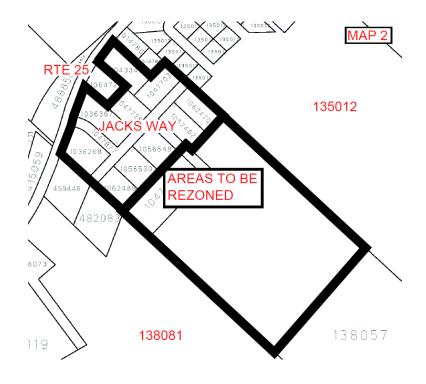
Schedule A is attached.		
Moved by Councillor J MacLean	(2015-10-83)	
Seconded by Councillor Reardon	-CARRIED- (11-0)	
Schedule A		
Community of North Shore		
Official Plan/Bylaw Amendment OPA-10-2015-03		
BY-10-2015-03		
To amond the Community of North Shore Official Plan/Pylaw		

To amend the Community of North Shore Official Plan/Bylaw

The council of the Community of North Shore under authority vested in it by Section 18 of the *Planning Act* R.S.P.E.I 1988 Cap. P-8 hereby enacts as follows:

 The future land use designation of PID 138057 as shown on Map "Existing Land Use", of the Official Plan/Land Use Bylaw for the Community of North Shore, is designated as Resort Commerciall Development, hereby excluding it from its former designation of Residential.

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Deanna Lane Rezone

Whereas Application to rezone Pid No.s 136051 and 815837, 72 Deanna Lane, Stanhope from residential (R) to resort commercial (RC);

Whereas the developer provided a Concept Plan which proposed 12 semi-detached cottages for a total of 24 units. The current residential (R) zone does not permit multi-unit dwelling units. Presently the only zone that will allow more than one dwelling per lot is Resort Commercial (RC) Zone.

Whereas As per section 2.12.4.4 of the Land Use Bylaw a written notice was mailed out to all property owners wholly or partially within 60 m (197 ft) of the boundaries of the subject property for each of the Sept. 23 and the Oct. 7, 2015 meetings. This consisted of approximately forty five letters

Whereas at the information meeting held on Sept. 23, 2015, there were many concerns raised: traffic, water, sewer, rentals, etc. The Community of North Shore received approximately twenty emails opposing the development.

Whereas the duly advertised Public meeting held on Oct. 7, 2015, there were many of the same concerns raised.

And whereas in accordance with Section 18(2) of the *Planning Act* the Official Plan/Land use Bylaw for the Community of North Shore Council may amend the Official Plan/Land Use Bylaw to ensure the continued responsiveness of the Official Plan/Land Use Bylaw to the development goals of the municipality; **And whereas** Section 16 of the Planning Act allows municipalities to adopt bylaws to implement their official Plan/Bylaw;

And whereas in accordance with Section 2.12 of the Land Use Bylaw for the Community of North Shore Council may amend the Bylaw;

And whereas the recommendation of the Professional Planner and the Planning Board is to **deny** the rezoning application based on the criteria set out by the bylaws;

As per section 2.12.4 Amendment Procedures: *Planning Board shall review each amendment request and provide recommendations to Council; Planning Board and Council shall consider the following general criteria when reviewing applications for zoning amendments, as applicable:*

Conformity with all requirements of this Bylaw; (it is a special permitted use in the Resort Commercial (RC) Zone). Conformity with the Official Plan;

Objective	
1.	To protect the quality of drinking water.
2.	To protect the character and appearance of established neighbourhoods.
3.	To standardize lot and development standards across the Community.
4.	To address concerns related to conversion of seasonal residences and approved small or under sized lots to year round residential use.
5.	To minimize conflicting land uses between residential and other uses.
6.	To encourage development of low density residential housing within the municipality.
7.	To enable the continued development of large lot, on-site serviced residential areas.
8.	To establish residential development standards which stress safety, efficiency, land use compatibility.

Under section 3.6 Residential Development of the Official Plan:

- c) Suitability of the site for the proposed development; (24 units on 6.2 acres+/-) Proposed development would be subject to approval by the Province. Current Residential Zone (R) requires a minimum of 1 acre per lot.
- d) Compatibility of the proposed development with surrounding land uses, including both existing and projected uses; (many concerns raised)
- *e)* Any comments from residents or other interested persons; (many concerns raised)

- g) Impacts from the development on pedestrian/vehicular access and safety, and on public safety generally; (many concerns raised)
- *h)* Compatibility of the development with agricultural, environmental, scenic and heritage resources; (many concerns raised)
- *i)* Impact on Municipal finances and budgets; (development would bring in more tax dollars)
- *j)* Other matters as specified in this Bylaw; and
- *k)* Other matters as considered relevant.

As per section 2.12.4.5 Amendment Procedures

Following the public meeting, Council shall formulate a decision on the proposed amendment. Council shall have the authority to determine whether an amendment request is approved, modified, or denied and applications shall be approved or denied by resolution of Council and the applicant shall be notified in writing of the decision; (This section states that Council may modify the application. Considering the developer was not willing to down size the development, Council has no choice but to deny the application.)

There are many references in the Official Plan that would suggest that this proposed development is not suitable for the Community.

And whereas Council has complied with the process established in section 18 of the Planning Act and with EC 640/97 - Planning Act Minimum requirements for Municipal Official Plan/Land Use Bylaw;

Be it resolved that the Community of North Shore <u>denies</u> the rezoning from residential to resort commercial.

Questions: Can the Province to the approve it? No, it doesn't go the Province if deny.

Moved by Councillor J MacLean	(2015-10-84)
Seconded by Councillor K MacLean	-CARRIED- (11-0)

Doyle Subdivision – Phase 2 Maggie's Lane

Whereas the developer of Maggie's Lane or Eugene Doyle is finishing the process of creating a public road and is seeking to have building permits issues; and,

Whereas Council needs to develop a subdivision agreement;

Be it resolved that Council requests from the developer to provide greenspace for young families to be owned and managed by a Homeowners Association established by the developer.

Moved by Councillor J MacLean Seconded by Councillor Ellsworth (2015-10-85) -CARRIED- (11-0)

5.6 EMO – CO-CHAIRS BETH PRETTY AND JAMIE RAE

A draft EMO policy was completed by Michael Hewitt and was circulated around.

The Committee met Wednesday, September 23rd, 2015 with representatives from Union Rd., and a few new volunteers.

- A draft EMO policy was developed by Michael Hewitt
- A draft MOU with municipalities was developed
- Suzanne Pater from Union Rd will communicated with Red Cross to set up a meeting and start on an MOU with Red Cross.
- Election day volunteers will distribute an information sheet as a handout to help resource gathering and to compile a list of people at risk.

Training was reviewed and everyone will try to attend a session or two.

Motion to pay for EMO training for volunteers interested in taking the Provincial courses (most are free some are \$50/each).

Moved by Councillor Rae	(2015-10-86)
Seconded by Councillor Walsh	-CARRIED- (11-0)

5.7 COMMUNITY SERVICES – COUNCILLOR EGAN/MACLEAN

Looking forward to the Strategic meeting. Administrator will send out the package to everyone.

6.0 CORRESPONDENCE:

7.0 NEW BUSINESS:

7.1 REMEMBRANCE DAY

Started by the Stanhope Historical Society with the cenotaph and now the municipality looks after most of it. Jim Lee will continue on as MC. Maybe develop a committee to help with it.

7.2 CANADA DAY FUNDING (NOVEMBER 16TH)

- 7.3 **FCBB** making presentation to Province re: Water Act.
- 8.0 **NEXT MEETING:** Wednesday, October 14th, 2015.

Meeting took a break at this point 9:10pm to prior the in camera session. Councillor Jonathan Maclean left the meeting.

In Camera Session to discuss HR items

At 9:45pm came out of in camera sessin.

Unapproved Council Meetings, Wednesday, July 8th, 2015

Contract Extensions - Tracey Allen and Kaye Holmes

Whereas the Tracey Allen's contract will end on October 28, 2015; and,

And Whereas Kaye Holmes will be retiring on October 30, 2015;

And Whereas the Community of North Shore is beginning the hiring the process for both positions;

Be it resolved that Council extend both Tracey and Kaye's employment contracts until November 12, 2015 to allow staffing to continue in a status quo capacity.

Moved by Councillor Sheehan	(2015-10-87)
Seconded by Councillor Ellsworth	-CARRIED (10-0)

Approval of New Staffing Positions with Salary Caps

Whereas the Tracey Allen's contract will end on October 28, 2015; and,

And Whereas Kaye Holmes will be retiring on October 30, 2015;

And Whereas the Community of North Shore is beginning the hiring the process for both positions;

And Whereas the recommendation from the HR & Events Committee is to hire an Administrator and a Facility Operations and Maintenance person;

And Whereas the following provisions were agreed upon

Staffing Positions	Hours Per Week	Salary	Salary Cap
Administrator	37.5 hrs	\$ 36,500 + MERC	10% of approved salary
Facility Operations & Maintenance	30 hrs	\$ 25,000 + MERC	10% of approved salary

Be it resolved that the HR & Events Committee move forward with the hiring of an Administrator and Facility Operations and Maintenance person and seek Councillor approval for additional allocations should they be needed outside those noted above.

Moved by Councillor Sheehan Seconded by Councillor Pretty

(2015-10-88) -CARRIED (10-0)

9.0 ADJOURNMENT: There being no further business, the meeting adjourned at 10:00pm.

Moved by Councillor Vriends	(2015-07-89)
Seconded by Councillor Ellsworth	- CARRIED- (10-0)

Signed Gordon Ellis, Chairperson

Dated

Signed Tracey Allen Community Administrator

Dated

Unapproved Council Meetings, Wednesday, July 8th, 2015