

**RICHMOND COUNTY MUNICIPAL COUNCIL**

**SPECIAL MEETING**

**FEBRUARY 25, 2008**

Location: Council Chambers, Arichat

Warden Boudreau called the meeting to order at 7:00 p.m., and asked everyone to stand for the singing of O'Canada.

The Deputy Clerk took roll call of Councillors.

Warden Boudreau indicated that Councillor Johnson and Councillor MacPhee were unable to attend, due to illness.

**Consideration of the Expropriation Resolution with Respect to the St. Peter's/Samsonville Water Project**

Mr. McLean briefed Municipal Council indicating the following:

- Municipal staff, with the assistance of the Solicitor, have identified lands in Samsonville required for the construction of the Phase 2 works for the proposed St. Peter's-Samsonville water system;
- The attached plan of survey and property descriptions have been prepared identifying registered interests in the subject lands; and registered interest holders have been contacted with respect to municipal acquisition and for purposes of negotiating terms of settlement;
- The following six distinct parcels of land are required:

Parcel #	Land Owner	Parcel Size (square meters)
2A	Douglas Thomas & Eva June Landry	25,070
2B	Douglas Thomas & Eva June Landry	13,754
2C	Douglas Thomas & Eva June Landry	17,307
3	Anthony P. & Jeanne G. Samson	23,842
4	Dawn Fougere Johnson	2,202
5	Lakeside Community Association	2,985
- He noted the above identifies principal ownership only. He also noted that some parcels are also subject to other lesser registered interests, including easements and rights of way; and each of these interests is being addressed through negotiations and discussions with interest holders;
- The subject lands are required for the following components of the St. Peter's-Samsonville Water System Project:

- Construction of water system components such as the production wells, treatment plant, water storage tank and water main piping;
- Construction of an access road to the treatment plant and well field area;
- Installation of a three-phase power line to the treatment plant and well field area;
- Capture of the two year travel time zone of the overall well recharge area;
- The project schedule requires construction to start by the beginning of June, 2008, and immediate expropriation should allow the Municipality to take possession of the require lands by that date;
- Delay in the acquisition of the lands will substantially interfere with the construction schedule and project progress and completion;
- Municipal staff continues to work with the municipal solicitor on negotiations for settlement with the registered owners in respect to compensation issues pursuant to the legislation, and these negotiations will continue as necessary, following expropriation;
- He was recommending that Municipal Council approve the expropriation of the aforesaid lands for the reason that the lands are required by the Municipality for the St. Peter's-Samsonville and Area water system.

Moved by Deputy Warden Rankin, seconded by Councillor Boudreau that WHEREAS the Municipality of the County of Richmond entered into an inter-municipal services agreement with the Village of St. Peter's for the construction and installation of a new water services system to meet current and future potable water demands for St. Peter's and the Samsonville area;

AND WHEREAS for the purpose of establishing the said water services system, it is necessary that the Municipality of the County of Richmond acquire the lands identified as Parcels 2A, 2B, 2C, 3, 4 and 5 on the Plan of Survey showing lands deeded to Douglas Thomas Landry & Eva June Landry, Jeanne G. Samson & Anthony P. Samson, Dawn Fougere Johnson, and Lakeside Community Association, Samsonville, Richmond County, Nova Scotia, prepared by Surveyor Dennis Prendergast, dated 20 February, 2008, and appended to this resolution, said lands being more particularly described in individual property descriptions also appended hereto;

BE IT RESOLVED AND APPROVED that the Municipality of the County of Richmond pursuant to the provisions of the Expropriation Act and the Municipal Government Act, expropriate any and all estate, rights, title and interests in Parcels 2A, 2B, 2C, 3, 4 and 5 as shown on the appended Plan of Survey and more particularly described in the appended property descriptions, subject only to the existing easement interests of Crawley Lake Water Supply and the Nova Scotia Power Corporation identified therein;

AND BE IT FURTHER RESOLVED that pursuant to the provisions of the Expropriation Act, the Municipal Clerk shall forthwith deposit with the Registrar of Deeds for the Registration District of the County of Richmond the required expropriation documents including a certified copy of this resolution, together with the Plan of Survey and

property descriptions appended hereto, and shall take such other actions as may be required in the expropriation of the aforesaid lands. Motion carried.

The following points were brought forth in discussion:

- It was noted that consensual compensation packages were arrived at with property owners, which was done in a very cordial manner;
- Councillors noted this is a very important project, and they are very pleased to arrive at a satisfactory conclusion with this matter;
- Councillors commended staff and the solicitor for their work; and also thanked the property owners for their cooperation;
- It was noted that there are a lot of emotional ties to these lands, but the land will be a betterment to the community;
- It was noted that the process of expropriation under the Expropriation Act is necessary to give the Municipality clear and clean titles.

#### Fifteen Minute Question Period

There were no questions.

Moved by Councillor Boudreau, seconded by Councillor Cotton that the meeting be adjourned. Motion carried.

There being no further business, Warden Boudreau adjourned the meeting at 7:15 p.m.