



Municipality of the District Of Lunenburg

Public Hearing Agenda

**Council Chamber – Municipality of the District of Lunenburg
(MODL) Tuesday, October 8, 2024 – 8:30 a.m.**

Proposed Sale of Baker Settlement & District Community Hall

- 1. Call to Order at 8:30 a.m.**
- 2. Opening Remarks**
 - (a) Introductions
 - (b) Review of Agenda and Rules of Conduct
- 3. Report and Presentation from Staff**
- 4. Written and Verbal Presentations from the Public**
 - (a) Review of Written Submissions (if any)
 - (b) Verbal Presentations by the Public (if any)
- 5. Review of Approval Process**

Municipal Council may make a decision at the Council meeting after the close of this Public Hearing. If Council deems it advisable to approve the sale of land, Council will submit and vote on a motion.
- 6. Closing of the Public Hearing**

Rules of Conduct

Persons who wish to speak at the Public Hearing are asked to note the following:

- a) State your name and address.
- b) Direct all statements to the Chairperson.
- c) Try to limit presentations to 10 minutes.
- d) Speakers may address Council twice, but before addressing Municipal Council for a second time, speakers will be requested to wait until all others have had the opportunity to speak before they can address Council for a second time.



Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Council

Submitted by: Tom MacEwan, CEO

Date: October 8, 2024

Re: Sale of Baker Settlement Community Hall to Baker Settlement & District Community Hall Association

Recommendation

"that Municipal Council approve the sale of PID 60324258 to the Baker Settlement and District Community Hall Association for \$1.00, and direct the Mayor and Clerk to execute the Warranty Deed conveying the property".

Background

On July 28 2014, the Baker Settlement and District Community Hall Association entered into an agreement with Tri-District Fire/Rescue for the operation and management of the former Baker Settlement Fireman's Centre situate at 5092 Highway 325, Baker Settlement (PID 60324258) (the "Property").

The Agreement provided that the parties would work towards the ownership of the facility to be transferred from Tri-District Fire/Rescue to the Baker Settlement and District Community Hall Association.

The transfer of ownership was complicated by the fact that Tri-District Fire/Rescue is a federally registered charitable organization. The solution that was identified and acceptable to both parties was to have Tri-District Fire/Rescue transfer the Property to MODL (an eligible donee under federal regulations) and then MODL transfer the Property to Baker Settlement and District Community Hall Association.

The intention of the parties (Tri-District, Baker Settlement and District Community Hall Association, and MODL) was for MODL to take ownership of the Property for the sole purpose of conveying the Property to the Baker Settlement and District Community Hall Association.

Legislative Scheme

The MGA provides as follows:

- A Municipality may sell property for less than market value for any purpose that the Council considers to be beneficial to the municipality (s. 51(1));
- A resolution to sell property for less than market value shall be passed by at least a two thirds majority of the council present and voting (s. 51(2)); and
- Where council proposes to sell property valued at more than \$10,000 at less than market value, the council shall first hold a public hearing respecting the sale (s. 51(3)).

The MGA does provide Council with the authority to sell the Property to the Baker Settlement and District Community Hall Association at less than market value provided that the motion is passed by at least a 2/3 majority vote of the council present and voting.

As the property is valued at more than \$10,000, the MGA requires that a public hearing must be held respecting the sale before the matter is deliberated by Council.

Public Hearing

The Public Hearing regarding the sale of the property is being held in the Council Chambers on October 8, 2024 commencing at 8:30 a.m.

The property, identified as 5092 Highway 325, Baker Settlement (PID 60324258), is known as the Baker Settlement Community Hall.

For the purpose of the public hearing, the value of the Property is deemed to be the value that has been placed on the Property by PVSC which is \$104,300.

Please note that at the Council meeting held on Tuesday, September 24, 2024, the motion incorrectly referenced the assessed amount as being \$194,300 when, in fact, the assessed value of the Property is \$104,300.

The purpose of the sale is to achieve the desire of Tri-District Fire/Rescue and the Baker Settlement and District Community Hall Association to have the Property conveyed from Tri-District to Baker Settlement and District Community Hall Association for the nominal value of \$1.00.

Report Preparation	
Department	Administration
Report Prepared by	Tom MacEwan, CAO
Report Approved by	
Date Reviewed by C.A.O.	

On July 28, 2014, the Baker Settlement and District Community Hall Association entered into an agreement with Tri-District Fire/Rescue for the operation and management of the former Baker Settlement Fireman's Centre.

The Agreement provided that the parties would work towards the ownership of the facility to be transferred from Tri-District Fire/Rescue to the Baker Settlement and District Community Hall Association.

The transfer of ownership was complicated by the fact that Tri-District Fire/Rescue is a federally registered charitable organization. The solution that was identified and acceptable to both parties was to have Tri-District Fire/Rescue transfer the property to MODL (an eligible donee under federal regulations) and then MODL transfer the property to Baker Settlement and District Community Hall Association.

The Baker Settlement and District Community Hall Association has been working towards the transfer of ownership of the property for over a decade and strongly supports the conveyance of the property from MODL to the Baker Settlement and District Community Hall Association.

Murray Legge



Sept 25, 2024

Vice President, Baker Settlement and District Community Hall Association