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The Municipal Affairs and Appeals Commission

Drop Box 3:02pm MLA

# FORM MGA-MR-1
# PROPOSAL TO ESTABLISH, RESTRUCTURE, DISSOLVE A MUNICIPALITY

PURSUANT TO THE *MUNICIPAL GOVERNMENT ACT* R.S.P.E.I. 1988, CAP. M-12.1., SEC. 15, AND PRINCIPLES, STANDARDS AND CRITERIA REGULATIONS

**Completing your Application: Important Information**

- ✓ The Principles, Standards and Criteria regulations will be used to evaluate all proposals. Proposals must demonstrate the ways in which they meet the requirements in the regulations.
- ✓ If your proposal is below thresholds set out in the MGA, a record of ministerial approval must be attached to this submission in order for the application to proceed.
- ✓ It is the responsibility of the municipality or the person or persons petitioning to establish, restructure or dissolve a municipality to ensure that all applicable provisions in the *Municipal Government Act* and Regulations have been addressed in this proposal.

## PART 1: GENERAL INFORMATION: DESCRIPTION OF PROPOSAL

1. This proposal is to: Dissolve a municipality
2. Reason for the proposal: The Rural Municipality of St. Louis has determined that they do not, and will not in the future, have the resources, financial and personnel wise, to comply with the requirements of a municipality pursuant to the *Municipal Government Act*, RSPEI 1988, c M-12.1.
3. Names of all adjoining municipalities or unincorporated areas and any other municipality or unincorporated area that may be affected: Community of St. Edward, Alma, Municipality of Miminegash, Community of Palmer Road and Community of Elmsdale.

## PART 2: INSTRUCTIONS FOR COMPLETION OF THIS FORM

- Complete **Box A** if proposing to **establish** or **restructure** a municipality
  **Or**
- Complete **Box B** if proposing to **dissolve** a municipality.

**Box A: Proposal to Establish or Restructure a Municipality**

**Required Information:** If you are proposing to establish or restructure a municipality, you must submit the following information:

- ✓ Financial plan
- ✓ Capital assets, both existing and proposed
- ✓ A map depicting, in detail, the new boundaries being proposed
- ✓ A copy of the resolution by council to approve making application to establish or restructure a municipality
- ✓ If proposal is being submitted by a group of petitioning electors, a copy of the petition and the name of the representative for the petitioning electors in a format that complies with subsection 15.(6) of the MGA

1. What is the proposed name: Click here to enter text.
2. What is the proposed class: Click here to enter text.
3. What is the office location: Click here to enter text.
4. A financial plan is included: Choose an item.
5. What is the estimated total property assessment: Click here to enter text.
6. What is the estimated population: Click here to enter text.
7. List proposed services to be provided: Click here to enter text.
8. List of all capital assets, existing and proposed: Click here to enter text.

**Submission Checklist – please ensure that the following information is included:**

- ☐ A map depicting the new boundaries being proposed;
- ☐ The financial plan for the new municipality;
- ☐ A copy of the resolution(s) approving submission of the application; and
- ☐ All additional information and documentation demonstrating compliance with the *Municipal Government Act* Principles, Standards and Criteria Regulations.

**Box B: Proposal to Dissolve a Municipality**

1. What is the name of the municipality proposed for dissolution: The Rural Municipality of St. Louis
2. Is a copy of the resolution approving application attached: Yes
3. A plan for sale/transfer of assets must be submitted with this application. Is the plan attached? Yes
   If no, provide details and a submission date for the plan: N/A
4. A plan for settlement of debts/obligations must be submitted with this application. Is the plan attached: Yes
   If no, provide details and a submission date for the plan: N/A

5. Have any other plans been established to address dissolution issues? If so, please provide any additional information that is applicable: See attached Schedule "A".

**PART 3: ADDITIONAL INFORMATION**

Please provide any additional information that you think will assist in the assessment of this proposal: The Council of the Rural Municipality of St. Louis has done its best to meet all of the requirements of the *Municipal Government Act*. With all of the requirements regarding bylaws, insurance etc., it is no longer financially feasible to remain as a municipality without a significant tax increase to the small population of the Municipality of St. Louis. Council made a decision to hold a meeting on this regard in July, 2021, and Councillors and residents who were present agreed that it was in their best interests to dissolve as a municipality and become a community.

**Signature:**

| | |
|---|---|
| Melanie McKenna | Melanie McKenna |
| Name (Print) | Name (Sign) |
| Lawyer | Nov 16, 2021 |
| Title | Date of Submission |

**Contact Information:**

| | |
|---|---|
| Municipality (If Applicable): | c/o Melanie McKenna, Cox & Palmer |
| Address: | 97 Queen Street, Suite 600, Charlottetown, PE C1A 4A9 |
| E-Mail: | mmckenna@coxandpalmer.com |
| Phone Number(s): | (902) 629-3929 |

Personal information of applicant(s) on this application is collected under the *Freedom of Information and Protection of Privacy Act* of PEI, Section 31(c), as it is necessary for processing this application to establish, restructure or dissolve a municipality.

Schedule "A"

3. **A plan for sale/transfer of assets must be submitted with this application.**

The Municipality currently owns the following properties:

- PID 481994 – 3563 Union Road, Route 152, St. Louis – this property is approximately 5 acres and is the location of the St. Louis Community Hall
- PID 538488 – this property is approximately 23 acres
- PID 8292 – this property is approximately 1 acre.
- PID 8938 – this property is approximately 0.25 of an acre.
- Cash account.

With respect to PID 538488, the Municipality is currently in the process of transferring this land to a man named Joey Carragher, who intends to build 6-8 senior living units. The Municipality believes this transaction will be completed shortly and prior to the approval, if received, of the request for dissolution.

With respect to the remaining property, the Municipality intends to continue to operate as a community if their request for dissolution is approved. As such, the Municipality intends to incorporate a non-profit company and transfer the land to the non-profit. The non-profit will allow the Municipality to obtain additional funding and to continue to operate the St. Louis Community Hall on PID 481994, rather than transferring the land to the Government of Prince Edward Island and leasing same from the Government as set out in section 21(6) of the *Municipal Government Act*. The Municipality is agreeable to transferring the remaining PIDs (PID 8292 and 8938) to the Government of Prince Edward Island in accordance with section 21(6).

4. **A plan for settlement of debts/obligations must be submitted with this application.**

The only debts/obligations of the Municipality at this time are monthly payments with respect to operation of the Community Hall (i.e. electricity, oil) and property taxes for the above-noted properties. The property tax payments will no longer be the responsibility of the Municipality and the remainder of the obligations associated with operating the St. Louis Community Hall will continued to be paid when due as part of the non-profit company.

The Municipality recently had 30 solar panels installed on Community Hall roof. The majority of the cost of that will be covered by ACOA, Efficiency PEI and the Municipality's Gas Tax Fund. The outstanding amount is accounted for in the Municipality's cash holdings.

5. Have any other plans been established to address dissolution issues?

The Town of Alberton has agreed to reimburse the Municipality for 50% of the fees associated with dissolution of the Municipality and winding-up of all of the assets.

Rural Municipality of St. Louis

Passed July 26 2021

It was moved by Charlie G and seconded by Frank B that following consultation with residents of the Rural Municipality of St. Louis and lengthy discussion by council that a proposal for dissolution of the Rural Municipality of St. Louis be submitted to the Province and Minister for Communities.

All in favour, Motion Carried.

This resolution carried by the Council of the Rural Municipality of St. Louis on July 26 2021, is certified to be a true copy.

Mayor

Secretary

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# RURAL MUNICIPALITY of ST. LOUIS

## RURAL MUNICIPALITY OF ST.LOUIS RESOLUTION

Date passed: July 5th. 2021

Municipal Strategic Component--Dissolving of Municipality

Moved by: Jimmy Perry Second by: Gerard Gallant

That the Municipality of St. Louis submit an application to MGA to dissolve from the Municipality and become a Community of St. Louis.

The Council understands that all future operational costs associated with running a Community Centre will be the responsibility of the committee and residents of the Community.

Juanita Hawes CAO July 5/2021

Everett Walsh Chairman July 5/2021

Rural Municipality of St. Louis

3563 Union Road, PO Box 40

St. Louis, PE C0B1Z0

July 5th, 2021

Rural Municipality of St. Louis met with the residents from the Municipality at St. Louis. Council and residents all signed in and we had a total of 14 people. We met to discuss whether we stay as a Municipality or dissolve.

Presently we are receiving the equalization grant from the Federal Government of $8300 per year, which will soon be done. We have five by-laws completed and many more to finish. The by-law for land development will be expensive, because expertise will need to come into our community, do an overview of the properties.

We also need to set up an office at the centre and employ someone for 20 hours per week. The other choice is dissolve as a municipality and become a Community. We will need a lawyer to set up by-laws to declare us a non-profit, and transferring the centre to a body of people at a reasonable price, a by-law for our land assets and moneys in our account. We can get assistance from Community development for 50% of our expenses to dissolve.

There was some discussion about finance – how to keep the centre going. There was a vote, show of hands for staying in the Municipality 0-14, a show of hands for dissolving 14-14.

We will work towards getting out of the municipality and go back to being a Community. We talked about ideas for fundraising for the centre.

The Chairperson, Everett Wedge, thanked everyone for coming.

Juanita Gaudet

CAO