

Copy: Albert MacDONALD

Town of Central West Prince  
C/O John Lane  
797 Rte 145  
Alberton, PE  
C0B-1B0

Received

NOV 19 2012

Finance, Energy and Municipal  
Affairs

November 08, 2012

Minister Wesley Sheridan  
PO Box 2000  
Charlottetown, PE  
C1A-7N8

Dear Minister:

In response to your letter of July 31, please find attached a response to the Departments questions as well as a revised detailed proposal addressing the concerns in your letter.

The original application included:

- A detailed proposal
- Map of the area to be incorporated
- Petition from the citizens of the area

Attached to this correspondence is:

- Town budget
- Revised detailed proposal
- Information as to Town services

Please acknowledge receipt of this letter application and advise as to the timelines we can expect in processing this request.

Sincerely



John Lane



Finance, Energy and  
Municipal Affairs

Finances, Énergie et  
Affaires municipales



Office of the Minister  
PO Box 2000, Charlottetown  
Prince Edward Island  
Canada C1A 7N8

Bureau du ministre  
C.P. 2000, Charlottetown  
Île-du-Prince-Édouard  
Canada C1A 7N8

July 31, 2012

Central West Prince Committee  
C/O John Lane  
797 Rte 145  
Alberton, PE C0B 1B0

Dear Mr. Lane and Committee Members:

**Re: Application to Incorporate the Proposed Town of Central West Prince**

This is to acknowledge your submission of July 20, 2012 in which you request municipal incorporation for the proposed municipality of Central West Prince. I am pleased that residents in the region have been giving consideration for local government and the duties and responsibilities associated with municipal services.

The submission received from your Committee included:

- ✓ the covering letter outlining your proposal;
- ✓ a petition signed by a minimum of 25 residents;
- ✓ a description and map of the area to be incorporated; and
- ✓ a sample of what an official plan might look like for the proposed area.

Further information is required in order for the submission to be considered complete. Please note that the *Municipalities Act* requires the following to be included in the application:

- A statement indicating the requested status of the municipality (town or community) (MA, s. 5(c))
- A statement of the municipal services to be provided by the municipality:

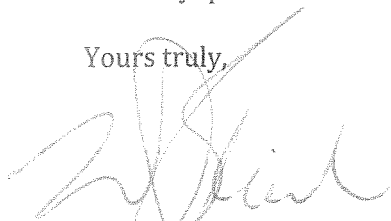
Please see the attached summary of information required by the Province prior to being able to begin the review of your proposal. Upon receipt of a complete submission, we will proceed with the process of conducting public meetings.

As you are no doubt aware, the Report from the Commissioner on Land and Local Governance recommended quite strongly that the viability of all municipalities, existing and future, be a primary focus. Municipal viability extends to all aspects of local governance, from the ability to provide efficient and sustainable services to professional administration.

I will be identifying the most appropriate method to proceed with conducting a feasibility study in accordance with section 7 of the *Municipalities Act* once a complete submission is received, to determine whether or not the proposed municipality has the capacity to become a viable local government and its potential impact on the long term viability of existing municipalities in the area.

In closing, I wish to commend you and your committee for undertaking this initial step. Should you have any questions or concerns, please contact my Department at 368-4744.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Wesley J. Sheridan', written over a faint circular stamp.

Wesley J. Sheridan  
Minister

Encl: Submission Requirements - Proposal to Incorporate a Municipality



## Submission Requirements – Proposal to Incorporate a Municipality

### Submission Component – Status of Current Proposal Section 5, Municipalities Act

- A petition signed by a minimum of 25 residents (MA, s. 5) ✓ Meets Act requirements
- A statement highlighting desire to become a municipality (MA, s. 5(a)) ✓ Meets Act requirements
- A description or map of the proposed geographic boundaries (general terms) (MA, s. 5(b)) ✓ Meets Act requirements

- A statement indicating the requested status of the municipality (town or community) (MA, s. 5(c))

The covering letter suggests that the CWP Committee is proposing to create a town; the 'proposal' refers to the Community of Central West Prince.

- Clarification is required as to the desired status of the municipality

- A statement of the municipal services to be provided by the municipality:

The proposal does not clearly outline the proposed governance framework for the requested municipality, perhaps confusing a municipal proposal with an official plan.

While it is clear that the proposed municipality would provide:

- land use planning, (no information was provided on budget or professional staff); ✓
- fire services (contracted through existing neighbouring municipal fire departments); and ✓
- emergency planning (no discussion of budgetary implications) ✓

information is required on other services:

- Municipal office (Hours, location, budget) ✓
- Chief Administrative Officer (Hours, budget, qualifications) ✓
- Other staff ✓
- Legal (development of bylaws, etc.) ✓
- Economic development ✓
- Recreation (proposal only mentions neighbouring municipal facilities and provincial facilities) ✓

Financial components not explained:

- Assessment base ✓
- Cost of proposed services ✓
- Proposed rate of taxation ✓

**Town**  
of  
**Central West Prince**  
**Proposal and Petition**

A view to a prosperous, environmentally friendly community

November 2012

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## **1.0 INTRODUCTION**

For the purpose of this document The Town of Central West Prince shall be referred to as “CWP”.

### **1.1 Preface**

In the fall of 2009 at the direction of the residents of the area, the Town of Central West Prince began to pursue a community plan. An ad-hoc Planning Committee consisting of residence from each of the general areas encompassing CWP was created in accordance with the Provincial Planning Act. The movement to incorporate the area of CWP was a result of the “**REPORT OF THE COMMISSION ON LAND AND LOCAL GOVERNANCE**” prepared and presented to government by Judge Ralph Thompson in December 2009. In his report Judge Thompson recommended: “21. That Executive Council extend the regulations which apply to special planning areas around Stratford, Charlottetown, Cornwall and Summerside to all areas of the province not covered by an official plan or other special planning area regulation, and that these regulations apply until such time as each affected community has developed an official plan and associated zoning and development bylaws to the Minister’s satisfaction or, in the case of unincorporated areas, until the Minister has approved a zoning plan.” and “38. That the provincial government, through a process of public information and consultation determine the consensus of Islanders in relation to the incorporation of some or all of the province into municipalities having a population and tax base sufficient to provide effective and sustainable local governance on matters which are local in scope.” Hence the need for governance model for the unincorporated CWP area.

This document is the first Official Plan for CWP and is a formal set of objectives and policies to be approved by the community at large concerning the nature, extent, and pattern of future land use and development within CWP. The land use and development objectives set out in the Plan are broad statements of intent, while the policy statements serve as guidelines indicating the specific action which will be taken to achieve the stated goals and objectives. The 2011 Official Plan may also serve as a basis for the 2011 zoning and subdivision control bylaws which will implement the policies outlined in the Plan.

### **1.2 Purpose**

An Official Plan is a statement of CWP’s policies to guide, direct and co-ordinate future development in order to provide a healthy and safe environment for living. It looks at: existing land use patterns; existing population and development trends; and existing community concerns. From this analysis, policies for guiding public and private development are established. Thus, a plan provides a framework for future decision making within CWP.

### **1.3 Planning Area**

The geographical area of CWP’s proposed legal municipal boundaries covers 5,400 acres (2,187 hectares). More particularly the community is located West of O’Leary and East of Alberton and covers areas North and South of highway #2 between O’Leary corner and Elmsdale. The area historically consists of portions of township lots 4, 5, 6, and 7. See MAP 1, Location Map.

### **1.4 Legal Enablement**

Under the Province’s *Planning Act* R.S.P.E.I. 1988, Cap. P-8 and the *Municipalities Act*, R.S.P.E.I. 1988, M-13 give the Town most of its powers. The *Planning Act* gives Council the authority to appoint a planning board and to adopt (and amend) an Official

Plan and subsequently to adopt land use and development bylaws for CWP. The *Municipalities Act* also empowers Council to make bylaws and/or to implement programs, actions or strategies to help implement other aspects of the Official Plan.

### **1.5 Official Plan Review**

Our Official Plan is intended to be a planning tool and should therefore be subject to regular periodic review and/or amendment. The Official Plan will therefore be monitored on an ongoing basis to ensure its compatibility with changing circumstances. A formal, comprehensive review shall be undertaken every five years. The next review shall take place in 2016 or as soon as possible after that date given the Town resources.

### **1.6 Plan Content**

*The Planning Act, R.S.P.E.I. 1988, Cap P-8* requires that an Official Plan shall include:

- a statement of economic, physical, social and environmental objectives;
- a statement of policies for future land use, management and development,
- expressed with reference to a specified period not exceeding fifteen years; and
- proposal for its implementation, administration and the period review of the extent to which the objectives are achieved.

## **2 THE TOWN OF CENTRAL WEST PRINCE**

### **2.1 Location**

The geographical area of CWP's proposed legal municipal boundaries covers 5,400 acres (2,187 hectares). More particularly the community is located West of O'Leary and East of Alberton and covers areas North and South of highway #2 between O'Leary corner and Elmsdale. The area historically consists of portions of township lots 4, 5, 6, and 7. See MAP 1, Location Map.

### **2.2 Environmental**

CWP has over a hundred kilometers of streams mostly flowing to the Mill River. These tributaries range in size from a few inches to up to 40 feet in width. The adjacent topography ranges from gentle to as large as 30% slope. This is where the Hazard Zone has originated. This zone has been identified to protect the sloping areas adjacent to streams from being disturbed by development and agricultural uses. Council must develop policies which ensure long term protection of surface and groundwater resources and which contribute to the visual appeal and overall environmental health of the Planning Area. The community, like most in Prince Edward Island, is totally dependent on groundwater supplies for all its water needs. Policies must be developed therefore to ensure their protection from degradation due to pollution. Since this zone has been established in the adoption of the initial CWP Official Plan and Bylaws, the Provincial Department of Environment has specified buffer zones adjacent to streams. Any development and agricultural uses adjacent to streams are subject to the recommendations of the Department of Environment.

CWP is part of the Mill River watershed. The Mill River drainage basin is large, covering approximately 200 square kilometers and containing over a hundred kilometers of stream. The Mill River and its extensive estuary have long supported a valuable commercial shellfish harvest and high quality recreational fishery. Water quality throughout the watershed improved after a water treatment lagoon was built at Mill River in the early 2000's. Unpaved roads throughout the watershed are beautiful to drive, especially in autumn; however, sediment-laden water flowing downhill to numerous stream crossings is a perennial problem. Poorly constructed or undersized



private stream crossings also contribute to sedimentation of the river because of frequent wash outs. The results of this combination of land use abuses are evident after heavy rain falls.

CWP wishes to promote the safe, effective and efficient use of renewable energy sources for the generation of electric energy to help reduce greenhouse gases and carbon footprint. CWP recognizes the balance between the need to protect citizens and the desire for flexibility for renewable energy alternatives. The CWP now has a number of commercial wind generating turbines within its proposed boundaries; policies and bylaws will have to be discussed in order to ensure proper development of future wind projects.

### **2.3 Present Land Use**

The Town of CWP is roughly 5,400 acres (2,187 hectares) in size. The Town is bisected by route #2. Most of the Town remains in active agricultural production, along with significant tracts of woodland staggered throughout. Most of commercial development is located along Route 2. A significant cluster of homes exists along the Route #2, Mill River East Road, Mill Road, Bloomfield Road and the Duvar Road. As part of this Official Plan review, a Land Use Survey will be conducted.

Our research shows, 51.5% of CWP is presently agricultural land and 40.7% is presently wooded. Residential (5.0%), Commercial (0.8%), Industrial (0.1%) and Public Service and Institutional (1.9%) combine for the remaining 7.8% of the land uses. It is very apparent with the percentages of land uses that CWP is considered a rural Town.

### **2.4 Population**

There are approximately 3032 people in the Town as of 2009. This represents an average density of 1 person per 10.8 acres as compared. The average household size is presently 2.6 persons. Of the total population, there are only 7 bona-fide farmers. Comparing the present population (2009) and the present number of households with the 1978 values, our community's population has increased 19% and number of households has increased 38%.

Residents have likely been attracted to the area because:

- (1) they grew up in the Town's area or nearby;
- (2) the land was inexpensive;
- (3) they wanted to live in a rural environment; and/or
- (4) the taxes are lower.

They have traded off the services and conveniences found in an urban area for a rural environment. Foregone are such things as sidewalks, curbs, gutters, piped water, a centralized sewage system, and street lighting.

### **2.5 Municipal Services/Infrastructure**

#### **2.5.1 Sewage Treatment/Collection**

All properties in CWP rely on individual on-site wastewater treatment systems. These systems are subject to the soil conditions. The dominant soil type, "Charlottetown" as per Prince Edward Island Department of Agriculture, is a moderately coarse textured and strongly acid veneer. The drainage of the Charlottetown soil is well to moderately well, however permeability may be

variable or erratic. The topography can vary from 2% slopes up to 30% slopes. Based on these soil conditions, the majority of the septic systems are Category 2 with a few Category 1 and 3 septic systems. As per new regulations all waste from septic systems pump-outs must be processed in a Provincial approved waste treatment plant. The nearest treatment plant is located in Summerside.

#### **2.5.2 Central Water**

There are no municipally owned or privately owned central water systems in CWP. All properties are dependent on individual wells. Management and control of any potential sources of groundwater or surface water contamination is therefore of paramount concern.

#### **2.5.3 Solid Waste**

As with all municipalities on Prince Edward Island, all solid waste management in CWP is handled by the central Island Waste Management program.

#### **2.5.4 Fire Protection**

The Town of CWP purchases fire protection services from the O'Leary and Alberton Fire Departments. Rates and levels of service are established by the Department which operates on a volunteer basis. The O'Leary and Alberton Fire Departments are noted to be in good operating form with respect to equipment, number of volunteers, and locality.

#### **2.5.5 Police Protection**

Police protection in CWP is provided by the RCMP under the provisions of the Provincial Policing contract. Policing fees are covered under the Provincial Tax Assessment.

#### **2.5.6 Emergency Measures Plan**

CWP wishes to participate to the full extent of its capabilities in a Municipal Emergency Measures Plan for the Town. CWP wishes to cooperate with the Provincial Emergency Measures Organization to establish plans to assist in the event of a disaster or emergency.

#### **2.6 Parks and Recreation**

Within the limits of the Town of CWP there are numerous recreation facilities; soccer fields, ball fields, gymnasiums, golf course, two provincial parks. The Town would still use the rink facilities in the village of O'Leary and the Town of Alberton.

### **3.0 FUTURE DEVELOPMENT GOALS**

#### **3.1 Introduction**

The Goals presented in this Section are broad statements indicating the overall shared vision of CWP's residents and property owners in terms of the future evolution and development of the Town. The Goals provide a framework and general direction for subsequent, more detailed statements which follow.

#### **3.2 Future Development Concept**

The Town of CWP is first and foremost an agricultural community. While limited non-farm residential development has occurred, all residents of CWP cherish and wish to preserve the unique rural character of their community. Quality of life, rural lifestyle and a high standard of environmental protection are priority concerns.

The challenge will be to maintain these rural values in the face of “urban development” pressures spilling over from O’Leary, Alberton, and Summerside. The future development concept reflected in this Official Plan would see the community maintain and enhance its high quality rural lifestyle while accommodating limited non-farm development that would not conflict with or undermine the interests of established residents and farmers. The Town also strongly supports the protection of the all weather highway, Route #2, as a vital and efficient element of the Provincial Arterial Highway System.

### **3.3 Goals**

#### **3.3.1 General**

- To enhance the appeal of CWP as a place to live.
- To protect and enhance the current rural lifestyle and rural character of the Town.

#### **3.3.2 Social**

- To foster social interaction and healthy lifestyles for all residents of the Town.
- To protect the health and safety of all residents.
- To provide limited housing opportunities, thus permitting a moderate level of population growth.

#### **3.3.3 Economic**

- To protect the long term viability of farming in the Town.
- To accommodate business development opportunities directly related to agriculture.
- To accommodate limited non-agricultural related commercial development (Bloomfield Industrial Park).
- To severely limit any non-resource based industrial development or large scale commercial development not compatible to our Town Plan.

#### **3.3.4 Physical**

- To establish a plan for future development minimizing potential land use conflicts.
- To encourage the maintenance of a safe and efficient vehicle circulation system in the Town.
- To encourage the maintenance of a high standard of physical appearance for all properties in the Town.

#### **3.3.5 Environmental**

- To protect the quality and supply of groundwater and surface water resources in and adjacent to the Town.
- To protect air quality.
- To encourage responsible waste management.
- To encourage energy conservation and use of alternate energy sources.

## **4.0 OBJECTIVES**

### **4.1 Introduction**

This Section represents the objectives of the Official Plan. Within the broad policy framework that will be laid down by the elected council, the following objectives provide more precise statements which address specific issues and concerns within the Town.

Policies and Plan Actions will be outlined with proposed courses of action to achieve the targets described in the Objectives. Policies will be developed by the Town council in order to pursue these Objectives. Plan Actions will be concrete measures which will allow implementation of the Official Plan.

#### **4.2 OBJECTIVES:**

- To protect the long term viability of farming in the Town.
- To minimize conflicts between farmers and non-farm residents.
- To minimize the extent to which un-serviced residential development may occur.
- To minimize conflicts between residential development and any non-resource commercial or industrial developments.
- To accommodate a limited amount of un-serviced residential development.
- To promote high standards of property maintenance and appearance.
- To accommodate a range of residential units provided they are architecturally compatible and can be adequately serviced.
- To limit large scale non-resource commercial development.
- To minimize potential land use conflicts between commercial development and local residents and landowners.
- To accommodate limited commercial development where it poses no risks to neighboring properties and can contribute to strengthen the Town's rural lifestyle.
- To protect the interests of established commercial developments where they do not pose public safety or health risks and where they are compatible with neighboring land uses.
- To ensure public input into decisions affecting future commercial development in the Town.
- To strictly limit any further development of non-resource industrial developments in the Town other than in the designated properly zoned area.
- Where such facilities currently exist, their expansion or intensification will be limited.
- Any expansion or intensification shall require Development Bylaw and Official Plan amendments.
- To work with the local church group to maintain the viability of small churches.
- To continue to recognize the historical value of the local cemeteries.
- To work with the representatives of the Bloomfield Legion to maintain the viability of the Legion.
- To work with auto recyclers and the Provincial Government to ensure the Automobile Reclamation sites are appropriately managed to protect surface and ground water.
- To prevent any further development of automobile reclamation development in the Town.
- Where such facilities currently exist, their expansion or intensification will be limited.
- Any expansion or intensification shall require Development Bylaw and Official Plan amendments.
- To protect the safety of the travelling public.
- To maintain the safety and efficiency of Route #2.
- To limit unsafe turning movements on all roads in the Town.
- To ensure a high level of maintenance on all roads in the Town.
- To limit strip development.
- To protect the quality and quantity of ground and surface water resources.
- To protect air quality.

## **5.0 GENERAL LAND USE PLAN**

The General Land Use Plan will be a conceptual representation of the direction Council envisions land use patterns emerging over the next fifteen years. It will lay the foundation and establish the direction for a Zoning Map in the Development Bylaw, which is normally more precise in terms of boundaries and land use designation. The Zoning Map will conform to the General Land Use Plan.

In formulating the General Land Use Plan, Council will apply the following criteria:

- land use conflicts shall be minimized.
- commercial development shall be limited and directed toward established commercial clusters.
- new accesses to Rte #2 shall be limited.
- no new large scale residential development is envisaged.
- agriculture shall remain the dominant land use in the community.
- all other relevant policies and principles included in this Plan shall be implemented.
- industrial development shall be discouraged unless directly related to the primary sector.

## **6.0 IMPLEMENTATION**

### **6.1 Administration**

Administration of this Plan shall be the responsibility of Council. Council shall, however, seek the input of Planning Board on matters pertaining to the Plan. The primary implementation tool for this Plan will be the Development Bylaw. Aspects of the Plan may also be implemented through other municipal bylaws and regulations; Council's operating policies and procedures, the municipal budget and other appropriate Council actions. Council may also delegate aspects of the implementation of this Plan or the Development Bylaw to a Development Officer appointed by Council.

### **6.2 Development Bylaw**

Immediately upon the approval by the Minister of Finance, Energy and Municipal Affairs, Council shall amend its current Zoning and Subdivision Control (Development) Bylaw to be in conformance with the policies and provisions of this Plan, in accordance with the provisions of *the Planning Act*. This revised bylaw shall be referred to as the Town of Central West Prince Zoning and Subdivision Control Bylaw.

The Development Bylaw shall set out specific land use zones, permitted uses for each zone, standards and procedures for development and land use, and standards and procedures for the subdivision and consolidation of land in the Town. The Bylaw may also provide for "conditional" and "special permit" uses. Conditional uses shall be subject to such restrictive conditions as Council deems appropriate. Special Permit uses represent exceptions to the "permitted uses" in each zone and shall be approved at the sole discretion of Council.

#### **6.2.1 Approval of Development or Change of Use**

The Development Bylaw shall require any person undertaking any development, change of use of land or premises or subdivision/consolidation of land to apply for a permit using a standard application procedure. Exceptions shall be noted in the Bylaw. Council may attach such conditions as it deems appropriate to any permit in order to ensure conformance with this Plan. The Bylaw may also require submissions of a Construction Plan for the development outlining such details as construction phasing, stockpiling of soil, screening or fencing, erosion or run-off

control measures, heavy truck traffic access, hours of operation and any other items which could present a nuisance or hazard during construction.

Once the development is approved, a numbered permit will be issued which must be displayed at the site. The receipt of a development permit does not excuse the applicant from complying with any Provincial or Federal laws in force, such as fire protection, health and safety, sewage disposal, plumbing and electrical installation, disabled access. Council shall maintain liaison with appropriate Provincial officials during the permit issuing process.

### **6.3 Budgeting**

While the Development Bylaw and other bylaws passed under *the Municipalities Act* are the primary tools for controlling and directing development activities in the Town, the Town budget is the key policy tool for directing the annual activities of Council. As such, the budget is a key implementation tool for many of the policies and plan actions laid out in this Plan. To the extent practicable, the budget should conform to the policies of this Plan.

#### **6.3.1 Budget Policies**

Council has established the following fiscal policies as a framework to guide decisions on municipal revenues and expenditures:

- Council shall strive to maintain stable and affordable property tax rates.
- Council shall pursue all available options for cost-sharing and maximize financial assistance from other levels of government.
- Council shall pursue a “user pay” approach for programs and services where appropriate.
- Council shall not budget for an operating deficit in any year.
- Any incurred deficit shall be addressed as part of the subsequent annual budget if possible.
- Council shall continue to maintain low staff levels and contract out for specialized services until needs and projected savings warrant additional staffing.

## Town of Central West Prince

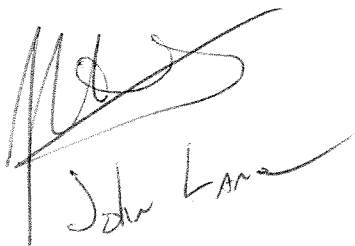
The town plans to hire a permanent, 32 hour per week administrator to manage the day to day business operations. The office will operate on a four day, eight hour per day schedule. The job description for the position is attached to this response. The office will be centrally located in the Town and will have all necessary equipment to operate in today's technological age.

The budget also allows for the hiring of a lawyer, an accountant, and a community planner consultant to assist in the initial stages of organizing the Town. This will assist in setting up Town by-laws, a financial system, and land use policies. There is also an allowance for the hiring of extra staff to assist the Town administrator in busy times (see budget attached).

In the initial stages economic development and emergency planning will be handled by committees of the Town Council with assistance from the administrator and local professionals such as those working for the Provincial and Federal Governments.

As per the original proposal most of the recreation programs will be in cooperation with those presently existing in O'Leary and Alberton; such activities as hockey and softball. This only makes since the capital output for rinks and ball fields has already been made in these communities and a critical mass of participants is needed to form teams. The Town does plan to hire a recreation director for the summer months to coordinate other recreational programs such as soccer, golf, freesbie, adult evening programs and other activities not presently offered in the area. This position will contingent on appropriate funding being secured (as per budget).

The budget is based on 2009 property assessment figures as multiple request for 2012 assessment figures where ignored by Department staff.



John Lane