

Request for Decision

Title	Acquisition of Land for Bridge Replacement (Lot A, Plan 1945RS) Conditional Sale and Purchase Agreement
Proposed Motion	<ol style="list-style-type: none"> 1. That Council rescind Motion 014/22. 2. That the Conditional Sale and Purchase Agreement, dated October 6, 2021, between the County and the owners of Lot A, Plan 1945RS be approved. 3. That the portion of the original Government Road Allowance adjoining the east boundary of Lot A, Plan 1945RS shown on the survey attached as Schedule "A" to this resolution, dated February 28, 2022 and prepared by Sara Spence, ALS, be closed in accordance with section 24 of the <i>Municipal Government Act</i>, RSA 2000 c. M-26, as that area is not required for use by the travelling public due to the existence of an alternate route.
Administrative Recommendation	Administration recommends that Council approve the closure and sale of the undeveloped road allowance in accordance with the conditional sale and purchase agreement dated October 6, 2021.
Previous Council / Committee Direction	<p><u>January 11, 2022 Regular Council Meeting:</u> Motion 014/22: That Council approve the Conditional Sale and Purchase Agreement dated October 6, 2021 for Plan 1945Rs, Lot A and consent to the closure of the undeveloped road allowance in accordance with section 24 of the <i>Municipal Government Act</i>.</p> <p>Motion 015/22: That the Request for Decision and attachments of item 7.2 of the January 11, 2022 Council Meeting Agenda remain confidential in accordance with section 24 (advice from officials) and section 25 (disclosure harmful to economic and other interests of a public body) of the Freedom of Information and Protection of Privacy Act.</p> <p><u>April 27, 2021 Regular Council Meeting</u> Motion 264/21: That Council approve an expenditure of up to \$450,000 for the Bridge Project itemized in Attachment 1 to be funded by Road Network Reserve.</p>

<p>Report</p>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • In April 2021, Administration commenced negotiations with a landowner for bridge project BF 85388 (Culvert Replacement). • The landowner requested an exchange for road closure for the acquisition of land for the bridge project. To accommodate this, request the County had several discussions regarding a possible Memorandum of Understanding (MOU). • The landowner's legal counsel requested a section 30 agreement instead of a MOU agreement. Section 30 allows for mutual agreement for a sale to occur following the rules of the <i>Expropriation Act</i>. • The neighbouring landowner raised concerns regarding the access to a portion of their property that was accessible through the undeveloped road allowance. The conditional sale agreement makes an allowance to maintain access. • In December 2021, the section 30 agreement was executed. • At the January 11, 2022 Council meeting, Council approved the Conditional Sale and Purchase Agreement dated October 6, 2021 for Plan 1945Rs, Lot A and consented to the closure of the undeveloped road allowance in accordance with section 24 of the <i>Municipal Government Act</i>. • In February 2022, Land Titles identified that the Council motion requires more specificity regarding the boundaries of the road allowance to be closed. • On the advice of legal counsel, Administration recommends that Council rescind the original motion approving the closure of the undeveloped road allowance and pass two motions which will meet Land Titles requirements. • Administration views this as a "housekeeping" item. It is not recommended that the County re-engage the landowner in negotiations. <p><u>External Communication</u></p> <ul style="list-style-type: none"> • The parties' legal representatives will be advised of Council's decision. <p><u>Relevant Policy/Legislation/Practices:</u></p> <ul style="list-style-type: none"> • <i>Municipal Government Act</i> • <i>Expropriation Act</i>
<p>Implication of Administrative Recommendation</p>	<p><u>Strategic Alignment:</u></p> <p>Planned Growth - Completing this transaction facilitates completion of the emergency bridge replacement and demonstrates commitment to the community to maintaining and updating existing infrastructure.</p> <p><u>Financial:</u></p> <p>None.</p> <p><u>Organizational:</u></p> <p>None.</p>

Alternatives Considered	None.
Implications of Alternatives	<u>Strategic Alignment:</u> None. <u>Financial:</u> None. <u>Organizational</u> None.
Follow up Action	1. Provide new Council motions to legal counsel (Transportation and Engineering Services, Q2 2022).
Attachment(s)	1. Attachment 1: CONFIDENTIAL Conditional Sale and Purchase Agreement 2. Attachment 2: Schedule "A" – Survey for Road Closure
Report Reviewed by:	Gary Mayhew, Director, Transportation & Engineering Services Scott MacDougall, Acting County Commissioner – CAO

Strategic Alignment Checklist

Vision: *Offering a rich tapestry of historical, cultural, and natural experiences, Sturgeon County is a municipality that honours its rural roots and cultivates desirable communities. Uniquely situated to provide world-class agricultural, energy, and business investment opportunities, the County prioritizes responsible stewardship and dreaming big.*

Guiding Principles: Collaboration | Accountability | Flexibility | Excellence | Safety | Future Readiness | Affordability | Innovation

Community Outcome	Not consistent	Consistent	N/A
Planned Growth			
<ul style="list-style-type: none"> Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Modern broadband and digital capabilities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Low cost, minimal red-tape regulations 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thriving Communities			
<ul style="list-style-type: none"> Beautiful, surprising places with high standards; integrated natural spaces & trail systems; healthy and resilient 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Engaging cultural, historical, and civic amenities; strong community identity and pride 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Stewardship			
<ul style="list-style-type: none"> Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Sustainable development; partnerships with industry and others to drive emission reductions 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Collaborative Governance			
<ul style="list-style-type: none"> Predictable and stable external relationships; volunteer partnerships 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Meaningful connections with Indigenous communities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Respectful and informed debate; clear and supportive governance processes 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operational Excellence			
<ul style="list-style-type: none"> Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Quality cost-effective service delivery; robust procurement and operational practices and policies; asset management and performance measurement; careful debt and reserve stewardship; long-term financial planning and sustainability 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Future focused thinking to proactively respond to emerging opportunities and challenges 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Alternative revenue generation and service delivery models integrated strategic and business planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>