

**TOWN OF LUMSDEN  
MINUTES OF THE SPECIAL MEETING HELD ON  
SEPTEMBER 6<sup>th</sup>, 2011**

The Lumsden Town Council convened a special meeting in the Council Chambers of the Town Office, on the evening of Tuesday, September 6<sup>th</sup>, 2011 at 6:36 p.m. with Mayor Bryan Matheson presiding.

**Present:** Mayor: Bryan Matheson  
Councillors: Sid Sikorski, Al Sulma, Rhonda Phillips,  
Doug Mader

Administrator: Darcie Cooper

**Absent:** Councillor: Dan Kirby, Jayne Leibel

**OLD BUSINESS:**

**Hildebrandt/Simcoe Phase I Performance Security and Service Installation Extension:**

371-11 Mader/Sulma: "That we agree to lift the Stop Development Order for Phase 1 of the Hildebrandt/Simcoe subdivision for land legally described as Lot 1, Block 1, Plan 102030983 and Lots 1-8, Block 2, Plan 102030983 subject to the following:

- The municipality receives an irrevocable letter of credit in the amount of \$70,000, as recommended by the Arbitration Tribunal, and that this amount represents 50% of the estimated cost of construction of the required surface work for the development which will be held in accordance with the servicing agreement
- The municipality receives a certified cheque, **or payment is made to the Solicitor in trust**, for costs in the amount of \$12,500 as awarded to the municipality by the Arbitration Tribunal; and

That we agree to return the letter of credit in the amount of \$25,000, as soon after the December 1, 2011, one year maintenance period for the underground services as is reasonable, subject to the following:

- All conditions of the Servicing agreement are met, including the developer making written application to the municipality for a letter of final acceptance of the underground services installed for phase 1, as per Section 11.8
- The record drawings for the underground services, that were required at the completion of the installation of the services, are received by the municipality in accordance with Section 2.6 of the servicing agreement; and

That we agree to the foregoing and we approve the Developer's request to extend the 2 year time frame for the installation of the surface work as stated in Section 2.7, to October 2012, subject to the following:

- The developers cease all legal action pertaining to anything related to Phase 1. "

**CARRIED**

**Hildebrandt/Simcoe Subdivision – Legal Response Authorization:**

372-11 Phillips/Sikorski: "That we authorize our solicitor, Pat MacDonald, to send a letter to Ronald Hildebrandt and Mary Jane Simcoe's solicitor regarding resolution #371-11; and

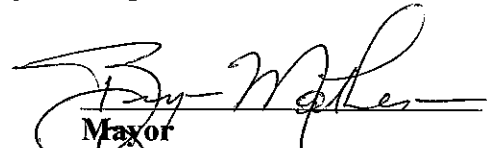
That once our solicitor is satisfied that all requirements of resolution #371-11 have been met, we authorize the removal of the Stop Development Order registered on the property."

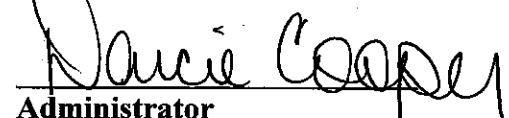
**CARRIED**

**Adjournment:**

373-11 Sulma/Sikorski: "That we adjourn this meeting at 7:26 p.m."

**CARRIED**

  
Mayor

  
Administrator