

MINUTES – VILLAGE OF HARVEY

Special Meeting

April 10, 2020

2:00 P.M. Teleconference due to COVID-19

Attending via Teleconference, Mayor Gamblin, Councillor MacMullin, Deputy Mayor Corey, Village Clerk-Amber Binney, Harvey Improvement Association Members Peter Pheeneey, Michael Fletcher, Ivan Sears and Stuart Blair

The Meeting began at 2:09 pm.

Mayor Gamblin opened discussion regarding the proposed Lakeshore Lease with Harvey Improvement Association (HIA) members attending.

For ease of discussion, attendees agreed that Deputy Mayor Corey would examine the Document point-by-point to voice the Villages concerns. Mayor Corey stated concern regarding section 3.4, Option to Renew. He stated that the Village would like the Lease to be in effect for longer than five years, or that the Lease be automatically renewed unless one of the parties communicates in writing before the expiration of the term. Mr. Pheeneey stated that HIA wants a five-year term to ensure that Members are periodically reviewing the Lease, specifically due to the fluctuation of Board Members.

In regard to Section 4.1, Deputy Mayor Corey stated that the wording suggests that the Village must surrender any improvements to the Landlord. He expressed concern regarding this because the Village must be able to remove all Village assets in a specified timeframe. Mr. Pheeneey suggested that HIA could include a 90 day clause for the Village to remove assets.

Deputy Mayor Corey questioned Section 4.3 (a), regarding the Lease premises to become vacant for 30 days or more, specifically due to the lack of use through the winter season. Mr. Pheeneey stated that if the Village plans for upgrades or maintenance in the following year, the Village is deemed to be occupying the property.

Councillor Howse stated concern regarding the wording of the Lease, specifically Section 4.3(g) should the Village and surrounding area become a Rural Community. Later in the Document Section 9.3 allows for a change in heirs, administrators, etc. but Section 4.3(g) does not. Mr. Pheeneey stated that HIA supports modifications to the Lease for consistency.

Deputy Mayor Corey stated that the Villages' primary concern is Section 5.3 Tenant Alterations. He stated that this Section specifies that the Village attain prior written consent before any alterations of improvements can be made. Additionally, it states that all alterations or improvements become property of HIA without compensation to the Village. Deputy Mayor Corey stated that the Village would not plan to make any future developments on the property, but would continue to keep the existing structures in good order and perform maintenance if the wording remains as is.

Mr. Pheeneey stated that HIA Members expressed concern after work was completed in 2019 with no previous consultation with the Board. Due to this, the Board will require notification prior to upgrades in the future to avoid a reoccurrence. Deputy Mayor Corey expressed concern regarding the notification and prior approval due to the scheduling of Village Council meetings and HIA meetings.

The Clerk suggested that maintenance be exempt from Section 5.3, and that only Capital items are included in the notification process.

Deputy Mayor Corey stated that the Village cannot insure HIA as stated in Section 7.1(b) because they are not a Village Board and that the Village wishes to remove Section 4.3 e) and f) because the Village cannot declare bankruptcy.

After discussion, it was agreed that the Village prepare modifications to the Lease document and submit them to the Board for discussion and deliberation.

The Clerk informed HIA members that the Village has re-opened its parks and the Trail in the Village with posted guidelines for social distancing. The Clerk agreed to email the signage to Stuart Blair to distribute to the Board.

Mayor and Council thanked the Members for attending the teleconference and Deputy Mayor Corey stated that he and the Clerk will start working on the modifications during the following week.

The teleconference concluded at 3:04pm.

Certified Correct,

Amber Binney
Clerk

Winston Gamblin
Mayor