

**Mayne Island Improvement District
Special Meeting of the Board of Trustees
Date: Tuesday, October 26, 2010
Location: MIFRS Fire Hall Boardroom**

CALL TO ORDER:

Chair, Jim Marlon-Lambert called the meeting to order at 5:00 p.m.

PRESENT:

Trustees:

Tracey DeRousie, Jon Hoff, Jim Marlon-Lambert; Aaron Somerville; David Maude

Staff:

Administrator: Moira McCulloch

Recording Secretary: Gerrie Wise

ABSENT WITH NOTICE:

None

GUESTS, MEMBERS OF PUBLIC PRESENT:

None

REQUEST FOR ADDITIONS TO/ APPROVAL OF AGENDA:

Tax Sale Date and location

MOTION

Trustee Tracey DeRousie moved and Trustee Aaron Somerville seconded the motion to approve the agenda. **CARRIED UNANIMOUSLY**

APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)

Minutes of the Board Meeting of October 21, 2010

MOTION

Trustee Jon Hoff moved and Trustee Tracey DeRousie seconded the motion to defer the approval of the Minutes of October 21, 2010 until the regular Board meeting November 18, 2010 **CARRIED UNANIMOUSLY**

NEW BUSINESS:

Tax Sale

Chair introduced the topic by explaining that the Improvement District Board of Trustees must approve a new date and place for the proposed Tax Sale. Discussions with the lawyers on October 25, 2010 confirmed that under a new ruling by the Supreme Court of Canada, 60 days, plus 7 days for presumed receipt of the Notice, has to be allowed for the process of informing the delinquent tax payers. This means we have to allow 67 days from the date of mailing the Notice to the date of the Tax Sale. The date of the Tax Sale will need to be January 8, 2011. The Mayne

Island Agricultural Hall has been reserved for January 8, 2011 for the Tax Sale. The Tax Sale Notices will be sent to Property Owners on Monday, November 1, 2010.

MOTION

Trustee David Maude moved and Trustee Aaron Somerville seconded the motion to hold the Tax Sale of properties for which the 2007 and/or 2008 Mayne Island Health Centre and Heliport Taxes are in arrears under Section 762 of the Local Government Act. Said Tax Sale to be held on January 8, 2011 at the Agricultural Hall, 430 Fernhill Road, Mayne Island, starting at 12:00 PM Noon and ending at 3:00 PM.

CARRIED UNANIMOUSLY

A brief discussion ensued:

Trustee Jon Hoff: Who will run the Auction?

Chair: the Lawyer recommended finding an Auctioneer, and this is being done. The Lawyer and a Ministry representative will attend the Tax Sale.

Trustee John Hoff: What is the requirement for Public Notification?

Chair: First, the Taxpayer is notified, then, within the process, the public is notified. The \$1,000 charge may be applied November 8, 2010 (7 days after notice).

Trustee John Hoff: "as of the November 8 deadline, is the \$1,000 fee to be shown as an account receivable and a suspense account set up?"

Chair: All actions are being reviewed by the lawyer and this question will be part of legal advice.

Issues include:

- i) Lawyer will advise the status on an individual basis of any payment received after November 8, 2010 but before January 8, 2011;
- ii) If any Property is sold far in excess of taxes, penalties, interest and legal fees, the balance would be returned to the owner with no interest payable;
- iii) If no one purchases the property, the property reverts to MIID to deal with as the Board may decide, with no residual payment to owner.

ADJOURNMENT:

The Meeting was adjourned at 5:25 PM by "Paddy`s Motion" made by Trustee Tracey DeRousie.

Approved:

Jim Marlon-Lambert, Chair

Date:

Recorded and presented by:
Gerrie Wise
Recording Secretary