

The President's report is an opportunity for us to share successes and challenges of the past year.

As we only get one opportunity a year to update you all in this format, I feel it is worth covering both the larger topics as well as the less significant ones.

Maybe this way you will have some idea of what it is that we do all year!

I have provided an outline of topics I will cover and I will warn you it is lengthy so please get comfortable.

(Land Transfer)

The ongoing saga of the property line dispute has finally come to an end. It was reported at the last AGM that an agreement was reached to return the land on the East side of the paved pathway to the Trust. In fact, the deed was only registered this week. The survey (on the wall) shows the area that has been returned after a lengthy and tiresome battle. Some of the required steps to make this happen were things such as survey work, City approval, approval from the island regulatory commission, and legal work. We finally received the survey plan and property description, ready to be registered, when we found several errors and we had to go back and request corrections. Each time one of these corrections is made it can take weeks or even months. The upside is that it is finally returned to the Trust without the much fought over restrictive covenants. The additional 5 acres of land brings the total amount of land owned by the Trust up to 143.5 acres.

(NAPA)

Our NAPA application is still in the pipeline after numerous delays. Although we were 90% of the way to approval a few years ago, our application was essentially pulled in order for the Province to assess their possible future needs regarding the property. Unfortunately, this has resulted in the province requesting and additional 4 acres be exempt from NAPA for future road work. They have plans to install a round about at the Upton Road/Trans Canada intersection and want a 2 acre area at the corner exempted from NAPA in order to do the work required. They have also requested 2 acres running along the northern side of the Trans

Canada highway. We are currently negotiating their request for additional exemptions for road signage. Now that we have the property line restored, and once we finalize the last details of this latest hurdle, we will finally be able to complete the NAPA process and have our application approved by Executive Council.

#### (Charitable Status)

Charitable Status under the Canada Revenue Agency allows the Trust to receive donations while providing a tax receipt to the donor. Otherwise, we would have to claim any income and it would be taxable.

Our second application to CRA for charitable status is still pending. I met with our lawyer just this morning and despite the fact that our application was resubmitted almost 6 months ago, it has yet to be even be assigned to anyone.

As you may know, we were required to change our bylaws in order to qualify for charitable status as per the CRA. Ryan McDonald, our legal counsel, worked on these with the guidance from CRA. We require three quarters of the membership to vote in favour of these changes in order to proceed. Our bylaws state that we must publish the intent to change the Objects and Purposes 6 months prior to a vote, which we did.

I also published the revised “Objects and Purposes” on our website sometime ago for your review.

The original “Objects and Purposes” referred to a Schedule D (also known as the Vision Statement for the Upton Farm Preservation Network). The new “Objects and Purposes” eliminate this reference but we will move that this Vision Statement is to be considered by the board in managing the affairs of the trust on a go forward basis. We will deal with this bylaw change during the meeting this evening.

#### (Provincial Board seats)

As per our Bylaws, we require two members of the Prov. Gov. to sit on our board. At last years AGM, those members were Brian Douglas, the Deputy Minister of Transportation and Infrastructure Renewal, and John MacQuarrie, Deputy Minister of the Department of Environment, Energy and Forestry This past November, Brian Douglas resigned from our board is his retirement from the department was imminent. We chose at that time to wait until the provincial election was finalized before determining his

replacement. Since the provincial election, John MacQuarrie has moved over to the department of Transportation and Infrastructure renewal as deputy minister. He has agreed to remain on our board in his new position. He was unable to join us tonight but has confirmed his commitment to Upton for the long haul, which is great news. This still leaves a vacant provincial government seat and we will be addressing this in the very near future.

(Off Leash Agreement for adjacent land)

To date, we still have not received an agreement from government to use the adjacent property to expand the proposed off leash area. To give you an idea of the timeline, we began the process in November 2013. First it was to be a "memorandum of understanding", then a "license agreement". Last I heard, our insurance policies were being reviewed by provincial government "risk management" to ensure our coverage meets their needs. Without this agreement in place, we cannot proceed with the desired off leash area. Again I am told that this agreement is imminent. Stay tuned.

Since the last AGM, several neighbours had voiced their concerns to the board and to the city and Province about having off leash dogs so close to their homes on the Hurry Road. The board concluded that fencing along the Hurry Road will be required in order to make the off leash area successful and safe for all. One quote that was received for basic fencing of 2000 feet along the Hurry Road came in at a cost of approximately \$10,000.

We applied to the city for assistance in financing the fence that is required and we were just recently rejected. We had hoped that the city would cost share this much-needed project with the province. Again stay tuned.

(Property Taxes)

I will let our treasurer, Doug McDonald, elaborate on this when he presents his treasurers report. I just wanted to make a quick comment on the subject of property taxes. When the Upton Farm Preservation Network initially began the process of acquiring ownership of the Upton Farmlands it was understood by us that if the property was designated under the Natural Areas Protection Act (NAPA) that it would be exempt from property taxes. The reality was that only be provincial portion of the property taxes was

waived. We still hoped and believed that the City would also waive property taxes considering the role that Upton plays within the city of Charlottetown and the benefits for its citizens. We have just recently been informed that our application for a grant in lieu of the property taxes has been rejected by the city placing us in a precarious position of owing over \$20,000 in back taxes and interest and an unexpected ongoing expense of approximately \$5000 annually. It is our hope that our appeal of this decision will be successful.

#### (Legal Bills)

I am pleased to report that the \$4000 legal bill (from November 2013) that had accrued for work on the land transfer was finally paid by the Department of Innovation. It was my understanding that our law firm, Key Murray Law reduced the bill by 20% as it was 'for a good cause'. The Department (at our insistence) also covered the legal work to complete the task and get the land transfer completed. It was always our contention that the requirement for legal work was due to their error and therefore, they should pay the bill.

We have however, incurred and paid a legal bill of \$750 to do the work required for getting Charitable Status with CRA.

#### (Option to Purchase)

In our Memorandum of Understanding (MOU) signed with the province in 2009, there was a "option to purchase" clause which allowed the province the right to purchase a small strip of land adjacent to the new Prince Edward Home. This land is approximately 2 acres consisting of a 300 meter long strip along the northern edge of the Prince Edward home property. That option would have expired in 2016. When they informed us of the plan to exercise this option it was suggested that they extend it instead. They chose to do this and have extended the option to June of 2019. To clarify, we had been led to believe at the time the agreement was drawn up, that they did not intend to exercise the option. But we were told differently on our last meeting with government on this topic.

#### (Upton Sign on Trans Can)

Hopefully you have noticed that the old Canada Lands sign was refurbished and now proudly displays the new ownership of the property. I

want to thank the Department of TIR for this work. It was much more involved than we expected but I think the results are worth it.

(Culverts)

There are two culverts located on the paved path at Upton. Both have been deteriorating for some time and the Northern culvert developed a sink hole this past fall. In receiving quotes in the range of \$30,000-\$50,000 to replace both culverts, we were forced to hire a contractor to repair the northern culvert in order to buy us some time. How and when these culverts will be replaced has not been determined. The repair cost the Trust \$\_\_\_\_\_ and we hope it holds for several years.

(Confederation Forest/MacPhail Woods)

Last spring, as part of the 2014 Fund, the MacPhail Woods project planted over 700 trees and shrubs on Upton's Southern property. They also plan to continue planting this summer and fall, and we just got word that they will hold a planting session on this coming Canada Day. Please watch the website for details to come. We are so pleased that this project is ongoing. Also, Gary Schneider, in charge of the project, just informed me that he has put an application in to the Evergreen Foundation for plants and labour for the Upton Farmland property, for \$5000.

Well, that should bring you all up to date on Trust business. If anything that I have just spoken about brings up questions, please hold them until later in the meeting, during the question and answer period.

In closing, I want to take a moment and thank the members of the board for their years of service and dedication to Upton. Volunteers are an essential component of any successful community and the amount of time these folks have dedicated to Upton should be recognized.

It feels like we are on the verge of moving away from the bureaucratic and tedious aspects of getting Upton on it's way to what we have envisioned it could be. A green oasis, within the City of Charlottetown, open to all who respect it, to come and enjoy nature at it's finest.

Thank you.

