

AGENDA
A meeting of the Council of the Corporation
of the Town of Northeastern Manitoulin and the Islands
to be held on Tuesday, August 31, 2021
Electronic Format at 7:00 p.m.

1. Call to Order

2. Approval of Agenda

Disclosure of Pecuniary Interest & General Nature Thereof

3. Minutes of Previous Meeting

- i. Confirming By-Law 2021-47

4. New Business

- i. Manitoulin Health Centre – Fundraising request
- ii. Municipal Recognition – National Day for Truth and Reconciliation
- iii. Robinson Huron Treaty – Support
- iv. COVID Protocol – Rec Center

5. Correspondence

- i. Mr. Claudio Rocca – Re: Resolution 175-07-16

6. Minutes and Other Reports

- i. Mayor's Report

7. Adjournment

**THE CORPORATION OF THE TOWN OF
NORTHEASTERN MANITOULIN AND THE ISLANDS**

BY-LAW NO. 2021-47

Being a by-law of the Corporation of the Town of Northeastern Manitoulin and the Islands to adopt the minutes of Council for the term commencing December 4, 2018 and authorizing the taking of any action authorized therein and thereby.

WHEREAS the Municipal Act, S.O. 2001, c. 25. s. 5 (3) requires a Municipal Council to exercise its powers by by-law, except where otherwise provided;

AND WHEREAS in many cases, action which is taken or authorized to be taken by a Council or a Committee of Council does not lend itself to an individual by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NORTHEASTERN MANITOULIN AND THE ISLANDS ENACTS AS FOLLOWS:

1. THAT the minutes of the meetings of the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands for the term commencing December 4th, 2018 and held on:

August 24, 2021

are hereby adopted.
2. THAT the taking of any action authorized in or by the minutes mentioned in Section 1 hereof and the exercise of any powers by the Council or Committees by the said minutes are hereby ratified, authorized and confirmed.
3. THAT, where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the minutes mentioned in Section 1 hereof or with respect to the exercise of any powers by the Council or Committees in the above-mentioned minutes, then this by-law shall be deemed for all purposes to be the by-law required for approving and authorizing the taking of any action authorized therein or thereby or required for the exercise of any power therein by the Council or Committees.
4. THAT the Mayor and proper Officers of the Corporation of the Town of Northeastern Manitoulin and the Islands are hereby authorized and directed to do all things necessary to give effect to the recommendations, motions, resolutions, reports, action and other decisions of the Council or Committees as evidenced by the above-mentioned minutes in Section 1 and the Mayor and Clerk are hereby authorized and directed to execute all necessary documents in the name of the Corporation of the Town of Northeastern Manitoulin and the Islands and to affix the seal of the Corporation thereto.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
31st day of August, 2021.

Al MacNevin

Mayor

Pam Cress

Clerk

**The Corporation of the Town of Northeastern Manitoulin and the Islands
Minutes of a Regular Meeting of Council meeting held Tuesday, August 24, 2021
via Zoom at 7:00p.m.**

PRESENT: Mayor Al MacNevin, Councillors: Barb Baker, Al Boyd, Laurie Cook, Mike Erskine, William Koehler, Dawn Orr, and Bruce Wood

ABSENT: Councillor James Ferguson

STAFF PRESENT: David Williamson, CAO
Pam Cress, Clerk

Mayor MacNevin called the meeting to order at 7:00 p.m.

Resolution No. 236-08-2021

Moved by: B. Wood

Seconded by: M. Erskine

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands approves the agenda.

Carried

Resolution No. 237-08-2021

Moved by: W. Koehler

Seconded by: M. Erskine

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands now reads a first, second and third time and finally passes by-law # 2021-46 to adopt the minutes of Council for the term commencing December 4, 2018 and authorizing the taking of any action authorized therein and thereby.

Carried

Resolution No. 238-08-2021

Moved by: B. Wood

Seconded by: A. Boyd

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands does now adjourn at 7:37 pm.

Carried

Al MacNevin

Mayor

Pam Cress

Clerk



August 26, 2021

To the various municipalities across Manitoulin Island

To whom it may concern:

I am writing you in my capacity as the Communications and Development Co-ordinator of the Manitoulin Health Centre. As you may know, we have undertaken a renovation and expansion of the Mindemoya Emergency Department to better serve our patients, including our summer and seasonal residents. These improvements include:

- a clean line of sight to patient areas from the nursing station;
- greater patient confidentiality during a visit;
- a dedicated mental health observation suite;
- an extra bed in the trauma area;
- a larger chemotherapy suite and an infectious disease suite, complete with anteroom.

When complete, the Mindemoya Emergency Department will be a space which is larger, safer, more comfortable and welcoming for our patients, the doctors and nurses who provide much needed care. The renovations are scheduled for completion in July of 2022.

As part of our ongoing fundraising efforts, we will be launching a 50/50 draw mid September, fingers crossed!

We will be marketing via all the traditional means. I am hoping however, that you may be able to provide us with a little extra help. I am asking if you could include as part of your next utility/tax billing or other correspondence you may have with your residents, an insert highlighting the initiative. I can provide you with all the “stuffers” so there is no additional work required on behalf of your staff.

On behalf of the Manitoulin Health Centre, thank you for your consideration. I can be reached at the hospital at (705) 368-2300 ext 2335, on my cell at (705) 348-0961 or by email at ktimmermans@mhc.on.ca. Thank you for your consideration.

Yours truly,

Kelly Timmermans

KELLY (KT) TIMMERMANS
Communications and Development Co-ordinator
Manitoulin Health Centre

Dave Williamson

From: AMO Communications <Communicate@amo.on.ca>
Sent: August 23, 2021 12:29 PM
To: Dave Williamson
Subject: AMO Policy Update - Draft Resolution for Municipal Recognition of September 30th as National Day for Truth and Reconciliation, New Municipal Resource Materials

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August 23, 2021

AMO Policy Update – Draft Resolution for Municipal Recognition of September 30th as National Day for Truth and Reconciliation, and New Municipal Resource Materials

Recent discoveries of remains and unmarked graves across Western Canada have led to increased calls for all levels of government to immediately address the recommendations in the Truth and Reconciliation Commission's (TRC) Calls to Action.

All Canadians and all orders of government have a role to play in reconciliation. The TRC's 94 Calls to Action are addressed primarily to the federal, provincial, and territorial governments but also to municipal governments, the corporate sector, and the broader Canadian society. They cover a wide range of government responsibilities including child welfare, education, language and culture, health, justice, commemoration, museums and archives, training for public servants, and a few specific initiatives related to reconciliation.

At the August 14th Board Meeting, the AMO Board of Directors approved two resource papers to assist municipal councils' efforts to support Truth and Reconciliation.

The first resource paper provides an overview of the [Truth and Reconciliation Commission's \(TRC's\) Calls to Action](#) that municipal governments can address themselves.

The second resource paper provides ideas and options for [what municipal leaders, councils can do to better support and engage Indigenous residents and neighbours at this time](#).

These AMO resource papers are meant to be organic and to be revised/updated when appropriate and more municipal resource materials are available.

Municipal Recognition of September 30th as National Day for Truth and Reconciliation – Draft Resolution

The AMO Board of Directors encourages members to recognize September 30th as National Day for Truth and Reconciliation (also known as Orange Shirt Day with the adoption of the following resolution:

WHEREAS the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

AND WHEREAS the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;

AND WHEREAS all Canadians and all orders of government have a role to play in reconciliation;

AND WHEREAS Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

AND WHEREAS the Federal Government has announced September 30th, 2021, as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

THEREFORE, BE IT RESOLVED THAT the Council of the [municipality] of [placename] does hereby commit to recognizing September 30th, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to covid19@amo.on.ca.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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Association of Municipalities of Ontario
200 University Ave. Suite 801, Toronto ON Canada M5H 3C6



Robinson Huron Treaty LITIGATION FUND

August 20, 2021

VIA EMAIL: amacnevin@townofnemi.on.ca

Mayor Alan MacNevin
14 Water Street East
P.O. Box 608
Little Current, ON
POP 1K0

Dear Mayor MacNevin:

RE: *Restoule et al. v. the Attorney General of Canada, the Attorney General of Ontario and Her Majesty the Queen in Right of Ontario (Court File Nos. C-3512-14 & C-3512-14A).*

We are writing to you as the mayor of Northeastern Manitoulin and the Islands and our neighbour on Robinson Huron Treaty land. Stretching across northeastern Ontario, this Treaty land is bountiful and living on it comes with responsibilities for all of us.

The Robinson-Huron Treaty recognizes the political and economic relationship between the First Nations signatories and the Crown, including the sharing of revenues of any resource development on the lands involved in the treaty, which covers approximately 35,700 square miles of territory primarily in northeastern Ontario. The Crown has not acted honorably in maintaining its promises set out in the treaty and the Robinson-Huron Treaty Chiefs, successors of the original signatories, are acting on their responsibility to ensure that the terms of the Treaty are honoured.

In the phase 1 decision, the Ontario Superior Court found the Crown has a mandatory and reviewable obligation to increase the Treaties' annuities when the economic circumstances warrant reflecting a fair share of the value of the net Crown resource-based revenues generated from the territory. In phase 2,

Atikameksheng
Anishnawbek
Aundeck Omni
Kaning
Batchewana
First Nation
Dokis First Nation
Henvey Inlet
First Nation
M'Chigeeng
First Nation
Magnetawan
First Nation
Mississauga
First Nation
Nipissing
First Nation
Ojibways of
Garden River
Sagamok
Anishnawbek
Serpent River
First Nation
Shawanaga
First Nation
Sheguiandah
First Nation
Sheshegwaning
First Nation
Thessalon
First Nation
Wahnapiatae
First Nation
Wasauksing
First Nation
Whitefish River
First Nation
Wilkwemkoong
Unceded Territory
Zhilbaahaasing
First Nation

the Court found that the First Nation plaintiffs' claims are not barred by Ontario's limitations legislation and that the Government of Ontario does not benefit from the doctrine of Crown immunity.

Ontario appealed the decisions, but the appeals have not yet been decided. Canada did not appeal the decisions.

On August 13, 2021, we received correspondence from Crown-Indigenous Relations Minister Carolyn Bennett informing us that Canada is prepared to enter into negotiations and settle our ongoing annuities litigation out of court.

Canada's mandate to resolve this claim comes with the requirement that the Province of Ontario be party to the negotiations and settlement, given the shared responsibility for the diligent implementation of the Robinson-Huron Treaty between the Provincial and Federal Crowns. We write to you today to ask you to call upon Ontario to come to the table and enter into good faith negotiations to resolve this ongoing dispute.

The Robinson Huron Treaty Anishinaabek want to move forward with treaty renewal and the rebuilding of our relationship with the Crown in right of Ontario and Canada. We urge you to communicate support for negotiations as the means of resolution to the Government of Ontario.

A settlement of this claim will not only assist the Robinson-Huron Treaty Nations achieve improved health outcomes and economic development, but your municipality will also benefit economically and all of northeastern Ontario.

Entering negotiations is an opportunity to strengthen communities and local economies in the Robinson-Huron Treaty territories as we rebuild after the pandemic, and a chance to move forward from unnecessary litigation in a way that benefits everyone in Ontario. The people of these 21 Robinson-Huron nations are locals, too. We shop in the same local stores and restaurants in Northeastern Manitoulin and the Island as you and we want to support the local economy.

Tell Ontario to come to the table and enter into good faith negotiations to resolve this ongoing dispute, ask your constituents to lend their support and uphold your responsibilities that come with living on this land.

Meegwetch for your consideration and we look forward to your earliest response.

Respectfully,

On behalf of the Robinson-Huron Treaty Leadership



Chief Dean Sayers

cc.

Laurie Cook
Barbara Baker
Al Boyd
Michael Erskine
Bill Koehler
Jim Ferguson
Dawn Orr
Bruce Wood



Recreation Centre
Postal Bag 608
Little Current, Ontario, P0P 1K0
(705) 368 2825 Phone
(705) 368 2429 FAX
rtaylor@townofnemi.on.ca

August 26, 2021

DRAFT PROPOSAL

NEMI RECREATION CENTRE

2021-2022 COVID 19 PROTOCOL

Requirements for User Groups

- User Group Co-ordinators to provide staff with a completed form with required information
 - Attendee Names – Players and Parents
 - Full Vaccination Date or Proof of a NEGATIVE test in the past 24 hours
 - Signature and Contact information of Co-Ordinator

Health and Safety

- Contact Tracing Log Completed by Users
- Masks worn inside the facility
 - Dressing Rooms, Stands, Lobby
 - No Mask Required to travel from Dressing Room to Ice Surface and vice versa
- Sanitize Dressing Rooms and High touch areas regularly
- One Way Travel
 - Specific Entry and Exit Points
- Facility Capacities based on Provincial Rules at the time

Restrictions

- All Public skates, Non-User Group rentals & Canteen on hold until review in January 2022
- All other pricing will remain the same, pre booking and documents will be required

Dave Williamson

From: GreatBig C <GreatBigC@hotmail.com>
Sent: August 23, 2021 11:19 AM
To: Laurie Cook; Barb Baker; Al Boyd; mreerskine@gmail.com; Jim Ferguson; orrw@vianet.ca; Mayor Al MacNevin; brucewood@explornet.com
Cc: Pam Cress; Dave Williamson
Subject: RE: Manure on road allowance etc.
Attachments: 3583_001.pdf

RE: Resolution 175-07-16

Attention Mayor MacNevin, CAO, Clerk and Councillors:

My wife contacted the Town clerk Pam Cress and CAO Williamson on March 30th, 2020, and she also later sent correspondence to most of you on September 15th, 2020, regarding the attached Resolution. You have ignored and refused to acknowledge her written complaints and subsequently Mr. Bayer applied manure again in 2020.

You have now been made aware that Mr. Bayer has been applying manure without permission on NEMI land. The Resolution allows haying and cropping only and not manure application. The area in the Resolution accounts for **less than 1%** of Mr. Bayer's available acreage for manure application and is not worth the taxpayer's liability in a future civil suit or an environmental matter. According to OMAFRA publications: **Environmental matters - This clause addresses the issue of environmental policies and responsibilities. In the event of an environmental problem, landlords, as owners of the lands, are ultimately responsible for activities occurring on their land.**

Mr. Bayer has also discharged manure into the ditches on Indian Mountain Rd in front of 1439 Indian Mountain Road and has left several rotting hay bales in your ditches and on the road allowances near my land. There is a blatant favoritism towards your former employee, Mr. Bayer to grant him special privileges on town land that are directly causing me nuisances and a loss of use and enjoyment. NEMI road allowances, according to your very own bylaw and paid notices in the paper, are for the use and enjoyment of **all** residents. You are putting the municipality in a vicarious liability position. You have not shown any duty of care or due diligence regarding these matters as per Pam Cress' response to my wife's FOI request stating that the Town has no other communications or further documentation regarding this resolution or land use by Mr. Bayer.

Regarding Mr. Bayer's farming practices, he has protection from civil liability only for the 7 nuisances covered under the Act as an agricultural operation. However, this protection doesn't apply to non-farmers or property owners. Also, you may be liable under the Negligence Act of Ontario for nuisances and if there are any contraventions under the Ontario Water Resources Act, Environmental Protection Act, and the Nutrient Management Act. Don't forget this is the "Largest

Freshwater Island in the World"... you have an extra duty of care to the residents of Manitoulin Island including First Nations people (whose lands do about this agricultural operation).

NEMI refused repeatedly to charge Mr. Bayer, your former employee, for the toxic burning of tons of agricultural wrap doused in diesel on at least 3 separate occasions. You forced me to pick up this farmer's piles of burned agricultural wrap (his cousin, councillor Wood aided him with this) and my wife did sue Mr. Bayer successfully for it in court. NEMI also did not make him replant or restore NEMI land (as per your bylaw) after his extensive removal and burning of trees on NEMI land. NEMI used taxpayer dollars and resources (3 workers with a backhoe) to help his agricultural activities while physically blocking my use of this same unopened road allowance (so wrong that one of your councillor's remarked: "These are serious allegations of possible criminal behaviour..."). In November 2017, Mr. Bayer was charged with interfere with lawful hunt for harassing my wife and her girlfriend on a "girls' only deer hunt". It is my opinion that a man targeting 2 sole females in this manner is disturbing.... He also travelled on this same NEMI unopened road allowance to perpetuate this offense which he pled guilty to and had to pay damages and costs to my wife in Small Claims Court.

I am formally requesting that you cease and desist any manure application on these NEMI lands (including the discharge into the ditches within 30 meters of my well) and request that you clean up and prohibit the dumping of rotting hay bales on NEMI open and unopened road allowances immediately.

Respectfully submitted,

Claudio Rocca
1446 Indian Mountain Rd. Sheguiandah

cc: Al MacNevin, Dave Williamson, Pam Cress, Laurie Cook, Al Boyd, Barbara Baker, Mike Erskine, Jim Ferguson, Dawn Orr, Bruce Wood

(Please forward to Bill Koehler also)

**THE CORPORATION OF THE TOWN OF
NORTHEASTERN MANITOULIN AND THE ISLANDS
MINUTES OF COMMUNITY SERVICES/PUBLIC WORKS COMMITTEE
HELD ON THURSDAY, JUNE 23, 2016**

7:00 p.m. IN THE WATERFRONT ARTISAN INCUBATOR AND TECHNOLOGY CENTER

PRESENT: Mayor Al MacNevin, Councillors: Melissa Peters, William Koehler, Bruce Wood, Marcel Gauthier, Paul Skippen, Dawn Orr, Laurie Cook and Mike Erskine

STAFF PRESENT: David Williamson, CAO
Pam Cress, Clerk
Gary May, Manager of Public Works
Reid Taylor, Recreation Center
Darren Bailey, Fire Chief

Meeting was called to order at 7:00 p.m.

Disclosure of pecuniary interest and the general nature thereof

Motion No. 1

Moved by: M. Erskine

Seconded by: P. Skippen

RESOLVED THAT the Community Services/ Public Works Committee accept the agenda as amended.

Carried

Mr. Roy Bayer requested permission from Council to continue utilizing the road allowance between Lot 5 and 6 on Concession 10 in Bidwell Township for the purposes of haying or cropping.

Motion No. 2

Moved by: M. Erskine

Seconded by: P. Skippen

RECOMMENDS THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands proceeds In Camera for the purposes of discussing personal matters about an identifiable individual, including municipal or local employees.

Carried

Motion No 3

Moved by: M. Erskine

Seconded by: B. Wood

RESOLVES THAT the Community Services/Public Works Committee does now Rise and Report.

Carried

Motion No. 4

Moved by: W. Koehler

Seconded by: M. Skippen

RESOLVES THAT the Community Services/Public Works Committee now adjourns at 8:24 p.m.

Carried

Al MacNevin Mayor

Pam Cress Clerk

**The Corporation of the Town of Northeastern Manitoulin and the Islands
Minutes of a Regular Council meeting held Tuesday, July 5, 2016
in the Waterfront Artisan Incubator and Technology Center at 7:00p.m.**

PRESENT: Mayor Al MacNevin, Councillors: Marcel Gauthier, William Koehler, Michael Erskine, Laurie Cook, Melissa Peters, Bruce Wood, Paul Skippen and Dawn Orr

STAFF PRESENT: David Williamson, CAO
Pam Cress, Clerk

Mayor MacNevin called the meeting to order at 7:00 p.m.

Disclosure of pecuniary interest and the general nature thereof - Nil

Resolution No.171-07-16

Moved by: P. Skippen

Seconded by: M. Gauthier

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands approves the agenda.

Carried

Resolution No. 172-07 -16

Moved by: B. Wood

Seconded by: P. Skippen

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands reads a first, second and third time and finally passes By-Law No 2016-26 to adopt the minutes of council for the term commencing December 2, 2014 and authorizing the taking of any action authorized therein and thereby.

Carried

Resolution No. 173-07-16

Moved by: M. Erskine

Seconded by: W. Koehler

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands reads a first, second and third time and finally passes By-Law No 2015-32 as amended, being a by-law to regulate traffic and parking within the municipality, with the reduction of the speed limit on Tamarack Lane from 60km to 40km.

Carried

Councillor Skippen declared a conflict

Resolution No.174-07-16

Moved by: W. Koehler

Seconded by: M. Erskine

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands grants permission to Mr. and Mrs. Rocca to remove sufficient vegetation to permit an ATV access trail to the unopened road allowance adjacent to Bidwell Lot 6 Concession 9.

Carried

**The Corporation of the Town of Northeastern Manitoulin and the Islands
Minutes of Council
July 5, 2016**

Page 2

Resolution No. 175-07-16

Moved by: M. Erskine

Seconded by: W. Koehler

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and Islands grants permission to Mr. Bayer to hay or crop that portion of the unopened road allowance adjacent to Bidwell Lot 6 Concession 8 and Furthermore that Mr. Bayer is advised that this permission does not include the right to remove trees without the permission of Council.

Carried

Resolution No. 176-07-16

Moved by: L. Cook

Seconded by: D. Orr

Ontario has been the destination of choice for many immigrants who have added to the diversity of the province by bringing their culture, customs and language, even as they endeavor to acquire the ability to communicate in English.

The community of English as a Second Language learners are represented in all aspects of society, They are students in elementary and secondary schools, universities, colleges, public and private schools, adult education students pursuing literacy and basic skills, participants in workplace-training programs, researchers and subjects, volunteers and workers, employees and business owners, labourers and professionals, neighbours and friends.

The professional organization Teachers of English as a Second Language (TESL) Ontario hosts a conference in Toronto each year consisting of workshops, research symposia and a technology fair to maintain and expand the skills and abilities of its members.

Now therefore I, Al MacNevin on behalf of the Town of Northeastern Manitoulin and the Islands Council, do hereby proclaim November 20th to 26th, 2016 as "English as a Second Language Week" in the Town of Northeastern Manitoulin and the Islands.

Carried

Resolution No. 177-07-16

Moved by: B. Wood

Seconded by: M. Erskine

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands request that the McLeans Mountain Wind Project Committee consider the donation request put forth by Skate Canada Manitoulin in the amount of \$3500.

Carried

Resolution No. 178-07-16

Moved by: W. Koehler

Seconded by: M. Erskine

RESOLVED THAT the Council of the Corporation of the Town of Northeastern Manitoulin and the Islands do now adjourn at 7:28p.m.

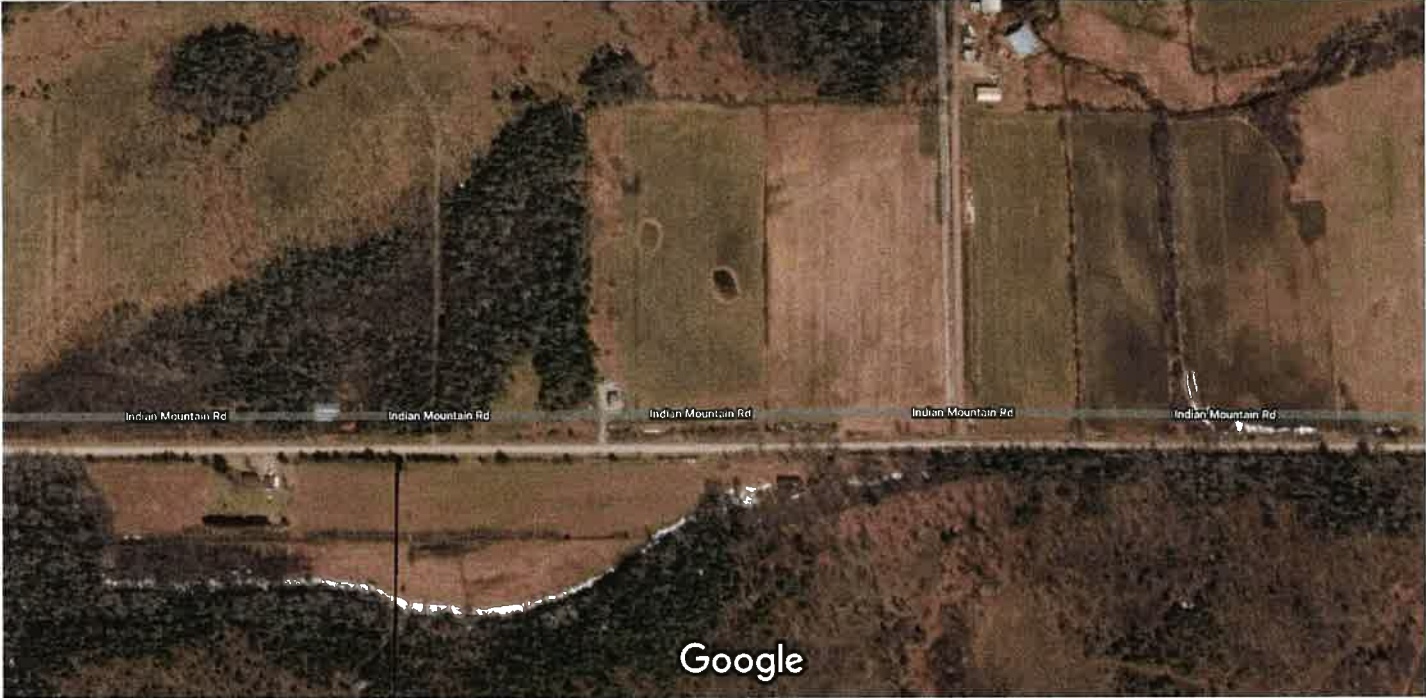
Carried

Al MacNevin

Mayor

Pam Cress

Clerk



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road allowance

