



## Rural Municipality of West River Council Meeting Minutes

<b>Meeting No</b>	2024-11	<b>Time</b>	7:00 PM
<b>Session</b>	Regular - Public	<b>Date</b>	Thursday, January 25, 2024
<b>Chair</b>	Helen Smith-MacPhail - Mayor	<b>Location</b>	Afton Community Centre
<b>Adoption status</b>	Approved	<b>Contact Person</b>	Laala Jahanshahloo - CAO

**Attendance** Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor John Yeo, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo - CAO, Susan Morse - Administrative Assistant

Regret Nil

Guest Nil

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:00 PM.

- **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor John Yeo, and unanimously carried.

- **Declarations of Conflict of Interest**

Nil

- **Delegations & Public Input**

Nil

- **Adoption of Previous Meeting's Minutes**

The November 22, 2023, Council Meeting minutes were approved as circulated. It was moved by Councillor John Yeo, seconded by Councillor Aaron MacEachern and unanimously carried.

The January 4, 2024, Committee of Council Meeting minutes were approved as circulated. It was moved by Councillor Steve Pollard, seconded by Deputy Mayor Shaun MacArthur and unanimously carried.

- **Discussion Items**

- **WRC.2024.11.1 - Bylaw # 2024-01 - Code of Conduct Bylaw - First Reading**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-01

**Moved by** Councillor Aaron MacEachern and **Seconded by** Deputy Mayor Shaun MacArthur

**WHEREAS**

The Municipal Government Act requires municipal governments to have code of conduct bylaws, and the Municipality adopted its first Code of Conduct Bylaw#2021-02 on January 14, 2021, and

**WHEREAS**

Code of conduct regulations was adopted on April 1, 2023, and gave municipal councils the framework to establish the expectations, rules, and procedures they need to create and maintain a safe and respectful council environment,

**BE IT RESOLVED**

The Rural Municipality of West River Bylaw number # 2024-01, the Code of Conduct Bylaw, be read and approved a first time.

**BE IT FURTHER RESOLVED**

The Council of Rural Municipality of West River authorizes the CAO to send the first reading of the Bylaw # 2024-01 - Code of Conduct Bylaw to be reviewed by Stewart McKelvey for legal review.

- **WRC.2024.11.1 - Revision - Interim Community Services Committee Terms of Reference**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-02

**Moved by** Councillor Lillian MacCannell and **Seconded by** Deputy Mayor Shaun MacArthur

**WHEREAS**

According to Municipal Government Act subsection 86.2 (e) (iii), the duties of the Council include establishing committees of council terms of reference, and

**WHEREAS**

Pursuant to Motion#2023-45, #2023-70, the Event Committee members and Interim Community Services Committee have the same members, and

**WHEREAS**

Pursuant to Motion#2023-77, the Council established the Interim Community Services Committee Terms of Reference, and

**WHEREAS**

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on January 4, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River adds the events committees' responsibilities to the previously established terms of reference for the Interim Community Services Committee.

- **FIN.2024.11.1 - 2024-25 Financial Plan - Public Meeting**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-03

**Moved by** Councillor Steve Pollard and **Seconded by** Councillor Ryan Roggeveen

**WHEREAS**

Under Section 151 (1) of the Municipal Government Act, not less than two weeks before adopting its financial plan, the Council shall give public notice and hold a public meeting with respect to the financial plan, and

**WHEREAS**

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on January 4, 2024,

**BE IT RESOLVED**

The Council for Rural Municipality of West River will hold a public meeting on February 6, 2024 (Afton Community Center 6:00 PM) to present the 2024-25 Financial Plan.

▪ **FIN.2024.11.2 - Mutter Park Salvage Harvest - Hiring Contractor**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-04

**Moved by** Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Steve Pollard

**WHEREAS**

Pursuant to Resolution # 2023-79, two companies responded to the Request for Quote to hire a "Contractor" Fiona Salvage Harvest 2023 RJ Mutter Park PID 227306 project, and

**WHEREAS**

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on January 4, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River selected the Request for Quote from M.J. R Logging Inc. at the cost of \$28,750.00 plus HST and authorizes the Chief Administrative Officer to execute the contract with a 20% upfront payment.

**BE IT FURTHER RESOLVED**

The Council for the Rural Municipality of West River appoints WRF Forest Management Service as the project manager for Fiona Salvage Harvest 2023 RJ Mutter Park PID 227306 project at a fee of \$3,000.00 plus HST, and any payment to the "Contractor" must be certified by the project manager to ensure compliance with the Scope of Work in the RFQ#2023-01 before submitting to the municipality.

▪ **FIN.2024.11.3 - Reception Centre Resiliency Funding Agreement**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-05

**Moved by** Councillor Lillian MacCannell and **Seconded by** Councillor Ryan Roggeveen

**WHEREAS**

The municipality applied for the PEI Reception Centre Resiliency Fund on December 6, 2023, and received approval for \$53,536 in reception centre upgrades on December 2023, and

**WHEREAS**

According to the Municipal Government Act Subsection (156) (5), a council may, by resolution, authorize the chief administrative officer alone to sign contracts and agreements, and

**WHEREAS**

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on January 4, 2024,

## **BE IT RESOLVED**

The Council acknowledges that signing this agreement to participate reflects the municipality's understanding of shared objectives and terms established by the Community Revitalization Program Funding Agreement between the Government Province of PEI and the Rural Municipality of West River and authorizes the CAO to sign the necessary documents and contracts on behalf of the Municipality.

### ▪ **FIN.2024.11.4 - Reception Centre Resiliency Funding Expenditures**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-06

**Moved by** Councillor John Yeo and **Seconded by** Councillor Aaron MacEachern

## **WHEREAS**

According to subsection (1) (a) of Agreement#2345-20-R87 for reception centre upgrades, the project shall commence by March 31, 2024.

## **WHEREAS**

Purchase Policy # 2022-03 was followed for each item mentioned in Schedule A of Agreement#2345-20-R87, and

## **WHEREAS**

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on January 4, 2024,

## **BE IT RESOLVED**

The Council approves the following vendors and authorizes the CAO to execute this resolution:

- Bonshaw CC kitchen upgrades - A1 Vacuum at the cost of \$3,987.68 + HST.
- Afton CC kitchen upgrades - A1 Vacuum at the cost of \$3,429.81 + HST.
- Accessible Showers (Complete Installation) - Cecil Thomas at the cost of \$28,900 + HST.

- The rest of the demolition and construction for the bar at Afton CC's Dart Room will be conducted according to the time and materials contract.

- **FIN.2024.11.5 - Appointing Auditor for the 2023-27 Fiscal Year**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-07

**Moved by** Councillor Lillian MacCannell and **Seconded by** Councillor John Yeo

**WHEREAS**

According to the Municipal Government Act Subsection (172) (1), a council shall appoint as auditor to conduct an annual audit of the finances of the municipality, and

**WHEREAS**

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on January 4, 2024,

**BE IT RESOLVED**

It was recommended that the Council appoint MRSB as the Municipality's auditor for three years.

- **FIN.2024.11.6 - Black Fly Program - Treatment Area 2024**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-08

**Moved by** Councillor Steve Pollard and **Seconded by** Councillor Aaron MacEachern

**WHEREAS**

Atlantic Bug Busters informed the CAO that surveying potential treatment areas is the same amount of work as treating areas for black flies, minus using the product, and

**WHEREAS**

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on January 4, 2024,

**BE IT RESOLVED**

The Council provides the Black Fly Program only for the former Community of New Haven Riverdale for 2024 according to be approved property tax rate.

- **FIN.2024.11.7 - Mutter Park Boundary Encroachment - Land Value**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-09

**Moved by** Councillor Steve Pollard and **Seconded by** Deputy Mayor Shaun MacArthur

**WHEREAS**

Setting the land value for the section of Mutter Park was considered the first step to resolve the Mutter Park Boundary Encroachment matter with the adjacent property owners, and

**WHEREAS**

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on January 4, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River sets the price for the 1.37 acres of PID 227306 (Mutter Park) as shown in Appendix A (attached hereto, forming a part of these minutes) at \$4000.

- **FIN.2024.11.8 - Schedule Fees - Municipal Owned Facilities**

**Decision Type:** Action

**Status:** Motion Carried (6-0)



**Description:** Motion 2024-10

**Moved by** Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Steve Pollard

**WHEREAS**

According to Fees Bylaw#2021-11 subsection (6.1), the Rural Municipality of West River establishes fees to be charged for recreation, and

**WHEREAS**

Pursuant to Fees Bylaw#2021-11 subsection (6.2), The Rural Municipality of West River may charge fees that are higher for persons or businesses that do not reside or maintain a place of business in the municipality, and

**WHEREAS**

Pursuant to Fees Bylaw#2021-11 subsection (6.3), Council may revise fees at any time by resolution, and

**WHEREAS**

This resolution bears the recommendation of the Interim Community Services Committee as discussed at a meeting held on January 23, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River establishes the following fees for Municipal Owned Facilities:

- Pricing Tiers: Residents of the Rural Municipality of West River get the listed pricing, and non-residents will pay double the amount payable by the residents.
- HST: A 15% Harmonized Sale Tax will be added to all the fees.
- Inman Park:
  - o No user fee for the public
  - o First come, first serve

- Any entity, other than individuals, who want to use Inman Park should provide a certificate of insurance coverage of a minimum of 2 million dollars and have the Rural Municipality of West River as an additional insured.
- Afton Community Centre:
  - Main Hall: \$200 deposit
    - \$25 per hour weekday; Minimum of 2 hours; Maximum of \$125 per weekday
    - \$30 per hour weekend; Minimum of 2 hours; Maximum of \$150 per weekend
    - Funeral \$50
  - Kitchen: \$100 deposit
    - \$35 per rental
  - Bar: Minimum of two bartenders, at \$50 each per rental
  - Downstairs (Dart Room):
    - \$150 deposit
    - \$15 per hour weekday; Minimum of 2 hours; Maximum of \$75 per weekday
    - \$20 per hour weekend; Minimum of 2 hours; Maximum of \$100 per weekend
    - Dart Teams: \$2 per player plus bartenders wages per rental
- Bonshaw Community Centre:
  - Upstairs: \$200 deposit
    - \$25 per hour (Both Rooms); Minimum of 2 hours; Maximum of \$120
    - \$20 per hour (Big Room); Minimum of 2 hours; Maximum of \$100
    - 15 per hour (Small Room), Minimum of 2 hours; Maximum of \$75

- Downstairs: \$100 deposit
  - \$10 per hour; Minimum of 2 hours; Maximum of \$50
- Funeral \$50
- Kitchen: \$100 deposit
  - \$30 per rental
- Bar:
  - Minimum of two bartenders, at \$50 each per rental
- Office Space:
  - Minimum \$300 per month plus \$300 security deposit and Renters Insurance
- Tennis Table:
  - \$10 per rental for 2 hours; Maximum of \$50
- Mutter Park Sport Fields:
  - Ball Diamond:
    - \$20 per hour
    - \$300 per season for two "time slots" per week
  - Soccer Field:
    - \$20 per hour
- **FIN.2024.11.9 - CAO Authorizing In-Kind Grant Limit**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-11

**Moved by** Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Ryan Roggeveen

**WHEREAS**

The Rural Municipality of West River's mission is to be a transparent and accountable government, to serve its residents and to protect what is valuable for the community, and

**WHEREAS**

This resolution bears the recommendation of the Interim Community Services Committee as discussed at a meeting held on January 23, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River authorizes the Chief Administrative Officer to approve grant applications from groups/organizations based in the Rural Municipality of West River for in-kind requests on behalf of the Municipality up to a value of \$150 plus HST.

- **FIN.2024.11.10 - Fiona Recovery 2023 - Withdraw from Reserve Fund**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-12

**Moved by** Councillor Steve Pollard and **Seconded by** Councillor John Yeo

**WHEREAS**

The PEI Disaster Financial Assistance Program does not pay recovery fees until the Municipality completely pays any cost related to the cleanup/recovery project caused by Fiona from its own budget has no provision for such sudden and big capital expenditure, and

**WHEREAS**

The CAO submitted the second claim for \$58,629.95 on December 4, 2023, through the PEI Disaster Financial Assistance Program and not received any reimbursement, and

**WHEREAS**

Pursuant to Reserve Funds Bylaw#2021-15 Section (6) Clause (6.3), all withdrawals from the Reserve Fund must be approved by a resolution of the Council, and

**BE IT RESOLVED**

The Rural Municipality of West River authorizes the Chief Administrative Officer to withdraw \$25,000 from the "Community Priority and Contingency Reserve Fund," transfer it to the Municipality's General Bank Account and replace it as soon as the PEI Disaster Financial Assistance Program payment has been received.

▪ **PLB.2024.11.1 - Initiating Official Plan and Land Use Bylaw Amendment**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-13

**Moved by** Councillor Aaron MacEachern and **Seconded by** Deputy Mayor Shaun MacArthur

**WHEREAS**

The Rural Municipality of West River's Official Plan and Land Use Bylaw guides the planning decisions of the Municipal Council, and these documents are living documents that require amendments from time to time, and

**WHEREAS**

This resolution bears the recommendation of the Planning Board as discussed at a meeting held on January 09, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River authorizes the CAO to initiate the process of amendments to the Official Plan and Land Use Bylaw.

▪ **PLB.2024.11.3 - Rezoning Request PID 202671**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-14

**Moved by** Councillor Lillian MacCannell and **Seconded by** Councillor John Yeo

**WHEREAS**

The Rural Municipality of West River received an application to rezone PID 202671, and

**WHEREAS**

The Rural Municipality of West River's Official Plan and Land Use Bylaw guides the planning decisions of the Municipal Council, and

**WHEREAS**

This resolution also bears the recommendation of the Planning Board, as discussed at a meeting held on January 09, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River has deferred the rezoning of PID 202671 until the legal opinion is received from the Municipality's lawyer.

▪ **PLB.2024.11.3 - Rezoning Request PID 491324**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-15

**Moved by** Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Lillian MacCannell

**WHEREAS**

The Rural Municipality of West River received an application to rezone PID 491324, and

**WHEREAS**

The Rural Municipality of West River's Official Plan and Land Use Bylaw guides the planning decisions of the Municipal Council, and

**WHEREAS**

This resolution also bears the recommendation of the Planning Board, as discussed at a meeting held on January 09, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River rejects the rezoning request of PID 491324

▪ **PLB.2024.11.4 - Rezoning Request PID 818500 - Public Meeting**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-16

**Moved by** Councillor Ryan Roggeveen and **Seconded by** Councillor Steve Pollard

**WHEREAS**

The Rural Municipality of West River's Official Plan and Land Use Bylaw guides the planning decisions of the Municipal Council, and

**WHEREAS**

A Public Meeting is required under Subsection 12.4 of the Rural Municipality of West River's Land Use Bylaw for rezoning, and

**WHEREAS**

This resolution bears the recommendation of the Planning Board, as discussed at a meeting held on January 09, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River authorizes the CAO to conduct a public meeting for the application on the rezoning of PID 818500.

▪ **PLB.2024.11.5 - Variance/Subdivision Request PID 219329**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-17

**Moved by** Councillor Steve Pollard and **Seconded by** Councillor John Yeo

**WHEREAS**

The Rural Municipality of West River received a variance application for subdivision of PID 219329, and

**WHEREAS**

The Rural Municipality of West River's Official Plan and Land Use Bylaw guides the planning decisions of the Municipal Council, and

**WHEREAS**

This resolution bears the recommendation of the Planning Board, as discussed at a meeting held on January 09, 2024,

**BE IT RESOLVED**

The Council for the Rural Municipality of West River approves the variation for subdivision of PID 219329.

▪ **PTY.2024.11.1 - Operation Schedule Municipal-Owned Parks**

**Decision Type:** Action

**Status:** Motion Carried (6-0)

**Description:** Motion 2024-18

**Moved by** Deputy Mayor Shaun MacArthur and **Seconded by** Councillor Aaron MacEachern

**WHEREAS**

The Rural Municipality of West River owns Inman Park (PID 512244), Rice Point Wharf Park (PID 203109) and Mutter Park (PID 227306),



## **BE IT RESOLVED**

The Council for the Rural Municipality of West River adapted Schedule A (attached hereto, forming a part of this minutes) to regulate the hours of operation for the municipality-owned parks.

- **OTR.2024.11.1- Letter from a Bonshaw Resident - Runoff Water**

**Decision Type:** Information

**Status:** Referred

**Background:**

The Council received a letter (Appendix 11.1, attached hereto, forming a part of this minutes) from a Bonshaw resident concerning significant water runoff coming onto their property between Bonshaw Hall and the Bonshaw Community Centre.

**Description:**

Municipal staff contacted the DOT as there is concern the water runoff is also affecting the highway next to the property in question. Mayor Helen Smith-MacPhail and Deputy Mayor Shaun MacArthur will visit the residents to hear their concerns.

- **Meeting Time Extension**

At 8:30 PM, Councillor John Yeo motioned to extend the meeting, Seconded by Councillor Lillian MacCannell, and unanimously carried.

- **HR.2024.11.1 - CAO - Annual Contract Review**

The CAO left the meeting at 8:30 PM. Councillor John Yeo made a motion seconded by Councillor Lillian MacCannell to close a part of the Council meeting according to the Municipal Government Act Section (119) Clause (d). The motion carried unanimously. Deputy Mayor Shaun MacArthur made a motion, seconded by Councillor Aaron MacEachern, and the motion was carried unanimously to open the meeting; CAO rejoined the meeting at 8:50 PM at the Mayor's request.

- **Informational Items**

- **WRC.2024.11.2 - Council Code of Conduct Training – Deadline Reminder**

**Decision Type:** Information

**Status:** Received

**Description:**

The CAO reminded the Council to complete the training by March 31, 2024.

- **FIN.2024.11.11 - Community Centres Snow Removal/ Salting for 2023-24**

**Decision Type:** Information

**Status:** Received

**Background:**

FIN.24.9.9

**Description:**

The CAO has accepted the following quotes according to Purchase Policy # 2022-03 subsection (7.1):

- Salting Afton Community Center (both parking) at the cost of \$2,000+HST
- Salting Bonshaw Community Center (both parking) at the cost of \$1,200+HST
- Snow removal at Bonshaw Community Center at the cost of \$200 plus HST per trip

- **Adjournment**

- Councillor Lillian MacCannell motioned to adjourn the meeting at 9:00 PM.
- The next meeting will be on February 22, 2024.

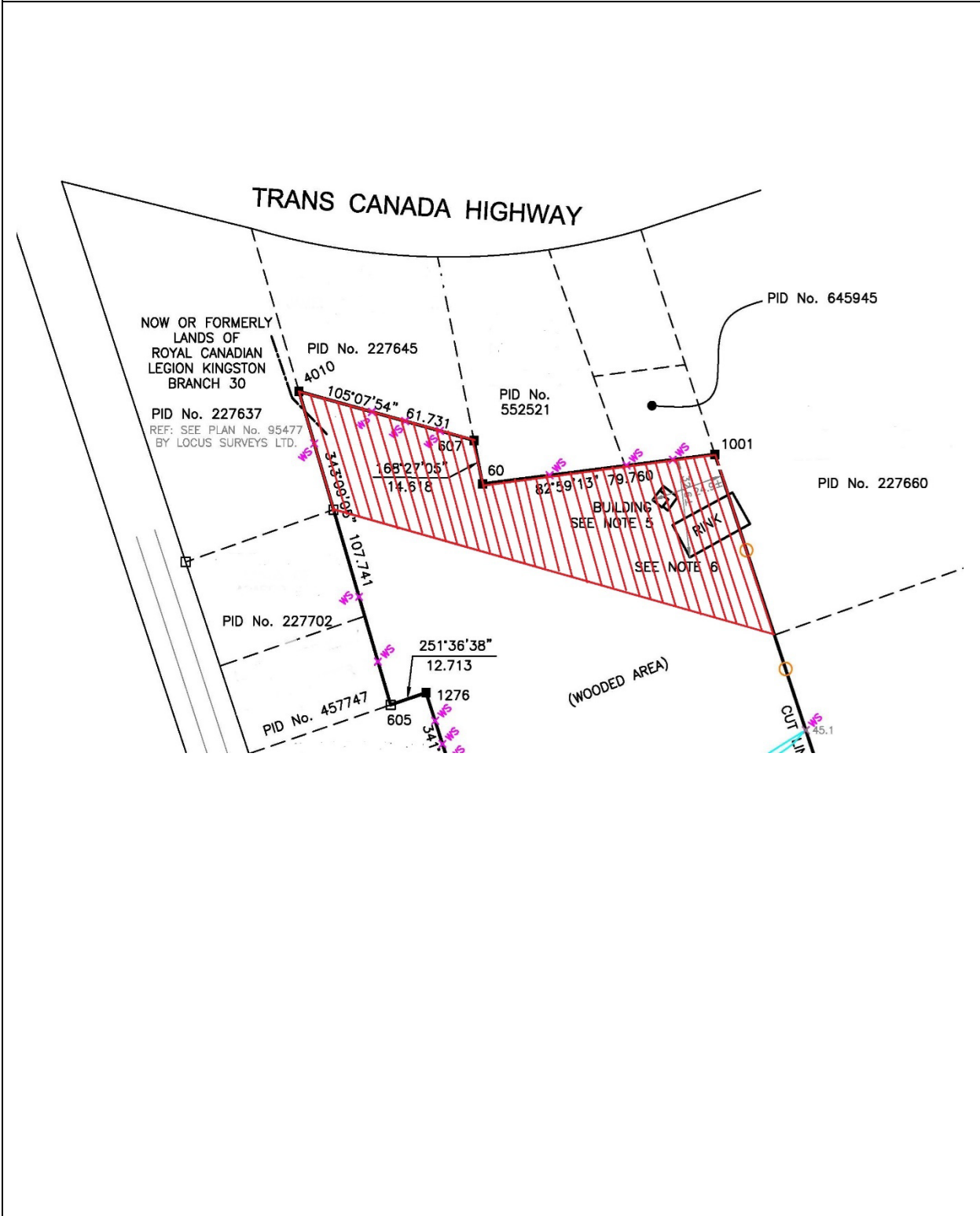
Helen Smith-MacPhail

Laala Jahanshahloo

Mayor \_\_\_\_\_

Chief Administrative Officer \_\_\_\_\_

Appendix A - Motion 2024-09



**Schedule A - Motion 2024-18**

Owned Property		Dates of Operation	Hours of Operation	Liability
Inman Park	Gates	May 1 - June 30	8:00 AM to 8:00 PM	The Rural Municipality of West River is not liable for any damage to person or property.
		July 1 - September 30	Open 24 hours	
		October 1 - October 31	8:00 AM to 8:00 PM	
	Buildings	June 1- September 30	8:00 AM to 8:00 PM	
Rice Point	Gates	May 1 - October 31	Open 24 hours	The Rural Municipality of West River is not liable for any damage to person or property.
Mutter Park	Fields	After completing the required payment and paperwork, the gates will be opened only for the ball field and Soccer field users who coordinate with the field/ park manager/staff.		The Rural Municipality of West River is not liable for any damage to person or property.
	Trail and Playground	There is no gated access either for trail or Legacy Park		The Rural Municipality of West River is not liable for any damage to person or property

## Appendix 11.1

Please note that if you need to reach us we do not have home mail or internet access. our phone # is (902) 218-8765.

There were a number of water drains and a culvert positioned along the Trans Canada from one corner of our property to the other. When Plan B happened, some of these water drains were replaced by a ditch. The drains and culvert remaining were:

the culvert across the road from the property owned by Sheldon Goepfer.

the large water drain on the government property in front of the Bonshaw Hall and

the water drain in the ditch at the end of our back driveway that connects to the Green Road.

The Bonshaw Bridge project took place in August/September through December in 2023. During this time the large water drain in front of the Bonshaw Hall was removed and the area was paved. Also, the drain at the end of our back driveway connecting to the Green Road was removed and replaced with a culvert.

The Bonshaw Community Center project has been happening over the past couple of years. In the late fall of 2023, ditching along the front side of the Community Center down the Green Road to the culvert happened. This ditch is red clay.

## Appendix 11.1 (Continued)

We are having issues on our property with water flowing and it is bringing silt and clay with it. There is water, silt and clay flowing down from the property owner on the top of the hill down into the farmer's field above us. It then follows the fence line on the back side of the Community Center and over the dyke to our property.

A second flow of water, silt and clay is coming from the Community Center line which flows along our back lane to the culvert.

A third flow of water, silt and clay is coming from the front lawn of the Community Center that flows into the ditch running down the Green Road to the culvert.

All of this flow of water, silt and clay is to go through the culvert (corner of our back driveway and Green Road) and then drains out into the river. This water flow is so fast at times that it is creating new paths for itself. One such path is our back lane and it is flowing across the lane and onto the pavement in front of the Bonshaw Hall.

We have been contacted with regard to the water, mud and silt going to and laying on the pavement in front of the Bonshaw Hall.

The culvert and the ditch in front of the culvert is filling up with silt and clay. The entrance at the culvert is becoming full and our concern is that it is going to overflow. It has overflowed in the past. The government had a machine clean it out last year but it is starting to fill up again.

The silt and clay is using our property as a result to reach the pavement in front of the Bonshaw Hall.