



Fisheries and  
Communities

Pêches et  
Communautés



Office of the Minister  
548 Main Street  
PO Box 1180, Montague  
Prince Edward Island  
Canada COA 1R0

Bureau du ministre  
548, rue Main  
C.P. 1180, Montague  
Île-du-Prince-Édouard  
Canada COA 1R0  
IN THE MATTER of the  
*Municipal Government Act*  
R.S.P.E.I. 1988, Cap.M-12.1  
(herein referred to as the "Act")  
subsections 220(1)b and 113(3)  
and 8(2) and 219(2)b  
and 219(4)

TO: The Municipal Council of the Rural Municipality of Crapaud,  
herein referred to as "the municipality".

**ORDER**

**WHEREAS** one councillor of the Rural Municipality resigned on June 7, 2021 and the mayor resigned on or about June 25, 2021 resulting in the vacancy of the office of mayor and a vacancy of a councillor;

**AND WHEREAS** two more councillors resigned on July 19, 2021, one of whom was the acting mayor, leaving only three elected councillors;

**AND WHEREAS** pursuant to subsection 113(3) of the Act, the council is required to have at least four members for quorum;

**AND WHEREAS** pursuant to subsection 220(1)b of the Act, I have the authority to find the council is unable to function and appoint an Official Trustee to act as the council;

**AND WHEREAS** I am satisfied, based on the representations made by members of the council and residents of the municipality, that in order to be assured that the municipality can fulfil the legislative and regulatory requirements and to serve the best interests of the residents of the municipality of Crapaud, it is necessary to appoint an Official Trustee to act as the council of the municipality;

**AND WHEREAS** there have been multiple by-elections, it is necessary to extend the time by which a by-election must be held;

**AND WHEREAS** pursuant to subsection 8(2) of the Act, I have the authority to extend the time for the doing of anything required under the Act;

**I THEREFORE ORDER**, pursuant to subsection 220(1)b of the Act, that an Official Trustee shall act as the council until the next duly elected council takes office, and the municipality is responsible for paying the remuneration for the Official Trustee;

**AND I FURTHER ORDER**, pursuant to subsection 8(2) of the Act, that the time by which the council of the municipality shall hold a by-election be extended until November 5, 2022 or the time of the next general municipal elections;

**AND I FURTHER ORDER**, pursuant to subsection 219(2)b of the Act, that Kevin McCarville be appointed as Supervisor, to monitor and, pursuant to subsection 219(4) of the Act regularly report to the Minister on progress toward compliance; Municipal Affairs will be responsible for the cost of the Supervisor;

**AND I FURTHER ORDER** that this order shall come into force on the 2<sup>nd</sup> day of August, 2021.

**DATED** at Charlottetown in Queens County, Province of Prince Edward Island, this 2nd day of August, 2021.



Jamie Fox

MINISTER OF FISHERIES AND COMMUNITIES

**Official Trustee for the  
Rural Municipality of Crapaud**

**TERMS of REFERENCE**

Pursuant to clause 220 (1) (b) of the *Municipal Government Act*,  
Jamie Fox, Minister, Fisheries and Communities, has by order appointed an official  
trustee to carry on the administration of the municipality on an interim basis.

1. The duties of the official trustee shall include:
  - 1) The swearing of an oath of office before the chief administrative officer, a justice of the peace or a provincial court judge;
  - 2) Act with the authority of council for the governance of the municipality, in accordance with municipal legislation, including co-signing with the chief administrative officer all financial and contractual documents;
  - 3) Supervise the work of the chief administrative officer to ensure the proper administration of the municipality, the municipal utility, and all municipal departments, including the fire department;
  - 4) Enact all required bylaws and take other measures necessary under the *Municipal Government Act*;
  - 5) Provide public communication through monthly meetings;
  - 6) Ensure readiness for full general municipal elections on November 5, 2022; and
  - 7) Provide the Director of Municipal Affairs a final report on the operations of the municipality prior to completion of the term.
  
2. The term of the official trustee shall begin on August 2, 2021 and shall conclude upon the swearing into office of the new council of the Rural Municipality of Crapaud. If necessary, this term may be revised by written notice.
  
3. Terms of reimbursement:
  - 1) The official trustee will be reimbursed by the municipality at a rate of \$600 / 7 hours of work, plus mileage door-to-door (provincial government rate).

