

## **Resolution 3A**

### **SURPLUS SCHOOLS (PASSED)**

⇒ District of Lunenburg

**WHEREAS** the Province of Nova Scotia, through the Department of Education, has undertaken or will be undertaking the Review of Schools, in which the Review can either recommend investment into the school to extend the life of the school, or the closure of a school; and

**WHEREAS** the Province, through the Department of Education has entered into Agreements with municipal units in the early to mid-1980's in which some municipal units retained ownership of schools and the province was responsible for maintenance and operation of the schools, and in other cases the province assumed the responsibility for ownership, maintenance and operation; and

**WHEREAS** in those instances where the Municipal Unit owns the lands and buildings, the province does not have to consider the closure costs, demolition costs or maintenance requirements of an abandoned building when deciding to close a school; rather these costs become the burden of the municipal tax payer enabling the Province to walk away from such liabilities; and

**WHEREAS** schools in the Municipality of the District of Lunenburg which have been closed have been inadequately maintained leaving municipal tax payers to shoulder a significant costs to address maintenance issues in order to source alternate uses of the structures or the costs to demolish these structures; and

**WHEREAS** not all municipalities are under the same Agreements, and thus in some municipalities the Province of Nova Scotia is the owner and thus responsible for maintenance, operations and demolition of surplus schools. In such instances the Province of Nova Scotia must offer to transfer ownership of a surplus school to a municipality and the municipality may or may not accept the same, thus making the impact of such closures for a maintenance and operation cost liability to municipal tax payers inconsistent within Nova Scotia;

**THEREFORE BE IT RESOLVED** that the Union of Nova Scotia Municipalities write the Province of Nova Scotia recommending changes to the *Education Act* whereby the Provincial Government would assume full responsibility, at the election of the Municipality, for all existing public schools and surplus public schools regardless of the year in which they were constructed and that this process be retroactive from 2009; and

**FURTHER BE IT RESOLVED** that municipalities be notified when a school property is to become surplus to the needs of the school board in advance of the school board disposal process to determine if there is a municipal purpose for the property sufficient for the municipality to acquire the property from the school board; and

**FURTHER BE IT RESOLVED** that this process require notice be given in consideration of a municipal interest such as maintaining playgrounds or other recreational facilities associated with the property; and

**FURTHER BE IT RESOLVED** that this process would not imply that the property be given to the municipality or that the municipality would compete for the property through a formal tender but would be determined based on agreement between the school board and the municipality (whereby the school board could decide to transfer it to the municipality at no cost).

Forwarded to:  
*Minister of the Department of Education*

**RESPONSE:**

*The second municipal concern relates to Resolution 3A, which recommends changes to the Education Act to nullify agreements made between the Province and the municipal units in the early to mid-1980's, related to ownership and responsibility for surplus schools.*

*It is my understanding that there is currently a committee, with representatives from both the Province and the Union of Nova Scotia Municipalities, charged to discuss this matter in more detail. In an effort to respect the current process and the mandate of the committee, I will take Resolution 3A under advisement until such time that the committee has completed its review.*

*The Honourable Ramona Jennex  
Minister  
November 13, 2012*