

Minutes
Resort Municipality Monthly Council Meeting
Monday, March 20, 2017
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on March 20, 2017 at the Resort Municipality Office.

PRESENT: Chair Matthew Jelley. Councillors: Linda Lowther, Gwen Wyand, Edmond Richard, David Gauthier and George Clark Dunning. CAO – Brenda MacDonald.

ABSENT: Kay Hryckiw.

VISITORS: Nil.

1. **CALL TO ORDER:**
Chair Jelley called the meeting to order at 5:03 p.m.
2. **DECLARATION OF CONFLICT OF INTEREST:**
There were no conflicts of interest declared.
3. **APPROVAL OF AGENDA:**
It was moved by Councillor Clark Dunning, seconded by Councillor Lowther that the agenda be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.
4. **APPROVAL OF MONTHLY COUNCIL MEETING MINUTES FEBRUARY, 27 2017:**
It was moved by Councillor Lowther, seconded by Councillor Wyand that the Monthly Council Meeting Minutes of February 27, 2017 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.
5. **CORRESPONDENCE:** Correspondence items for February for which actions are required are listed on the agenda.
6. **COMMITTEE REPORTS:**
Planning Board Report:
Building Permit Applications:
Ron & Terry Yeo (9822 Cavendish Road) – an application was received to construct an addition onto the existing house of 21' X 8' at property # 92627. It was moved by Councillor Richard, seconded by Councillor Wyand that the application be approved subject to: 1) that the addition be located on the site in accordance with the site plan and 2) payment of building permit fee. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Temporary Permit Applications:
101882 PEI Inc. (Cavendish Farmer's Market) (8451 Cavendish Road) – an application was received to have temporary parking on the property for the music festival from July 7 – 10, 2017 to hold 46 cars. It was moved by Councillor Wyand, seconded by Councillor Gauthier that approval in principle be granted subject to: 1) meets the requirements of the RCMP and the traffic plan, 2) that lighting be provided, 3) that security be provided, 4) that porta potties be provided, 5) that a development agreement be entered into with a \$500.00 performance bond being posted and 6) payment of permit fee on property # 683136. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Cavendish Beach Music Festival (8779 Cavendish Road) – an application was received to hold the Cavendish Beach Music Festival from July 7 – 9, 2017 on property # 1037423. It was moved by Councillor Richard, seconded by Councillor Lowther that approval in principle be granted subject to: 1) meets the requirements of the Department of Health and Wellness, 2) meets the requirements of the provincial fire marshal's office, 3) meets the requirements of the Department of Environment, 4) meets the requirements of the Department of Transportation, Infrastructure and Energy, 5) meets the requirements of the Liquor Control Commission, 6) meets the requirements of the RCMP and the traffic plan, 7) that a development agreement be entered into, 8) that a performance bond be paid, 9) that the hours be restricted until 11:00 p.m. daily, 10) that the final site plan be provided to the municipality no later than May 25, 2017 and 11) payment of building permit fee. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

The CAO confirmed that there are no additional events booked for the site for 2017.

Signage Permits:

Parks Canada Signage:

It was moved by Councillor Richard, seconded by Councillor Lowther that the signage proposal submitted by Parks Canada be approved in principle subject to: 1) meets the requirements of the Department of Tourism, 2) meets the requirements of the Department of Transportation, Infrastructure and Energy and 3) that the signage not obstruct the view of the travelling public. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Permit amended by the CAO:

Shawn & Kristina Ellis (Boyle Crescent – Forest Hills subdivision) - amendment to permit # 16-C-50 on the size of the accessory building being changed from 12' X 10' to 8' X 6' as well as the location was changed from the side yard to the rear yard on the property.

Marco Polo Land: (7406 Route 13 – PID # 232298)

Information has now been received from the Department of Environment, the Department of Inspection Services, the Department of Transportation, Infrastructure and Energy, the Provincial Fire Marshal's office and the Department of Tourism, Quality Tourism Services and all departments agree that they are considered Park Model Trailers for the structures that they wish to move in to the property.

The CAO advised that legal counsel will send through a written response for the Council's review.

New Building Code Act:

Concerns were raised over the Building Code Act.

Parks Canada:

Green Gables House – Construction is behind at the site and they are now expecting that the Gift Shop may not open until June 1, 2017 and the site opens on May 1, 2017. Parks are pushing hard to meet the original commitment.

Parks will be meeting with tour operators to provide a walkthrough of the site on April 25, 2017, to ensure that they are familiar with the tour process during the season for visitors.

Parks has a design of the visitor center and the interpretation plan and expects that a meeting will be held with Planning Board and the Council in the next couple of months.

Cavendish Campground – The project is ahead of schedule and expected to be completed on time.

Cavendish Grove project – A plan has been completed for the site but there is no funding to do anything. They are holding off on an open house in the spring since there is no funding but will come back to the community with the plan to gather their input.

Oceanview – Parks has funding for a design only at the site and they are looking at a washroom building for the area and closing off Cavendish East. They are also working on a proposal for Dune protection and for people getting around the rocks. Consultations will be held with the community for feedback as issues have been raised in this area in the past.

Parks Canada is planning to have around a 15% of an increase in visitation for the 2017 year and people can get their discovery pass on-line, Ardgowan or at the gates when they open for the season. Parks is tracking where people are from based on their postal code provided.

Ocel has had copies of the orientation video made available to the tour bus operators for their guests coming to the site during the summer. Barb advised that perhaps one should be provided to the Cavendish Visitor Information Center as well.

Other:

Mike Wheeler Human Rights Commission:

A decision was made by the Human Rights Commission in the municipality's favor.

6.A.2. PEI ASSOCIATION OF PLANNERS:

A list of planners was provided by Municipal Affairs for the Council's reference.

6.A.3. LINDA LOTHER MEETING WITH MUNICIPAL AFFAIRS:

Councillor Lowther met with Samantha and Pooja and discussed the process moving forward with the new official plan and bylaw review. They noted that the new regulations will not be in place for a while, but they are prepared to help the municipality throughout the process.

6.B. MONTHLY FINANCIAL REPORT:

The CAO presented the monthly Financial statements. A new format has been provided for the Council's input on the monthly statements.

The monthly finances for February 28, 2017 were presented. Revenue was \$46,377.82 and the expenses were \$21,187.22. It was moved by Councillor Wyand, seconded by Councillor Clark Dunning that the monthly finances ending February 28, 2017 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

6.C. TRAILS AND PATHS REPORT:

6.C.1 Sidewalk assessment based on the engineer's report will be completed once the snow is gone from the walkway.

Chair Jelley will check with the electrician on the timing and installation of the old-fashioned streetlights and the changing of the lights on Route 13 to the LED lights.

7.D. FIRE COMMITTEE REPORT:

Councillor Clark Dunning attended the New Glasgow Fire Department meeting and there will be an increase in fees for 2017.

Some concerns were raised following the meeting regarding requests and information on the fees and a fair share being paid to the department for the value of buildings that are covered in the municipality.

7.E. **TCBI:**

Draft website was completed with the new logo and brand.

The board is still working on the transit proposal and trying to get businesses to join as partners to assist with the costs.

RCMP Rider Program will be operating in the summer.

7.F. **CCTP:**

The Annual Meeting will be held on April 21, 2017.

7. **CAVENDISH SEWER UTILITY REPORT:**7.A. **Monthly Updates and engineering:**

The sewer utility met and reviewed issues on the outstanding sewer bills. It was determined by the Board that legal letters would be sent to customers outstanding over 90 days, advising them that they have 30 days to pay their bills and if payment is not made in full that disconnection of the property will happen on their property by May 5, 2017. The letters will also be sent to the lenders of properties that hold a mortgage on the property.

Sewer contract with Toombs Plumbing and Heating has been approved with a 5% increase in the contract price plus HST.

Lift stations signs – a price has been requested from Toombs Plumbing and Heating Ltd. for the installation of the signs and Vic Greenwood from the board will meet with Toombs to ensure they are placed in the correct locations at each site.

The sewer board requested that IRAC be contacted to determine if there is a way to charge outstanding sewer customers their next year's fees prior to reconnection if the utility has to disconnect their property. IRAC has been contacted and the board has been advised that the utility could create a policy to deal with it, but currently it is not allowed under IRAC's rules and regulations and they can review it as part of their yearly review to determine if there is a need, but we are the only utility that has asked about it to date.

Inn at the Pier brought forward a proposal to the Sewer Board for servicing of the property. The proposal did not have any costs provided with it so the board has requested that the owner have the engineer cost the project out for him to determine what the costs will be to complete the project. The CAO has also requested input from the infrastructure office on funding availability and was advised that there will be no new funding programs available until 2018 or 2019 at the earliest, but to stay tuned to the Federal Budget for funding coming this week.

Andrew MacDonald with the Provincial Department of Environment has sent a spreadsheet with information that the province wishes to display on their website including yearly information on utilities, their testing information and flows for the year. The board has agreed that this information can be displayed on their website. This information is currently sent out in the municipal newsletter each year as well.

Sewer billings:

Decision was made on Seawood Estates Inc. to charge the residential and infrastructure fee for the house property for 2016.

Decision was made on Bruce and Susan Simpson's property that they would be charged a frontage fee only based on their setback from the road of 728 ft. and not a residential fee based on the property not being connected to the sewer.

Decision was made on the request from Queens County Condo Corporation on the following: 1) a request was received to take over the sewer line on the property that is owned by the condo corporation. A decision was made by the sewer board to have the engineer check the current system to ensure that it is up to sewer utility standards and if it is then the board will make the decision on taking it over. If it does not meet utility standards then the board will not be taking over the line.

A request was received from Queen County Condo Corporation to have their billings reviewed to be charged similarly to a tourist accommodation. A ruling had been already requested by the condo development prior to the project commencing. Based on the fact that each individual condo is owned by a separate owner and has their own PID # attached by the province, they will continue to be charged at a residential rate.

8. **BUSINESS ARISING FROM MINUTES:**

8.A. **Internet Servicing:**

Awaiting a decision on funding from ACOA and the province.

Mike Duffy sent some information on internet servicing being provided in Manitoba to the province through Bell Aliant.

8.B. **Signage Bylaw Report:**

A request has been sent through to Harvey and Dan with the concerns from the committee on the scope of the project not being completed in the report and a meeting was requested.

8.C. **Destination Management Fund:**

The agreement is still being worked on by the committee. It will be sent to the lawyer for completion once the information is agreed to.

Chair Jelley left the room while discussion was held on the copier.

8.D. **Copier:** Prices for a leased copier were provided from Xerox and Island Business Solutions.

It was moved by Councillor Gauthier, seconded by Councillor Wyand that a new machine be leased from Island Business Solutions at a cost of \$122.00 per quarter and a copy cost of \$.006 per sheet. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Chair Jelley returned to the meeting.

8.E. **EMO Session:** Council members will let the CAO know if they will be attending the session on May 15, 2017 prior to the Council meeting.

8.F. **Phone Boxes:**

Bell Aliant was out to assess the boxes, the company advised that the boxes will be secured during the music festival.

8.G. **Water Testing:**

A meeting will be held with the water lab to address some of the outstanding issues with the yearly testing.

8.H. **Kara Hughes – Anne - LMM Roundtable:** It was decided by Council that no additional information would be added to the report.

9. **NEW BUSINESS:**

9.A.1. **FPEIM:**

The Annual meeting will be held on April 25, 2017 in Charlottetown.

9.A.2. **Legal Referral System:**

A letter was in the meeting package for the legal referral system that is being offered by Cox and Palmer through the Federation for a fee. Information only.

9.B **Gulf Shore Medical Centre walk-in clinic:**

A letter of support will be sent to George Noble in support of a Doctor at the Gulf Shore Medical Centre.

9.C. **Taxi Bylaw:**

A review will be completed by legal counsel with a recommendation on putting a taxi bylaw in the municipality.

9.D. **Low Risk Alcohol Guidelines:**

Information only.

9.E. **Police Association Request:**

The municipality will send a donation to Crime Stoppers since the RCMP covers the area.

9.F. **Human Values Day:**

Information only.

9.G. **Draft Water Act:**

Information is in the package from the province. Information only.

10.A. **COUNCILLORS CONCERNS:**

Councillor Lowther commented on the EMO Bylaw and some action items that need to be completed on it.

Councillor Lowther commented on the Council Remuneration Bylaw and that there is to be an increase in January of each year.

Councillor Lowther advised that an ad will need to be placed for the maintenance position if the staff person is not returning.

Councillor Wyand commented on some property owners and relatives from the community that had passed away.

It was decided that there would be a finance committee consisting of Chair Jelley, Vice-Chair Lowther, Councillor Hryckiw, Councillor Richard, the CAO and the bookkeeper and there would be a meeting on April 15, July 15, September 15 and January 15 to review the finances.

Councillor Richard and Councillor Clark Dunning are working on the Human Resource information and expect to have some information to present back to the Council over the next few months.

10.B. **RESIDENTS:**

There being no residents in attendance Chair Jelley adjourned the meeting.

open mtg

11. **CAO's Contract:**

The CAO left the meeting while discussion took place on the contract.

It was moved by Councillor Richard, seconded by Councillor Clark Dunning that minor changes be made to the administrator's contract and Councillor Lowther be authorized to complete the contract work with the CAO.

Councillor Richard presented information on the Human Resource Committee.

The administrator returned to the meeting.

12. **ADJOURNMENT:** Chair Jelley adjourned the meeting at 8:50 p.m.



Chair, Matthew Jelley