

Minutes
Resort Municipality Monthly Council Meeting
Monday, December 11, 2017
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on December 11, 2017 at the Resort Municipality Office.

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

ABSENT: Nil.

VISITORS: Staff Sergeant Shane Hubley – RCMP and Brodie O’Keefe - CBMF.

1. CALL TO ORDER:

Chair Jelley called the meeting to order at 5:02 p.m..

2. APPROVAL OF AGENDA:

9C. was added to the agenda for a wedding policy at the municipal parks.

It was moved by Councillor Richard, seconded by Councillor Hryckiwi that the agenda be adopted as amended. All in favor 6, 1 non-voting. Motion Carried.

3. DECLARATION OF CONFLICT OF INTEREST:

Chair Jelley declared a conflict of interest on the permit application for Sandspit Entertainment Ltd..

Councillor Lowther declared a conflict of interest on the permit application for Sandspit Entertainment Ltd..

Councillor Hryckiwi declared a conflict of interest on the permit application for KOA Campground.

4. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES NOVEMBER 20, 2017:

It was moved by Councillor Wyand, seconded by Councillor Clark Dunning that the Monthly Council Meeting Minutes of November 20, 2017 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

APPROVAL OF PUBLIC MEETING MINUTES NOVEMBER 20, 2017:

It was moved by Councillor Lowther, seconded by Councillor Hryckiwi that the Public Meeting Minutes of November 20, 2017 be adopted as amended. All in favor 6, 1 non-voting. Motion Carried.

5. RCMP:

Chair Jelley welcomed Staff Sergeant Shane Hubley to the meeting.

Staff Sergeant Hubley advised that if there are any questions, issues or concerns with respect to policing to contact him.

Cavendish Beach Music Festival – the same staff will be working on the festival event as previous years. Steve Duggan will be doing traffic this year for the event.

The same amount of officers will be present during the event and there will be a strong presence.

Safety is the first priority of the RCMP during the event and throughout the season.

Marijuana was discussed and how it will be dealt with. The RCMP are dealing with the new laws on a daily basis and will be right up until July 1 prior to the event.

Visibility is a priority for CBMF as well as during the summer season.

RCMP is working with CBMF to have more kits on site to deal with drug issues on site as it can take up to 7 kits to revive someone.

Brodie is working with Dan Barry with security on stockpiling of drug kits.

RCMP will be meeting with business owners prior to the event.

RCMP have no issues with extension of hours and the fully licensed venue.

RCMP will be working with the liquor commission on fake ID's and how they will be dealt with.

Brodie advised that the music festival will have a designated area for it on site and that you must be 19+ for marijuana. There will be a black draped area on the West side of the property of 40' X 40' with an 8' fence so that you can't see into the area.

Chair Jelley advised that people should not be allowed to stay on the site if they are under 19 and caught with alcohol and their bands should be cut for the weekend and if anyone 19+ is seen giving someone underage alcohol then both parties shall have their bands removed for the entire weekend.

Brodie advised that there will be a zero tolerance for underage drinking or someone 19+ purchasing or giving liquor to underage as it is the Murphy Hospitality Group that holds the liquor license for the site so it is their reputation and business and it affects their entire operations.

RCMP policing for the summer season will have four officers in the area.

Council felt that a strong presence both during the festival and the summer season is a good thing as it sets the tone. It was also noted that during the winter season that it would be good to see a RCMP car coming through the area as well.

Staff Sergeant Hubley advised that he can meet with the Council later in the spring as well to discuss any further items and provide any updates as they become available.

Chair Jelley thanked Staff Sergeant Hubley for attending the meeting.

6. CORRESPONDENCE:

Correspondence items for November for which actions are required are listed on the agenda.

7. COMMITTEE REPORTS:

Fred Schreiner & Linda Natzmer – PID # 489955 – (Four Winds Lane) – an application was received to construct a new summer cottage of 59' X 61' with an attached garage and decks and for a special permit for a height allowance of 32'7". It was moved by Councillor Richard, seconded by Councillor Lowther that approval be granted subject to: 1) meets the requirements of the Department of Environment. All in favor 6, 1 non-voting. Motion Carried.

Councillor Hryckiwiw left the meeting due to a conflict of interest.

100242 PEI Inc. (KOA Campground) – PID # 708255 (198 Forest Hills Lane) – an application was received to move a camping cabin from site 141 to the land adjacent to site 60. It was moved by Councillor Richard, seconded by Councillor Wyand that approval be granted. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Councillor Hryckiwiw returned to the meeting.

Norm Hansen - PID # 906537 – (105 Forest Hills Lane) – an application was received to convert the existing storage building into a storage and bunkhouse building. It was moved by Councillor Richard, seconded by

Councillor Clark Dunning that approval be granted in principle subject to: 1) the bunkhouse shall be connected to the municipal sewer. All in favor 6, 1 non-voting. Motion Carried.

Cavendish Bosom Buddies Cottages – PID # 660829 – 84 MacCoubrey Lane – an application was received to move an existing cottage of 28' X 16' with decks onto the property from one location to another. It was moved by Councillor Richard, seconded by Councillor Gauthier that approval in principle be granted subject to: 1) the cottage being connected to the municipal sewer. All in favor 6, 1 non-voting. Motion Carried.

Kelly Doyle – PID # 684787 – 507 Gulf Shore Parkway – an application was received to have a sales office for sales of second hand buses out of the Coastline Cottages office. It was moved by Councillor Richard, seconded by Councillor Wyand that approval be granted in principle subject to: 1) the sales shall be for used buses only and 2) the buses shall be parked on the property so that they will not cause a nuisance or inconvenience to adjacent landowners. All in favor 6, 1 non-voting. Motion Carried.

Kelly Doyle – PID # 885178 – Gulf Shore Parkway – an application was received to construct an addition onto the existing barn that is located on the property of 36' X 28' for equipment for cottages and winter living. Application was tabled based on information submitted being unclear.

Dale Gallant – PID #232249 (Clarence Lane / Route 13) – an application was received to construct 12, one storey, two bedroom rental cottages of 26' X 30' with a deck. A revised site plan and comments have been provided from the Department of Environment. It was moved by Councillor Richard, seconded by Councillor Clark Dunning that approval be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Environment, 3) that a performance bond be posted, 4) that a development agreement be entered into and 5) meets the requirements of the Department of Tourism. All in favor 6, 1 non-voting. Motion Carried.

Follow up Permits:

Bill & Michelle DeBlois – PID # Lot 17-1 (507 Gulf Shore Parkway West) – an application was received to construct a two storey house of 40' X 30' with an attached garage and decks. Awaiting information from the sewer contractor on the septic system.

Odeh Zaidan – PID # 233411 (132 Cape Road) – an application was received to locate a one storey building of 32' X 18' to be used as a rental cottage. No new information has been submitted on a comprehensive site plan.

Don & Rita Carmichael and Angelo and Janice Leonarduzzi – Survey plan showed that the access road is 50' and not 66' as was originally stated. No subdivision can be granted unless the road is 66' wide. Cottage permit cannot be approved as well until the right-of-way issue is resolved. Owner is working on gathering information on the plan to clarify road allowance.

Cavendish Tourism Complex Development Inc. – Engineer has not yet provided any further information.

Andrew Sark – PID # 232405 (7591 Cawnpore Lane) – an application was received to change the use of the existing café space in the visitor centre into a Special Premise Liquor License and Class 2 Food Premise License. Letter of support for a licensed venue. This application is on hold until the province clarifies whether or not this tenant will be approved by the Province to operate from the building.

Christine Perry & Gary Kelley – PID # 92927 (Cavendish Road – Swimming Rock) – an application was received to have a wedding on August 11, 2017 from 2:00 p.m. – 6:00 p.m..

Council has approved that weddings can still happen on the site provided that they are only requesting to have the wedding itself on the property with no other activities or events. The people were contacted to advise that the champagne and food could not be part of the event and that if they wished to have the wedding only on the site then the application would need to be resubmitted. Nothing further has been received to date.

Chair Jelley and Councillor Lowther left the meeting due to a conflict of interest.

Sandspit Entertainment Ltd. – PID # 231977 – (8863 Cavendish Road) – an application was received to have a car / pet wash on the property. It was moved by Councillor Richard, seconded by Councillor Wyand that approval 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) that a development agreement be entered into, 4) that a performance bond be posted. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Chair Jelley and Councillor Lowther returned to the meeting.

West Highland Contractors Ltd. – PID # 694984 - (Simpson Mill Road) Rezoning, subdivision and building permit are all pending as we are waiting for clarification on the subdivision plan as well as the engineers information on the sewer servicing for the property.

Municipal Government Act / National Building Code Act:

The Municipal Government Act – A meeting was held with the CAO's to outline the process moving forward as well as some timelines that need to be met.

National Building Code Act: We are still awaiting information on the new regulations which they expect to be in place for commercial properties in the spring and residential will be delayed until 2020.

Parks Canada:

- Management plan was finalized and has been sent to the Minister for final approval. A copy was provided for the Council. This is a 10 year plan. Budgets are a separate exercise from the Management Plan review process.
- Announcement of fees has been made and children 17 and under will be free in 2017. Passes are on sale until December 22, 2017 and will go on sale again from April – June 2018.
- Discovery passes will be on sale at 20% off for a limited time as well.
- Green Gables is closed, but the site will remain open for the winter months for visitors by accessing the west driveway on the property.
Tenders were sent out and awarded to Williams Murphy MacLeod. The contractor advised that the schedule was too ambitious for work to be completed at the site and it will now not be completed until September 2018 with an expected official opening in November 2018.
They will have an interim offer for 2018 while construction is underway but the full fee will be in place for the site.
It is expected that everything on the site will be completed for June 2019.
They are planning a public meeting on January 22, 2018 to go over the plans and interpretation for the new building.
- Oceanview – consultants are working on a detailed design of the site and a detailed plan was provided. They have made some changes to the monument area to deal with some of the concerns raised at the public meeting.
- Trails Project – Homestead Trail – work is expected to be completed by December 15, 2017. The large truss bridge will need to be taken off site when the ground freezes, refurbished and then installed back into place which is expected to take a week.
- Entrance Kiosks for Cawnpore Lane and North Rustico end are in the plans.

- Q. The administrator raised a concern over the lights being out completely at Cawnpore Lane.
A. Barb was to have it checked and respond back.

- Wayfinding signage has not been finalized with the Department of Transportation. Parks will continue to plan for the new signage to go forward inside the Park, but if confirmation is not completed soon Parks will lose the funding by March 31, 2018 for the signage project.

Concern was raised by the Council on the culvert and building material at the site as there is no silt fencing or covering of materials at the site.

Jeff left the meeting due to a conflict of interest with his permit application.

Cavendish Beach Music Festival – PID # 1037423 (8779 Cavendish Road) – an application was received to extend the hours and to have a fully licensed venue. It was moved by Councillor Richard, seconded by Councillor Lowther that the extension of hours request until 11:15 p.m. be approved subject to: 1) meeting all requirements of all provincial government departments and 2) this is a one year trial only and the extension of hours will be reviewed at the end of the 2018 event - if there are any issues that arise during the event this will determine what will happen for any future events. All in favor 6, 1 non-voting. Motion Carried.

Cavendish Beach Music Festival – PID # 1037423 (8779 Cavendish Road) – It was moved by Councillor Richard, seconded by Councillor Gauthier that approval of a fully licensed venue be granted subject to: 1) meeting all requirements of all provincial government departments, 2) the dry area shall be large enough to allow for 500 people, based on the fire marshal's information that is 10 sq. ft. per person, 3) there shall be a two drink limit only for the entire event, 4) meets all requirements of the Liquor Control Commission, 5) there shall be zero tolerance on the site for any underage drinking or sharing from someone 19+ with an underage person. If this is seen by security or the Liquor Control Commission all parties are to have their bands cut and they shall be removed from the site and not allowed to return for the duration of the event; 6) this is a one year trial only. The extension of hours will be reviewed at the end of the 2018 event - if there are any issues that arise during the event this will determine what will happen for any future events. All in favor 6, 1 non-voting. Motion Carried.

It was also decided that a letter be sent to the Liquor Control Commission regarding the agreement with the Cavendish Beach Music Festival and the municipality and that any citations that are made at the site shall be provided to the municipality.

Chair Jelley shall work on the letter with the CAO to go to the Liquor Control Commission on the release of information on the citations and will be sent to Jamie MacLeod as well as the CEO of the Commission for their review and comments.

Cavendish Beach Music Festival – an application was received to locate two containers on the property for washroom buildings of 42' X 8'. 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 and 3) that the containers be located on the site in accordance with the site plan. All in favor 6, 1 non-voting. Motion Carried.

Signage Bylaw Review:

It was moved by Councillor Lowther, seconded by Councillor Hryckiwi that the lawyer shall continue her work on the signage bylaw with the understanding that there may be changes needed once the regulations are enacted by the province under the new Municipal Government Act. All in favor 6, 1 non-voting. Motion Carried.

7.A.1. Sunny Gallant – Composting Toilets:

A response was sent to Sunny Gallant based on the Department of Environment and the lawyer's comments.

7.A.2. Unsightly Properties:

It was moved by Councillor Gauthier, seconded by Councillor Hryckiwi that letters be sent out to all property owners that have unsightly properties in the community with respect to grass cutting and any buildings / structures that are vacant, abandoned and damaged or are falling down with a deadline of May 31, 2018 to bring the grass, buildings / structures into compliance. All in favor 6, 1 non-voting. Motion Carried.

It was decided that a letter be sent to Mike Wheeler regarding the signage on his property that has fallen during the winter as a public safety notice and preparing for signage to be installed in the spring.

7.A.3. Municipal Affairs Session:

It was decided that the CAO would complete a check list from the documents for the Council on what is required to be completed by the Council for review at the next meeting.

7.B. MONTHLY FINANCIAL REPORT:

Councillor Hryckiwi presented the monthly finances for November 2017. Revenue was \$312,426.36 and the expenses were \$208,422.45.

It was moved by Councillor Hryckiwi, seconded by Councillor Lowther that the monthly finances for November 2017 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

7.B.1. 15 MONTH BUDGET:

It was moved by Councillor Hryckiwi, seconded by Councillor Clark Dunning that the proposed 15 month budget with revenue at \$495,457.11 and expenses at \$495,457.11 for a balanced budget be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

15 MONTH SEWER BUDGET:

It was moved by Councillor Hryckiwi, seconded by Councillor Lowther that the proposed 15 month budget with revenue at \$467,200.00 and expenses at \$467,200.00 for a balanced budget be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

7.C. TRAILS AND PATHS REPORT:

7.C.1. Boardwalk Repairs:

The new boardwalk has been completed. Some work needs to be done cleaning up the materials and parking area but all construction has been completed.

Councillor Hryckiwi advised that there is some spongy areas in front of the Visitor Centre when you are walking on the walkway.

The administrator will have this checked by the contractor.

7.C.2. Lights:

An old fashioned streetlight is out near Lakeview Lodge as well as lighting on Cawnpore Lane. Don MacLeod was contacted and will be out to have the lights checked and fixed.

It was decided that the current contractor would continue to be used for lighting matters in the municipality.

It was noted that one of the Provincial Streetlights near Green Gables House is out and the province will be contacted to have it fixed.

7.C.3. Map Stops and Signage:

The new map stop signs were completed and will be installed in the spring.

7.D. FIRE COMMITTEE REPORT:

Councillor Clark Dunning advised that Jason Peters had completed a news release on civic address signs as well as about entrances to properties and the CAO had posted it in the weekly updates to property owners.

7.E. TCBI:

A request was made to Darcy Butler about having Councillor Hryckiwi act as a liaison for Council with TCBI since she is no longer a member of the board. Darcy advised that he would bring it to the board and no response was received back to date.

7.F. CCTP:

CCTP and TCBI had a joint monthly meeting for December and Councillor Hryckiwi was unable to speak with Peggy about updates for the meeting.

8. CAVENDISH SEWER UTILITY REPORT:

8.A. Monthly Updates and engineering:

- Lagoon drawdown should be completed by December 20, 2017.
- Having some issues with a legal firm in the payment of outstanding sewer fees for a customer.
- Awaiting information from Stantec no slide rails for lift station in Seawood Estates.
- Currently at \$85,048.50 in outstanding sewer fees. Work is underway to collect the outstanding fees.

8.B. Driftwood Landing:

The sewer board is working with the condo board and the sewer engineer on the current system in the development.

9. BUSINESS ARISING FROM MINUTES:

9.A. Internet Servicing:

Work has been completed and property owners are signing up for servicing. We are awaiting all invoicing from Eastlink and they have committed that they will have the paperwork in prior to December 15, 2017.

9.A.1. Evelyn Stewart:

Price was provided by Eastlink of \$15,000.00 to service this one property. It was decided by Council that this area would be looked at for future servicing projects.

9.B. David MacNeill – Site of L.M. Montgomery’s Cavendish Home:

A letter shall be provided by David MacNeill with an official request to the municipality on what his proposal is for the use of the municipal park land for a shared walkway and access to his site.

A committee shall be established to look at their request for a walking right-of-way entrance through the municipal park to their site as well as for expanding the park area with additional facilities that would allow the park to be expanded and provide additional services for the public at the site and the adjacent businesses.

Once the committee meets and a mutually acceptable plan is agreed to then it would proceed to the next phase of a memorandum of understanding outlining all the terms and conditions of the agreement.

The committee will consist of Chair Jelley, Councillor Lowther, Councillor Clark Dunning and Councillor Hryckiwi.

Councillor Lowther discussed an Anne / LM Montgomery Statue and advised that the Heritage Park area could also be the location for the statue.

It was agreed by Council that this could be looked at through the Strategic Development Committee in which Councillor Lowther is the Chair of.

It was moved by Councillor Lowther, seconded by Councillor Wyand that the Council form a Strategic Development Committee and that Councillor Lowther will form some terms of the committee and bring them back to the next meeting. All in favor 6, 1 non-voting. Motion Carried.

Chair Jelley advised that Peggy and her group are working through the STEP program in other areas and he feels that this is something that could be looked at for Cavendish as well and could help with some of these projects to allow for other funding sources.

Chair Jelley will talk with Peggy to get further information on the STEP program.

9.C Wedding Policy – Municipal Parks:

Councillor Lowther presented a draft policy. Some changes were recommended to the agreement and Councillor Lowther will bring the revised policy to the next Council meeting.

10. NEW BUSINESS:

9.A. FPEIM: FPEIM will be holding their Christmas meeting following the monthly Council meeting so there were no updates.

9.B. Small Cities Challenge:

Councillor Lowther will check into seeing if there is any funding for internet servicing through this program and report back for the next meeting.

Multi-Cultural Community Heritage Day 2018:

Multi-Cultural Community Heritage Day will be held on June 30, 2018 at the Stewart Homestead Community Park, as this is the timeline to meeting funding deadlines.

2018 Meeting Dates:

A list of all planning board and Council meeting dates was requested to be sent out.

9.C. Risk Considerations Challenge:

Information was presented in the meeting package on the Risk Consideration Challenge from Cooke Insurance on volunteers and making sure that they are signing a waiver when working at municipal events or activities.

The CAO also participated in a session with respect to dealing with marijuana and impacts on municipalities and risks which is still a work in progress and until new legislation is enacted on how it is going to be implemented by each province there is ongoing challenges to be dealt with.

9.D. Municipal Capital Expenditures Grant:

Information was provided as a follow up to meetings with answers to additional questions from the various sessions that were held for clarity for the municipalities.

10.A. CONCERNS:

10.A.1.Councillors Concerns:

Councillor Clark Dunning asked for more information to be provided on the monument at the Ocean View site

from Parks Canada.

A request for additional information shall be sent to Parks Canada.

Councillor Lowther advised that a review of the Council Remuneration Policy is needed as the information is now three years old.

It was decided that a request would be sent out to the public looking for three representatives to sit on the Committee with a deadline of January 31, 2018 to put their name forward.

Councillor Wyand advised that it would be nice to have lights outside the municipal office and a Christmas tree since for Christmas as it is the municipal office for the community.

10.B. Residents:

Jeff Squires LED lighting:

It was decided by the Council that LED lighting would be phased in as money is available.

Chair Jelley and Councillor Lowther will work with Jeff on the Destination Management Fund and possible projects that can be completed through this funding.

Chair Jelley advised that he had some discussions with Chris Buote on sewer servicing and whether the community would be interested in working with North Rustico on allowing for connection to the municipal sewer in the Town of North Rustico.

It was decided that this could be reviewed further in the New Year and the possibility of working on regional cooperation for sewer servicing in this area with another municipality.

The sewer utility servicing bylaw needs to be reviewed by the board again as well and the legal counsel as some properties in the municipality need to be dealt with as well.

The administrator left the meeting.

ADMINISTRATOR'S CHRISTMAS BONUS:

It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that a \$500.00 bonus be paid to the CAO. All in favor 6, 1 non-voting. Motion Carried.

The administrator returned to the meeting.

12. ADJOURNMENT: Chair Jelley adjourned the meeting at 9:00 p.m.



Chair, Matthew Jelley