

Minutes  
Resort Municipality Monthly Council Meeting  
Monday, July 16, 2018  
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on July 16, 2018 at the North Rustico Lion's Club.

**PRESENT:** Mayor – Matthew Jelley. Deputy Mayor Linda Lowther. Councillors: George Clark Dunning, David Gauthier and Gwen Wyand. CAO – Brenda MacDonald.

**ABSENT:** Kay Hryckiw.

**VISITORS:** Heather Duffy, Jim Brown, Bill Drost and Michelle Burge from MRSB.

**1. CALL TO ORDER:**

Mayor Jelley called the meeting to order at 5:08 p.m..

**2. APPROVAL OF AGENDA:**

It was moved by Deputy Mayor Lowther, seconded by Councillor Gauthier that the agenda be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**3. APPROVAL OF SPECIAL COUNCIL MEETING MINUTES JUNE 4, 2018:**

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Special Council Meeting Minutes of June 4, 2018 be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried

**APPROVAL OF MONTHLY COUNCIL MEETING MINUTES JUNE 19, 2018:**

It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that the Monthly Council Meeting Minutes of June 19, 2018 be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried

**4. DECLARATION OF CONFLICT OF INTEREST:**

Deputy Mayor Lowther declared a conflict of interest under permit applications for Gary and Linda Lowther.

**5. CORRESPONDENCE:**

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

**6. COMMITTEE REPORTS:**

**PLANNING BOARD:**

**Follow up Permits:**

Action Attractions Ltd. – PID # 589358 – (9018 Cavendish Road) – Awaiting comments from the owner.

Andrew Sark – PID # 232405 (7591 Cawnpore Lane) – Awaiting information from the province.

Eric MacLauchlan – PID # 936955 (MacCoubrey Lane) – Awaiting an updated site plan from the owner.

Melanie Numsen – PID # 1803931 – (9 Landing Drive) – Awaiting information on the setbacks.

CFM PEI Inc. – PID # 231910 – (8989 Cavendish Road) – Awaiting final comments from the Department of Tourism, Health and the Provincial Fire Marshal's office.

Cavendish Services Ltd. - PID # 512871 (7550 Route 13) – A revised site plan has been received. We are still waiting for comments from Alan Aitken at the Department of Transportation, Infrastructure and Energy.

Raspberry Point Oyster Co. Ltd. – PID # 442608 – (Cavendish Road) – Awaiting for the owner to sign the development agreement and pay the performance bond.

Cavendish Tourism Complex Development Inc. – PID # 232447 – (Cavendish Road) – Awaiting for the owner to sign the development agreement and pay the performance bond.

Deputy Mayor Lowther left the meeting due a conflict of interest.

**Building Permit Applications:**

Gary & Linda Lowther – PID # 607838 (Driftwood Lane) – an application was received to construct a summer cottage of 44' X 46' including a deck. It was moved by Councillor Clark Dunning, seconded by Councillor Gauthier that approval be granted subject to: 1) the cottage shall be located on the site in accordance with the site plan, 2) the cottage shall be connected to the municipal sewer, 3) the cottage shall be connected to the private water system, 4) if the cottage is constructed outside of the May 31 – November 1 timeline, then any additional costs due to weather conditions shall be borne by the developer. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Deputy Mayor Lowther returned to the meeting.

Mary Lou LeClair – PID # 899278 (238 Forest Hills Lane) – an application was received to construct a deck of 14' X 8' and privacy fence of 5'h X 30' long. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted subject to: 1) the deck and fence shall be located on the site in accordance with the attached site plan and 2) that a better site plan be provided. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

Smoothe Coat Drywall Ltd. – PID # 92593 (Four Winds Lane) – an application was received to locate a commercial building of 10' X 12' on the property for commercial retail for a car / sales lot. It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that the request be denied based on the fact that it is not a permitted use under the C1 zone in the 2017 Zoning and Subdivision Development (Control) Bylaw. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

Planning Board recommended that he submit a temporary / transient permit.

**Temporary Permits:**

Marco Polo Land - PID # 232298 – (7406 Route 14) – an application was received to have a temporary permit to have fireworks on the property on August 11, 2018. It was moved by Councillor Clark Dunning, seconded by Councillor Gauthier that approval be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's Office. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

Christine Perry & Gary Kelly – PID # 92619 (Swimming Rock) – a new application was received to have food service on the property for their wedding on August 11, 2018 from 2:00 – 6:00 p.m. It was moved by Councillor Clark Dunning, seconded by Councillor Gauthier that approval in principle be granted subject to: 1) meets the requirements of the Department of Health, 2) meets the requirements of the Provincial Fire Marshal's office, 3) that no liquor shall be permitted at the site and 4) that special event insurance be carried with the Resort Municipality named as additional insured. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

Planning Board Chair Clark Dunning advised that he would work on some ideas on weddings in the municipal parks for the planning board to review.

Odeh Zaidan – PID # 233411 – (132 Cape Road) – an application was received to have a temporary / transient permit to have a taxi license in the municipality from July 1 – September 15. It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that approval be granted. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**Signage Permit:**

West Highland Contractors - PID # 694976 – (9139 Cavendish Road) – An application was received to have a banner sign on the property for Color the Sky Kites of 4' X 36'. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the signage application be denied based on the fact that it is a banner and exceeds the size of a sign for a business. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**Parks Canada:**

Green Gables House is expected to be completed by November 30, 2018.

The parking, landscaping is nearing completed, it was delayed due to the weather. They are working on signage for the site.

The advisory group will be meeting on July 12 and will be going over the exhibit information for the site.

A consultation meeting will be held on July 31, 2018 at Green Gables House on the exhibit information. A new pilot project has been launched at Green Gables for an intimate evening with Anne. There will be a service fee and the general admission fee per person to attend the evening. It is expected to start around July 23, 2018.

Planning Board questioned how the information will be sent out to the public as there could be locals as well as visitors who want to take part in this event.

Stats are down from last year, but they are hoping that they will increase for July.

Cavendish East – trail and Washrooms – Barb commented on the trail being flooded out in the spring and that it is supposed to be fixed this week. She advised that it was unfortunate that someone had to go through the mud to access the trail.

Washrooms at the former Cavendish East are being closed as there is a problem with the well and from the janitorial staff advising that there was minimal use based on the paper being used in the washrooms.

Concern was raised on no information being presented to the community on the washrooms being closed and nothing being done about it.

Porta potties with sanitizers will be put on site and are expected this week.

Cavendish Beach Complex – Solar heating was installed.

Way Finding Signage is still being worked on with Andre and Alan Aitken.

North Rustico Signage to the Park is now trilingual, with English, French and Mi'kmaq. They are working on putting signage up in other areas of the park as well.

Cavendish Beach – Dune Crossing they are working with the consultant on the plan for the site. Consultations will be held on July 19, 2018 at the North Rustico Lion's Club. The path will be universally accessible and the new path will be longer as it has to be changed due to the dunes.

VIP Cottage was discussed again. Barb advised that the plan is that it will be demolished over the next three weeks.

Concern was raised by the board again on why the building is not tried to be leased out to a third party and why no information was sent to the public on the building being demolished or to look at other options for the property.

The concerns of the committee will be brought back to the Park.

The CAO advised that the staff that attended Multi-Cultural Community Heritage Day from Parks was great and the people really liked the displays, information and airbrush tattoos that they provided.

Cavendish Campground – Barb confirmed that the trail will be worked on again in the fall.

CBMF – Barb advised that things went well. They had some issues with some people being charged. Roger Steadman was on site for the event along with Park Staff.

**Consultation meeting:**

Lucy Maud Montgomery Destination Development Project – Monday, July 16, 2018 at 7:00 p.m. at the North Rustico Lion's Club.

**Cavendish Beach Music Festival**

a) Event update.

Sherry advised that she had taken her children to the event on Monday night and the dry area was tight.

Planning Board Chair Clark Dunning commented on the fence being breached again during the festival.

The CAO advised that they did put the security on the Hansen property on Saturday, Sunday and Monday during the event, as that is the area that is breached each time.

The CAO commented on a number of bracelets being cut during the event for underage drinking, being intoxicated and 19+ giving alcohol to underage.

The CAO advised that the Liquor Commission always knew that there were issues on the site with alcohol but by them having access to the whole site this year it gave them a better understanding and allowed them to get more people removed from the site.

Some of the members advised that there were not as many issues this year.

It was decided that a meeting would be held on the last week of August.

Updates were provided on some properties that were dealt with during CBMF.

**Property Owners doing things on their property without permits during the music festival:**

- a) Rod & Tanya Kingyens – trailers on the property without a permit.
- b) Action Attractions Ltd. – guy selling cowboy boots and hats at the Black Magic Property.
- c) Stephanie Scharf & Chris Robinson – parking on the property without a permit.

**6.A.1. SUMMARY PROCEEDINGS BYLAW 2<sup>ND</sup> READING:**

It was moved by Deputy Mayor Lowther, seconded by Councillor Wyand that the Summary Proceedings Bylaw be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**SUMMARY PROCEEDINGS APPROVAL OF 2<sup>ND</sup> READING:**

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the second reading of the Summary Proceedings Bylaw be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**SUMMARY PROCEEDINGS ADOPTION:**

It was moved by Councillor Wyand, seconded by Councillor Gauthier that the Summary Proceedings Bylaw be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**6.A.2. UNSIGHTLY PROPERTIES:**

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that a final letter be sent to the Doucette and the MacLure Properties advising them that they have until August 15, 2018 to respond to the Council on their plans to deal with the unsightly properties. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**6.A.3. ELECTION ORDER:**

A copy of the Election Order signed by Hon. Richard Brown was in the package for the election bylaw deadlines for municipalities.

It was agreed by Council that after the July 27, 2018 deadline for nominations for the Council that all candidates should send out some information on themselves and a headshot of them as well to be posted on the website.

**6.A.4. MUNICIPAL AFFAIRS UPDATE:**

A copy of the municipal affairs newsletter was in the meeting package on upcoming deadlines.

**7.B. MONTHLY FINANCIAL REPORT:**

The CAO presented the monthly finances for June 2018. Revenue was \$129,039.37 and the expenses were \$175,702.79.

It was moved by Councillor Wyand, seconded by Deputy Mayor Lowther that the monthly finances for June 30, 2018 be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**7.B.1. Draft Audited Statements:**

Michelle Burge was asked to present the audited financial statements.

It was moved by Councillor Wyand, seconded by Deputy Mayor Lowther that the monthly finances for June 30, 2018 be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**7.B.1. Draft Audited Statements:**

Michelle Burge was asked to present the audited financial statements.

Cavendish Sewer non-consolidated financial statements were presented.

It was moved by Deputy Mayor Lowther, seconded by Councillor Gauthier that approval of the Cavendish Sewer non-consolidated financial statements be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

Resort Municipality non-consolidated financial statements were presented.

It was moved by Councillor Gauthier, seconded by Councillor Wyand that the Resort Municipality non-consolidated financial statements be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

Resort Municipality consolidated financial statements were presented.

It was moved by Deputy Mayor Lowther, seconded by Councillor Gauthier that the Resort Municipality consolidated financial statements be adopted as presented. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**6.C. TRAILS AND PATHS REPORT:**

There were no updates on the trail projects.

**6.C.1. Alan Aitken – Crosswalk – Route 6:**

No information was received from Alan Aitken on an update on a crosswalk on Route 6.

**6.D. FIRE COMMITTEE REPORT:**

**6.D.1. Town of North Rustico:**

A letter was received from the Town of North Rustico regarding an increase in fire protection for 2019 of 10%.

**6.E. TCBI:**

There were no updates from TCBI as the committee has not met.

**6.F. CCTP:**

There were no update from CCTP.

**7. CAVENDISH SEWER UTILITY REPORT:**

- Driftwood Landing submitted information on a CD and a written report for the sewer engineer to review. Information on the paperwork and the video advised that it was from Manhole 2 – 3 and the utility had requested from Manhole 1 – 2. We are now awaiting comments back from the Condo Corporation.
- Nothing has been received from IRAC to date regarding having a process in place either through the water and sewer regulations or through the utility tariff to allow the utility to bill customers in advance for services each year similar to the process in place with Maritime Electric. By allowing this to happen the utility would then have the fees paid in advance.
- A revised easement has been sent out from Stewart McKelvey for review on the properties owned by Action Attractions and Sandspit Entertainment Ltd. We are awaiting for the agreement to be sent out

prior to an RFP going out for demolition.

**8. BUSINESS ARISING FROM MINUTES:**

**8.A. Destination Management Fund:**

**8.A.1 Terms of Reference:**

A formal agreement has to be signed by the parties for the fund and a formal press release will be made for the fund so that the public knows about it and how it can be applied for.

**8.B. Heritage Park and Historical Committee:**

The first consultation meeting will be held following the monthly Council Meeting tonight to allow the consultant's and the committee to get feedback from the public.

**8.C. Internet – North Rustico:**

There were no updates provided on the Internet Project for North Rustico as we are still waiting to hear back from the Province.

The CAO advised that there are still issues with the internet service for sending messages from the office through Eastlink.

Mayor Jelley advised that there is a mail server program that can be utilized for about \$80.00 a year and you can access it from anywhere that he will look into getting set up.

It was moved by Councillor Gauthier, seconded by Deputy Mayor Lowther that \$80.00 be allocated towards a new mail service for sending messages. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**9. NEW BUSINESS:**

**9.A. FPEIM:**

Councillor Wyand advised that they will be meeting on September 20, 2018 with the Department of Communities, Land and Environment on the new Building Code.

They are looking at a policy on sick leave time.

**9.A.1. Hon. Frank and Dorothy Lewis Community Strength Fund:**

It was moved by Councillor Wyand, seconded by Deputy Mayor Lowther that the municipality contribute \$100.00 towards the Frank and Dorothy Lewis Community Strength Fund.

**9.B. TREC Membership:**

It was moved by Councillor Wyand, seconded by Deputy Mayor Lowther that \$100.00 be donated to TREC. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

It was moved by Deputy Mayor Lowther, seconded by Councillor Gauthier that \$100.00 be donated to Hunter – Clyde Watershed Group. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**9.C. Central Queen's Soccer Club Donation:**

It was moved by Councillor Clark Dunning, seconded by Councillor Gauthier that \$250.00 be donated to the Central Queen's Soccer Club. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

**9.D. JLT Cyber Risks:**

Information was in the meeting package from JLT on Cyber Risks.

**9.E. Administrator's Holidays:**

The dates for the Administrator's holidays were in the meeting package.

**10. CONCERNS:**

**10.A. Councillors Concerns:**

Deputy Mayor Lowther commented on the former shopping center and people not knowing whether or not it is open as the sign is lying on the ground.

It was decided that a letter would be sent to Jay advising him to remove the sign at the road.

Deputy Mayor Lowther advised that an after action plan needs to be looked at for the music festival and people should write down their thoughts now so that they don't forget them.

Councillor Clark Dunning advised that there were a number of concerns regarding properties along Forest Hills Lane again during the concert.

Mayor Jelley thanked all Council Members for their commitment to the Council over the past four years and that he is proud of the work achieved to date and that if anyone wishes to reoffer the deadline is July 27, 2018.


**10.B. Residents:**

Ruth Phillips – raised concerns over the music festival and these will be addressed at the meeting in August.

Catherine Roberts – Peter Fullerton sent a response to Catherine to address her concerns on the church.

**11. ADJOURNMENT:** Mayor Jelley adjourned the meeting at 6:40 p.m.

  
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Mayor, Matthew Jelley

  
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CAO, Brenda MacDonald