

Minutes
Resort Municipality Special Council Meeting
Monday, April 13, 2015
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on April 13, 2015, at the Resort Municipality Office.

PRESENT: Chair Matthew Jelley, Councillors: Linda Lowther, Kay Hryckiwi, Gwen Wyand, David Gauthier and Edmond Richard. Administrator - Brenda MacDonald

ABSENT: Nil.

VISITORS: Nil.

1. CALL TO ORDER:

Chair Jelley called the meeting to order at 5:10 p.m..

2. DECLARATION OF CONFLICT OF INTEREST:

Chair Jelley and Councillor Lowther declared conflicts of interest and that they would leave the room when the matters came up on the agenda.

3. APPROVAL OF AGENDA:

It was moved by Councillor Richard, seconded by Councillor Hryckiwi that the agenda be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

4. COUNCIL RESIGNATION:

Chair Jelley advised that a letter had been received from Councillor Watters advising that she was resigning from her position on Council. It was moved by Councillor Gauthier, seconded by Councillor Hryckiwi that the position be left vacant. All in favor 4, 1 non-voting, 1 abstaining. Motion Carried.

Chair Jelley advised that the administrator will decide within 60 days whether an election will be called.

5. PLANNING BOARD MATTERS:

Councillor Lowther left the meeting while discussion took place.

5.A. Mike Wheeler:

Councillor Richard advised that a request is in the package asking for the Council for an amendment to be made to the Zoning and Subdivision Control (Development) Bylaw under section 4.1.2 that sidewalks be added to the exemptions under this section and shall not require a permit.

It was decided that this request be brought forward under the bylaw review by the municipal legal counsel.

Councillor Lowther returned to the meeting.

Chair Jelley left the meeting and turned the Chair to Councillor Lowther.

5.B. Cavendish Entertainment:

Councillor Richard advised that an application was received to change the use of the existing building of 12.8'

X 24' into a takeout. It was moved by Councillor Richard, seconded by Councillor Hryckiwi 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 and 3) payment of building permit fee. All in favor 4, 1 non-voting, 1 absent. Motion Carried.

Chair Jelley returned to the meeting.

6. PARKS LICENSE AGREEMENT:

6.A. Lawyer's Comments:

Chair Jelley advised that there is an extensive list of information in the package from the lawyer and her comments and questions on the license agreement.

The agreement was gone through and agreed that in each section there was additional information required for clarification to be sent through based on the questions raised by the municipal legal counsel.

7. MAINTENANCE STAFF:

The administrator advised that the maintenance staff is interested in returning and she is just wondering when the Council would like to start him back based on the weather. The Council advised that it was up to the administrator as to when the maintenance staff will return.

8. BYLAWS:

8.A EMERGENCY MEASURES BYLAW:

It was moved by Councillor Lowther, seconded by Councillor Wyand that the first reading of the emergency measures bylaw be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

8.B COUNCIL PROCEDURES AND GENERAL BUSINESS BYLAW:

It was moved by Councillor Gauthier, seconded by Councillor Hryckiwi that the first reading of the Council procedures and general business bylaw be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

8.C. COUNCIL REMUNERATION BYLAW:

It was moved by Councillor Lowther, seconded by Councillor Richard that the first reading of the Council remuneration bylaw be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

8.D. SPECIAL EVENT GUIDELINES:

Chair Jelley advised that there is a draft copy of the special event guidelines in the package that has been worked on by the consultant. It was decided that the Council would review the information and respond back with any information that they wanted added and that this would be a format to allow the Council to have when reviewing requests each year.

8.E UNSIGHTLY JURISDICTION:

Chair Jelley advised that in order for the Council to bring in an unsightly jurisdiction bylaw it needs to be added to the list of powers for the municipality.

It was moved by Linda, seconded by Kay that the incorporation powers be requested by the Department of Municipal Affairs to add the remaining powers in the Municipalities Act that the community currently does not

have under the incorporation papers from 1990. All in favor 5, 1 non-voting. Motion Carried.

8.F MUNICIPALITIES ACT CHANGES:

Chair Jelley advised that under the municipalities act there needs to be a change made to the voting process for Section 8 of the act. It was moved by Councillor Hryckiwi, seconded by Councillor Richard that the municipality have the lawyer prepare changes to this section of the Act to bring to government. All in favor 5, 1 non-voting. Motion Carried.

Chair Jelley also advised that under section 34.1 of the Municipalities Act there also needs to be a change made to allow a community to establish a levy.

It was moved by Councillor Hryckiwi, seconded by Councillor Lowther that this change be requested from the province to allow communities to have a levy. All in favor 5, 1 non-voting. Motion Carried.

9. OTHER:

Councillor Lowther advised that there have been 10 RFP's received for the website RFP. She advised that she and Edmond will review the RFP's and bring forward a suggestion to the Council at the next meeting.

10. ADJOURNMENT: Chair Jelley adjourned the meeting at 6:35 p.m..



Matthew Jelley, Chair