

Minutes
Resort Municipality Monthly Council Meeting
Monday, April 20, 2015
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on April 20, 2015, at the Resort Municipality Office.

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

ABSENT: Linda Lowther and Kay Hryckiw.

VISITORS: Nil.

1. **CALL TO ORDER:**

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

2. **DECLARATION OF CONFLICT OF INTEREST:**

There were no conflicts of interest to declare.

3. **APPROVAL OF AGENDA:**

It was moved by Councillor Wyand, seconded by Councillor Gauthier that the agenda be adopted as presented. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

4. **APPROVAL OF MINUTES OF COUNCIL MEETING MARCH 25, 2015:**

It was moved by Councillor Richard, seconded by Councillor Wyand that the Council meeting minutes of March 25, 2015 be adopted as presented. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

5. **CORRESPONDENCE:**

The administrator advised that any correspondence items for March that action is required on are listed on the agenda.

6. **COMMITTEE REPORTS:**

6.A. **PLANNING BOARD / SIGNAGE Report:**

Councillor Richard advised that Jeff Squires spoke to the planning board members through speaker phone as he was out of province and there was some concern raised on that by Monty Drummond at the planning board meeting. He advised that Monty Drummond left the meeting as he did not feel that Jeff should join the meeting by phone.

Councillor Richard advised that Jeff had stated that with the Rod Stewart concert that he was looking for a fully licensed venue based on the demographic for tickets sold and that he did not feel that an extension in hours was needed for this event. He advised that the lights will be turned on at the festival grounds at 11:00 p.m. for people to leave the site.

Councillor Richard advised that a motion had been made by the planning board at their meeting that the meetings be open to the public if they wish to make a presentation on their proposal to gather more information and answer any questions whether it be in person or by phone.

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Rezoning application:

West Highland Contractors - Sunset - (Cavendish Road) - an application was received to rezone a portion of the property from RD4 (Resort Commercial) to R1 (Residential) at property # 231787. It was moved by Councillor Richard, seconded by Councillor Wyand that the rezoning request be taken to a public meeting. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Subdivision / Consolidation Application:

West Highland Contractors - Sunset (Cavendish Road) - an application was received to subdivide a portion of property # 231787 off of the main property. This property is located in the RD4 Zone. It was moved by Councillor Richard, seconded by Councillor Gauthier that the subdivision application be approved in principle subject to: 1) a final decision being made on the rezoning application following the public meeting. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

West Highland Contractors - Sunset (Cavendish Road) - an application was received to consolidate a portion of property # 231787 with property # 231761. This property is located in the RD4 Zone. It was moved by Councillor Richard, seconded by Councillor Wyand that the application be approved in principle subject to: 1) a final decision being made on the rezoning application following the public meeting. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

BUILDING PERMIT APPLICATIONS:

Temporary Permit Application:

Cavendish Beach Music Festival (Cavendish Road) - an application was received for the Rodd Stewart Event on July 9, 2015 to have the hours from 4:00 p.m. - 12:00 p.m. at property # 1037423. This property is located in the RD4 Zone. It was moved by Councillor Richard, seconded by Councillor Wyand that the request for a fully licensed venue be brought to a public meeting prior to a decision being made on these requests and that clarification be provided by the owner on the application as he stated to the planning board that the hours would not be extended but the application submitted requests that the event go until 12:00 midnight. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Cavendish Beach Music Festival (Cavendish Road) - an application was received for the Cavendish Beach Music Festival Event on July 10 - 12, 2015 to have the hours from 12:00 noon - 12:00 p.m. at property # 1037423. This property is located in the RD4 Zone. It was moved by Councillor Richard, seconded by Councillor Wyand that the request for the extension of hours be brought to a public meeting. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Phil Dais - Clark's Lane - an application was received to have temporary parking from July 9 - 12, 2015 on property # 860742. Planning board recommended that we need comments from the RCMP on the request as well as the location of the parking on the site needs to be clarified as well as the zoning of the location for the parking and the permitted uses for those zones. This request is tabled until the May meeting pending further comments from the RCMP.

Bylaw Review:

The administrator advised that the municipal lawyer is still going through the Zoning and Subdivision Control document. She advised that the lawyer has raised a number of concerns in the document between definitions and the document itself and a number of changes and questions that need to be answered on the

intent of some of the changes based on the last planner's changes. Further information is to be sent to the Council on this.

Mike Wheeler - Bylaw Amendment:

It was moved by Councillor Richard, seconded by Councillor Wyand that the bylaw review is underway and it is in the best interest of the municipality that no decision be made on this bylaw amendment request at the present time until the bylaw review is completed and all sections of the bylaw are reviewed. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

It was decided that the Chair would respond to Mike directly on his request on the bylaw amendment.

PARKS CANADA:

The fuel modification project and the question on the \$49,000.00 in the fire management document for Parks Canada, this money was spent for the March 31, 2015 fiscal year. They had to suspend their operations on the fuel modification program due to the snow and are in the process of assessing what can be done based on the snow that is still around.

Planning Board members raised concerns around the trees down around the visitor center as this is the first location that visitors see coming into the area.

Based on Parks funding the board was advised that they would not be able to allocate any additional tree work until October as that is when they complete their budget and that would be for two years away of tree projects based on what has currently been decided as the areas to be dealt with first.

The view plain on Graham's Lane will be looked at again this spring as to whether or not the work can be completed.

Green Gables House is now open by appointment only with 48 hours' notice and will be open from May 1 - October 31, 2015, seven days a week for the season. The Butter Churn will no longer be run by Parks and People so they have put out an RFP looking for someone to take it over.

The administrator advised that Oselle the new manager at Green Gables should be communicating with Tourism PEI and the Cavendish VIC to advise when there are tours on during April as there are visitors around each day now and they are looking to see the house.

It was advised by Parks that the tours are specialized for the group booking the tour so it is not intended for others to join in on the tour.

The administrator advised that if the specialized tour could have some others join in on the costs they would be appreciative more than likely as to paying the higher fees and if the group didn't want anyone to join, then why not book another group right after the first tour that is booked as Parks is interested in making additional revenue then this would add to it and the staff are on site anyway during this time. The administrator also advised that they had talked with Parks last year about having the phone at Green Gables ringing directly to Parks and the manager of Green Gables and this still has not happened and she doesn't understand why the

phone cannot ring to someone to answer it rather than not knowing when someone will check the message at the house for a tour and get back to the visitor.

Barb advised that Oselle is busy with training and interviewing staff and working on projects for the season and that is how the phone system works for appointments that they leave the message at Green Gables House.

The administrator advised that staff are busy regardless of where they work, but if someone comes in looking for information that you assist them and that with Oselle being a manager that he must have a cell phone and office number with Parks as all managers have phones with Parks and he is working daily so why can't the phones ring into him.

Barb advised that she was unsure if he had a phone but would check into it and why the phones can't be transferred, but she advised that the house is not meant to be staffed this time of year as the Federal Government does not want the services provided based on budget cutbacks.

The administrator advised that it would make it easier for the customer that is trying to see the house if they could communicate more easily with staff based on the fact that they need 48 hours' notice just to get into the house.

The new Park Guides are out and planning board raised some concerns on their review of the document. The board was advised by Barb that the staff does their best when the documents are being printed.

The administrator advised that Parks should send the guide out to some additional groups in each area of the Park to review the draft document prior to it being printed in case of any recommendations as that is what the tourist association does with their maps each year to make sure that nothing is missed. She advised that no one is perfect and that it never hurts to get other's to review printed materials before they go out.

Barb will pass the comments along to Parks staff that print the guide.

Barb advised that she would not be able to attend the next meeting but would send comments along.

Planning board members stated that they are impressed with the amount of knowledge that Arnold has on the area and why not have someone like him sit on a committee with Parks to review information.

Barb advised that there are committees in place to review various items through Tourism, but they have not met for a while. She advised that the members on the group were determined by Tourism and that she would bring the suggestions back to staff.

Chair Jelley advised that moving forward a document will need to be prepared on the planning board for their roles, procedures, quorum, policies, guests permitted and the level of permit approval.

Councillor Richard advised that verbally Monty had stated following the meeting that he was resigning from the board, but we have not to date received a written response from him on this.

Chair Jelley advised that for the present time the position will not need to be filled for the planning board until an official resignation has been received from Monty Drummond.

Peter Fullerton - an application was received to construct a one storey garage with a breezeway. It was moved by Councillor Richard, seconded by Councillor Gauthier that approval be granted in principle subject to: 1) that the accurate dimensions be provided on the breezeway and the garage and 2) payment of building permit fee. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Avonlea Village - an application was received to change one of the existing buildings into the lobster roll take-out. It was moved by Councillor Richard, seconded by Council Gauthier that approval be granted subject to: 1) meets the requirements of the provincial fire marshal, 2) meets the requirements of the Department of Health and Wellness and 3) payment of building permit fee. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

Avonlea Village - an application was received to change one of the existing buildings into Raspberry Point Oysters. It was moved by Councillor Richard, seconded by Council Gauthier that approval be granted subject to: 1) meets the requirements of the provincial fire marshal, 2) meets the requirements of the Department of Health and Wellness and 3) payment of building permit fee. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

6.1. Bart and Patty Bourne walkway:

It was moved by Councillor Gauthier, seconded by Councillor Wyand that the Council reconsider this matter at a further date. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

6.3 Bylaw Review:

6.3.A. Emergency Measures Bylaw:

It was moved by Councillor Gauthier, seconded by Councillor Wyand that the second reading of the emergency measures bylaw be adopted as presented. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

6.3.B. Council Procedures and General Business Bylaw:

It was moved by Councillor Wyand, seconded by Councillor Gauthier that the second reading of the Council procedures and General Business Bylaw be adopted as presented. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

6.3.C. Council Remuneration Bylaw:

It was moved by Councillor Gauthier, seconded by Councillor Richard that the second reading of the Council Remuneration Bylaw be adopted as presented. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

It was moved by Councillor Gauthier, seconded by Councillor Richard that the Council adopt the Emergency Measures Bylaw. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

It was moved by Councillor Wyand, seconded by Councillor Gauthier that the Council adopt the Council Procedures and General Business Bylaw. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

It was moved by Councillor Richard, seconded by Councillor Wyand that the Council adopt the Council Remuneration Bylaw. All in favor 3, 1 non-voting, 1 absent. Motion Carried.

6.B. MONTHLY FINANCIAL REPORT:

The monthly finances were tabled until May.

6.C. TRAILS AND PATHS REPORT:

6.C.1. Graham's Lane Walkway :

6.C.2. License Agreement Parks Canada:

It was decided that a more detailed breakdown of questions be sent through on the Parks Canada on the licensing agreement on each of the sections of the agreement to seek clarification based on the lawyer's comments on each section so that the Council is clear on the terms and conditions in the agreement and what is expected.

6.D. FIRE COMMITTEE REPORT:

The administrator advised that there were no new updates from the fire department.

6.E. Tourism Cavendish Beach

The annual meeting will be held on May 19, 2015 at the Visitor Information Centre.

6.E.A. Membership:

It was moved by Councillor Gauthier, seconded by Councillor Richard that the municipality take a bronze membership with the tourist association at a cost of \$125.00 plus HST. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

6.E.B. Central Coastal Tourism Partnership:

The annual meeting will be on May 20, 2015 in Central Bedeque.

6.E.B. Festivals and Events Meetings and Sessions:

Chair Jelley advised that Councillors Hryckiw and Lowther as well as Arnold Smith are on the Best Practice Mission now for the festival and events study and we look forward to gathering their input from the session. He advised that it is expected that the final event study report will be submitted to the committee by May 11, 2015 to be presented to the annual meeting of the tourist association on May 19, 2015.

7. CAVENDISH SEWER UTILITY REPORT:

The lagoon samples from cell # 1 are too high and need to be checked again in a week. It is expected that the approval of this cell be completed so that the drawdown can be finalized on this cell prior to the deadline of April 30, 2015. The utility is hoping for an extension based on the ice.

The insurance company is working on costs for the utility on the pollution policy and general commercial policies.

Outstanding Customers accounts are getting cleared up. Parks Canada and Public Works and Government Services Canada have responded to their outstanding billings and we are awaiting payment.

7.A. Building Canada:

No decision has been made to date on the Building Canada Fund by the government as this will not be finalized until the new government is elected.

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7.B. Legal Matter:

The lawyers are still working on discovery dates for the case as there has been no resolution to the matter to date.

7.C. Sewer Tender:

The tender is still being worked on with the insurance coverage and the pricing of the monthly work that is being completed by Toombs. A final contract is being worked on by the legal counsel once all relevant information has been received this will be put into a draft document.

DRC Operators have completed their forms for the sewer utility and they are Kendall and Brian Toombs. This information has been sent to the Department of Environment as well as the legal counsel for the contract information.

8. BUSINESS ARISING FROM MINUTES:

8.A. Gas Tax Funding 2014 - 2019

Capacity Building \$50,000.00

Local Roads and Bridges \$400,327.00

Tourism Infrastructure - Heritage Park \$50,000.00

Tourism Infrastructure - Signage and Gateways of Beautification of intersections. \$35,000.00

It was moved by Councillor Richard, seconded by Councillor Wyand that the Gas Tax projects be approved as presented. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

8.B Human Resource Review:

Chair Jelley advised that he is waiting to receive a draft contract from the lawyer.

8.C. Streetlights:

The administrator advised that Maritime Electric has not contacted the office back yet on the 10 lights missing from the list.

8.D Municipal Office Lease:

The administrator advised that the lease is still being worked on by the Department of Transportation and Infrastructure Renewal and it is expected within the next few weeks.

8.E PEI Crime Stoppers:

A letter is in the meeting package thanking the community for their donation.

8.F. Vacant Council Position:

The administrator advised that she declares that the vacant Council position shall remain vacant until the annual meeting in August at which time an election will be held to fill this position for the remaining three year term.

9. NEW BUSINESS:

9.A. FPEIM:

The Annual meeting will be held on May 25, 2015. The deadline to register is May 15, 2015.

9.A.2 2015 FCC Agrispirit Fund:

Applications are being accepted until May 18, 2015 for making life better for people in rural areas. Information only.

9.A.3. PEI Environmental Awards:

Applications are being accepted until May 1, 2015.

9.A.4. Forum on Cosmetic Pesticides:

A forum will be held on Cosmetic Pesticides on April 29, 2015 in Stratford for anyone interested in attending.

9.B. Website RFP:

It was moved by David, seconded by Edmond that Linda and Edmond meet with Technomedia and Results to determine the best suited company to complete the website and that the budgeted amount be increased for the tender to \$13,000,00 and once the decision is made on the best suited company to complete the website, that the Council be advised. All in favor 3, 1 non-voting, 2 absent. Motion Carried.

9.C. Whitecap notification process during festival:

It was decided that additional information would be required for the information to be sent out to property owners on communications during the festival.

10. CONCERNS:

COUNCILLORS – There being no Councillor Concerns Chair Jelley moved on to Resident's Concerns.

RESIDENTS: Joe Kaczmarczyk:

The administrator advised that Joe had contacted the office wanting a breakdown on the Gas Tax Funds and the decision on their request for the roads in Seawood Estates to be considered. The breakdown of approval projects under the Gas Tax Allocation was sent through to him as well as advising him of the information on no funding being available through the program for private roads under this allocation.

ADJOURNMENT: Chair Jelley adjourned the meeting at 7:22 p.m..


Matthew Jelley, Chair

