

Minutes  
Resort Municipality Monthly Council Meeting  
Monday, March 19, 2018  
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on March 19, 2018 at the Resort Municipality Office.

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

**ABSENT:** Nil.

**VISITORS:** Edmond Richard, Milton Power, Kim Champion and Trevor Power with Eastlink.

**1. CALL TO ORDER:**

Mayor Jelley called the meeting to order at 5:05 p.m..

**2. APPROVAL OF AGENDA:**

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the agenda be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

Mayor Jelley made a presentation to Edmond Richard on behalf of the Council for his time as a Council Member.

**3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES FEBRUARY 26, 2018:**

It was moved by Councillor Wyand, seconded by Deputy Mayor Lowther that the Monthly Council Meeting Minutes of February 26, 2018 be adopted as amended. All in favor 5, 1 non-voting. Motion Carried

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

There were no conflicts of interest declared.

**5. CORRESPONDENCE:**

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

**6. COMMITTEE REPORTS:**

**Building Permit Applications:**

Cavendish Services Ltd. - PID # 512871 (7550 Route 13) - an application was received to construct a new garage of 30' X 60' and to install new tanks on the property. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval be granted in principle subject to: 1) meets the requirements of the Department of Environment, 2) meets the requirements of the Provincial Fire Marshal's office, 3) meets the requirements of the Department of Health and Wellness, 4) meets the requirements of the Department of Transportation, Infrastructure and Energy, 5) that a development agreement be entered into, 6) that a performance bond of \$5,000.00 be posted and 7) payment of building permit fee. All in favor 5, 1 non-voting. Motion Carried.

West Highland Contractors Ltd. – PID # 694984 - (Simpson Mill Road) – application was tabled as it was incomplete.

**Temporary Permits:**

Cavendish Beach Music Festival – PID # 1037423 (8779 Cavendish Road) – an application was received to

hold a fully licensed event on July 9, 2018. It was moved by Councillor Clark Dunning, seconded by Councillor Wyand that a letter be sent to the Liquor Control Commission on the concerns of the Council and the planning board on the two drink limit and that the application be tabled until a response is received. All in favor 5, 1 non-voting. Motion Carried.

The letter will be sent to Quentin Bevan – Chair Liquor Control Commission, Hon. Heath MacDonald, Hon. Richard Brown, Hon. Chris Palmer, Jeff Squires, and Shane Hubley – S/Sgt. District Commander – RCMP.

**Subdivision / Lot Consolidation:**

Island Commonwealth Corporation Ltd. – PID # 232975 (8527 Cavendish Road) – an application was received to subdivide .12 acres off of the main property and append it to Lot 18-1. It was moved by Councillor Clark Dunning, seconded by Councillor Gauthier that approval in principle be granted subject to: 1) that a survey plan be provided showing the consolidation of the three lots as per the survey plan approved on October 12, 2000 for PID #'s 232991, 612556 and a portion of PID # 522102, 2) that a subdivision agreement be entered into to ensure that all terms and conditions are met and 3) that a lot consolidation deed be completed by the lawyer prior to final approval being granted. All in favor 5, 1 non-voting. Motion Carried.

**Variance Request:**

Friendly Fisherman Inc. – PID # 232959 (Cavendish Road) – a request was received for a minor variance on the front yard setback on the property to allow for stairs. It was moved by Councillor Clark Dunning, seconded by Councillor Gauthier that the minor variance request be denied as it does not comply with the provisions of section 15 of the Zoning and Subdivision Development (Control) Bylaw. All in favor 5, 1 non-voting. Motion Carried.

**Follow Up Permits:**

Updates on pending permit applications were discussed.

**Municipal Government Act / National Building Code Act:**

The CAO provided updates on the Municipal Government Act and the National Building Code Act.

The voting process under the Municipal Government Act was discussed and that if you abstain from a motion then it is considered a vote in favor of the motion.

**Parks Canada:**

Homestead Trail – the realignment of the trail work will start in the spring and go into the summer due to the rotting pilings. The small bridge will remain in place while construction of the new realignment is underway, some parts may have to be closed during construction but signage will be in place for the visitors. Work is expected to be completed by late June.

Entrance Kiosk work on Cawnpore Lane and the Gulf Shore Highway is underway and there will be directional and information signage at the kiosks once all work is completed.

Karen Jans and Barb MacDonald had not received the pictures from Matthew due to the size of the photos, their system blocked the message from coming through. They did receive the revised package of photos that the CAO had sent through.

Cavendish Grove – Staff were sent twice to the site and could not find any garbage from the pictures that Matthew had sent through.

Parks asked that if anyone from the community sees garbage at the Cavendish Grove, that perhaps they could pick it up and take it away.

Weddings in the National Park will be promoted in the new guides and the costs are not high for the event to be held.

Green Gables House – open by appointment from April 15 – 30, 2018 then open for the season from May 1 – October 31, 2018.

Cavendish Campground – sites near the beach will be closed due to bank swallow nests as it is a species at risk. Campers that have booked these sites have been advised of the Park's plan for closures and they have been placed into other sites within the campground for their stay. The public has advised Parks that they understand the Parks position on the species at risk and it hasn't seemed to be an issue to date.

A lot of trees have fallen during the winter at the campground, so the Fire Risk Management Team did an assessment and a number of trees will be removed. They will also do some reforestation as a result of the tree removal.

**6.A.1. Draft Signage Bylaw:**

A copy of a draft Signage Bylaw was presented from the lawyer.

Planning board will review the document at their next meeting and bring back their comments to the Council and then a public meeting will be held.

**6.A.2. Draft Election Bylaw:**

A copy of the Draft Election Bylaw was presented from the lawyer.

The Draft Election Bylaw will be brought to a public meeting with the Draft Signage Bylaw.

It was decided by Council that Samantha Murphy should be advised that the Election Bylaw should remain with the same standards that had been in place that municipalities must be at least as stringent as the province, but can be more stringent with the bylaws if they wish.

**City / Beach Express Signage:**

The City / Beach Express would like to install signage at each of the locations in the area in which the bus stops.

Marsha Doiron with the City / Beach Express will be contacted and advised to ensure that she has permission from each of the landowners to install the signage on their properties.

**6.A.3. Council Liability:**

An e-mail was received from Samantha Murphy in response to Council Liability questions that were raised.

Mayor Jelley moved on to the North Rustico Internet Project on the agenda and welcomed Kim Champion and Trevor Power with Eastlink.

**6.A.4. North Rustico Internet Project:**

Kim Champion provided details on the cost estimate for providing high speed internet from Parkview Farms Tourist Home and Cottages to the North Rustico Home Hardware. The cost would be \$15,600.00 to make the

project move forward

It was moved by Councillor Hryckiwi, seconded by Deputy Mayor Lowther that the Council start the process to work with property owners in the North Rustico area for a shared cost process of providing high speed internet to this area based on the proposal provided by Eastlink. All in favor 5, 1 non-voting. Motion Carried.

A meeting will be held with property owners in North Rustico to confirm who is interested in connecting to the internet and find out if they have funds to contribute towards the project costs.

Mayor Jelley will reach out to Shane MacDougall at the Department of Innovation to see if there is funding that could be available for the North Rustico Internet project from the province.

**6.B. MONTHLY FINANCIAL REPORT:**

Councillor Hryckiwi presented the monthly finances for February 2018. Revenue was \$23,919.91 and the expenses were \$26,583.92.

It was moved by Councillor Hryckiwi, seconded by Councillor Wyand that the monthly finances for February 28, 2018 be adopted as presented. All in favor 5, 1 non-voting. Motion Carried.

**6.B.1. Internet Project – Innovation PEI:**

The claim is in the process of being paid out for the Internet Project for Cavendish West.

**6.B.2. Equalization Funding Grant:**

A letter was received from Hon. Richard Brown confirming that government approved a Real Property Tax Credit for planning of \$0.011 per \$100 of total non-commercial taxable property assessment. The program will be implemented after April 1, 2018.

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

Lighting on Grahams Lane was discussed and that further review will need to be completed on future lighting for the path.

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

The meetings for the three Departments were held on the same night.

Information was provided by the North Rustico Fire Department and a report was obtained on the New Glasgow Fire Department's meeting.

**6.E. TCBI:**

- The RCMP Rider Program is under review based on concerns for safety of the rider and how the program will have to run for 2018 based on the public thinking that it is an RCMP officer on duty and for safety of the officer.
- The 2018 Regional Map is expected to be completed by May 2018.
- The Annual Meeting will be held on May 15, 2018 at 6:00 p.m. at the Cavendish Destination Centre.

**6.F. CCTP:**

- The Experienced Specialist program was held at the North Rustico Lion's Club on February 28, 2018.
- The next session will take place on April 10, 2018 at the New London Community Complex.

A session will be held in May and June as well.

- On April 11, 2018 from 2:00 – 5:00 p.m. there will be a Taste of North Rustico session at the Watermark Theatre.

**7. CAVENDISH SEWER UTILITY REPORT:**

**7.A. Monthly Updates and engineering:**

Toombs have removed one pump at LS # 3 - Green Gables and have sent it to be fixed. It is expected to take 6 weeks for the work to be completed at a cost of \$11,082,31. The second pump will be sent away to be repaired following the spring thaw.

Driftwood Landing has been sent a list of requirements in order for the sewer utility to take over the system. The sewer board is waiting for a response from the condo board.

Sewer Customers were sent out letters regarding their outstanding sewer bills. A number of customers have paid but six will have to be sent disconnection letters.

Parks has raised issues again on the sewer bill for Green Gables.

Parks has been requested for the visitation stats for Green Gables and the Cavendish Grove as well in case there are any disputes on the flow charges.

IRAC was asked about having a process in place to allow the utility to bill customers in advance for services each year similar to the process with Maritime Electric for delinquent customers.

Stantec was asked to explore the costs for servicing beyond Inn at the Pier for future expansions. The costs that came back were \$29,000.00 per property. The board has determined that this is not an option.

Stantec was asked to look at the costs for servicing the proposed new 30 cottage development on Simpson Mill Road through Sunset Campground based on the land being subdivided from their property. Based on the information provided by the engineer, this could be an option.

Actions Attractions Ltd. and Sandspit Entertainment; a revised easement agreement was received from the lawyer and we are currently waiting for the final agreement to be signed by the landowners and the sewer utility.

Toombs Plumbing and Heating Ltd. were asked to provide a copy of the proof of insurance and this information was provided as well as about contract costs for 2018 / 2019. The costs will remain the same at \$6,417.56 for the monthly services as well as \$60.00 per hour for service calls outside the contract time.

**8. BUSINESS ARISING FROM MINUTES:**

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

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

Council agreed to the terms of reference as well as Tourism Cavendish Beach.

Kim Doyle is preparing the application form and will be sending through the document with the link attachment that can be posted on the municipal website and then a press release will be done to announce the fund and the application process.

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

The Committee will be meeting on March 21, 2018.

**8.C. Epilepsy Association:**

Mayor Jelley read out the proclamation for Purple Ribbon Day on March 26, 2018.

**8.D. Streetlight Request:**

It was moved by Councillor Clark Dunning, seconded by Councillor Hryckiwi that one additional streetlight would be installed near the entrance to Trim Acres Subdivision and that a request would be sent through to the Department of Transportation, Infrastructure and Energy on installing two lights on the turn on Route 6 and that no further lighting would be added to the area from MacCoubrey Lane to Parkview Farms as there are other areas in the community that need lighting installed as well. All in favor 5, 1 non-voting. Motion Carried.

**9. NEW BUSINESS:**

**9.A. FPEIM:**

The Meeting is on March 20, 2018.

The FPEIM newsletter had information on the privacy information.

The Federal and Provincial Government support the food waste initiative.

**9.A.1 FPEIM Annual Meeting:**

The FPEIM Annual Meeting will be held at the Dutch Inn on April 30, 2018.

**9.B. JLT Risk Considerations:**

A bulletin was sent by Cooke Insurance on Cyber Attacks and risk considerations for municipalities.

**9.C. Health PEI AED Registry:**

The AED will be registered with Health PEI and it will be marked as a private AED.

**10. CONCERNS:**

**10.A. Councillors Concerns:**

There were no Councillor's concerns raised.

**10.B. Residents:**

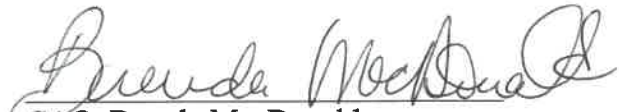
Susan Simpson – Streetlight near Anderson's Creek Bridge.

It was decided that the Department of Transportation, Infrastructure and Energy would be contacted regarding placing a light near the location where the construction was completed by the Province due to concerns raised by Susan Simpson on safety.

**11. ADJOURNMENT:** Mayor Jelley adjourned the meeting at 7:50 p.m.



Mayor, Matthew Jelley



CAO, Brenda MacDonald