

Minutes
Resort Municipality Monthly Council Meeting
Monday, January 21, 2019
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on January 21, 2019 at the municipal office.

PRESENT: Deputy Mayor Linda Lowther. Councillors: George Clark Dunning, Lee Brammer, Kenny Singleton, Bill Drost and Chris Robinson. CAO – Brenda MacDonald.

ABSENT: Mayor Matthew Jelley.

VISITORS: Nil.

1. CALL TO ORDER:

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

2. APPROVAL OF AGENDA:

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

3. APPROVAL OF COUNCIL MEETING MINUTES DECEMBER 10, 2018:

It was moved by Councillor Drost, seconded by Councillor Brammer that the Council Meeting Minutes of December 10, 2018 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried

4. DECLARATION OF CONFLICT OF INTEREST:

Bill Drost declared a Conflict of Interest under Planning Board on the agenda for Smooth Coat Drywall.

5. COMMITTEE REPORTS:

5.A. PLANNING BOARD:

Permits approved by the CAO:

William Pay – PID # 534156 (9 Wayne's Lane) - an application was received to construct an accessory building on the property of 16' X 10' for storage only.

Follow up Permits:

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

West Highland Contractors Ltd. – an application was received to rezone Parcel A and Lot 18-1 into RD2 (Resort Accommodations). Awaiting for lot consolidations to be completed to bring the rezoning to a public meeting.

West Highland Contractors Ltd. – PID # 694976 – Simpson Mill Road - an application was received to rezone Parcel B, Parcel C, Parcel D into RD3 (Resort Campground). Awaiting for lot consolidations to be completed to bring the rezoning to a public meeting.

CFM PEI Inc. – (Former Flea Market) (8989 Cavendish Road) – PID # 231910 – an application was received to construct a building of 25' X 20' with a deck on the property for a juice shop. Awaiting for Architect's plans

from the owner.

102084 PEI Inc. (Rustico Acres Cottages) – 7567 Cavendish Road (PID # 704114) – an application was received to have an office / living quarters of 24' X 20' with a deck. Project has been cancelled by the owners based on Architect's plans being required for the project.

Cavendish Beach Music Festival (8776 Cavendish Road) – PID # 1037423 – an application was received to have the main event on July 5-7, 2019. A detailed comprehensive site plan is required as well as stamped drawings for the tents and structures. Based on the timing of the development and the new National Building Code expected to be in place for 2019, two permits may be required for approval.

Building Permits:

No Building Permits were received for review this month.

Dangerous and Unightly Premises Bylaw:

Planning Board reviewed the draft document that was approved by the Council to go to the next meeting.

National Building Code:

An update was received from Joshua Collins at Communities, Land and Environment. *“An Executive Council memo was submitted requesting permission to consult on the regulations. They should know within the next week or two what the plan forward will look like. Josh will follow up with the municipal office when he has more information.”*

Parks Canada:

Green Gables Redevelopment Project:

The revised schedule has a completion date of mid-March for the building. Priority is given to the gift shop and the exhibit space – they will be done first.

Phase 3 - Work has begun on the front door of Green Gables House. The porch has been removed and will be raised to improve accessibility. The door frames will also be widened. This work is expected to be completed by March 31. The tender for the retrofitting of the new food service area will go out next week.

Parks is working towards fabrication of the interior interpretive exhibits, as well as content for the exterior panels. They had originally intended to hold an information session to present the final design to stakeholders at the end of January. However, they realized that if they hold off for another few weeks, they will also have concept designs of the exterior panels ready to show for the exterior and trail panels, the road sign and the sign on the building to share and they could gather feedback on them at that time. So, they now plan to hold a session towards the end of February—details to be provided in the near future.

Morrison cottage:

The building has been removed. In the spring the septic system will be removed as well as the concrete blocks and trees will be planted to restore the area.

Wildfire Reduction Project:

Work has been completed in the area north of the Cavendish VIC. Any remaining slash will be removed in the spring.

Fallen trees:

In response to a letter received from the community, trees that had blown down due to the storm that presented

a danger to the public along the boardwalk on Route 6 that presented a danger have been removed. This forest stand will be reviewed for possible restoration in future based on Parks Canada priorities of ecological integrity, visitor safety and fire risk.

Many trees had also blown down in the Cavendish campground as well as on the trails in the area. Park crews will be working to remove them over the next few weeks to ensure they are ready for the visitor season.

Cavendish Beach:

Decking around the facilities has been completed, they are now starting work inside the three buildings including the canteen. Work on the new dune crossing is progressing well. Nearly all of the helical anchors have been installed but some need extensions as they had to go deeper than planned.

In December, they completed culvert removal and stream dredging on approximately 100 m of the Lake of Shining Waters outflow under a DFO emergency permit to reduce flooding on the golf course. They were able to lower the lake level by approximately 60 cm. They continue to monitor lake levels and do not anticipate any further action.

Entrance kiosks:

The light standards at North Rustico have been moved to improve access for large vehicles—landscaping will be completed in the spring.

Grahams Lane kiosk is progressing well. Both foundations are in and backfilled and framing will begin this month.

Simpson House:

Work is being done to the interior of the house to allow it to be used by visiting researchers and other initiatives in the future. This will go out to tender soon.

Other:

Campground reservation system for sites in PEI National Park opens on January 16.

Work on solutions to pass sales is continuing—there will be a meeting with the advisory group on January 21.

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

**** **“In Camera” Smooth Coat Drywall Appeal & Bylaw Amendment Request:**

***** Bylaw Amendment: Smooth Coat Drywall Ltd. - 9940 Cavendish Road - PID # 92593 – an application was received to make a bylaw amendment to the C1 (General Commercial) Zone to amend the permitted used to allow for an automobile sales business. **Awaiting for confirmation from the owner on the payment of the public meeting fees to book a meeting.**

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson to go “In Camera” to discuss matters falling under clauses 119(1)(e) and 119(1)(f) of the Municipal Government Act. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

No decisions were made in camera.

It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that the meeting be opened to the public in accordance with clause 119(2)(e) of the Municipal Government Act. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Councillor Drost returned to the meeting.

Other:

Peter Fullerton was welcomed back to the planning board.

5.A.1. Draft Council Remuneration Bylaw:

It was moved by Councillor Clark Dunning seconded by Councillor Robinson that the draft Council Remuneration Bylaw be approved as presented to go to a public meeting for first reading. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.A.2. Draft Emergency Measures Bylaw:

Councillor Robinson and the CAO will work on updating the Emergency Measures Plan.

A Coordinator and Deputy Coordinator will need to be determined by the Council for the Emergency Measures Committee for the Community.

It was moved by Councillor Brammer, seconded by Councillor Singleton that the Draft EMO Bylaw be brought to the next Council Meeting for first reading. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.A.3. Municipal Government Act Draft Regulations under review until January 31, 2019:

It was moved by Councillor Robinson, seconded by Councillor Singleton that the Council send the information through to municipal affairs based on consultations from legal counsel on Access to Information Regulations, Records Retention Regulations and General Regulations. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.A.4 List of Bylaws

The List of Bylaws will be revised based on Council's recommendations from the meeting.

5.A.5 Stewart McKelvey Planning in Review:

Council reviewed the planning year in review information received from Stewart McKelvey regarding their legal input on various cases that were dealt with at IRAC during the year.

5.B. MONTHLY FINANCIAL REPORT:

Councillor Brammer presented the monthly finances for December 31, 2018. Revenue was \$354,920.87 and the expenses were \$361,358.97.

It was moved by Councillor Brammer, seconded by Councillor Singleton that the monthly finances for December 31, 2018 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B.1. North Rustico Home Hardware – Performance Bond Release:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the performance bond be released in full. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B.2. Building Permit Fees / Performance Bonds:

This agenda item was tabled until the January meeting.

5.B.3. Gas Tax Funds 2019:

Council will review the current list of projects and look at potential new projects and bring information back to the next meeting.

The Council would also like a recommendation from the sewer utility board on the Gas Tax Funds on potential projects.

5.B.4. Operating Budget, Capital Budget and 5-year Capital Expenditure Program:

The Finance Chair, Mayor Jelley and Councillor Singleton will meet with the CAO and prepare budget information for the next meeting that will be brought to the community for consultations prior to the final budgets being adopted in March.

5.C. TRAILS AND PATHS REPORT:

Grahams Lane Trail Lights:

Councillor Singleton is working on options for lighting on the trail.

5.D. EMERGENCY SERVICES REPORT:

AED Sign blew down during the last storm near Councillor Robinson's property. A new sign has been requested from Signway.

Councillor Robinson will do a write up regarding an AED being available at his property throughout the year, so that the public is aware that there is one in the area.

6. CAVENDISH SEWER UTILITY REPORT:

6.A. Monthly Updates and Engineering:

We are waiting for confirmation from Toombs Plumbing and Heating Ltd. regarding the old Sampson property and the removal of the house, septic tank and tile field.

Driftwood Landing – no updates have been received from the condo corporation.

IRAC is still reviewing utility matters.

7. BUSINESS ARISING FROM MINUTES:

7.A. Destination Management Fund:

Paperwork has been signed by Mayor Jelley and the Cavendish Beach Music Festival. Tourism Cavendish Beach has to sign the agreement and then it will be finalized.

Brodie O'Keefe is working on getting the announcement posted on the fund and then applications will be posted on-line and available for the public to apply.

7.B. Heritage Park and Historical Committee:

A press release will be held at the Visitor Centre on January 23, 2018 with all the funding partners.

Deputy Mayor Lowther left the room due to a conflict of interest.

Deputy Mayor Lowther turned the Chair to Councillor Clark Dunning.

7.B.1. Agreement – David Macneill:

Council raised concerns on the draft agreement and added some changes to the agreement.

It was moved by Councillor Drost, seconded by Councillor Brammer that the following conditions be added to the agreement:

- 1) The cleaning of the washrooms can be completed once a day in May, June, after Labour Day until the end of October, but from July 1 – Labour Day, the washrooms should be cleaned at least three times a day;
- 2) If the washrooms are not maintained in a good state, then there should be a number to call to complain to David to ensure that they get cleaned.
- 3) If there are any fines issued by the Department of Health and Wellness or any other government department, they should be against the cleaner if they are not being properly maintained and not to the municipality.
- 4) The agreement needs to have a provision to terminate the agreement if the conditions are not met. The Council wants the right to be able to lock the washrooms if they are not being maintained properly at the sole discretion of the Resort Municipality.
- 5) That the cleaner has third party insurance to cover the municipality in case of any damage to the washrooms while they are being maintained by them, or if they are left open by the cleaner or staff.

All in favor 4, 1 non-voting, 2 absent. Motion Carried.

The agreement will be sent to the legal counsel for their review and comments based on the Council's comments.

7.B.2. RFP Statue and Literary Tour:

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the statue RFP be posted and will close in February with the revised statue drawing and the addition of three cat structures. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved by Councillor Drost, seconded by Councillor Robinson that the RFP for the Literary Tour be posted and will close in February. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

7.C. Internet – North Rustico:

Mayor Jelley had talked with Joe Rowledge and the Province is still prepared to assist with funding of the Internet project.

A meeting will be scheduled with the property owners in North Rustico to see if they are still interested in contributing to the costs to assist with the project.

7.D. Cavendish Visitor Information Centre:

Mayor Jelley and the CAO looked at the space and it will be used for storage.

7.E. CAO's Evaluation:

This agenda item will be dealt with at the end of the meeting.

8. NEW BUSINESS:

8.A. FPEIM:

8.A.1. Yearly Membership:

It was moved by Councillor Drost, seconded by Councillor Brammer that the yearly membership be approved. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

8.B. RFP Strategic Plan / Official Plan / Zoning and Subdivision Control Bylaw:

Municipal Affairs has not yet had a chance to comment back on the draft.

Council felt that the RFP should be broken out into various components so that it is not one large study.

Deputy Mayor Lowther advised that the Council revisit the RFP at the next meeting.

8.C. Jim Brown – Request of the monthly update from Parks Canada:

I was moved by Councillor Clark Dunning, seconded by Councillor Drost that the monthly updates from Parks Canada to the municipality be provided to Jim Brown. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

8.D. North Star Arena:

A meeting will be held on January 23, 2019 at 7:30 p.m. at the Hunter River Lion's Club for consultations with other municipalities on a new facility / rink in North Rustico.

Mayor Jelley and Councillor Drost will attend the meeting on behalf of the municipality.

9. CONCERNS:

9.A. Councillor's Concerns:

Councillor Drost commented on engineering services. He advised that he had talked with Luc Van Hul over the holidays and that he was interested in engineering services with the municipality.

The CAO will follow up with procurement services on tenders that have been submitted to them for samples on an engineering tenders.

Councillor Drost advised that he can assist with the tender proposal as well and bring some information back for the Council's review.

Councillor Drost advised that engineers on Prince Edward Island are bound until death for drawings that they have signed off on if there are any errors or omissions on them.

The CAO will check with the Department of Environment to get their comments on plans that were completed for the sewer utility.

9.B. Resident's Concerns:

There were no resident's concerns received.

The CAO left the meeting while discussion took place on the CAO's Evaluation.

The CAO returned to the meeting.

10. ADJOURNMENT:

Deputy Mayor Lowther adjourned the meeting at 8:25 p.m.



Mayor, Matthew Jelley



CAO, Brenda MacDonald