

Minutes
Resort Municipality Monthly Council Meeting
Monday, August 19, 2019
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on August 19, 2019 at the Resort Municipality Office.

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

ABSENT: Deputy Mayor Linda Lowther. Kenny Singleton and Bill Drost were absent at the start of the meeting.

VISITORS: Jim Brown.

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:00 p.m.

2. APPROVAL OF AGENDA:

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

3. APPROVAL OF COUNCIL MEETING MINUTES JULY 15, 2019:

It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council Meeting Minutes of July 15, 2019 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

4. DECLARATION OF CONFLICT OF INTEREST:

Mayor Jelley declared a conflict of interest under Section 6.A. Sewer.

Mayor Jelley advised that if Bill Drost arrives at the meeting that he will have a conflict of interest under Section 5.A. Planning Board - Smooth Coat Drywall.

5. COMMITTEE REPORTS:

PLANNING BOARD / SIGNAGE COMMITTEE:

West Highland Contractors – (Sunset Campground) – PID # 694976 – 9095 Cavendish Road – an application was received to have a euro bungy on the property from June 15 – September 15, 2019. Engineers stamped information was received. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's Office and 2) meets the requirements of the Department of Health and Wellness. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Marco Polo Land Inc. – PID # 232298 - 7406 Route 13 – an application was received to locate the water elements in the wading pool area. A letter has been received from Coles Associates on the updates on the site. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office and 2) meets the requirements of the Department of Environment. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

West Highland Contractors – PID # 231597 – Simpson Mill Road – the lot consolidation deeds have been finalized for the property. A request has been received to complete a rezoning on the lands from RD4 (Resort Commercial)

to RD2 (Resort Accommodations). It was moved by Councillor Clark Dunning, seconded by Councillor Brammer to bring this matter forward to a public meeting. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Official Plan Amendment – a request has been received to change a portion of PID # 231597 on the Official Plan General Land Use Map from resort campground to resort accommodations. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson to bring this matter forward to a public meeting. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

West Highland Contractors – Portion of PID # 694984 – Simpson Mill Road – the lot consolidation deeds have been finalized for the property. Zoning Map Amendment – a request has been received to rezone on a portion of the lands from RD4 (Resort Commercial) to RD2 (Resort Accommodations). It was moved by Councillor Clark Dunning, seconded by Councillor Brammer to bring this matter forward to a public meeting. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Official Plan Amendment – a request has been received to change a portion of PID # 694984 on the Official Plan General Land Use Map from resort campground to resort accommodations. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer to bring this matter forward to a public meeting. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Smooth Coat Drywall Ltd. – PID # 92593 - 9940 Cavendish Road. Awaiting information from the owner and the payment of fees for a public meeting.

******Smooth Coat Drywall******

It was moved by Councillor Clark Dunning seconded by Councillor Brammer 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 3, 1 non-voting, 3 absent. Motion Carried.

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the meeting be opened to the public in accordance with clause 119(2)(e) of the Municipal Government Act. All in favor 3, 1 non-voting, 1 absent. Motion Carried.

No decisions were made while in camera.

Councillor Drost joined the meeting.

Building Permits:

Dr. Gary MacLean – PID # 233221 - (54 Stewart Lane) – an application was reviewed to construct an addition onto the existing cottage of 26’ X 27’2”. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that approval be granted subject to: 1) that a detailed site plan be provided for the development with the setbacks to the existing cottage. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Jeremy Johnston - PID # 1064823 (Seawood Drive) – an application was received to construct a two storey summer cottage of 58’ X 45’ with decks. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval be granted subject to: 1) the cottage shall be connected to the municipal sewer and 2) the cottage shall be connected to the private water system. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Councillor Singleton joined the meeting.

Fairways Cottages Inc. – PID # 232348 (7420 Route 13) – an application was received to construct a rental cottage of 36' X 24'. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval be granted subject to: 1) that a detailed site plan be provided for the development with the exact location of the cottage being provided, 2) meets the requirements of the Department of Tourism and 3) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Temporary / Transient Use Permit:

Resort Municipality – to have a temporary / transient use permit to locate a tent on the property of 40' X 60' from August 26 – 29, 2019 for the Montgomery Park Opening. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval be granted subject to: 1) meets the requirements of the Department of Health and Wellness and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Signage Permit:

Avonlea Village – PID # 232033 (8779 Cavendish Farms) – an application was received to construct a new sign of 48" X 120" and a sign of 12' X 6.66'. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval be granted subject to: 1) the signs being located on the site in accordance with the attached site plan. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Strategic Plan Launch was held on August 7, 2019 from 4:00 – 7:00 p.m. at the Visitor Centre.

Information sessions will be coming up over the next few weeks.

Cavendish Beach Music Festival:

No additional comments were received following the public meeting.

5.A.1. Tourism PEI – Trailer Ruling:

Janet Wood from Tourism PEI had sent some information through on Trailers and the ruling from Legal Counsel with Tourism PEI.

5.A.2. Building Codes Act – Consultation Draft:

A copy of the draft Building Codes Act from the Province was in the meeting package. Sessions are being held throughout the province and written comments will be received until September 6, 2019.

5.A.3. Council Procedures, Conduct and General Business Bylaw:

Council reviewed the draft documents and asked for clarification on some sections in the documents with the legal counsel for the next meeting.

Disclosure Statements need to be completed by the Council and returned to the municipal office.

5.A.4.. Sewer Bylaw:

It was moved by Councillor Clark Dunning, seconded by Councillor Singleton to bring the sewer bylaw as presented to the next monthly meeting for first reading. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B. Monthly Finances:

Councillor Brammer presented the monthly finances for July 31, 2019.

It was moved by Councillor Brammer, seconded by Councillor Robinson that the revenues of \$115,010.03 and the expenses of \$145,935.89 be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B.1. Gas Tax Funds:

Applications for the current Gas Tax Fund allocations need to be submitted by September 27, 2019.

5.B.2. Infrastructure Funding:

Funds have been approved for the LS # 4 upgrades project.

Tom Harland will be contacted to get pricing to complete the project.

Tom Harland will be contacted to have him review Ground Water Disposal and green funding at the lagoon site so that preliminary work is completed in case of future funding projects.

The residential solar grant will be checked into to see if anything would qualify for the lagoons.

Part of the Strategic Plan review will also dictate what projects might be looked at in 2020.

Tom Harland will be asked for an update on the walkway project on Route 13 for costs to see where we are with that.

Discussion was held on the possibility of completing part of the walkway if the project costs are too high to complete the full length of the walkway.

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the \$100,000.00 allocation be added to the walkway project on Route 13. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.C. Trails and Paths Committee:

The trails were talked about under Gas Tax Funds above.

5.D. Emergency Services Committee:

5.D.1. Citizens on Patrol:

A small number of property owners completed the survey.

The survey will be sent out in the weekly updates again as well as will be made available at the planning sessions by Upland Planning and Design Studio.

Mayor Jelley left the meeting due to a conflict of interest.

Councillor Drost assumed the Chair.

6. Cavendish Sewer Utility:

6.A. Monthly Updates and Engineering:

A letter was sent to Gary Lowther from the Sewer Utility Board in response to his request.

Mayor Jelley returned to the meeting and resumed his position.

Driftwood Landing has submitted information to the sewer utility board on the final information for the sewer board to take over the sewer line at the condo corporation.

Infrastructure funding was announced for LS # 4 at Herbie Moore's.

Mayor Jelley advised that prior to the next Council meeting if the Council would like to meet at the lagoons

around 4:00 p.m. that he would take the Council for a tour.

7. BUSINESS ARISING FROM MINUTES:

7.A. Heritage Park and Historical Centre Committee:

7.A.1. Signage:

It was moved by Councillor Singleton, seconded by Councillor Robinson that the price from Les Andrews Signs for Montgomery Park at \$1,190.00 plus HST be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

7.A.2. Contract:

The contract has been received for the park project.

7.B. Strategic Plan Updates:

Sessions have been taking place and surveys have been collected from visitors. More sessions are to take place over the next month.

7.C. Internet – North Rustico:

A meeting will be scheduled in September with the property owners.

7.D. Liquor Control Commission Letter:

Mayor Jelley will prepare a letter to the Commission.

7.E. Dawn Moase – Crosswalk lines and speed sign on Route 13.

Dawn Moase responded to the crosswalk lines. The intersection crosswalks will not have lines painted in them, as they are at the lit intersection with crossing signs, the crosswalk on Route 13 will have the lines painted on it and the speed sign on Route 13 will be reviewed.

8. NEW BUSINESS:

8.A. FPEIM – EV Funding.

Councillor Drost will attend the session on EV funding to gather more information and report back to the Council.

8.B. Insurance Coverage:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the additional premium of \$1,100.00 with the Montgomery Park updates be approved by Cooke Insurance. All in favor 5, 1 non-voting, 1 absent. Motion Carried

8.C. Healthy Neighbourhoods Data Challenge:

It was decided that more information was required and that Parks Canada would be contacted to gather some stats from them on visitors within the park to determine usage on the trail system and throughout the park.

8.D. Request for Funding – River Days:

A letter will be sent to River Days advising that they need to submit a funding request at least 10 weeks prior to the event for review by the Council, as well as a change would have to be made to include this event as part of the grants bylaw if funding is requested for future events.

8.E. CAO's Holidays:

A list of the CAO's holidays for 2019 was in the meeting package.

9.A. Councillor's Concerns:

Councillor Drost advised that he was not present for the approval of the minutes but there is a section that needs to be amended with the "In Camera" discussions on the motions.

9.B. Resident's Concerns:

Sandi Lowther had planned to attend but was unable to.

10. "In Camera Matters"

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer 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 5, 1 non-voting, 1 absent. Motion Carried.

10.1. Agreement with David Macneill:

10.2. Green Village Accommodations:

10.3. Cavendish Beach Music Festival Performance Bond:

10.4. Cavendish Services Ltd. – Performance Bond:

10.5. Destination Management Fund:

10.6. Right to be heard:

10.7. CAO's Evaluation:

No decisions were made while in camera.

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the meeting be opened to the public in accordance with clause 119(2)(e) of the Municipal Government Act. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

10.1. Agreement with David Macneill:

Mayor Jelley is working on an agreement and will try to send something back to the Council in the next 48 hours.

10.2. Green Village Accommodations:

The information will be sent to the lawyer for review.

10.3. Cavendish Beach Music Festival Performance Bond:

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

10.4. Cavendish Services Ltd. – Performance Bond:

This agenda item was tabled until the September meeting based on concerns at the site with traffic and the boardwalk.

10.5. Destination Management Fund:

Mayor Jelley will talk with the committee and bring information back to the October Council Meeting.

The CAO will not be attending future meetings until the Mayor talks with the committee.

10.6. Right to be heard:

Information was received from Wendy MacIsaac at Municipal Affairs as well as the legal counsel.

10.7. CAO's Evaluation:

Information is under review by the lawyer and the committee.

11. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 9:10 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO