

Minutes
Resort Municipality Monthly Council Meeting
Thursday, November 14, 2019
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on November 14, 2019 at the Resort Municipality Office.

PRESENT: Mayor Matthew Jelley, Deputy Mayor Linda Lowther, Councillors: George Clark Dunning, Bill Drost and Lee Brammer.. CAO – Brenda MacDonald.

ABSENT: Kenny Singleton and Chris Robinson..

VISITORS: Angus Orford and Enrique Orillio – Maritime Electric, Jim Brown.

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:03 p.m.

2. APPROVAL OF AGENDA:

Mayor Jelley added 6.C.2. to the agenda for tree cutting prices.

It was moved by Councillor Drost, seconded by Councillor Brammer that the agenda be adopted as amended. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

3. APPROVAL OF PUBLIC MEETING SEPTEMBER 16, 2019:

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the Public Meeting Minutes on September 16, 2019 be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

APPROVAL OF SPECIAL COUNCIL MEETING OCTOBER 3, 2019:

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the Special Council Meeting Minutes for October 3, 2019 be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

APPROVAL OF MONTHLY COUNCIL MEETING MINUTES OCTOBER 21, 2019:

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer that the Monthly Council Meeting Minutes of October 21, 2019 be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

APPROVAL OF PUBLIC MEETING OCTOBER 21, 2019:

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the Public Meeting Minutes for October 21, 2019 be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

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

Mayor Jelley stated that as per all meetings that if any Council member is in conflict to declare their conflict prior to the agenda item arising at the meeting and remove themselves directly from the meeting without comment or discussion.

Mayor Jelley moved onto the planning board reports on the agenda.

6. COMMITTEE REPORTS:

PLANNING BOARD:

Follow Up Permits:

Jeremy Johnston - PID # 1064823 Seawood Drive – an application was received to construct a two storey summer cottage of 58' X 45' with decks. Awaiting decision on the sewer connection.

Swept Away Cottages – PID # 624379 Cavendish Road – an application was received to construct one 1 bedroom cottages, 2 bedroom cottages and 3 bedroom cottages, one laundry facility, a pool, a water building and a pool equipment building. Awaiting comments from the Department of Transportation, Infrastructure and Energy, Department of Health and Wellness and the Department of Environment.

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

Sandspit Entertainment Ltd. – PID # 233197 – an application was received to construct an addition onto the existing storage building of 16' X 16'. Awaiting stamped drawings by the engineer.

Mayor Jelley returned to the meeting.

5. Maritime Electric:

Mayor Jelley welcomed Angus Orford and Enrique Orillio to the meeting.

Mayor Jelley advised that the meeting is taped for accurate records.

Resort Municipality will commit to:

- 1) Resort Municipality is the second largest municipality in the province for 10 weeks of the year.
- 2) Resort Municipality is willing to work with Maritime Electric on other locations for power sources with property owners in the municipality if needed.
- 3) The Resort Municipality has a network of e-mails that is sent to residents and business owners weekly so if there are planned power outages then it would be good if the municipality was advised to distribute the information to its property owners.
- 4) The municipality will send out a notice to property owners about not planting trees under the power lines and trimming and maintaining the trees that are currently in the power line path. The municipality can look at establishing a bylaw under the bylaw review to enforce this further.

Maritime Electric will commit to:

- 1) Providing a staff person to sit on the CBMF Senior Operations Team.
- 2) Will be on site during the CBMF weekend.
- 3) Will work on having new power source operational prior to July 2020.
- 4) Will review locations of switches in the area for work crews and which area the crews service the municipality.
- 5) Will look at having staff on standby during the summer months and throughout the year.
- 6) Maritime Electric will continue to update the EMO office during power outages.
- 7) Maritime Electric will continue to use their new process when cutting down trees around power lines and not just trim them but remove them to the ground for a longer lasting process.

Mayor Jelley thanked Angus and Enrique for coming to the meeting.

Jim Brown left the meeting.

Building Permits:

Clifton Harding – PID # 999037 Angus Campbell Lane - an application was received to construct a summer cottage of 63' X 40' with decks. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) that a septic permit be provided by the sewer contractor and 2) meets the requirements of the Department of Environment. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Clifton Harding – PID # 999029 – Angus Campbell Lane - an application was received to construct a two-storey summer cottage of 36' X 30' with decks. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) that a septic permit be provided by the sewer contractor and 2) meets the requirements of the Department of Environment. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Frances Oschner – PID # 92650 – Wygant Place - an application was received to construct a summer cottage of 40' X 33' with decks. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval in principle be granted subject to: 1) that the cottage be connected to the municipal sewer, 2) that the proper setback information is provided and 3) that the cottage be connected to the private water system. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Logan Dawson – PID # 926220 – 10 Heron Court – an application was received to install solar panels on the roof of the existing cottage. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) clarification on the height of the structure with the solar panels. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Other:

National Building Code: Awaiting an update from the province on the National Building Code Regulations.

Walkways Systems:

Discussion was brought forward on the walkway systems on Route 6 and 13.

Mayor Jelley confirmed that he had a discussion with Steven Yeo at the Department of Transportation and the project is going forward for the spring on Route 13.

The CAO will confirm with the Infrastructure office on funding options for the project.

Confirmation was also received that work will be completed on the Bayview Bridge within the next 36 months.

Weekly Updates:

Comments were raised on the weekly updates and that sometimes the document becomes distorted when it is sent.

The CAO confirmed that sometimes it is how the document comes through from the group that is sending it.

Cavendish Beach Music Festival – an application was received to hold the 2020 music festival from July 10 – 12, 2020. The application was tabled based on information that was provided at the Senior Operations Meeting and comments made by the Liquor Control Commission as well as the National Building Code Regulations.

6.A.1.A.

First Reading – Official Plan Amendment:

Estate of Brian Stevenson (Cavendish Road) – PID # 232702:
Official Plan Amendment Resolution

Whereas an application was received from the Estate of Brian Stevenson to amend the Resort Municipality Official Plan General Land Use Map for a portion of land from Rural land use to Residential land use;

And whereas Council has considered the following general criteria:

- Conformity with applicable legislation;
- Community objectives;
- Changes in technical content; and
- Water and sewer and other infrastructure plans;

Be it resolved that the official plan amendment 2019-3, to amend the 2017 Official Plan General Land Use Map be hereby read a first time.

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Council amend the Official Plan General Land Use Map to change the designation of a portion of Provincial Parcel # 232702 from the Rural Zone to the Residential Zone. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Approval of First Reading – Official Plan Amendment:

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the first reading of the Official Plan Amendment be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

6.A.1.B. First Reading – Zoning Amendment – Estate of Brian Stevenson (Cavendish Road) – PID # 232702:

Whereas an application was received from the Estate of Brian Stevenson for Cavendish Road, PID # 232702 for a zoning amendment from the Resort Commercial Zone to the Rural zone under the Resort Municipality, 2017 Zoning and Subdivision Control (Development) Bylaw 2019-4 to change the zoning map from (RR) Rural Zone to (R1) Residential Zone;

And whereas zoning bylaw amendment 2019-4, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw.

Be it resolved that zoning bylaw amendment 2019 – 4, a bylaw to amend the 2017 Zoning and Subdivision Control (Development) Bylaw be hereby read a first time.

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer that the bylaw amendment to amend the Zoning map to show a portion of Property # 232702 from the current Rural (RR) Zone to R1 (Residential) Zone be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Approval of First Reading:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the first reading of the Zoning Amendment for PID # 232702 to change a portion of the land from the current Rural (RR) Zone to RD1 (Residential) Zone be approved as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

6.A.2. Recreational Vehicles:

Summerside does allow for RV's for 30 day time lines and then an enforcement officer goes to the property owner if it is still located on the property.

The information was sent along to the consultant's for review as part of the Strategic Plan.

6.A.3. CBMF After Action Review:

A copy of the report was circulated in the meeting package.

Concerns were addressed on the braceletting for the Liquor Control Commission.

Concerns were raised with the campgrounds and a meeting should be held in January with Chris Jones and Janet Wood at Tourism PEI.

6.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for October 31, 2019. The revenues were \$240,229.76 and the expenses were \$234,341.47.

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the monthly finances for August 31, 2019 be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

6.C. Trails and Paths Committee:

6.C.1. Don MacLeod Electric:

Awaiting confirmation from Don MacLeod regarding installation of LED lighting on Route 6 East to MacCoubrey Lane before year end.

Tree Cutting prices – Municipal Park:

Information was tabled as we are still waiting for information on the insurance claim process for damage that occurred from the insurance company.

6.D. Emergency Services Committee:

6.D.1. Citizens on Patrol:

Councillor Robinson was absent from the meeting.

6.D.2. Parks Canada Stats Information:

Information was requested from Parks Canada on their stats information.

7. Cavendish Sewer Utility:

7.A. Monthly Updates and Engineering:

Driftwood Landing:

Still working with Driftwood Landing on getting the equipment details, easements and legal work completed.

Outstanding Sewer Customers:

Customers that were over 90 days in arrears of their billing have been sent notices and had the deadline until October 31, 2019 to respond. A number of customers did not respond, so we are now dealing with the lawyer to have the final letter sent out.

One customer is being worked on having the lien placed on the property as no payment has been received since 2003.

LS # 4 Sewer Tender:

The sewer tender was completed and was asked to be sent to the municipality for review prior to it going out based on issues with the past tender this spring and issues with the project. There were errors in the tender as well as additional information that needed to be added. This information has now been updated and a final

review is happening by the sewer utility prior to the final document going out.

8 BUSINESS ARISING FROM MINUTES:

8.A. Heritage Park and Historical Committee

It was moved by Deputy Mayor Lowther, seconded by Councillor Drost that \$1,500.00 be taken out of Community Projects and put into the Heritage Park project and if funds are available from any of the change orders that the funds will come out of the Park Project Funds. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

8.A.1. Statue reproduction:

Kate MacDonald Butler is working on an agreement with the statue reproduction and will submit it once it is completed for review and a fee will be paid to the municipality, the artist and the sculptor.

8.B. Internet – North Rustico:

Meeting was held with property owners in this area and Eastlink. It is expected that the service will be available in early spring to the property owners in this area.

8.C. Letter to the Liquor Control Commission:

Mayor Jelley prepared a draft letter that was circulated to the Council for review. Some final edits will be completed and then sent along to the commission.

8.D. Destination Management Fund:

Mayor Jelley has not yet found a date that works to meet with Jeff Squires on the committee.

8.E.1. Reception / Warming Centre:

Prices were received from companies on a generator to operate the building.

A letter will be sent to the Minister regarding funding requirements through the Gas Tax Projects.

8.F. Workshop Stanley Bridge:

Mayor Jelley and Councillor Clark Dunning attended the session in Stanley Bridge.

A final wrap up session from the consultations will be booked and information will be sent out on the session.

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

8.G. Agreement with David Macneill – Park Washroom Maintenance:

Mayor Jelley sent through a draft agreement to David Macneill and is awaiting a response back on the agreement.

Deputy Mayor Lowther returned to the meeting.

8.H. Council Disclosure Statements:

Council disclosure statements were received from Mayor Jelley, Deputy Mayor Lowther, Councillor Clark Dunning and Councillor Lee Brammer. Awaiting paperwork from Councillors Drost, Robinson and Singleton.

8.I. Dawn Moase - Culvert Route 6 Mariner's Cove / Clarks Lane:

Awaiting a response from the province as it is under review by the Department of Transportation.

9. NEW BUSINESS:

9.A. FPEIM – Trade Program Overview:

Awaiting more information from the FPEIM office on additional trade programs for equipment for the sewer and meters.

9.B. Bell Mobility:

Information was received from Bell Mobility about locating a cell tower in the municipal park.

Additional information was requested from Bell Mobility on the location of the tower, sizing and if anything could be added to the tower.

9.C. PEI Welcoming Communities Planning Guide:

An information guide was in the meeting package and information can be provided to newcomers to the area. A planning guide could be developed in the future.

9.D. Minister Jamie Fox:

A letter was provided in the meeting package about ongoing work that the Department of Fisheries and Communities is working on.

10. Concerns:

10.A. Councillor's Concerns:

Deputy Mayor Lowther recommended getting something for Arnold Smith based on his work on Council and the Planning Board and recent illness.

Councillor Brammer recommended that the municipality check with North Rustico to see if they hold something at the Lion's Club for Remembrance Day following the ceremony as it was felt that there should be something held in Cavendish.

Councillor Brammer and Deputy Mayor Lowther advised that they could assist with a reception.

A note of thanks will be sent to the Cadets for the work that they do on the service.

10.B. Resident's Concerns:

Jan and Roger King:

A letter of support will be sent through to the province for better internet service.

11. "In Camera Matters"

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther 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.

Cavendish Services Ltd. Performance Bond.

Snow Removal Tender:

2018 CAO's Evaluation.

2019 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 4, 1 non-voting, 2 absent. Motion Carried.

Cavendish Services Ltd. Performance Bond:

Awaiting a date to be scheduled for a meeting due to schedule conflicts.

Snow Removal Tender:

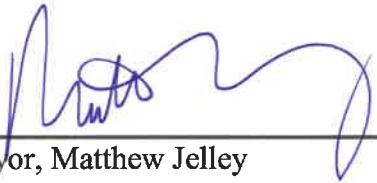
It was moved by Councillor Drost, seconded by Councillor Brammer that the quote from Snow Road Contracting for \$6,200.00 plus HST. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

2018 CAO's Evaluation. Information will be presented to the CAO by the first week of December.

2019 CAO's Evaluation. Information will be completed and presented to the CAO the first week of December. CAO will complete information on the last year's activities and evaluation report.

12. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 8:50 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO