

Minutes
Resort Municipality Monthly Council Meeting
Monday, January 20, 2020
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on January 20, 2020 at the Resort Municipality Office.

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

ABSENT: Nil.

VISITORS: Jim Brown, Tom Harland, Stig Andersen and Peter Fullerton. Parks Canada - Jennifer Stewart, Kim Campbell and Hailey Paynter

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:04 p.m.

2. APPROVAL OF AGENDA:

It was moved by Councillor Robinson, seconded by Deputy Mayor Lowther that the agenda be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES DECEMBER 9, 2019:

It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that the Monthly Council Meeting Minutes of December 9, 2019 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

No conflicts of interest were declared.

Mayor Jelley stated that as per all meetings that if any Council member is in conflict to declare it and remove themselves from the meeting immediately.

Mayor Jelley moved on to the planning board on the agenda as Parks Canada and Tom Harland were not yet present for the meeting.

7. 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 cottage, seven 2-bedroom cottages and three 3-bedroom cottages, 1 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.

Frances Oschner – PID # 92650 – Wygant Place - an application was received to construct a summer cottage of 40' X 33' with decks in Seawood Estates. Awaiting confirmation of the purchase of the property.

Helen Stewart – PID # 231662 – Cavendish Road – a revised application has been received to subdivide two portions of land off of the main property and consolidate them together. Awaiting comments from the Department of Transportation, Infrastructure and Energy on the access and the subdivision of the property.

The Pearl Eatery – PID # 233429 (7792 Cavendish Road) – an application was received to locate a seasonal transient tent on the property from June 18 – October 15, 2020 from 9:00 a.m. – 9:00 p.m. daily. Application was tabled as it was incomplete.

Estate of Brian Stevenson – PID # 765636 – (Cavendish Road) – an application was received to subdivide 2.5 acres off of the main property and to consolidate it with PID # 233403 (Lori MacKinnon). Awaiting comments from the Department of Transportation, Infrastructure and Energy and 2) that a final survey plan be completed.

Other:

National Building Code: An update was provided on the National Building Code and we are still awaiting comments from the Province on the date of enactment of the Code for Commercial Properties.

Hope River Estates - Kenneth Grooves:

A letter will be sent to the owner advising that the municipality is required to enforce the requirements of the Official Plan and Zoning and Subdivision Control (Development) Bylaw and that restrictive covenants are the owner of the subdivision's responsibility to enforce.

7.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for December 31, 2019. The revenues were \$312,450.95 and the expenses were \$302,978.75.

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the monthly finances for December 31, 2019 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

7.B.1. Date for Financial Plan Meeting:

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer that the 2020 Budget Meeting be held on February 24, 2020 as part of the Council Meeting. All in favor 6, 1 non-voting. Motion Carried.

7.C. Trails and Paths Committee:

7.C.1. Streetlights:

Council will continue to review streetlights within private subdivisions as they are not in a provincial right-of-way or public roads. There are also a number of other private subdivisions within the municipality that have no street lighting and requests have been received for them to be looked at as well. Everything within the subdivisions is privately owned and maintained.

Information will be requested from the legal counsel on the municipality's jurisdiction in the private subdivisions.

7.C.2 Speed Radar Signs:

Information and monthly statistics from the new speed radar signs were provided in the meeting package.

7.D. Emergency Services Committee:

7.D.1. Citizens on Patrol:

Councillor Robinson will prepare information to be sent out to the community in the weekly updates to provide the public with information on a possible meeting depending on how many people express interest in attending a meeting with the RCMP on Citizens on Patrol.

7.D.2. EMO Courses:

A training course will be held on February 5, 2020 in Kinkora.

Councillor Robinson and the CAO will be attending. Councillor Clark Dunning may possibly attend depending on other commitments.

7.D.3. Appointing of Emergency Coordinator, Emergency Coordinator Deputy and Planning Committee:

These committee members will be appointed during the preparation of the Emergency Plan and the Emergency Measures Bylaw.

8. Cavendish Sewer Utility:

8.A. Monthly Updates and Engineering:

Driftwood Landing:

Lawyer has finalized agreement information for the easement for the sewer line to be taken over by the Cavendish Sewer Utility. Awaiting signatures from all parties to finalize the agreement.

Outstanding Sewer Customers:

Work is underway with the lawyer and the courts to establish a court date for the one property owner that is having a lien placed against them and to move forward with the steps to force the sale of the property if the fees are not paid in full.

LS # 4 Sewer Tender:

The sewer tender has been completed for LS # 4. We are still waiting for comments back from the Indigenous people through Parks Canada, so the tender may have to be extended if we have not received their comments prior to the closing date.

9 BUSINESS ARISING FROM MINUTES:

9.A. Heritage Park and Historical Committee

9.A.1. Harvey Sawler:

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer that the final payment be made to Harvey Sawler for completion of the project. All in favor 6, 1 non-voting. Motion Carried.

Mayor Jelley moved back to agenda item 6 as Tom Harland joined the meeting.

6. Tom Harland:

Swimming Rock:

Information was presented on replacing the stairs at the Swimming Rock by the engineer.

The Council advised that they would like more options on the stairs and erosion control at the site of the Swimming Rock for the next Council meeting.

Route 13 Sidewalk Project:

Information was presented on the joint project with the Route 13 multi-use trail project. Further updates will be presented in the spring as the project moves forward.

LS # 4 Lift Station Project:

We are waiting for final information from Parks Canada so the tender can be finalized to go out.

Mayor Jelley thanked Tom for attending the meeting.

Mayor Jelley moved back to agenda number 5 as Parks Canada was now in attendance at the meeting.

5. Parks Canada:

- Fallen trees around the Visitor Centre and to the North of the Visitor Centre are being cleared.
- The priority for spring is south of the Visitor Centre to Route 6 and then down to Hammies Lane.
- The piles of trees will be removed by a contractor and there will be some small piles of brush burnt on site. Smaller piles should help to reduce the smoke during burning.
- The Balsam Hollow Trail should be open by June with the bridge being replaced.
- The Haunted Wood Trail will be finished up by June as well with some final work to be completed in the fall.
- Clark's pond will be cleaned up as well but some trees will be left as a learning experience for visitors on climate change.
- There is some garlic mustard in the area as well that needs to be dealt with.
- Debris removal is happening at the campground and a temporary lunch room will be located on the site for the summer.
- The reservation system will be running on January 20, 2020 for some sites.
- Parks will be adding new hardwood trees throughout the campground and the Park where the trees have fallen that will include maple, white birch and red oak. They will be doing a staged approach to the tree planting as there is growth still alive and there is more shrubbery than what was expected.
- They are looking at the campground to determine the future of some of the sites near the water area based on Hurricane Dorian.
- There will be routine work completed on the trail systems prior to the summer to ensure that the trails are passable with more work being done in the fall.
- Green Gables will have new signage installed at the entrance.

Mayor Jelley questioned Parks on a crosswalk across Route 6 from Green Gables to the North Side of the road. Jennifer Stewart confirmed that she will check this out with Parks and report back at the next meeting.

Private tours at the house were discussed during the winter months.

Jennifer Stewart confirmed that some work is being done at the building during the winter and the site will be open by appointment for tours in April 2020.

Mayor Jelley thanked the Parks staff for attending the meeting.

Mayor Jelley moved back on the agenda to item 9.B.

9.B. Liquor Control Commission Letter:

Mayor Jelley will follow up with Brad Trivers as no response has been received on the letter to date from the Liquor Control Commission.

9.C. Destination Management Fund:

Mayor Jelley advised that the terms of reference are still being worked on.

9.D. Agreement with David Macneill:

Mayor Jelley sent the agreement to David Macneill and is awaiting a response back from him.

9.E. Council Disclosure Statements:

All Council Disclosure Statements have now been filed.

9.F. 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.G. Bell Mobility:

Bell Mobility has chosen David Macneill's property to locate the cell tower and are working with the owner.

9.H. Cavendish Services Ltd.

Mayor Jelley and Councillor Singleton met with Jeff Doucette from Cavendish Petro Canada. It was agreed that there would be 3 ft. paved aprons on each side of the drive through and the Rustico end of the pump island entrance. The lower section will have a 9 ft. paved apron. This work should be completed by June 1st, 2020.

9.I. Dale Brown – Insurance – Hurricane Dorian:

A settlement has been agreed to and a cheque is being sent to the municipality for damages during the Hurricane.

9.J. Snow Fencing – Route 6:

The Department of Transportation was out to assess the area noted by near Richard Moore on route 6 near Driftwood and it was decided that the trees in the ditch area would be moved to see how the snow would travel with this section being cleaned up. Work has been completed and they will assess it throughout the winter.

10. NEW BUSINESS:

10.A. Active Transportation:

Information was presented from Alex Dalziel on a new five year funding program that the government is working on putting funding towards. Public consultations will be held throughout the spring. The municipality will ask for additional information on the program for the next meeting.

11. Concerns:

11.A. Councillor's Concerns:

Councillor Robinson advised that the AED sign has blown down in front of his property.

Councillor Brammer commented on some issues in Seawood Estates including mail being taken out of a mailbox and vehicles in the subdivision with people who were not property owners. There may be more of an uptake on Citizens on Patrol due to this.

Councillor Robinson commented on Citizens on Patrol and that this could help in this situation as people may be able to spot situations like this and report it.

11.B. Resident's Concerns:

Peter Fullerton commented on the streetlights in Seawood Estates and that he believes the municipality has the right to enter the subdivision and install lighting. He also noted that 20% of the year-round population for the municipality comes from Seawood Estates and that they are paying a fair share to municipal taxes.

Mayor Jelley advised that the matter is being reviewed by Council and legal input will be requested from the municipal lawyer on municipal responsibility in private subdivisions. Mayor Jelley noted that the municipality does pay for street lighting on public roads from one end of the municipality to the other.

12. "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)(d), 119(1)(e) and 119(1)(f) of the Municipal Government Act. All in favor 6, 1 non-voting. Motion Carried.

Draft Emergency Measures Bylaw:

Strategic Plan:

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 Robinson that the meeting be opened to the public in accordance with clause 119(2)(e) of the Municipal Government Act. All in favor 6, 1 non-voting. Motion Carried.

Draft Emergency Measures Bylaw:

The draft bylaw will be held by Council until the Emergency Plan has been completed so that it can be included in the bylaw.

Strategic Plan:

A special Council Meeting will be held on February 3, 2020 at 3:00 p.m. with the Council and the planning board to go through the document section by section to provide feedback to the consultant.

The CAO left the meeting.

2018 CAO's Evaluation. Information was reviewed by the Council.

2019 CAO's Evaluation. Information was reviewed by the Council.

13. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 7:45 p.m.


Mayor, Matthew Jelley


Brenda MacDonald, CAO