

Minutes
Resort Municipality Monthly Council Meeting
Monday, February 24, 2020
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on February 24, 2020 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: Jim Brown and Jeremy Wyand.

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 Clark Dunning, seconded by Councillor Brammer that the agenda be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

3. APPROVAL OF MONTHLY COUNCIL MEETING MINUTES JANUARY 20, 2020:

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer that the Monthly Council Meeting Minutes of January 20, 2020 be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

Deputy Mayor Lowther declared a conflict of interest under David Macneill on the agenda.

5. 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, 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.

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.

Development Permits:

Chris Robinson – PID # 1053990 - (8537 Cavendish Road) - an application was received to install solar panels on the roof of the existing building. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval in principle be granted subject to: 1) meets the requirements of the Provincial Fire Marshal's office. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Other:

Budget Meeting – will be at 7:00 p.m. in the Cavendish Visitor Information Centre.

National Building Code – A letter was received from Joshua Collins advising that all municipalities will be advised once a date is set for the enactment of the National Building Code.

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

******* In Camera Matters:**

- A) Estate of Brian Stevenson – PID # 232702 – (Cavendish Road)
- B) Estate of Brian Stevenson – PID # 765636 – (Cavendish Road)
- C) Helen Stewart – PID # 231662 – (Cavendish Road)

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.

Estate of Brian Stevenson – PID # 232702 – (Cavendish Road) – the original plan was to subdivide 3 lots off of the main property and a new application was received to subdivide four lots off of the main property within the same area that had been approved for rezoning. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the application be approved in principle subject to: 1) meets the requirements of the Department of Environment, 2) meets the requirements of the Department of Transportation, Infrastructure and Energy as well as final approval from the province on the rezoning request. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Estate of Brian Stevenson – PID # 765636 – (Cavendish Road) – an application was received to subdivide 2.74 acres off of the main property and to consolidate it with PID # 233403 (Lori MacKinnon). It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) the lot is existing and the consolidation of the 2.74 acres onto it will make the lot larger, 2) meets the requirements of the Department of Environment, 3) meets the requirements of the Department of Transportation, Infrastructure and Energy and 4) that a lot consolidation deed be completed. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

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. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the application be denied based on the current plan as it does not meet the requirement of the Zoning and Subdivision Control (Development) Bylaw. All in favor 4, 1 non-

voting, 2 absent. Motion Carried.

5.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for January 31, 2020. The revenues were \$338,571.98 and the expenses were \$322,508.56.

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the monthly finances for January 31, 2020 be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

5.B.1. Important Financial Dates:

Information was presented on the upcoming financial dates for government deadlines.

5.B.2. Municipal Strategic Component:

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that \$70,000.00 be allocated towards a generator for LS # 4 under the Gas Tax Funding. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

5.C. Trails and Paths Committee:

5.C.1. Streetlights:

Legal input was provided.

It was decided that public input would be gathered through the weekly updates regarding the installation of streetlights in private subdivisions as there are a number of them throughout the municipality.

5.C.2 Speed Radar Signs:

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

The speed radar sign on Route 13 has been fixed.

5.C.3. Swimming Rock Municipal Park:

It was moved by Deputy Mayor Lowther, seconded by Councillor Clark Dunning that the engineer be asked to look into constructing a new set of steps at the swimming rock property and the costs for preparing a tender. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

5.D. Emergency Services Committee:

5.D.1. Citizens on Patrol:

Based on the low numbers of people being able to participate in the Citizens on Patrol program during the winter months, it was decided that the program would be put on hold for the present time and that the committee focus on the emergency measures plan and meeting with the Red Cross to gather more information for their participation on the plan.

5.D.2. EMO Session:

The CAO attended the training session in Kinkora on February 5, 2020.

A number of municipalities are dealing with the same issues on warming centres and generators.

The EMO office was not aware of funding programs such as Gas Tax not being able to help fund the programs and Municipal Affairs employees were going to check into this further.

5.D.3. Canadian Red Cross:

A meeting will be set up with the Canadian Red Cross on the EMO Plan and to gather feedback from them on the process of working with the municipality on future information for disaster and storm concerns and ways they

can assist the community.

5.D.4. New Glasgow Fire Department:

An increase is proposed for 2020 to \$.11 / \$100.00 with a cap of \$275.00 per property. This will be discussed as part of the budget review.

5.D.5. New London Fire Department:

No increase is proposed for 2020.

5.D.6. North Rustico Fire Department:

A 10% increase is proposed for 2020. This will be discussed as part of the budget review.

6. Cavendish Sewer Utility:

6.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:

A date has been set for a call with the courts, the municipal legal counsel and the customer on the outstanding account.

7 BUSINESS ARISING FROM MINUTES:

7.A. Heritage Park and Historical Committee

7.A.1. Communities of Interest:

A meeting was held on February 10, 2020 with the committee.

Arrivals and Departures if moving forward to get their information together for the influencers and advocates.

A call was received advising that the tour companies listed on the Literary Tour are not showing any information on the L.M. Montgomery Literary Tour since they are listed on the website with the tour information.

Deputy Mayor Lowther will follow up with Darcy Butler on the tour company's information.

Work is being completed with Kate MacDonald Butler on the statue reproduction and a copy of an agreement will be brought forward to the municipality once it is ready.

7.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.

7.C. Destination Management Fund:

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

7.D. Agreement with David Macneill:

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

7.E. 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.

7.F. Dale Brown – Insurance – Hurricane Dorian:

Payment has been received from the insurance company for the damage from Hurricane Dorian.

7.G. Active Transportation:

Information was received from Alex Dalziel and the Route 13 walkway project was allocated for funding in 2020. Future projects can be looked at once information is received on how the funding program is administered.

7.H. CBMF Senior Ops Minutes:

A copy of the minutes are in the meeting package.

Mayor Jelley raised concerns over the Liquor Control Commission still not responding to the municipality's letter and this concern was raised during the Senior Ops Meeting as well.

8. NEW BUSINESS:

8.A. Epilepsy Association:

The Council agreed to support the Epilepsy Association in support of Purple Day on March 26, 2020.

8.B. Tourism Cavendish Beach Funding Request:

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that \$5,000.00 be allocated to the City / Beach express provided that the number of bus trips remains the same. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

8.C. FCM Funding Opportunity:

Information was provided on a funding opportunity through FCM for asset management. Awaiting information from Alex Dalziel on the program.

8.D. Accelerated Market Readiness:

A report was received that Harvey Sawler had completed for Stanley Bridge.

Pam Montgomery will be asked to come to a meeting at 4:00 p.m. with the Council on April 20, 2020 prior to the Council meeting.

11. Concerns:

11.A. Councillor's Concerns:

Mayor Jelley commented on some updates from Parks Canada as he attended a one and a half day session with Parks on a design charette for the Park and the future of the National Park Campground as well as a long term plan on the reforestation plan.

Parks Canada is looking at a solar farm and this is something that could be worked on with the sewer utility for Green power.

The CAO was asked to get input from Municipal Affairs and the legal counsel on "in camera" items for clarification on what falls under Section 119 (1) of the Municipal Government Act.

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

11.B. Resident's Concerns:

Sandi and Scott Lowther – Information was received advising the Council of their concerns over the walkway project on Route 13 and the concerns over guests not being able to enter and exit the property during construction.

The concerns have been noted by the Council and have also been sent along to the Department of Transportation, Infrastructure and Energy for their record prior to any work commencing.

Deputy Mayor Lowther returned to the meeting.

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

Strategic Plan:

LS # 4 Upgrades Tender:

Audit Tender:

Drafts Records Retention and Disposal Bylaw:

Draft Access to Information and Protection of Personal Information Bylaw:

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 Drost 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.

Mayor Jelley recessed the meeting to go to a Public Meeting at 7:00 p.m.

Mayor Jelley called the meeting back to order at 7:35 p.m..

The CAO was out of the meeting.

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

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

The CAO joined the meeting.

Strategic Plan:

The consultant had not sent through the changes that were requested until just prior to the Council meeting.

It was decided that Deputy Mayor Lowther and the CAO would go through the document and send through any additional comments on the document to the consultant and plan for the public meeting in March.

LS # 4 Sewer Tender:

The sewer utility board has not accepted any tender for LS # 4 as they were over budget.

Audit Tender:

It was moved by Councillor Brammer, seconded by Councillor Drost that the audit from MRSB for 2019, 2020 and 2021 be adopted as presented. All in favor 4, 1 non-voting, 2 absent. Motion Carried.

Drafts Records Retention and Disposal Bylaw:

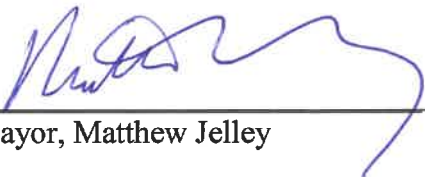
Agenda item was tabled based on the lawyer's input until the provincial regulations are in place in April 2020.

Draft Access to Information and Protection of Personal Information Bylaw:


Agenda item was tabled based on the lawyer's input until the provincial regulations are in place in April 2020.

13. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 8:35 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO