

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

The Monthly Council Meeting of the Resort Municipality was held on April 20, 2020 at the Resort Municipality Office and electronically with Zoom.

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

ABSENT: Nil.

VISITORS: Daniel Brown, Lloyd Adams, Dhoumei and Wayne Walker.

1. CALL TO ORDER:

Mayor Jelley called the meeting to order at 5:07 p.m.

2. APPROVAL OF AGENDA:

Mayor Jelley added 5.C.3. to the agenda for Pam Schurman Montgomery.

It was moved by Councillor Clark Dunning, 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 MARCH 16, 2020:

It was moved by Deputy Mayor Lowther, seconded by Councillor Brammer that the Monthly Council Meeting Minutes of March 16, 2020 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

Deputy Mayor Lowther declared a conflict of interest under Planning Board Report and David Macneill on the agenda.

5. COMMITTEE REPORTS:

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, eight 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 on the purchase of the property.

Estate of Brian Stevenson – PID # 232702 – (Cavendish Road) – an application was received to subdivide 4 lots off of the main property and the remnant parcel. Awaiting approval from the Minister on the rezoning of the property for final subdivision approval.

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). Awaiting final survey plan and proof of the lot consolidation deed for the property.

Raspberry Point Oyster Co. Inc. – PID # 442608 (Cavendish Road) – an application was received to construct a one storey building of 226'1 X 150w' for storage, offices and a grading facility for oysters. Awaiting information from 1) Department of Transportation, Infrastructure and Energy, 2) Department of Environment, 3) Department of Health and Wellness, 4) Provincial Fire Marshal's office, 5) a public meeting must be held for the major variance for the height of the building to go to 52' and 6) an environmental impact assessment will need to be completed on the proposed development and brought to a public meeting.

Subdivision Permit:

Helen Stewart – PID # 231662 – Cavendish Road – an application has been received to rescind the previous subdivision plan and to create a new lot and access. Awaiting a revised plan from the surveyor and approval from the Department of Transportation, Infrastructure and Energy on access.

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

Development Permits:

Gary Lowther – PID # 645515 (Cavendish Road) - an application was received to have a 10% minor variance on the front yard setbacks. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted for a minor variance on the front yard setbacks subject to: 1) the site plan that was attached to the permit and 2) the public health restrictions being lifted All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Gary & Linda Lowther - an application was received to construct a 1 ½ storey summer cottage with a breezeway and a garage of 18'33' X 87' with decks. It was moved by Councillor Clark Dunning, seconded by Councillor Singleton that approval in principle be granted subject to: 1) that a septic permit be provided, 2) meets all requirements of the Department of Transportation, Infrastructure and Energy and 3) the public health restrictions being lifted. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Gary Lowther – PID # 607820 (Driftwood Lane) – an application was received to move a cottage of 34' X 28' with decks onto the property and to move a private garage of 22' X 14' onto the property. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval in principle be granted subject to: 1) the cottage shall be connected to the private water system, 2) the cottage shall be connected to the municipal sewer system, 3) that a moving permit be issued by the Department of Transportation, Infrastructure and Energy for the cottage and garage to be moved to the property, 4) that a development agreement be entered into allowing 6 months from the date of approval for the cottage and garage to meet all municipal requirements and 5) the public health restrictions being lifted. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Deputy Mayor Lowther returned to the meeting.

Kenny and Shirley Campbell – PID # 453498 (Cavendish Road) – an application was received to construct a summer cottage of 40' X 28' with decks. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval in principle be granted subject to: 1) a new access road to be installed on the property, 2) meets the requirements of the Department of Environment, 3) that a septic permit be provided and 4) that the deed change be made into the new owners name. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Melanie Numsen – PID # 1803931 – an application was received to construct an addition onto the existing structure of 12' X 8'. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) that the condo corporation sign off on the permit application. All in favor 6,

1 non-voting. Motion Carried.

Joshua Leon – PID # 498287 – an application was received to construct a 1.6 storey summer cottage of 39' X 27' with decks. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that approval in principle be granted subject to: 1) that a septic permit be provided. All in favor 6, 1 non-voting. Motion Carried.

Subdivision Permit:

De Sheng Li & Hui Xian Che – PID # 231761 – Cavendish Road - an application was received to subdivide 2.11 acres of the property for a residential lot. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) meets the requirements of the Department of Transportation, Infrastructure and Energy and 2) that a final survey plan be completed. All in favor 6, 1 non-voting. Motion Carried.

Bell Mobility:

A cell tower package has been received to locate a cell tower on the property of David Macneill. Adjacent landowners will be notified from Bell looking for feedback.

National Building Code:

The National Building Code came into effect for Commercial Properties on March 31, 2020. Joshua Collins is working on getting the permit applications in place as well as the website which is expected to be in place before the end of April.

Structures and large tents for the Cavendish Beach Music Festival will be required to obtain building permits under the National Building Code.

5.A.1. Cavendish Beach Music Festival:

Paperwork has been received regarding the proposed process for bracelets for 2020 from Brodie O'Keefe as a meeting that was scheduled for March 24, 2020 to meet with the Liquor Commission was cancelled because of COVID-19.

Break-In:

The CAO advised the planning board members about a break-in that happened in the area.

5.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for March 31, 2020. The revenues were \$398,448.83 and the expenses were \$348,348.59.

It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the monthly finances for March 31, 2020 be adopted as presented. All in favor 6, 1 non-voting. Motion Carried.

5.B.1. Reserve Fund:

Mayor Jelley will follow up with Tourism PEI, the Department of Transportation, Infrastructure and Energy and Parks Canada on the Cavendish VIC being used for a warming centre and the installation of a Generator at the building.

The Reserve Fund will be discussed at the next Council meeting.

Bill Drost commented on the electrical charge stations and the budget for those will come from the Community Projects funds. Due to COVID-19 the project is on hold.

5.C. Trails and Paths Committee:

5.C.1. Speed Radar Signs:

Information was in the monthly meeting package on the monthly stats.

The CAO will contact the Department of Transportation, Infrastructure and Energy again regarding having the speed signs located on the actual sign, so the public knows the correct speed limit.

5.C.2. Swimming Rock Municipal Park Steps:

An engineered plan was received from Tom Harland.

The RFP will be issued for the Swimming Rock Steps.

The CAO will follow up with the Department of Environment on securing a watercourse alteration permit for the work to be completed at the Swimming Rock.

5.C.3. Pam Schurman Montgomery:

It was moved by Deputy Mayor Lowther, seconded by Councillor Singleton that the Council support the ADDD Project in Stanley Bridge to move forward within the Resort Municipality boundaries from the Stanley Bridge Harbour down to the entrance to Seawood Estates. All in favor 6, 1 non-voting. Motion Carried.

At this time, there is no financial commitment being made as the Council will have to receive further information on the overall project, projected costs and funders in order to approve any additional support for the project.

Trees at Swimming Rock:

The CAO will get prices for clearing of the trees at the Swimming Rock in Stanley Bridge.

Montgomery Park Structures:

The CAO will get prices on completing work on the park structures that were damaged as a result of hurricane Dorian.

5.D. Emergency Services Committee:

5.D.1. COVID – 19:

The municipality is following the requirements of the Chief Public Health Officer.

Regional Tourism Associations are working with government as we are in unprecedented times. A lot has changed in the past five weeks that will impact the Island for years to come.

5.D.2. Emergency Plan:

Emergency Plan is being worked on.

5.D.3. Citizens on Patrol:

Citizens on Patrol was discussed and the looking at it forming a committee and meeting with the RCMP.

AED Sign to be replaced at Chris Robinson's.

6.A. Cavendish Sewer Utility Budget 2020:

The Lien process has been stopped as our date has been cancelled until the situation changes with COVID-19.

Driftwood Landing – we are awaiting the signed agreements from two property owners from their banks for the sewer utility to complete the paperwork on the easement. This has been delayed due to COVID-19.

Lagoon Samples are scheduled to be taken on April 21, 2020. Toombs have been allocated a time to have all samples taken in to the water lab and we will then await direction from the Department of Environment on the drawdown.

7. BUSINESS ARISING FROM MINUTES:

7.A. Heritage Park and Historical Committee

Awaiting final invoices for the project.

The Communities of Interest portion of the project will not be completed until 2021 due to COVID-19, so the project will be on the municipal books until that time and remaining 10% of the costs for this portion of the project will be held until the project is paid out in full by the municipality.

7.A.1. Insurance:

The municipality will be required to carry insurance on the project until the Communities of Interest portion of the project is completed in 2021.

7.A.2. Arrivals and Departures:

The project is being worked on but the meeting with the influencers and advocates had to be put on hold due to COVID-19. The committee is hoping to get things moving later in the summer with the project.

7.B. Liquor Control Commission Letter:

The meeting was cancelled due to COVID-19.

7.C. Destination Management Fund:

Nothing further has happened as everything has been delayed due to COVID-19.

7.D. Agreement with David Macneill:

We are waiting to hear from David Macneill on the agreement.

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. Strategic Plan:

Deputy Mayor Lowther and the CAO will have a meeting with Ian Watson at Upland Planning & Design to see what additional costs might be involved with looking at the Strategic Plan again based on COVID-19 challenges. We will get them to review the draft document to determine if the priorities should be changed and see what can be done for a video presentation on the document. A public meeting will have to be held in the fall or when allowed by the Chief Public Health Officer.

7.G. Sustainable Communities Initiative:

Councillor Drost is working on a Sustainable Communities Initiative project.

The Maritime Electric bills for the year will be sent to Councillor Drost on the blower house.

8. NEW BUSINESS:

8.A. FPEIM:

The Semi-Annual Meeting was cancelled due to COVID-19.

9. Concerns:

9.A. Councillor's Concerns:

Parks Canada:

Mayor Jelley will talk with Karen Jans at Parks Canada to see if there is any way to relax the closing of the National Park since there are no new cases on PEI as people can walk and bike into the National Park but can't drive.

Mayor Jelley will report back at the next meeting.

Seasonal Residents:

Seasonal Residents were discussed as well and working with government on trying to allow them to return as they have a vested interest in the community and are taxpayers.

Seawood Estates:

The water system and concerns over testing in Seawood Estates was discussed.

A letter will be sent to the Department of Environment asking for clarification on the process with the water testing in the subdivision.

9.B. Resident's Concerns:

Sunny Gallant:

A request was received to have a streetlight removed from the Cape Road near her property.

Council will check into the costs of moving the light with Maritime Electric as well as the placement of the light. If the Council decides to move the light half of the costs for removing the light will be borne by the property owner.

A decision will be made at the May meeting.

Councillor Clark Dunning left the meeting due to another commitment.

10. "In Camera Matters"

It was moved by Councillor Brammer, seconded by Councillor Singleton to go "In Camera" to discuss matters falling under clauses 119(1)(e) of the Municipal Government Act. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Lawyer's Comments "In Camera":

Municipal Affairs Comments "In camera":

Dangerous and Unsightly Premises Bylaw:

2018 CAO's Evaluation:

2019 CAO's Evaluation:

No decisions were made while in camera.

It was moved by Councillor Robinson, 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.

Lawyer's Comments and Municipal Affairs Comments "In camera":

Information was reviewed on the lawyer's comments as well as Municipal Affairs.

In the future the "In Camera" matters will be listed on the agenda with the section of the Act that they fall under.

Dangerous and Unsightly Premises Bylaw:

A concern was raised regarding a property in Seawood Estates.
The owner of the subdivision was contacted and the property owner was visited.

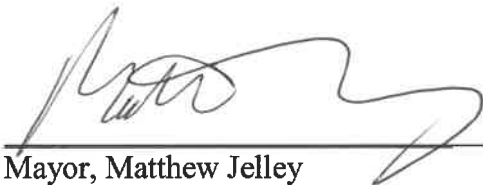
A follow up will happen at the monthly Council meeting in May on the property.

2018 CAO's Evaluation & 2019 CAO's Evaluation.

The Human Resource Committee is to check with the lawyer prior to May 1, 2020 on contract changes and have completed for the next meeting.

11. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 8:19 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO