

Minutes
Resort Municipality Monthly Council Meeting
Monday, March 16, 2020
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on March 16, 2020 at the Cavendish Visitor Information Centre.

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

ABSENT: Mayor Matthew Jelley, Kenny Singleton and Chris Robinson.

VISITORS: Jim Brown, Daniel Brown and Stig Andersen.

1. CALL TO ORDER:

Deputy Mayor Lowther called the meeting to order at 5:05 p.m.

2. APPROVAL OF AGENDA:

It was moved by Councillor Drost, 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 SPECIAL COUNCIL MEETING MINUTES FEBRUARY 3, 2020:

It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Special Council Meeting Minutes of February 3, 2020 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

APPROVAL OF MONTHLY COUNCIL MEETING MINUTES FEBRUARY 24, 2020:

It was moved by Councillor Brammer, seconded by Councillor Drost that the Monthly Council Meeting February 24, 2020 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

APPROVAL OF PUBLIC FINANCIAL PLAN MEETING – FEBRUARY 24, 2020:

It was moved by Councillor Drost, seconded by Councillor Brammer that the Public Financial Plan Meeting Minutes of February 24, 2020 be adopted as presented. All in favor 3, 1 non-voting, 3 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:

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.

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 # 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.

Development Permits:

Sue Humby and Jane Woodley – PID # 92403 (4880 Saint Mary's Road) – an application was received to change the use of the residence into a residence / home based business. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval be granted in principle subject to: 1) meets the requirements of the Department of Transportation, Infrastructure and Energy, 2) meets the requirements of the Department of Health and Wellness and 3) meets the requirements of the Provincial Fire Marshal's office. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

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. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval be granted in principle to go to a public meeting subject to: 1) meets the requirements of the Department of Transportation, Infrastructure and Energy, 2) meets the requirements of the Department of Environment, 3) meets the requirements of the Department of Health and Wellness, 4) meets the requirements of the Provincial Fire Marshal's office, 5) a major variance form must be completed for the height of the building explaining compelling reasons why it should be allowed to go to 48'3" and be brought to a public and 6) an environmental impact assessment will need to be completed on the proposed development and brought to the public meeting. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

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. It was moved by Councillor Clark Dunning, seconded by Councillor Drost that approval be granted in principle subject to: 1) meets the requirements of the Department of Transportation, Infrastructure and Energy on access and 2) that option two is completed on the survey plan based on comments from the Department of Transportation, Infrastructure and Energy. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Temporary Permit:

100242 PEI Inc. – PID # 1065101 (Forest Hills Lane) - an application was received to locate a temporary cell tower on the property from June 15 – July 19, 2020. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that approval in principle be granted subject to: 1) the temporary tower being located on the site in accordance with the site plan and 2) that the tower be secured at the end of each day with fencing and a gate to ensure that the public is not accessing the site. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Permit Issued by the CAO:

Greg & Pat Janusz – PID # 839704 (257 Reid Road) a permit was approved to construct a 12' X 16' sunroom onto the existing house.

Draft Strategic Plan Review:

Public Meeting – March 30, 2020 at 6:30 p.m. Visitor Information Centre.
(Storm Date – March 31, 2020)

Some questions were raised on the process for the Strategic Plan as well as follow up on the plan items following the review. Discussion was held on the list of items and whether or not they would change if priorities changed.

Information was presented advising that the Council has control over the document and makes decisions based on feedback and information from the document as well as its taxpayers.

The CAO was asked to contact the consultants to see what they might suggest as a process for consultation given COVID-19.

National Building Code:

No updates have been received from the province since February 24, 2020 at which time the municipality was advised that all municipalities would be advised on the effective date of the National Building Code at the same time and the process moving forward with permit applications.

Dale Larkin PID # 411124 – 9796 Cavendish Road Watercourse / Wetland and Buffer Zone Activity Permit has been received from the Department of Environment for Cavendish Marina and Beach Resort Inc. for shoreline protection repairs.

5.A.1. Parks Canada Management Plan:

Information was submitted in the meeting package on the Draft Parks Canada Management Plan for Green Gables Heritage Place.

5.B. Monthly Finances:

Councillor Brammer presented the monthly Finances for February 29, 2020. The revenues were \$366,472.07 and the expenses were \$330,404.47.

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the monthly finances for February 29, 2020 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

5.B.1. Operational Budget:

Councillor Brammer presented the operational budget for April 1, 2020 – March 31, 2021.

It was moved by Councillor Brammer, seconded by Councillor Drost that the Revenue of \$488,394.13 be adopted as presented. All in favor 2, 1 non-voting, 1 nay, 3 absent. Motion Carried.

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the total administration of \$243,900.00 be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

It was moved by Councillor Brammer, seconded by Councillor Drost that the total expenses of \$488,394.13 be adopted as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

It was moved by Councillor Brammer, seconded by Councillor Drost that a two cent decrease be applied to commercial properties for a new rate of \$.30/ \$100.00 of assessment and non-commercial properties for a new rate of \$.20/\$100.00 of assessment. All in favor 2, 1 non-voting, 1 nay, 3 absent. Motion Carried.

Resort Municipality Operating Budget April 1, 2020 – March 31, 2021

REVENUE:	
Taxation - Municipal	272,787.07
Grants - Sewer	21,000.00
Federal - CMHC Sewer Loan	35,169.63
Interest	2,500.00
Building Permits	4,000.00
Miscellaneous	25,000.00
Surplus Brought Forward from Previous Years	127,937.43
TOTAL REVENUE:	\$488,394.13
EXPENDITURES:	
Administration:	
Advertising	2,500.00
Bank Charges	700.00
Recreation Rebate	400.00
Land Taxes and Sewer Taxes	1,300.00
Insurance	8,000.00
Meetings & Seminars	2,000.00
Newsletters	1,000.00
Office Supplies & Equipment	10,000.00
Office Operational & Expenses	12,000.00
Prof. Fees and Memberships:	
Audit	6,800.00
F.P.E.I.M. & FCM & TCBI	1,300.00
Legal	45,000.00
Planning & Engineering	28,000.00
Telephone & Email	2,900.00
Council & Staff Travel	7,000.00
Wages and Benefits	115,000.00
TOTAL ADMINISTRATION:	243,900.00
Fire Protection	82,000.00
Street Lighting, Snow Removal, Maintenance	35,000.00
Council Honorariums	13,000.00
Miscellaneous	8,000.00
CMHC Sewer Loan	35,169.63
Trails, Paths and Sidewalks	45,000.00
Community Projects	26,324.50
TOTAL EXPENDITURES:	\$488,394.13
SURPLUS / DEFICIT:	0.00

Tax rates for 2020 will be \$.20 / \$100 non-commercial and \$.30 / \$100 commercial

5.B.2. Resort Municipality Capital Budget:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the Capital Budget of \$967,156.95 for revenue be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the Capital Budget of \$967,156.95 for expenses be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

		2019-2024	
		Resort Municipality	
		Proposed Capital Budget	
Revenue:			
Gas Tax Funds			967,156.95
Expenses:			
Sanitary Collection & Treatment (generator)			353,605.00
Review & Implementation of Active & Mobile Transportation Methods			310,705.00
Strategic Development Plan			90,000.00
Tourism Heritage Park			186,334.93
Signage & Gateways			26,512.02
			\$967,156.95

5.B.3. Cavendish Sewer Utility Budget 2020:

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the Cavendish Sewer Utility Budget for total revenue from April 1, 2020 – March 31, 2021 of \$385,650.00 be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the Cavendish Sewer Utility Budget for expenses of \$385,650.00 from April 1, 2020 – March 31, 2021 be approved as presented. All in favor 3, 1 non-voting, 3 absent. Motion Carried

It was moved by Councillor Brammer, seconded by Councillor Clark Dunning that the sewer fees remain the same for April 1, 2020 – March 31, 2021. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

REVENUE:	
Sewer Fees	378,000.00
Interest	6,000.00
Other – Miscellaneous	1,650.00
TOTAL REVENUE:	\$385,650.00
EXPENDITURES:	
Administration	21,000.00
Dues & Fees	6,500.00
Electricity	40,000.00
Insurance	14,500.00
Interest & Bank Charges	700.00
Sewer Loans	103,000.00
Maintenance	130,000.00
Miscellaneous	2,000.00
Professional fees	50,000.00
Property tax	600.00
Sewer Upgrades	17,350.00
TOTAL EXPENDITURES:	\$385,650.00
SURPLUS / DEFICIT:	0.00

5.B.4. MCH Day Funding:

A letter has been received from the Department of Canadian Heritage confirming that there has been \$1,600.00 approved for funding of MCH Day on June 27, 2020.

5.C. Trails and Paths Committee:**5.C.1. Streetlights:**

A survey questionnaire was prepared for Council's input and will be sent out in the weekly updates for input from property owners living in private subdivisions.

5.C.2 Speed Radar Signs:

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

It was suggested that the two speed radar signs have the actual speed limit signs installed below them. The Department of Transportation will be contacted about installing the speed signs on them.

5.C.3. Swimming Rock Municipal Park:

Awaiting a report and tender package from the engineer.

5.D. Emergency Services Committee:

5.D.1. Canadian Red Cross:

John Ward is the volunteer for the area for the Canadian Red Cross. He will attend the April meeting to discuss the Community Outreach Program.

5.D.2. COVID – 19:

This is an unprecedented time for everyone.

The municipal office is operating regularly with restrictions in place with the public asking them to call ahead to make an appointment to meet with office staff on any matters.

The municipal office will continue to follow the requirement of Dr. Heather Morrison, EMO and Municipal Affairs on processes to have in place.

Deputy Mayor Lowther offered to assist the public in the community if they need something and can't get out.

Information will be sent out to property owners in the community.

6. Cavendish Sewer Utility:

6.A. Monthly Updates and Engineering:

Outstanding Sewer Customer:

The Lien process proceeded forward with the courts with a call to the owner who did not take part in the call. The judge advised our legal counsel following the call to proceed to court action. We are now awaiting a date from the courts.

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.

7 BUSINESS ARISING FROM MINUTES:

7.A. Heritage Park and Historical Committee

7.A.1. Communities of Interest:

Deputy Mayor Lowther and Darcy Butler will meet with tour companies in the spring to work on a tour for the sites for the L.M. Montgomery Literary Tour.

Awaiting final invoices from Island Coastal Services Ltd. for the project.

7.B. Liquor Control Commission Letter:

A request will be sent to the Liquor Control Commission regarding the meeting on March 24, 2020 seeing if it can be held at a different time so that the Council can attend based on the ongoing issues right now with COVID-19.

The CAO will contact the Liquor Control Commission and update the Council.

7.C. Destination Management Fund:

Deputy Mayor Lowther advised that the Mayor needs to report back.

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. Epilepsy Association:

The Council had a picture taken in support of Purple Ribbon Day on March 26, 2020.

8. NEW BUSINESS:

8.A. FPEIM:

Sustainable Communities Initiative:

Councillor Drost agreed to check into the program requirements and to write up a draft summary for the Council to review on the initiative.

9. Concerns:

9.A. Councillor's Concerns:

Councillor Drost asked about looking at doing up a legal RFP for a future agenda item.

The CAO will work on one to present to the Council.

Meetings during COVID-19:

The CAO will check with the province on the process for having meetings electronically during COVID-19 for meetings.

9.B. Resident's Concerns:

Draft Management Plan – Green Gables:

Stig Andersen asked about the information on Parks Canada and the management plan for Green Gables as he wondered about the remainder of the National Park.

Stig Andersen was advised that the only review right now will be on the Green Gables Heritage Site as the remainder of the Park would be done at a different time and that he could contact Parks Canada with any additional questions.

Watershed Group:

Stig Andersen talked about the watershed groups and working on a project with children from the Gulf Shore School for tree planting in the area and possibly working with Parks Canada on a project.

Council advised that they support both the Trout River and Hunter / Clyde Watershed groups and would be supportive of a project with the watershed group based on more information being provided once an update is available.

Tax Rate:

Stig Andersen questioned the decrease in tax rates and whether the rate should be done differently for a larger tax decrease for properties that are assessed lower than the ones that have a higher assessment rate and a decrease being less for those.

The tax rate was set at an equal amount for both non-commercial and commercial properties and was passed by the Council. As the tax billing is done by the Province, they are not likely set up to do differential taxes in that way.

Internet:

Monty Drummond had a question on a recent announcement on internet service coming to Cavendish. A call has been placed with Paul Montgomery at Bell Aliant to gather more input on the project. The Council will be updated once more information has been received.

Deputy Mayor Lowther commented on the reserve fund and that this is something that the Council should review at the next monthly Council meeting as it was last reviewed in the spring of 2019.

10. "In Camera Matters"

It was moved by Councillor Clark Dunning, seconded by Councillor Drost to go "In Camera" to discuss matters falling under clauses 119(1)(e) of the Municipal Government Act. All in favor 3, 1 non-voting, 3 absent. Motion Carried.

Lawyer's Comments "In Camera":

Municipal Affairs Comments "In camera":

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 3, 1 non-voting, 3 absent. Motion Carried.

Lawyer's Comments "In Camera":

The full Council will review and discuss the information at the next Council Meeting.

Municipal Affairs Comments "In camera":

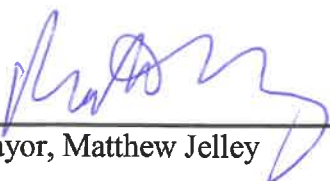
The full Council will review and discuss the information at the next Council Meeting.

2018 CAO's Evaluation. Update was provided to the Council.

2019 CAO's Evaluation. Update was provided to the Council.

11. ADJOURNMENT:

Deputy Mayor Lowther adjourned the meeting at 7:56 p.m.



Mayor, Matthew Jelley



Brenda MacDonald, CAO