

Minutes
Resort Municipality Monthly Council Meeting
March 18, 2024
5:00 p.m.

The Monthly Council Meeting of the Resort Municipality was held on March 18, 2024, at the Resort Municipality Office.

PRESENT: Mayor Matthew Jelley, Deputy Mayor Linda Lowther, Councillors George Clark Dunning, and Ryan Simpson. Zoom: Councillors Lee Brammer and Chris Robinson. CAO - Brenda MacDonald, Deputy CAO – Heather Hay.

ABSENT: Councillor Kay Hrycki.

VISITORS: Jim Brown. Zoom – Lloyd Adams, Lindsey Cameron.

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 Simpson, seconded by Deputy Mayor Lowther that the agenda be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

3. APPROVAL OF MONTHLY COUNCIL MEETING FEBRUARY 26, 2024:

It was moved by Councillor Clark Dunning, seconded by Councillor Simpson that the Monthly Council Meeting Minutes of February 26, 2024, be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

APPROVAL OF PUBLIC MEETING FEBRUARY 26, 2024:

It was moved by Councillor Clark Dunning, seconded by Councillor Simpson that the Public Meeting Minutes of February 26, 2024, be approved as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

4. DECLARATION OF CONFLICTS OF INTEREST:

Mayor Jelley advised that he had conflicts under the planning board applications for Eagles Glenn Golf Course.

Mayor Jelley advised that if any conflicts arise with a Council member during the meeting to ensure that they raise the conflict and leave the meeting without comment.

5. COMMITTEE REPORTS:

5.A. Building and Signage Permits:

Follow Up Permits:

Chris Robinson – PID # 1053990 – 8537 Cavendish Road – an application was received for a change of use on the property into a two-bedroom Bed and Breakfast. Access on the property still needs to be widened.

Parkview Farms Inc. – PID # 232637 - 8214 Cavendish Road – an application was received to locate a liquid manure holding tank on the property of 110' X 110' on the property. Awaiting an Environment Impact Assessment. **Planning Board Meeting recommended to the Council to bring the information to a public meeting for input from the property owners.**

Cavendish Beach Music Festival Inc. - PID #1037423 - (8779 Cavendish Road). An application was received to hold the 2024 Cavendish Beach Music Festival from July 5-7, 2024. Awaiting comments from the Provincial Fire Marshal's Office, Department of Health, Liquor Control Commission, RCMP, that a development agreement be entered into and that a performance bond be paid.

Cavendish Beach Music Festival Inc. - PID #1037423 - (8779 Cavendish Road). An application was received to hold the 2024 Sommo Festival from September 13 - 14, 2024. Awaiting comments from the Provincial Fire Marshal's Office, Department of Health, Liquor Control Commission, RCMP, that a development agreement be entered into and that a performance bond be paid.

Ernest and Sharon MacEwen – PID # 815902 – Reid Road – an application was received to subdivide 5 lots off of the main property. Awaiting final survey plan to be submitted from the owner and naming of the road.

Andrew Wigston – PID # 806976 & PID # 778100 – 7936 Cavendish Road – an application was received to subdivide two pieces of land off of the property and consolidate it with PID # 806976. The current plan as shown does not meet the requirements of the Zoning and Subdivision Control (Development) Bylaw. Information was sent along to the owner to allow him to provide the updated information on the plan to meet the bylaw requirements.

Mayor Jelley left the meeting while discussion took place on Eagles Glenn Golf Inc.

Eagles Glenn Golf Inc. – PID # 432195 – Cavendish Road – an application was received to subdivide one lot off of the main property. Application was incomplete and tabled.

Mayor Jelley returned to the meeting.

Richard and Roger Moore – PID # 232470 – Cavendish Road - an application was received to subdivide 1 acre off of the main property. Awaiting a perc test to be completed, a final survey plan and the 66' wide right-of-way to be provided with the registered agreement on the roadway.

Temporary Permits:

Cavendish Beach Music Festival – (227 Forest Hills Lane) - (PID # 566869) – an application was received for access to the property and parking for RCMP vehicles from July 2 – 8, 2024. Awaiting letter from the owner of the road, development agreement to be completed and a performance bond to be posted.

Cavendish Beach Music Festival – (227 Forest Hills Lane) – (PID # 566869) – an application was received to have the RCMP headquarters on the property from July 2 – 8, 2024. Awaiting approval from the Provincial Fire Marshal's office, a development agreement to be completed and a performance bond to be posted.

Cavendish Beach Music Festival – (227 Forest Hills Lane) - (PID # 566869) – an application was received for access to the property and parking for RCMP vehicles from September 11 – 15, 2024 for the Sommo Festival. Awaiting a development agreement to be completed and a performance bond to be posted.

Cavendish Beach Music Festival – (227 Forest Hills Lane) – (PID # 566869) – an application was received to have the RCMP headquarters on the property from September 11 – 15, 2024 for the Sommo Festival. Awaiting approval from the Provincial Fire Marshal's office, that a development agreement be entered into and a performance bond to be posted.

Development Permits:

Alyssa Hartwell – PID # 480285 – (16 Heron Court) – an application was received to locate solar panels on the roof of the existing cottage. It was moved by Councillor Clark Dunning, seconded by Councillor Robinson that the Council approve the application in principle subject to: 1) that stamped drawings be provided. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Josh Garbish – PID # 534180 – 73 Stanley Road – an application was received to change the use of the summer cottage into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Tourism and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Stephanie Andrews – PID # 1814227 – 7195 Route 13 – an application was received to change the use of the summer cottage on unit 17 into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Councillor Simpson that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Tourism and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Stephanie Andrews – PID # 1814383 – 7195 Route 13 – an application was received to change the use of the summer cottage on unit 3 into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Tourism and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Anthony and Somera Murphy – PID # 842781 – 50 Stanley Road – an application was received to change the use of the summer cottage into a rental cottage. It was moved by Councillor Clark Dunning, seconded by Councillor Brammer that the Council approve the application in principle subject to: 1) meets the requirements of the Department of Tourism and 2) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried

Change of Use Permits and Solar Panels:

It was moved by Councillor Clark Dunning, seconded by Deputy Mayor Lowther that the CAO be allowed to approve permits for changes of use and roof mounted solar panels. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Subdivision Permit:

Eagles Glenn Inc. – PID # 432195 – Cavendish Road – an application was received to subdivide one lot off of the main property. The application was tabled as the application was incomplete.

Temporary Permit:

Henry Victor – PID # 92650 - Seawood Drive – an application was received to hold a wedding in the open area on August 4, 2024, from 2:00 – 4:30 p.m. It was moved by Councillor Clark Dunning, seconded by Councillor Simpson that the Council approve the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's office. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Laura and Patrick McNally – PID # 538215 – 71 Bayview Drive – An application was received to hold a wedding reception on the property on August 4 – 5 from 4:30 p.m. – 1:00 a.m. It was moved by Councillor Clark Dunning, seconded by Councillor Simpson that the Council approve the application in principle subject to: 1) meets the requirements of the Provincial Fire Marshal's office, 2) meets the requirements of the Department of Health and Wellness, 3) that a stamped drawing be provided by Caseley's for the tent, 4) that an accurate site plan be provided of the location of the tent and setbacks to it from the existing structures and adjacent properties and 5) that the hours be until 12:00 midnight. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Other:

The CAO updated the planning board on the Official Plan and Bylaw Review and the final mapping and matrix forms that were required to be completed in order for the paperwork to go to the Minister.

5.A.1. Danny Cusack:

Danny Cusack advised that he would reply in 5-10 working days on a request and if he hasn't gotten a response, please check in after 5-7 days and he'll be sure to look over the application.

5.B. Monthly Finances:

The Monthly Finances for February 29, 2024, were presented. The revenues were \$378,050.63 and the expenses were \$495,652.10. It was moved by Councillor Brammer, seconded by Deputy Mayor Lowther that the monthly finances for February 29, 2024, be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B.1. Statement of Municipal Taxes Levied:

The yearly breakdown from the Province of PEI was provided on the municipal taxes levied.

5.B.2. 2024 / 2025 Resort Municipality Budget:

Councillor Brammer presented the 2024 / 2025 Resort Municipality Budget.

It was moved Councillor Brammer, seconded by Councillor Simpson that the Total Revenue of \$618,824.00 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved Councillor Brammer, seconded by Councillor Simpson that the Total Administration of \$417,824.00 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved Councillor Brammer, seconded by Deputy Mayor Lowther that the Total Expenditures of \$618,824.00 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

It was moved Councillor Brammer, seconded by Councillor Simpson that the tax rates remain the same at \$.20/\$100.00 for non-commercial and \$.30/\$100.00 for commercial for a balanced budget. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B.3. 2024 / 2025 Capital Budget:

Councillor Brammer presented the 2024 / 2025 Capital Budget.

It was moved Councillor Brammer, seconded by Councillor Simpson that the 2024 / 2025 Capital Budget be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B.4. 2024 / 2025 Reserve Budget:

Councillor Brammer presented the 2024 / 2025 Reserve Budget.

It was moved Councillor Brammer, seconded by Councillor Simpson that the Reserve Budget of \$284,508.00 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B.5. 2024 / 2025 Cavendish Sewer Utility Operating Budget:

Councillor Brammer presented the Cavendish Sewer Utility Operating Budget.

It was moved Councillor Brammer, seconded by Councillor Simpson that the Cavendish Sewer Operating Budget of \$396,800.00 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.B.6. Cavendish Sewer Utility Capital Budget:

Councillor Brammer presented the Cavendish Sewer Utility Capital Budget.

It was moved Councillor Brammer, seconded by Councillor Simpson that the Cavendish Sewer Capital Budget of \$446,424.15 be adopted as presented. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

5.C. Emergency Services and Wellness Committee:

Lot of downed trees in the area.

Dry hydrants still need to be looked at and a meeting with government to discuss them.

Tourism properties and campgrounds access roads. There is no mandate or requirement in the bylaw to require this. An amendment would need to be made to the bylaw to enforce this to make them have one along with working with government departments including Fire Marshal's office and the Department of Transportation. Meeting with fire departments and emergency providers to be looked at.

Mayor advised that time is valuable with RCMP and emergency providers and RCMP are attending the meeting tonight so if there are any questions of Council they can be asked at the meeting tonight.

Doug Carmody had expressed an interest in sitting on a committee.

5.C.1. Fire Safety Act:

Fire Services Act – information was sent to fire departments.

5.D. Parks and Recreation Committee:

5.D.1. Bench Dedication:

The Committee will work on additional information on what makes someone worthy for the dedication for the next meeting.

6. RCMP:

Moved down on the agenda since the agenda items were early.

7. Cavendish Sewer Utility:

7.A. Monthly Updates and Engineering:

LS # 4 has been tested and most of the work is completed.

Generator will not be here until the spring as it is on back order.

LS # 9 at Raspberry Point: there are still issues with the electricity and the work that was done during bridge construction. Trevor Paynter and Brett Driscoll with the Department of Transportation are working on getting the issue resolved. Trevor Paynter has confirmed that it is the bridge section of Transportation that has to get the issue resolved since it was done during their project.

8. Business Arising from Minutes:

8.A. Literary Tour Panels:

The panels are being worked on and expected to be completed at the end of April.
The company will be checked with for the delivery of the panels.

8.B. Strategic Plan:

8.B.1. Community Hub:

Awaiting information from Parks Canada and the Province of PEI.

8.B.2. Planning matters:

A list of planners was sent through just before the meeting. The CAO will follow up with them for the next meeting.

8.B.3. Walkway Project:

CBCL will review the information and bring back a price to the municipality for the work to be completed.

8.B.4. Extended Year Round Activities:

Councillor Simpson and Councillor Robinson are to work on updates for this for the next meeting.

8.B.5. Land Suitability and Analysis:

It was moved by Councillor Robinson, seconded by Deputy Mayor Lowther that the RFP be distributed with the additional information on the acreage being added to the document. All in favor 5, 1 non-voting, 1 absent.
Motion Carried.

8.B.6. Wayfinding:

Kellie Mulligan with Rural Development was checked with again and the project is there to bring forward for the 2024 budget.

Deputy CAO will check with Dan Glenn on pricing to see if there are any changes for 2024.

8.B.7. Protecting View Plains:

Councillor Clark Dunning and Councillor Robinson are to look at some properties to see which ones might need to have protected view planes. The existing ones with Parks Canada will continue to be protected as per the plan that was approved by the Advisory Committee.

8.B.8 Bylaw Enforcement:

There is only one company that most municipalities use. We are trying to track down the person to see if she is available and what services she may be able to offer.

8.C. Election Bylaw:

CAO checked with Elections PEI on mail-in ballots and what is required.

The Election Bylaw for the Municipality would have to be amended to allow for mail-in ballots.

Elections PEI is not prepared to help with the mail-in or election process with the municipality.

The costs for mail-in ballots range from \$28.00 to \$186.00 per person per delivery so would cost anywhere from \$56.00 to \$372.00 to do one complete ballot for sending it out and returning it as it has to be sent through a delivery company as Canada Post is not acceptable.

There are three envelopes that have to be sent with each ballot and all information has to be done accurately.

Instructions for each envelope has to be sent out for each envelope, what has to be sent with it, so the envelopes would all have to be completed by a company.

All driver's license information needs to be able to be legible and the signature of the card and license need to match or it is not valid.

The ballots need to be sent to the person wherever they are at the time of the election. If someone chooses to do a mail-in ballot that is the only form allowed, you cannot vote in person. If the ballot is late coming, then it is not counted even though you spent the large amount of money to have it delivered by courier.

Government has a full-time staff person just validating election information with the mail-in ballots prior to the election as there are several challenges with them and the paperwork submitted. It was determined that the costs and requirements were prohibitive for mail-in ballots.

6. RCMP:

Mayor Jelley welcomed Staff Sergeant Nick Doyle to the meeting.

Nick Doyle transferred to Maypoint and is working in Operations and District Commander.

On the island for 16.5 years now.

He was involved with CBMF the first year and has been working with various departments on getting up to speed on the event and contacts.

Expecting the same numbers for CBMF and Sommo events for crowds.

Some of the senior team members will still be involved with the event.

Community Safety and preservation of property during the events are important.

RCMP is doing renovations to the current office space at the Cavendish Detachment.

If anyone hears of prom parties, make the RCMP aware of it as they are not allowed.

Nick Doyle advised that if the municipality needs anything to reach out.

Mayor Jelley thanked Nick Doyle for coming to the meeting.

9.A. Montgomery 150 Update:

Deputy Mayor Lowther updated the Council on events.

Councillor Robison will work with Deputy Mayor Lowther on Art in the Park.

9.B. ORDER OF PEI:

Information was in the meeting package from the Order of PEI if anyone is interested in nominating someone, send it along.

10. Concerns:

10.A. Councillors:

Deputy Mayor Lowther will contact Heath MacDonald regarding the Housing Accelerator Fund to find out why the funding was not approved.

10.B. Resident's Concerns:

Lloyd Adams advised that he enjoyed listening to the discussion and banter by Council at the meeting.

It was moved by Councillor Clark Dunning, seconded by Councillor Simpson to go in camera under Section 119(1)(f) of the Municipal Government Act. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

11. A. Roger Birt Inc.

11.B. Unsightly Property:

It was moved by Councillor Simpson, seconded by Deputy Mayor Lowther that the meeting be open to the public in accordance with Section 119(2)(e) of the Municipal Government Act. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

Roger Birt Inc. – PID # 723874 – Cavendish Road – It was moved by Councillor Simpson, seconded by Deputy Mayor Lowther that the Developer requires the following items to be completed on the subdivision application prior to final approval being granted: 1) awaiting information from the developer on the perc tests that need to be completed or a letter from the Minister of Municipal Affairs advising that he does not need a perc test completed for every lot to meet the Province-Wide Minimum Development Standards, 2) that the lot sizes need to conform with the proposed development that has been shown for each lot once a perc test has been completed, 3) that a storm water management plan be completed, 4) that the private road be constructed and signed off by an engineer licensed to practice in the Province of PEI, 5) that an agreement providing for the long term ownership and maintenance of the Private Road is registered in the Province's Land Registry Office, binding on the Owner of the Private Road, the Lot Owner making application for the Development Permit, and their respective heirs, successors and assigns, 6) that a subdivision agreement be entered into once all requirements have been met, 7) that a performance bond be posted, 8) meets the requirements of the Department of Transportation and 9) meets the requirements of the Department of Environment. All in favor 5, 1 non-voting, 1 absent. Motion Carried.

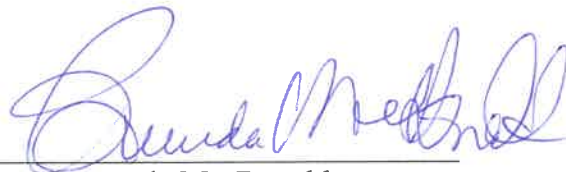
Unsightly Property – The owner will be contacted again to advise him that some of the property has been fixed up but there are still some outstanding issues.

12. ADJOURNMENT:

Mayor Jelley adjourned the meeting at 7:24 p.m.



Mayor, Matthew Jelley



CAO, Brenda MacDonald