

## Community of Miltonvale Park

### COUNCIL MINUTES

Milton Community Hall

7:30 p.m., Wednesday, November 16, 2016

**PRESENT:** Chair Hal Parker, Councillors Tamsyn Cosh-MacKenzie, Philip Hooper, Helen Shaw, Denise MacDonald-Vail, Sheila MacKinnon and Sheila Curtis; Administrator Shari MacDonald; Resident Pat Carver; Guests Alesia Napier, Jolene Ferguson, Justin Ferguson

1. **CALL TO ORDER** – Chair Hal Parker called the meeting to order at 7:30 p.m.
2. **PRESENTATION OF AGENDA** – The agenda was circulated to Council previously.
3. **INTRODUCTION OF ADDITIONAL AGENDA ITEMS**

Motion 2016:104 - Moved by Councillor Tamsyn Cosh-MacKenzie and seconded by Councillor Sheila MacKinnon **that Council approve the agenda as circulated.** Motion carried.

#### 4. **DISCLOSURE OF PECUNIARY OR OTHER CONFLICT OF INTEREST**

No conflict of interest issues were identified.

#### 5. **APPROVAL OF MINUTES**

Motion 2016:105 – Moved by Councillor Sheila MacKinnon, seconded by Councillor Helen Shaw **that the minutes of October 19, 2016 be approved as circulated, with the correction of a typo on page 8.** Motion carried.

#### 6. **PRESENTATIONS**

Alesia Napier, Jolene Ferguson, Justin Ferguson, from Wicked Eh spoke to Council about their wireless internet which is tower based, secure, and built for the future. It would provide “real” internet of 5MBPS (5 up and 5 down) with near zero latency. The tower’s reach is about 23 km. Their company provides services to home and business and pride themselves on customer service. They are willing to work with the community to improve the internet.

7. **PLANNING BOARD** - As there was no planning board meeting held in November, Chair Parker reviewed a report from the Development Officer.

##### a. **Permits Issued Since Last Planning Board Meeting**

Permit No. 2016-19 was issued 2016-11-07 at n/a Rustico Road, Parcel Number 0283614 to erect a 64-square foot private storage building

##### b. **Applications**

- a. There has been **no activity** in the following files: Application #MPS-279, MPS-280 & Rezoning-Andrew Frizzell, Oscar O'Halloran (Phillip O'Halloran) - Coffee Compost (letter to Province), Applications #MP-0914 & MP-0934-Oscar O'Halloran (Phillip O'Halloran) – request to IRAC; and Application #MP-0993-Cory & Jill Gallant.
- b. **Application #MP-0988**-Cody & Shanna Farrell - The Applicants applied for a development permit and variances to permit a mini home to be placed on the parcel as an "accessory apartment". In July, Council approved a variance to permit an accessory apartment (mini home) of up to 960 square feet and a variance to permit three accessory buildings on the parcel. The Applicants appealed to IRAC, and submissions were made by Council and the Applicants. Chair Parker and the Development Officer attended an IRAC mediation session where the Appellants provided additional information relating primarily to health issues. The Appellants will file a written submission, including a doctor's letter outlining the needs for the additional square footage which Planning Board and Council will take into consideration.
- c. **Application #MP-0976**-Trevor Pyke & Rhonda Gallant -The Applicants erected an accessory building on their parcel without a development permit.The matter eventually found its way to the Supreme Court. On October 7, 2016, The Honourable Benjamin B. Taylor found in Council's favour and full indemnity costs were awarded (almost \$4,500.00) to the Community.
- d. **Application #MP-0987**-Trevor Pyke & Rhonda Gallant -The Applicants applied for a development permit to erect a greenhouse, however, it was larger than permitted under the bylaw; therefore, the permit was denied. Lawyer Jonathan Coady recommended that Council take no further action until the matter involving Application #MP-0976 is completed. Staff will discuss appropriate action with Mr. Coady.
- e. **Alexius McQuaid/Dan Doran Subdivision** -Council directed Staff to request an opinion from its insurance company regarding potential liability of allowing Parcel #1055599 to remain separate from the remainder of the undeveloped part of the subdivision. The Administrator has requested the opinion and is awaiting a response from the insurance company.
- f. **Other Applications and Inquiries**

1. **Application #MP-0992**-An application was received for an addition to a single detached dwelling at 793 Rustico Road, North Milton. Additional information has been requested.
2. **Application #MP-1000**-An application was received to locate a 1,184 square foot mini home on an approved lot (Parcel #1081322) on the Crabbe Road. A site assessment is being completed.
3. **Application #MP-1002**-An application was filed for a 2,560 square foot pole barn to be used for a cow/calf operation (15 head of each). Comments have been received from the Department of Communities, Land & Environment and Department of Agriculture & Fisheries. The Applicant is in the process of filing a surface drainage plan.

## 8. BUSINESS ARISING FROM THE MINUTES/OLD BUSINESS

- a. **Notional Gas Tax/Internet** – Eastlink is currently pricing the area and expects to have information to share with the Council by November 25, 2016.
- b. **THREE for MVP** –As there have been no entries received, the office will publicize that residents can nominate other residents.
- c. **Community Pasture** – The soil has not yet been tested.
- d. **FPEIM** –The administrator and Chair Parker attended the semi-annual meeting on October 22, 2016 in Summerside. Sessions included information on the Charlottetown Youth Retention Initiative; the draft Toolkit for Municipal Restructuring; Revenue Sharing and an update and roundtable discussions on the Municipal Act. Storyteller Dennis King provided entertainment.
- e. **Celebrate Canada** – The application for funding is due November 21, 2016. Council discussed special Canada 150 activities, such as including multicultural foods or dancers.
- f. **Infrastructure**
  - a. **Provincial Infrastructure Fund** – The signed contract was returned to Infrastructure; however, the Community may need to delay the fencing until the tennis court is constructed in the spring of 2017.
  - b. **Canada 150 Community Infrastructure Program** - The paving companies are not able to pave this year. ACOA will extend the contract and move funding to 2017-2018.

- g. **Website** – There was some discussion about delaying any website expenditures until any possible amalgamations are discussed; however, it was not felt there was a need to delay.
- h. **Cooperation/Amalgamation** –No further meetings have been scheduled with the communities in the fire district. There have been staff changes at the Central Development Corporation, and the facilitator of the project is no longer there. Apparently, communities on the other side of Cornwall have been meeting in a smaller group. Others in the fire district, such as Darlington, Hampshire, North Wiltshire, Warren Grove, and Winsloe South may be interested in meeting. Union Road, York, and Brackley, or the service center of Hunter River could also be approached. FPEIM's tool kit should soon be ready, and will give information on assessing the need to change, communities of interest and reaching out to other communities. Chair Parker offered to informally chat with representatives from North Wiltshire and Darlington. Census data is expected in February 2017. The Community of Miltonvale Park should be able to meet the requirements of the new Municipal Government Act.
- i. **Canada 150** –An application was made to Canadian Heritage (PCH) for a project "Celebrating our Past – 150 Years" to hire two students to gather information, host three events (presentation, opportunity to tell stories, submit memories), plus supper, as well as the creation and launch of a multi-media presentation. Total cost of the project is \$28,032 with PCH asked for \$21,025 and a community contribution of \$6,407. An application was also made to the Community Foundation for "Canada 150 Stories" for a project totalling \$6,677.00, with \$3,300.00 requested. Residents would be asked to write a very short story or anecdote about "being" Canadian - to reflect on an experience they have had in the community - or in another part of the country, over their lifetime. Residents, including youth, will be invited to illustrate the stories. Stories will be collected, and displayed, in written form at the Milton Community Hall and digitally, and online, and a community gathering would be held to celebrate the stories and the country.
- j. **Bus service** – Contact has not yet been made with Mike Cassidy of Trius Tours.
- k. **Council Appreciation Night** – Councillors, committee members, staff and one guest each, will be invited to supper on Friday, December 9 at the Top of the Park at 6:00 p.m.

## 9. CORRESPONDENCE -

- a. **Canada 150 Community Leaders** - On Canada's 150th anniversary of Confederation, the Federation of Canadian Municipalities is looking for representatives in cities and communities to form part of an official network of Canada 150 Community Leaders. This network will ensure the voices of municipalities across Canada are showcased as part of Canada150. Members will share images and stories about their communities to create an insightful mosaic of our nation.

Motion 2016:106 – Moved by Councillor Philip Hooper, seconded by Councillor Sheila MacKinnon that **anyone who expresses interest, after more information is received, be nominated from the Community.** Motion carried

- b. **Association of Municipal Administrators Meeting** – The AMA is meeting on Friday, December 2, 2016 in Summerside. Sessions include Gordon McIntosh who will facilitate preventive and remedial efforts to align the political/ administrative interface (strategies) and discussion of key attributes of the successful CAO (CAO Profile)”. The Municipal Finance Officers Association of Ontario will be providing an overview of their organization and programs and PEI Workers Compensation will provide overview of the requirements to comply with the Occupational Health and Safety Act of PEI.

Motion 2016:107 – Moved by Councillor Sheila MacKinnon, seconded by Councillor Helen Shaw that **Administrator Shari MacDonald be approved to attend the AMA meeting on December 2, 2016.** Motion carried

- c. Information was shared from Stewart McKelvey about a recent case involving Canada Post and mailboxes from the Ontario Court of Appeal that speaks to the conflict between municipal and federal jurisdiction.

## 9. REPORTS

### A. Environment and Community Living

#### 1. **Watershed Update –Cornwall and Area Watershed Group (CAWG)–**

Councillor Cosh-MacKenzie updated Council regarding a possible project between Elliot River School and CAWG to obtain solar panels. The Province has a new watershed funding formula which considers outside funding, area served, projects planned, and past effectiveness reports, but not land use types. Work continues on the Habitat Stewardship project. Active redds (spawning areas) have been counted in several branches of the North River watershed, notably in Watts Creek; trout and salmon counts look good. Councillor Cosh-MacKenzie will become an interim board member for CAWG, replacing Hillary Shea who will be hired as Wildlife Technician for 3-4 months.

#### 2. **Seniors Projects**

- a. **New Horizons for Seniors (NHS) Program** –Yoga is continuing until 15 classes are completed in December. Usually 9-12 attend. The Mindfulness series has seen 21 people attend at least one class; Sixteen people attended the November 1, 2016 “Cooking for One or Two; Four people attended the first Community Kitchen. The different meals prepared were delivered to seven seniors, plus three of the cooks took about three packages of each meal home.
- b. **Upcoming NHS - Healthy Eating Presentations -**, Margaret Prouse will present “Festive Dishes to Make Ahead” on November 22 and “New Ways with Winter

Vegetables” on Jan. 24, 2017; The administrator will organize a Christmas Community kitchen on Tuesday morning, December 13 with Christmas baking, and soup for lunch. In the New Year there will be one more community kitchen and two craft days with 4-Hers.

- c. **Play for 2016-17** – The first meeting was held on November 2. Council printed the first copies of the play. There are several new actors, with a few not returning from 2016. The probable dates for the play are January 26-28, 2017.
  - d. **Exercise Classes**– Attendance is steady at about 12-14 for exercise classes.
3. **Community Park** – The shelter has not been winterized yet. Extra keys were cut for the washroom, and one is now at the shelter. It was very quiet at the park over Halloween.
  4. **Halloween** –The Halloween Party was held at the hall on Saturday afternoon, October 29. Although 12-14 were expected, nine children, plus parents, attended for an enjoyable time.
  5. **Family Violence Prevention Week** – The deadline for applications for the mini grant is usually sometime in early January.

Motion 2016:108 – Moved by Councillor Tamsyn Cosh-Mackenzie, seconded by Councillor Helen Shaw that **the Community of Miltonvale Park apply for a mini-grant of \$100 to make blankets for Family Violence Prevention Week.** Motion carried.

- B. **Emergency Measures** - The Hazard Risk Assessment (HRA) with the Emergency Measures Organization staff will take place on Wednesday, November 23 from 6:30-9:30. Fire Chief Anson Grant from the North River Fire Department was invited to participate. The administrator was asked to send a reminder to Councillors on the 22<sup>nd</sup>.

C. **Finance/Payment of Accounts**

1. **Remittance** –The Receiver General is now paid quarterly. The remittance for July-September was paid in early October.
2. **Reports and Payment of Accounts** –Finance Chair Philip Hooper reviewed the circulated financial statements. Income to October 31 is \$246,391.15, with expenses of \$203,774.47.

Motion 2016:109 – Moved by Councillor Philip Hooper, seconded by Councillor Sheila Curtis that **the financial statements for October 2016 be adopted as presented.** Motion carried.

3. **Insurance** –The finance committee is still working on a Request for Proposals for Insurance. The administrator attended a recent JLT presentation on insurance. There is a collective responsibility for resilience from individuals, business and all levels of government. Council must consider “What happens if...?” regarding a number of areas: communications, energy, health care and public health,

transportation systems, water, waste waters and storm water. Preparation is key, and municipalities must be able to deal with rapid onset shock. Cyber risk is a new crucial threat; however, PEI has no law requiring notification of a breach of cyber info.

To avoid liability, municipalities should exercise a standard of care that would be followed by an ordinary, prudent municipality, with careful, objective, documentation and record keeping. Develop and follow through with well-written practices, policies, procedures and protocol. Provide formal systems of inspection and maintenance of equipment and regular training and re-training to municipal staff. Maintain and store government records and documents. If there is an insurance claim, the first phase is Discovery of Documents, during which disclosures must be made of every document relevant to any issue in an action, and witness should be informed. Municipalities must plan for eventualities such as retirements. A back up removable hard drive will be purchased for the office. Cloud back up will also be considered.

**D. Personnel** – The Development Officer’s regular Monday office hours are finished until April 2017. He will be working from home until late January. The Administrator has three weeks’ vacation; therefore, the office will be closed from approximately December 19-January 2, 2017.

**E. Report from Staff** –Recently the administrator worked on the newsletter, Halloween party, and various senior events. Significant items to be completed are the website and filing.

## **10. BUSINESS**

- a. **Water** – Resident Pat Carver asked to speak to Council about a concern she had regarding bottled water, especially if it is bottled on PEI, and then exported. The establishment of a water bottling plant in Brookvale was concerning to her, as were the water issues experienced in the Winter River watershed. Ms. Carver hoped that the Community shared her concern and that Council would be willing to make a statement regarding the protection of our ground water. Provincial regulations give the responsibility for water to the Province.

Motion 2016:110 – Moved by Councillor Denise MacDonald-Vail, seconded by Councillor Tamsyn Cosh-MacKenzie that **the Community of Miltonvale Park write a letter expressing our concerns regarding the protection of groundwater to our MLAs, Bush Dumville and the Premier, and the Environment Minister and the Federation of PEI Municipalities.** Motion carried.

- b. **Budget** - After the new Municipal Government Act (MGA) comes into effect, the new budget year will be April 1-March 31. Council will need to consider if there are changes in operations/requirements in the MGA that will impact our budget. Other considerations would be if there are any special activities planned for Canada 150, or new programs. Capital items expected in 2017 will be the berm/swale at the community pasture, the tennis/pickleball courts and fencing and the internet project. There are requirements for new bylaws once the MGA is adopted. Councillors were asked to think about possible budget items.
  
- c. **Strategic Planning** –Councillors were given the opportunity to meet early in the new year to review and discuss the capital plan, budget, amalgamation, and goals at Council’s halfway point in the current term. Councillors preferred to schedule these discussions in smaller sections as part of the next several monthly meetings.

**11. NEXT MEETING DATE** – The next Regular Council meeting is scheduled for January 18, 2017 at 7:30 p.m.

**12. ADJOURNMENT**

Motion 2016:111 – Moved by Councillor Denise MacDonald-Vail, seconded by Councillor Sheila MacKinnon that **the meeting be adjourned**, and Chair Parker declared it so.

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Chair

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Administrator

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Date Approved