Rural Municipality of Miltonvale Park Council
MINUTES
Milton Community Hall **7:30 p.m., Wednesday, October 21, 2020**

Present: Mayor Hal Parker, Councillors Tamsyn Cosh-MacKenzie, Lindsey Rhynes, Paul Poole, Phil Hooper, Spencer MacDonald, and Andrew Frizzell; CAO Shari MacDonald

1. **CALL TO ORDER** – Mayor Parker called the meeting to order at 7:31 p.m.
2. **DECLARATION OF CONFLICT OF INTEREST** – There were no conflict of interest items identified.
3. **APPROVAL OF AGENDA**

Motion 2020:103 - Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Paul Poole that **the agenda be approved with the addition of Celebrate Canada, Safe Restart Agreement, Meeting with Minister Fox and Meeting Technology.** Motion carried, 6-0.

4. **PUBLIC PRESENTATIONS/PETITIONS/DELEGATIONS** -There were no presentations scheduled.

5. **ADOPTION OF MINUTES**

Motion 2020:104 - Moved by Councillor Phil Hooper, seconded by Councillor Spencer MacDonald that **the minutes of September 16, 2020 be approved with the correction of several typos.** Motion carried, 6-0.

6. **BUSINESS ARISING FROM THE MINUTES**

i. **Crabbe Road Transportation Concerns** – There has been no reply from the Province regarding concerns about truck traffic and speed on the Crabbe Road.

ii. Letter to Province re Wellfield -Environment Minister Natalie Jameson responded to the municipality's letter of August 20, regarding the Coles Brook wellfield and the research project being led by Dr. Mike Van den Heuvel. The Province is considering extending the study until 2023 and will reach out to the Cornwall and Area Watershed Group regarding tree planting. There was no mention in the response of the limits on water extraction. Council would like to arrange a meeting with Hon. Jamie Fox, Minister of Fisheries and Communities.

iii. Bylaw Amendment -Bylaw Amendment 2019-11-01 regarding conditions for commercial use of residential properties was submitted to the Minister for his approval. Bylaw Amendment 2019-11-02, the rezoning of PID #283242, still needs to be submitted for approval.

iv. Federation of PEI Municipalities - The CAO and Development Officer attended the virtual annual meeting for FPEIM on October 19, 2020, and circulated highlights from the meeting to Council.

v. FCM Sustainable Communities Conference – Development Officer Michael Olubiyi has registered for the virtual conference and may be eligible for the student rate.

vi. Maritime Electric Trees for Life program – The Municipality is expecting ten each of white spruce, white birch and red maple trees to be delivered at the park for planting. The youth involved in the soap incidents over the summer will be tasked with planting the trees. Mulch and compost will be purchased, and the CAO and Mayor can provide tools. It was suggested that birch or maple could be planted nearer the water, the spruce could be planted near the tennis courts, and other trees be planted to the north or west of the courts.

vii. Planner - An RFP for the Official Plan and Development Bylaws has been developed and will be issued as soon as possible. The closing date is 12 noon, November 16, 2020.

viii. Physical Literacy Micro Grants - $500 has been granted from Recreation PEI for yoga classes.

7. READING OF CORRESPONDENCE

i. **Traffic Safety** – On October 16, 2020 Patsy Piercey emailed to again express concern with the traffic and speed on the Rustico Road, especially with respect to the safety of school children. Mrs. Piercey requested an in-depth review of the traffic and safety on the Rustico Road from Rte 2 to Rte 224, the installation of school bus signs, more speed limit signs, the reduction of the speed limit to 60 km/hr near the intersection, and the installation of a speed sentry sign near the St. John's Anglican Church in the 70 km zone travelling West on Route 2. She had contacted Dale Sabian of the Public School Board and learned there is no safer option for the bus stops in that area and that school bus signs are under the authority of the Department of Transportation.

Motion 2020:105 - Moved by Councillor Spencer MacDonald, seconded by Councillor Paul Poole that **Miltonvale Park write a letter to the Department of Transportation, and copied to our MLA, Premier King, outlining the concerns and requests to address traffic safety, including considering a roundabout at the Lower Malpeque Road and Rte. 2 intersection.** Motion carried, 6-0.

ii. Letter from MRSB -A follow up letter was received from the recent audit. There is an HST receivable account carrying a balance of $1234 for several years which should be reversed. HST was recorded erroneously on interest charged on a late fee levied by Charlottetown on their charge for additional hydrants. The auditors also recommend the 10% non-recoverable HST should be charged to the Province for the three hydrants for which they reimburse the municipality.

iii. Letter regarding Water Levels -Coles Creek – A letter was received from resident Sheila Curtis with photos of the unusually low water levels in Coles Creek, with a request that Council address the issue. She estimates the water levels are about 20 inches

lower than usual, and reported that new land growths are appearing in the center of the creek. The letter was forwarded to the Cornwall and Area Watershed Group. Councillor Cosh MacKenzie noted that the water levels have not been this low in 40 years. It was a record low year for precipitation. It was believed the City did not publicize water restrictions over the summer for its residents. The CAO will prepare a letter for Minister Jameson, reiterating our concern over water levels and usage, and will respond to Ms. Curtis.

iv. **Warren Grove Active Transportation Request** - Councillor Destiny Arsenault from Warren Grove asked if Miltonvale Park and/or Cornwall would like to work to get sidewalk/paved shoulder/trail on the North York River Road. Miltonvale Park is not interested in assuming costs for maintenance of infrastructure but would be interested in learning more about a possible project and could lend support if the Province was asked to widen the shoulders or to build infrastructure.

v. **Webinars** – The Federation shared notice of Webinars from Frank Cowan. The CAO watched "The Legal Perspective – Can Your Municipality or Facility be Held Responsible for an Outbreak?" in September. Other topics are The Cyber Landscape (security) on Thursday, October 29, 2020 and Managing Risk in the New Normal on Thursday, December 3, 2020 12-1 p.m.

vi. **Municipal Government Act Amendments** - Municipal Affairs sent notice of draft amendments to the Municipal Government Act which were previously circulated to Council. The deadline for feedback was October 16. Notable changes were the removal of the requirement that a municipal office must be in the municipality and that it must be open 20 hours weekly; however, these would not affect Miltonvale Park.

vii. **Queens County Regional Landfill Groundwater Monitoring Report** (2019) - The hard copy of the report was received from Island Waste Management Corporation. The Queens County Regional Landfill Annual Report was also received. 29 of the 53 customers who are eligible for the $700 rebate to connect to water in the Sleepy Hollow area have done so. The former landfill property is used by IWMC to store and move Waste Watch carts and roll-off containers.

8. REPORTS FROM STANDING AND AD HOC COMMITTEES

i. Environment and Community Living

a. Watershed Update – The Cornwall and Area Watershed Group (CAWG) October Meeting was cancelled. CAWG Coordinator Karalee McAskill welcomed baby Kaya McIvor in October.

b. Projects

i. **NHS -2020-2021-** Upcoming "Year in France" events include Sunday Night Movies - Chocolat (Oct. 18), and Ford v Ferrari (Oct. 25).

ii. **New Horizons for Seniors** "Miltonvale Park COVID 19 Seniors Care" – A limited amount of groceries were bought for the Seniors Supply

Cupboard. Other purchases include a video camera, link for live streaming and six tablets. Joy MacIntyre has permanently loaned a tripod. Dates were chosen for the Stories Fill Me Up series, beginning on October 20. More speakers need to be confirmed. Members of the Just for Fun Band are being consulted about other AV equipment. A "Miltonvale Park Residents" Facebook group was established, where Council meetings and other events could be streamed.

iii. **New Horizons for Seniors – 2021-22 – Summer All Year –** An application was made before the October 20, 2020 deadline for a new project involving summertime type activities. These include pollinator gardening, learning to sew shorts, belly dance/belly buster exercise classes, birds and bird feeders, golf, a driving range, Disk golf, and mini-golf, national park passes, strawberry U-pick outing and making home made ice cream, pickleball, sea glass/nature art, a salad preparation demonstration, bird photography and a field walk, flower painting class, nature drawing, beach party/dance. It is expected that the municipality will hear whether the project is funded in February, 2021.

iv. **PEI Senior Secretariat Funding** – The contract has been received for the $1500 grant. The original activities of six painting classes, three preserving/cooking classes, and three Lunch & Learns for seniors can be modified at the municipality's discretion.

v. **Active Transportation Fund** – Joy MacIntyre has been researching potential purchases. If Notional Gas Tax funding is used, the start date for the bicycle equipment must be delayed until January. An agreement will need to be signed with the Province/Trails and the approximate location should be determined.

c. Park

i. **Cricket** –The pitch has not yet been relocated and the office is unaware of any recent play at the field.

ii. **Soap** – The youth involved in the soap incidents will plant the new trees when they are delivered by Maritime Electric.

iii. **Park Project** -The fruit trees and new spruce trees are doing well. Rodent guards will be purchased for the new trees. The office is still investigating additions to the dog park and the new park signs. The concrete end frames have now been delivered. Concrete frames now delivered for six picnic tables, and 8 ft pressure treated lumber will be used to build the tables. Council will try to schedule a workday. The pickleball players recently made a $1200 donation to the municipality and would like to see a baby barn near the court. This will be considered at budget time and care will be taken to not plant a new tree where a baby barn might be located. It was suggested that the Old Hickory might be considered for a new baby barn.

f. Activities – Yoga is now at the Hall with Paula Smith on Wednesdays at 1:30, and Chair-ish Yoga is Thursdays at 10 a.m., with Leone Curtis. The Central Region Sport and Recreation Council contributed $125 towards the costs of summer yoga. Recreation PEI awarded the municipality $500 for a Physical Literacy project for

yoga. Line Dancing is now held for two one-hour classes on Mondays, with a series of four beginner line dancing classes planned for Friday afternoons in November.

g. APM Centre AGM – Mayor Parker and Sheila Curtis attended the annual meeting on September 24, 2020. The APM achieved a small operational surplus for the year ended June 30, 2020, although the rentals and membership fees were over $90,000 lower than the previous year, due to the pandemic. There were 37 events compared to 57 in the previous year, with tournament and camps reduced from 29 to 17 in 2019-20. The shutdown and uncertain future also led to fewer major maintenance and repairs projects being scheduled. General repairs included repairing arena seats, heat circulation pump, urinals, hinges and weather stripping on the front doors, as well as painting. The beams in the arena were cleaned, equipment in the weight room was moved, the storage room was cleaned, and old records were shredded. The ignition coil and chain for the conditioner in the Zamboni were replaced. There was a complete shutdown of the plant and new belts and oils were purchased for the compressors. The budget for this fiscal year projects an operating loss of $42,642. Operational plans for the APM Center and another arena facility were forwarded to the Council office.

h. **Halloween Activity** – Mada Coles postponed the planned pumpkin carving activity until 2021. The municipality now has three boxes of the free children/youth books which can be distributed at Halloween. Residents are asked to pre-register for the drive thru treat pick up from 2-4 p.m. on Saturday, October 31. Councillors Hooper, Cosh-MacKenzie and Rhynes plan to attend. Residents may drop treats off until noon on October 30, as the bags will be assembled that afternoon. The deadline for residents to enter Halloween-themed photo contest is Monday, November 2. A random draw will be held for prizes.

i. Bulletin Boards- Joy MacIntyre has been repairing and painting the bulletin boards. The signboard at Meadowvale Park can remain in place until March 2021.

j. A **Solar energy presentation** was held in October, with Matt Eye, from M.B. Eye Electrical. A summary of the presentation was included in the newsletter.

ii **<u>Emergency Measures</u>**

a. **Emergency Plan** – The CAO completed a survey on the Provincial preparation and response for Hurricane/Post Tropical Storm Teddy.
b. **COVID -19** -Masks are being made when time permits. There is a COVID 19 presentation at the hall on October 22 through the hall's Red Cross funding.
c. **Training** – Several councillors and the CAO participated in the hall's online Red Cross PPE training.

ii. **<u>Personnel Committee</u>**

a. **CAO Overtime** –Two hundred hours of overtime worked by the CAO was paid out in early October.

iii **<u>Finance/Payment of Accounts</u>**

a. Remittance –The remittance to Canada Revenue Agency was paid for September 2020

b. Reports and Payment of Accounts – Finance Chair Hooper reviewed the financial statements for September 2020. Current assets total over $401,600, with capital assets of over $32,500, for total assets just over $434,000. Liabilities total $80,283; however, approximately $73,000 is deferred revenue. Grant revenue have increased due to special grants.

Motion-2020:106 – Moved by Councillor Philip Hooper and seconded by Councillor Paul Poole **that up to $50,000 be transferred from the operating account to the shares account at the discretion of the CAO.** Motion carried, 6-0.

c. **Audit** -The audit for 2019-20 has been submitted to the Province and is posted online and at the hall.

d. **Capital Expenses** – There has not been any further progress on the EMO communications system.

e. **Infrastructure**

i. Municipal Strategic Component - An application was made for Municipal Strategic Component (MSC-GT) Infrastructure funding for the Official Plan review with a contribution breakdown of MSC - $12,375, Notional Gas Tax (NGT) - $9,900 and $7,600 from the municipality (MVP), which includes estimated legal fees.

ii. Capital Investment Plans were submitted for the balance of the Notional Gas Tax which had been set aside for broadband. Applications included the Official Plan Review–(NGT -$9,900, MVP $2475 (not including legal fees), MSC-GT- $12,375); for the bicycle project along the trail (NGT $3500, MVP $476.65, PEI Active Transportation Fund) $1973.35), and for an elevator addition for the hall (NGT $163,165.45, MVP $22,035.45, Enabling Accessibility Fund$ 100,000, Milton Hall New Horizons for Seniors -$25,000)

9. REPORT FROM CAO

Recent activities included applications for MSC-GT, the Capital Investment Plans, and the 2021-22 New Horizons for Seniors Program. Time was spent organizing upcoming activities, preparing honoraria payments and editing the newsletter, along with regular office duties. The Municipal Financial Information Return was completed by the auditors and submitted.

The CAO attended the webinar “The Legal Perspective – Can Your Municipality or Facility be Held Responsible for an Outbreak?” Municipalities were encouraged to plan carefully, follow Public Health Office protocols, document the cleaning regime, retain records, use plain language waivers, and hold harmless agreements drafted by lawyers. Upcoming activities include the MCEG grant application, and the organization and implementation of the planned seniors and COVID events. The CAO’s computer has been having issues lately. It is hoped they can be resolved.

Joy MacIntyre has made significant improvements to the sign boards and did research for purchases (audio visual equipment, signs, tablets, and the bicycle

project). She also checked on the park regularly, and worked on publicity, registration, and organizing events.

10. RECOMMENDATIONS FROM THE PLANNING BOARD

i. Permits-Approvals Issued Since Last Meeting

a. Permit 2020-30 was issued on 17-09-2020 at 84 Old Rte. 2, Springvale, PEI to PID 281055 to erect a fence and place a 49-square foot medicinal hot tub.

b. Permit 2020-31 was issued on 25-09-2020 at 270 Royalty Road, Milton Station at PID 728352 to erect a fence.

c. Permit 2020-32 was issued on 30-09-2020 at 871 Rustico Road, North Milton, at PID 585497 to erect a 360- square foot private utility structure (photovoltaic solar array).

d. Permit 2020-33 was issued at 30-09-2020 on the Colville Road, Springvale, at PID 914622 to erect a 1,578- square foot single-detached dwelling, with 168-square foot deck and 96- square foot shed.

e. MPS-296 was approved on 16-09-2020 at 644 Crabbe Road, North Milton where portions of PID No. 281030 and 471847, were appended to PID No.534693.

ii. Application No. MP-1065 - Parcel No. 700443 -The Council approved the application to allow an export car lot, as a commercial storage lot only. The bylaw amendment regarding the storage of cars has not been approved by the Minister. There appears to be advertising for local car sales, including large flags, price stickers, and a social media presence. The small accessory building which was to have been removed from the property is still present. A registered letter noting the violations and expectations will be sent to the property owner.

iii. **MPB-01 – Parcel No. 283242 Rezoning** – Information needs to be forwarded to the Minister for approval.

iv. **Parcel No. 109781 – Development Activity without Permit** -An application was made. It appears the proposed use would have to be approved by Council after nearby neighbours have been given appropriate time to comment.

v. **Application No. MPS-296 – Parcels No. 283739 & 699919 -** The Applicant wishes to subdivide two parcels into 52 lots (35 single-detached and 17 semi-detached dwellings). Preliminary approval would be issued after the development agreement has been prepared and signed for the subdivision between the municipality and the developer. Concern has been received from a resident who lives adjacent to the property and whose back yard, pool, deck, and camper have

had significant dust problems as development activity appears to have begun. A registered letter will be sent to the developer regarding the permit required for this development activity.

vi. **Application No. MP-1099- Parcel No. 658559**- **Private Utility/ Solar Panel Application -** On July 15, approval was granted to erect a 1,084-square foot Private Utility Structure (Photovoltaic Solar Array) on Parcels 658559 and 856922 at 999 Loyalist Road, Springvale. On August 5, Council received a notice of appeal from IRAC. The legal counsel has submitted the municipal position to IRAC. Further grounds for appeal were received from the appellant. Legal costs to date are approximately $5,000.

vii. **Possible Bylaw Amendments for setbacks**

Motion 2020-107: Moved by Councillor Paul Poole, seconded by Councillor Spencer MacDonald that **the meeting move to a closed meeting as the Municipal Government Act permits in Clause 119 1. (f) the conduct of existing or anticipated legal proceedings.** Motion carried at 8:56 p.m., 6-0.

Motion 2020-108: Moved by Councillor Phil Hooper, seconded by Councillor Tamsyn cosh-MacKenzie that **the meeting return to an open meeting.** Motion carried at 9:00 p.m., 6-0.

Council will address the setbacks in the Official Plan review scheduled to begin in January 2021.

viii. **Official Plan Review** - A draft Request for Proposals had been circulated to several councillors and the Development Officer for comments. The closing date is 12 noon on Monday, November 16, 2020. Councillors were asked to consider any items in the plan or bylaws that require attention.

Motion 2020-109: Moved by Councillor Paul Poole, seconded by Councillor Phil Hooper **that resident Zach Stephens be appointed to Planning Board.** Motion carried at 9:00 p.m., 6-0.

ix. **Special Planning Area Regulations** - Alan Miller, Mayor of Kingston contacted the office to discuss the changes to the Special Planning Area regulations adopted last winter which permitted only one lot off for any of the land uses, rather than one lot off for each use from an “existing” lot. Kingston had asked the Province to be exempt from the change; however, this was recently denied.

x. **Other Applications and Inquiries**

a. **Parcel No. 281659** - In February 2019, an individual inquired about correcting an apparent error that occurred over 30 years ago. There is no change in the status of this file.
b. **Parcel No. 281089** - The owner applied to rebuild a fire-damaged dwelling and has applied for a change of use from a single-family dwelling to a duplex. The Development Officer requires outstanding information.

c. **Parcel No. 843292** – In December 2019, an accessory building was begun without a permit. An incomplete application has been received and construction has ceased.
d. **Parcel No. 448910**- The owner on October 7, 2019, applied to erect a 1500-square foot single detached dwelling on Parcel No. 448910 located on Heather Drive, Milton Station. A permit will be issued soon as the Applicant submits the connection approval.
e. **Parcel No. 658799** – Councillors confirmed that the fill has been removed.
f. **Solar Systems-** It appears that Ted Kitson, CEI, Chief Electrical Inspector, Dept. of Agriculture and Land, has notified contractors that Development Permits are required for all ground mounted Solar Systems.

11. **OTHER**

i. **Council Appreciation Night** – It was suggested that a catered event be held at the Milton Hall, with Councillor Poole offering to forward the name of a recommended caterer. An evening at The Top of the Park would also be an option.

ii. **Celebrate Canada** – The application for funding for Canada Day 2021 is due on November 21. It was suggested the application be written with as much flexibility as possible considering the pandemic may still be affecting events.

iii. **Safe Restart Agreement** – Information regarding the funding available for COVID related activities was received. Miltonvale Park could receive $24,244 in base funding with the possibility for additional funding for additional services such as planning, recreation programming and public facilities.

Motion 2020:110 - Moved by Councillor Paul Poole, seconded by Councillor Andrew Frizzell,

WHEREAS the Safe Restart Agreement will provide financial assistance for reopening municipal services in PEI to support critical needs for transit, protection of public health and safety, prepare for potential future waves of the COVID-19 virus, and further support the safe reopening of economies across Canada.

AND WHEREAS a signed agreement to participate reflects the municipality's understanding on shared objectives and terms established by the Safe Restart Agreement between the Government of Canada and the Province of PEI.

AND WHEREAS the Safe Restart Agreement requires a formal resolution outlining participation in the program;

BE IT RESOLVED that the Council authorizes the Rural Municipality of Miltonvale Park to execute the "Confirmation of Municipal Services and Agreement to Participate". Motion carried, 6-0.

Suggestions for possible activities included subsidizing day care, in-home care support or cleaning. Leasing an electric vehicle was also suggested.

iii. **Meeting Technology** – The municipality now has equipment required to live stream meetings, if desired

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12. INQUIRIES BY MEMBERS OF COUNCIL- There were no additional items brough forward.

13. ADJOURNMENT

Motion 2020:113 - Moved by Councillor Tamsyn Cosh-MacKenzie that **the meeting be adjourned**, and Mayor Parker declared it so at 9:18 p.m.

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Mayor CAO

*November 18, 2020*_____

Date Approved

The next meeting is scheduled for **Wednesday**, **November 18, 2020 at 7:30 p.m**.