

**Rural Municipality of Miltonvale Park Council
MINUTES**

Milton Community Hall

7:30 p.m., March 16, 2022

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

Regrets: Councillor Lindsey Rhynes

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 declarations of conflict of interest.

3. APPROVAL OF AGENDA

Motion 2022:08 – Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Paul Poole that **the agenda be approved as circulated**. Motion carried, 5-0.

4. PUBLIC PRESENTATIONS/PETITIONS/DELEGATIONS

There were no presentations scheduled.

5. ADOPTION OF MINUTES

Motion 2022:09 – Moved by Councillor Phil Hooper, seconded by Councillor Spencer MacDonald that **the minutes of the February 16, 2022, Council meeting be approved as circulated**. Motion carried, 5-0.

Motion 2022:10 – Moved by Councillor Paul Poole, seconded by Councillor Spencer MacDonald that **the minutes of the March 1, 2022, Public Budget Meeting be approved as circulated**. Motion carried, 5-0.

6. BUSINESS ARISING FROM THE MINUTES

a. Hall Elevator and addition

Motion 2022:11 – Moved by Councillor Phil Hooper, seconded by Councillor Paul Poole that **the meeting move in camera, under the authority of the Municipal Government Act (119. b) to discuss information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved**. Motion carried, at 7:37 p.m. 5-0.

Motion 2022:12 - Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Spencer MacDonald that **the meeting return to an open meeting** Motion carried, 5-0, at approximately 7:42 p.m.

Motion 2022:13 – Moved by Councillor Spencer MacDonald, seconded by Councillor Phil Hooper that **Council accept contract offer 218933**. Motion carried,5-0.

A member of the hall committee noted concerns regarding the entrance of the basement washroom, where the plans show the entrance coming from the elevated section. He also suggested a cleaner's closet with water should be included on the main floor, and felt a smaller area for coats would be acceptable. This was passed along to architect.

1. READING OF CORRESPONDENCE

- i. **Regular emails and/magazines/updates** from ParticipACTION, Water Canada, Turf & Rec, SAB Magazine, Municipal Info Network News, and the Federation of Canadian Municipalities (FCM) were received.
- ii. Municipal Affairs shared that the **Municipal Support/ Equalization Grant** will be reduced by 3% or \$905 in the 2022-23 year to approximately \$27,430.
- iii. Blue Economy Webinar is presenting a webinar: [Implementing Green Infrastructure](#) on Wednesday, March 23, 2022 at 12 noon Atlantic time.
- iv. Registration is now open for the [FCM annual conference](#) which takes place from June 2-5 in Regina and online. Mayor Parker may be interested in attending.

Motion 2022:14 – Moved by Councillor Paul Poole, seconded by Councillor Spencer MacDonald, that **Council pay the registration fees and accommodation for up to two representatives of Council to attend the FCM Annual Conference in June 2022.** Motion carried, 5-0.

- v. Dalhousie University is hosting a free one-hour webinar on [How to Handle Microaggressions](#) in the Workplace with Camille Dundas, a racial equity educator on Tuesday, April 14 at 1:00 p.m. (ADT). Councillor Cosh-MacKenzie may be interested.
- vi. The **2023 Canada Winter Games** will take place in Prince Edward Island from February 18 – March 5, 2023, and will require 5,000 volunteers. There is a [digital volunteer toolkit](#) and potential volunteers can apply [here](#).
- vii. Telcom Enterprises will review current **telecommunications** monthly costs for a portion of any cost savings realized. Contact 1-866-808-9069x22 or [Telcom Enterprises - YouTube](#)
- viii. The **Infrastructure Secretariat** sent a final reminder of the March 31, 2022, deadline for the Municipal Capital Expenditure Grant (MCEG).
- ix. Intact Public Entities is holding a webinar entitled “**Employment Practices Liability Webinar: Claims, Cases and Coverage**” on March 22, 2022, from 1 pm – 2:30 p.m. <https://register.gotowebinar.com/register/6463668641033459214>
- x. PEI Community Navigators sent Information for Ukrainian community members and a link to the February issue of [“Navigator News”](#)

- xi. The **Municipal Affairs Newsletter** was received on February 24, 2022 and included the following information:
 - 1. Access Assessment Data for Budgeting
 - 2. Financial Plan - Overview and Requirements (should also include asset management information)
 - 3. Municipal Office Requirements - Frequently Asked Questions (FAQ)
 - 4. Municipal election bylaw instructional video
 - 5. Canada census update with municipal population/maps
 - 6. February 2022 to do list
 - 7. Emergency plans and bylaws are due.
 - 8. Updated checklist for 2022
 - 9. Funding for Municipalities (Low Carbon Economy Fund)
- xii. **FPEIM** shared a request from a municipality looking for policies regarding requests to publish information or events on municipal websites or social media.
- xiii. **Active Transportation Fund Update:** The federal fund added a new webinar session and shared tips and tricks for applying using the applicant portal. Applications for both the planning and capital funding streams of the **Active Transportation Fund** will be accepted through the applicant portal until March 31, 2022, at 7:00 p.m. ET.
- xiv. The Municipality received a **tax adjustment payment** for the 2021 tax year of \$3,218.84.
- xv. The Municipality received a link to the final report for **New Horizons for Seniors Programs**. The Year of Summer (Project # 017424912 was finished on March 18) and Project # 016591927 the Year of France was completed on March 12. Reports are due 30 days after the project completion dates.
- xvi. An invoice for \$3039.87 was received for the two **EV Chargers** installed at the Milton Community Hall as part of the joint project between NRCAN, Maritime Electric and nine community partners. The Council would like to install a sign noting that EV chargers are available.

8. **REPORTS FROM STANDING AND AD HOC COMMITTEES**

i. **Environment and Community Living**

a. Watershed Update – The Cornwall and Area Watershed Group (CAWG) held a Zoom meeting on March 9, 2022. They discussed a beaver policy, as it is no longer worthwhile for trappers to remove beavers. They are developing management plans for specific sections of the North River. The summer hiring process has started, and they are welcoming back some long-time summer staff.

The Cornwall and Area Watershed Group are planning to host a large Rain Barrel fundraiser and tree giveaway on Sunday June 5th, 2022, which is World Environment Day. The rain barrels are \$70 and come with accessories. Ten dollars of every purchase goes to CAWG. Online orders will start March 22nd. Rain barrels need to be pre-ordered and pre-paid for pick up only, at Terry Fox

Place. CAWG will give away 1-3 trees to each purchaser of a rain barrel, and could set up a separate event for Miltonvale Park residents to receive free trees, if desired. CAWG asked if Miltonvale Park could take in-person orders on behalf of residents if necessary and if the municipality could provide summer staff or volunteers on Sunday, June 5.

Motion 2022:15 – Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Paul Poole, that **Council include up to \$1000 in the 2022-23 operating budget to provide a \$25 rebate for Miltonvale Park residents who purchase a rain barrel through the CAWG fundraiser.** Motion carried, 5-0.

Dr. Michael van den Heuvel will make a presentation on the Coles Creek, and the effects from the wellfield to residents of Miltonvale Park on Wednesday, May 11, 2022 at 6:30 p.m. via Zoom and at the Milton Community Hall.

b. COVID - Gathering limits are increasing to 75% on March 17. Masks are still required unless people are actively exercising, eating or drinking.

c. Projects

- i. **NHS -2020-2021- “Year in France”** project time is wrapping up. Susan and Jack Lessard from the Ballroom Barn will do four waltz classes on Wednesdays at 6:30 beginning March 23. Trilby Jeeves is away for two more weeks but has said she would do a buffoonery class. The CAO has asked online if someone can do an armchair travel presentation. The school event is not possible.
- ii. **New Horizons for Seniors – 2021-22 –NHSP – A Year of Summer** is also wrapping up. Two sewing sessions were held and a drawing class was held through the Hall. The bird photography presentation, and “Beach party” were not held. The CAO hopes to plant some flowers and vegetables with the grow lights.
- iii. **2022-23 NHS Application** –The Year Across Canada application was approved for \$12,700.
- iv. **PEI Senior Secretariat Funding** –The municipality received \$2200 for the **Miltonvale Park Snowshoe, Soft Shoe (Talent Show) and the Wedding Shoe (and Other Games)** which needs to be completed by the end of March. The games nights could not be scheduled in January or February due to Covid restrictions. A Talent Show is scheduled for Sunday March 20; however, no one has registered to take part as of yet.
- v. **PEI Seniors Secretariat Funding 2022-23** – [Applications](#) for grants of up to \$5000 will be accepted until May 11, 2022 for projects which reduce the social isolation of seniors, promote positive images of aging, Home First/Age in Place projects, and that support Age-friendly initiatives and financial security and safety.
- vi. **Active Transportation Fund** –The CAO will submit the certificate of completion this week.
- vii. **Community Better Challenge** -The municipality applied for two portable disk golf baskets and to host a Mayor’s challenge/virtual

walk to Milton, Louisiana, USA (4242km) as well as pickle ball, line dancing, park walks and cycling events.

- viii. **EV Charger Update** – Hamblys' Snow Removal will clear snow from around the EV chargers. There has been limited usage to date: nine minutes in December, 50 minutes on February 23 and 34 minutes on Mar 11, 2022, for gross income of about \$2.50.

d. Activities – Twice weekly chair yoga and weekly mat yoga have resumed. One of the chair yoga classes will move upstairs and the instructor will teach in exchange for the money which remains after rent is paid. Line dancing continues 3-4 times weekly, and exercise is held twice-weekly except for March Break.

e. Canada Day – The Celebrate Canada funding application to Heritage Canada was approved for \$740.

f. Cricket – The cricket team wants to use the park on Saturday evenings. They noted they would be prepared to pay generously. The rules for the park should be reviewed with the park users. The soccer field fee schedule is \$10/day or \$75 for a particular day for the season in the [fees bylaw](#). The soccer/cricket field will need to be rolled and seeded in early spring.

g. Community Pasture Update – The Province is willing to sign a one-year lease with the municipality for the community pasture.

h. Coyotes – The CAO contacted the Confederation Trail people regarding signage regarding coyote sightings and was told signage on the Confederation Trail is under the authority of the province. Ruth DeLong was notified, and the municipality should hear back from the province soon.

i. APM Centre – An update was received on March 4, 2022. The financials for February 2022 were close to the projections. A loss is still projected for the 2022 year. The APM Centre is losing some ice time every week for teams due to Covid, and lost one day in early March due to a Zamboni breakdown. The building is returning to a more normal operation with the removal of the vax pass. They are booking ice to May 15th and hope to book enough ice time to hold the ice until May 25 or 29, 2022.

ii **Emergency Measures**

- a. **Emergency Plan** – The hall floor plan of the Milton Community Hall which is the municipal warming center, was added to the appendix of the emergency plan. It was submitted to PEI EMO on March 12; but the table of contents needs reformatting, so a revised document will be resubmitted.
- b. There is a requirement for annual table-top and paper exercises. It was suggested these be scheduled for May.
- c. The **Clorox Canada** disinfecting products arrived.

iii **Personnel Committee**

- a. The Development Officer has resigned to work with the Province beginning April 4, 2022. Interviews with three applicants are scheduled for Thursday, March 17, in cooperation with North Shore and Kingston.

- b. **Health Benefits** -The CAO has contacted Canoe Procurement (the municipal buying program) regarding health benefits, but there has been no response lately. A benefit program may not be required with the new Development Officer, as it is planned to return to a part-time position.
- c. **Canada Summer Jobs** – Applications were made for three positions - two for the park and one to work with the Cornwall and Area Watershed Group.
- d. **Jobs for Youth and Post Secondary Student Program** – Applications for funding for summer positions for the park and council office will also be made to these provincial programs before the application deadline of April 15.

iv **Finance/Payment of Accounts**

a. **Remittance** –Remittances were paid to the Receiver General for Canada for February 2022.

b. **Reports and Payment of Accounts** – Finance chair Phil Hooper reviewed the balance sheet and income statement for February. The journal entries were also circulated. Current assets total \$607,055. Capital assets are \$37,000, with the other assets (Official Plan) accounting for \$5,130. Liabilities of \$133,510 include deferred revenue of \$115,140, although a recent grant of \$100,000 accounted for in current assets would more accurately be classified as deferred revenue. Equity totals \$515,675, for a total of \$649,185 in liabilities and equity. Income in February included \$57,690 in grants, \$100 in development fees, and \$1,250 in recovered expenses. Expenses included \$3,950 of administration expenses, \$1,835 in facilities and public properties, \$4,560 for planning and zoning, and \$360 in recreation and parks, for total expenses of \$10,710 for a net income for February of \$48,330. This does include a Gas Tax payment of \$32,930. Year to date Income is \$468,337 with expenses of \$293,852, for a net income of \$174,485, which does include capital grant revenue and gas tax payments of \$172,900.

c. **Capital Expenses** – No further progress has been made on the EMO communications system.

d. **Budget** – The public meeting on the budget was held on Tuesday, March 1. Comments were received from a resident since that meeting who feels that the municipality should not be contributing to the APM Capital fund but should be moving towards establishing a recreation center of our own. Councillors noted building and operating a recreation center may not be fiscally possible in the near future. Changes were made to the budget since the public meeting to reflect updated figures. The Municipal Support Grant will be \$905 lower than the estimate, and Canada Day funding is \$90 more than anticipated. The grant for rain barrel rebates (\$1,000) approved earlier in the meeting, will be balanced by a reduction of \$500 each to seniors projects and newsletter. The capital grants and

expenditures were updated to reflect a recently confirmed grant for the elevator project, which can't be publicly announced yet.

Motion 2022:16 – Moved by Councillor Philip Hooper, seconded by Councillor Spencer MacDonald, that **the Rural Municipality of Miltonvale Park approve the Operating Budget for 2022-23, with income totalling \$363,530 including Grants Revenue of \$312,830, Licences and Permits of \$6,000, and Expense Recovery of \$44,700. Total expenses are budgeted at \$363,530, and include the following subtotals Administration - \$92,060; Facilities and Public Property - \$43,920; Fire Protection of \$90,785; Planning and Zoning - \$50,750; Community Development -\$29,400; Professional Services and Memberships -\$14,215, and Recreation and Parks - \$42,400, for a balanced budget.** Motion carried, 5-0.

Motion 2022:17 – Moved by Councillor Philip Hooper, seconded by Councillor Paul Poole, that **the Rural Municipality of Miltonvale Park approve the Capital Budget for 2022-23, with income totalling \$551,785 from Grants Revenue, and total expenses of \$573,035, from Administration - \$3,500; Facilities and Public Property - \$537,900; Planning and Zoning - \$12,500, Community Development - \$15,750 and Recreation and Parks - \$3,355, and using capital reserves of \$21,250 to balance the Capital budget.** Motion carried, 5-0.

Motion 2022:18 – Moved by Councillor Philip Hooper, seconded by Councillor Spencer MacDonald, that **the Rural Municipality of Miltonvale Park approve the 5-year Capital Budget for 2022-27.** Motion carried, 5-0.

Motion 2022:19 – Moved by Councillor Paul Poole, seconded by Councillor Andrew Frizzell, that **the Rural Municipality of Miltonvale Park approve the Asset Management Plan which was circulated on March 16, 2022.** Motion carried, 5-0.

9. REPORT FROM CAO – The CAO was out of the office February 22-25 due to surgery, but did some work from home during that time. She is trying to organize final seniors projects. The minutes were prepared for the regular and public meetings. The budget was prepared and updated. A virtual meeting was held with a funder for the hall elevator project. Hiring a new Development Officer has also been a focus. Upcoming activities include inviting Minister Fox to a meeting, composing and circulating a newsletter, applying for summer job funding, the final reports for two New Horizons for Seniors Projects, finalizing the Active Transportation Project Report, preparing for the fiscal year-end and sending the letter regarding a special permit liquor license for 171 New Glasgow Road which was approved in the summer of 2021, once the change of use was approved. The CAO needs to be out of the office again from April 4-6, 2022.

10. RECOMMENDATIONS FROM THE PLANNING BOARD

1. Permits- Approvals Issued Since Meeting

A Development Permit was issued on 14/03/2022 to PID 843292 at 171 New Glasgow Road to operate a short-term rental in a residential dwelling.

2. Applications

- a. **Application #MP-1065- Exemption to clauses in Section 4.7.1 of the Development Bylaw, #MP-1143- Commercial Rezoning Application; #MP-1149- Application to operate Septic Business; #MP-1154- Application to add to an existing storage building at PID 700443.** The property is located at 1030 Rustico Road. There has been no change in status with this file.

Motion 2022:20 – Moved by Councillor Spencer MacDonald, seconded by Councillor Philip Hooper that **the Rural Municipality of Miltonvale Park move to a closed meeting to discuss 119.1.g. the conduct of an investigation under, or enforcement of, an Act or bylaw.** Motion carried, 5-0, at 8:53 p.m.

Motion 2022:21 – Moved by Councillor Tamsyn Cosh-MacKenzie, seconded by Councillor Spencer MacDonald that **the meeting return to an open meeting.** Motion carried, 5-0, at 9:05 p.m.

- b. **Application No. MP-1099- Parcel No. 658559- Private Utility/ Solar Panel Application.** IRAC has not yet communicated a decision.
 - c. **Application No. MPS-296** – Parcel No. 283739 – Twenty of the proposed 56 lots were approved in June 2021.
 - d. **PID No. 281444** – An application to construct three (3) bedrooms on Crabbe Road was received. The Development Officer is currently investigating the legality of the lot to be developed. Records show that the previous owner had severed more than four lots from the original parcel as permitted in the Agricultural zone. The subdivision does not conform with the Special Planning Area Regulations of one (1) lot for each use permitted at that time. The five lots were approved after July 9, 1994. PIDs 822535 (Lot-1), 818955 (Lot-2), 841072 (Lot-3) were approved on September 13, 1994. PIDs 830075 (Lot-4) and 281444 (Lot-5) were approved on January 23, 1995.
 - e. **PID No. 281485** – An application was received for an addition to the Milton Community Hall. The application is being processed, but information is outstanding.
 - f. **PID NO. 773655** – An application was received for a new garage at 306 Royalty Road.
 - g. **PID No. 280760** – An application was submitted for solar panel installation at 18157 Rte 2, Springvale.
3. **Inquiries**
- a. **PID No. 853895** – A resident inquired about building an attached garage at 720 Rustico Road, North Milton.
 - b. **Parcel No. 597757** – A resident inquired about constructing a duplex on his newly acquired 2.9-acre property on Old Rte. 2, Springvale.
 - c. **Parcel No. 1091230** – A resident inquired if he could subdivide a lot off his property at Lower Malpeque Road and connect to the city water and sewer services.

- d. Someone inquired if a mini home is allowed on **Osprey Drive** where there is a lot for sale. This would be permitted when the new Development Bylaw is approved, but is not allowed currently. The original developer may have covenants in place, but the municipality is not responsible for their enforcement.
- e. There was an inquiry regarding **PID 281279**, a 10-acre parcel that is adjacent to the Confederation Trail but accessed from the Loyalist Road with a 33' right of way, regarding the possibility of further subdivision, which is not permitted.

4. **2021 Official Plan and Bylaw Review** – The Province has not yet approved the new Official Plan and Bylaw, which was adopted by Council on September 15, 2021.

12. INQUIRIES BY MEMBERS OF COUNCIL - There were no inquiries from Councillors.

13. OTHER -There was no other business.

14. INTRODUCTION AND READING OF BYLAWS

Motion 2022:22- Moved by Councillor Paul Poole, seconded by Councillor Spencer MacDonald

Whereas the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., and related regulations require municipalities to establish rules and procedures for municipal elections,

And whereas updates were required to Bylaw 2021-07, the Elections Bylaw,

And whereas the Rural Municipality of Miltonvale Park Bylaw 2022-07 the Elections Bylaw was read and formally approved a first time at the Council meeting held on February 16, 2022;

Be it resolved that Bylaw 2022-07, the Elections Bylaw, be hereby read a second time.

Be it further resolved that 2022-07, the *Elections Bylaw*, be hereby approved.

[See Schedule A.](#) Motion carried, 5-0.

Motion 2022:23 - Moved by Councillor Andrew Frizzell, seconded by Councillor Tamsyn Cosh-MacKenzie

Whereas the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., and related regulations require municipalities to establish rules and procedures for municipal elections,

*And whereas updates were required to Bylaw 2021-07, the Elections Bylaw,
And whereas Rural Municipality of Miltonvale Park Bylaw 2022-07 the Elections Bylaw
was read and approved at two separate meetings of Council held on different days;*

Be it resolved that Bylaw 2022-07, the Elections Bylaw, be hereby formally adopted. Motion carried, 5-0.

15. ADJOURNMENT

Motion 2022:23 - Moved by Councillor spencer MacDonald, seconded by Councillor Paul Poole **that the meeting be adjourned** and Mayor Hal Parker declared it so at 9:20 p.m.

Mayor Hal Parker

CAO Shari MacDonald

Date Approved

The next Regular Council Meeting is scheduled for 7:30 p.m. Wednesday, April 20, 2022.

Schedule A -Bylaw 2022-07
Rural Municipality of Miltonvale Park
Bylaw for Municipal Elections Proceedings
Bylaw # 2022– 07

BE IT ENACTED by the Council of the Rural Municipality of Miltonvale Park

as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be known and cited as the “Elections Bylaw.”

2. Purpose

2.1. The purpose of this bylaw is to establish the rules and procedures for municipal elections.

3. Authority

3.1. This bylaw is adopted pursuant to Part 3 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, the Municipal Election Regulations, and the Campaign Contributions and Election Expenses Bylaw Regulations.

4. Application

4.1. This bylaw applies to the Mayor and all members of Council, municipal employees, and the public. It operates together with, and as a supplement to, the *Municipal Government Act* and applicable regulations.

5. Definitions

5.1. In this bylaw, any word and term that is defined in the *Municipal Government Act*, the Municipal Election Regulations, or the Campaign Contributions and Election Expenses Bylaw Regulations has the same meaning as in that Act or regulations.

5.2. “Act” means the *Municipal Government Act*.

5.3. “Campaign Financing Regulations” – means the Campaign Contributions and Election Expenses Bylaw Regulations.

5.4. “Campaign Contribution” – means any money paid, or any donation in kind provided, to or for the benefit of a candidate during the election contribution period for the purpose of financing an election campaign, including revenue raised from a fundraising event by the sale of tickets or otherwise, but does not include volunteer labour or services.

5.5. “Campaign Contribution Period” – means the same period of time as the election expenses period for a particular candidate or person who has declared an intention to become a candidate.

- 5.6. “Candidate” - means a person nominated in accordance with Part 3, Division 8, of the Act, and for the purposes of the provisions of this bylaw pertaining to campaign contributions and election expenses, includes a person who has declared an intention to run as a candidate in accordance with clause 2(1)(a) of the Campaign Contributions and Election Expenses Bylaw Regulations.
- 5.7. “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by council under clause 86(2)(c) of the Act.
- 5.8. “Council” means the mayor and other members of the council of the municipality.
- 5.9. “Councillor” means a member of council other than the mayor.
- 5.10. “Election Expense” - means the cost of goods and services, and the value of any donation in kind, used by or for the benefit of the candidate for the purpose of a candidate’s election campaign, but does not include audit fees or volunteer labour or services.
- 5.11. “Election Expenses Period” – means the period in an election year beginning when a person publicly declares the person’s intention to run as a candidate for municipal office, whether in person or by electronic means, and ending, in the case of an election, on the earlier of election day, and the declaration by the municipal electoral officer that the candidate is elected. In the case of a by-election, the election expenses period means the date when council sets the election day and ends on the earlier of election day, and the declaration by the municipal electoral officer that the candidate is elected.
- 5.12. “Election Regulations” – means the Municipal Election Regulations.
- 5.13. “Employee” means, except as provided elsewhere in the Act, a person who performs work for a municipality for pay, and includes a person on leave from employment with a municipality, a person being trained by a municipality to perform work for the municipality, a person retained under an employment contract to perform work for the municipality, and (iv) any other person or class of person designated as an employee by the Minister, but does not include an independent officer, as defined in the Act. In Part 3 of the Act respecting candidacy for election, employee also means any employee of a controlled corporation, but does not include a volunteer firefighter who is not otherwise employed by the municipality.
- 5.14. “List of Electors” means the preliminary list of electors, supplementary list of electors or the official list of electors, as the context requires;
- 5.15. “Municipal Electoral Officer” or “MEO” means the person appointed under section 40 of the Act to be responsible for the administration of the election.
- 5.16. “Municipality” means the Rural Municipality of Miltonvale Park.

6. Interpretation

- 6.1. This bylaw is to be given a broad, liberal interpretation in accordance with applicable legislation, regulations, and the definitions set out in them.

Part II –Employee Election Activities

7. General

- 7.1. All employee election activities and interaction with employees relating to elections shall be undertaken in accordance with subsections 35(1) and (2) of the Act.

Part III – Campaign Contributions and Election Expense Disclosure

8. Election Expenses

- 8.1. Pursuant to clause 2(1)(a) of the Campaign Financing Regulations, in the case of an election, the election expenses period is the period in an election year beginning when a person publicly declares their intention to run as a candidate (in person or by electronic means) and ending on the election day or the declaration that the candidate is elected, whichever is earlier.
- 8.2. Pursuant to clause 2(1)(b) of the Campaign Financing Regulations, in the case of a by-election, the election expenses period is the period beginning when Council sets the date of the election day and ending on the earlier of election day and the declaration that the candidate is elected.
- 8.3. Pursuant to subsection 2(2) of the Campaign Financing Regulations election expenses shall only be incurred by or on behalf of a candidate during the election expenses period.
- 8.4. Pursuant to subsection 2(3) of the Campaign Financing Regulations, expenses related to the preparation of advertising materials and signs may be incurred prior to the election expenses period. These expenses shall be recorded and disclosed as election expenses in accordance with the provisions of this bylaw.
- 8.5. Pursuant to subsection 3(1) of the Campaign Financing Regulations and effective January 1, 2019, the maximum allowable election expenses of a candidate for mayor is \$10,000.
- 8.6. Pursuant to subsection 3(2) of the Campaign Financing Regulations, the maximum allowable election expenses of a candidate for councillor is \$3,000
- 8.7. Pursuant to section 10 of the Campaign Financing Regulations, election expenses incurred by a candidate in an election shall not be carried forward to be considered as allowable election expenses in a subsequent election.

9. Campaign Contributions

- 9.1. Campaign contributions shall only be received by a candidate during the campaign contribution period as defined in the Campaign Financing Regulations.
- 9.2. Pursuant to subsection 4(1) of the Campaign Financing Regulations and effective January 1, 2019, the following may contribute to a candidate's campaign in an election or by-election:
 - (a) an individual;

- 9.3. Pursuant to subsection 4(2) of the Campaign Financing Regulations, a contributor shall not make a contribution exceeding \$500 to any one candidate for Mayor in an election.
- 9.4. Pursuant to subsection 4(3) of the Campaign Financing Regulations, a contributor shall not make a contribution exceeding \$300 to any one candidate for Councillor in an election.
- 9.5. Pursuant to subsection 4(4) of the Campaign Financing Regulations, neither a candidate nor that candidate's spouse shall make a contribution to that candidate's own election campaign exceeding the difference between the maximum expenditure amount, which is \$10,000 for a candidate for mayor and \$3,000 for a candidate for councillor and the total contributions from other contributors.
- 9.6. Pursuant to subsection 8(1) of the Campaign Financing Regulations, no candidate shall accept anonymous campaign contributions.
- 9.7. Pursuant to subsection 8(2) of the Campaign Financing Regulations, where a candidate receives an anonymous campaign contribution, the candidate shall ensure that the contribution is not used or spent, but is donated to a registered charity of the candidate's choice within 30 days of receipt of the contribution.

10. Candidate Records

- 10.1. Pursuant to subsection 5(1) of the Campaign Financing Regulations, a candidate shall keep complete and proper accounting records of all campaign contributions and election expenses.
- 10.2. Pursuant to subsection 5(2) of the Campaign Financing Regulations, a candidate must ensure that:
 - (a) proper records are kept of receipts and expenses;
 - (b) a record is kept of the value of every campaign contribution, whether the contribution is in the form of money, goods or services, and the name and address of the contributor;
 - (c) receipts are provided to the contributor for every campaign contribution referred to in section 10.2(b) of this bylaw; and
 - (d) all records kept in accordance of this section remain in the possession and under control of the candidate or the candidate's agent at all times.

11. Candidate Disclosure: Filing and Records Retention

- 11.1. Pursuant to subsection 6(2) of the Campaign Financing Regulations, a candidate shall file a disclosure statement of the candidate's campaign contributions and election expenses, listing all campaign contributions and all elections expenses.
- 11.2. The disclosure statement shall be in writing in the form approved by the Minister, and shall be filed with the Municipal Electoral Officer within two months following the date of a municipal election.

- 11.3. If the MEO is no longer appointed, the candidate shall file the disclosure statement with the CAO.
- 11.4. Pursuant to subsection 6(3) of the Campaign Financing Regulations, a candidate's disclosure statement shall include:
 - (a) a statutory declaration that states the total campaign contributions and the total election expenses of the candidate for that election campaign, and whether there is any surplus;
 - (b) the following information in relation to campaign contributions:
 - i. the name and address of each contributor whose cumulative campaign contribution exceeded \$250;
 - ii. the cumulative amount that each of the named contributors has given to the candidate;
 - iii. the cumulative total of all contributions under \$250;
 - iv. If no contributor's cumulative campaign contribution exceeded \$250, a notation to that effect;
 - (c) a list of all election expenses and campaign contributions;
 - (d) a full accounting of all election expenses and campaign contributions relating to fundraising events;
 - (e) a description and estimated value of each donation in kind; and
 - (f) a description and estimated value of each loan received for the purposes of the election campaign.
- 11.5. Pursuant to section 7 of the Campaign Financing regulations, no candidate shall file a false, misleading or incomplete disclosure statement.
- 11.6. Pursuant to subsection 9(1) of the Campaign Financing Regulations, where a candidate's disclosure statement filed in accordance with 11.1 of the bylaw discloses a surplus of campaign contributions in the form of money, a named contributor's monetary campaign contribution shall be returned to the contributor, on a pro-rated basis, where
 - (a) the candidate withdraws from the election prior to election day; and
 - (b) the contributor requests in writing to the candidate, within 14 days of the candidate's withdrawal, the return of the campaign contribution.
- 11.7. Subject to a refund of a named contributor's campaign contribution pursuant to subsection 11.6 of this bylaw, where a candidate's disclosure statement filed in accordance with 11.1 of the bylaw discloses a surplus of campaign contributions in the form of money, the candidate shall turn over the remaining surplus to the CAO to be used for municipal purposes.
- 11.8. Pursuant to subsection 11 (1) of the Campaign Financing Regulations, all documents filed with the municipal electoral officer shall be delivered by the municipal electoral officer to the chief administrative officer of the municipality within two weeks after the time specified in section 11(2) of the bylaw for filing the documents.

- 11.9. Pursuant to subsection 11(2) of the Campaign Financing Regulations, the CAO shall retain the documents referred to in 11.8 of this bylaw in accordance with the records retention and disposal schedule of the municipality that is established pursuant to section 117 of the Act.
- 11.10. Pursuant to subsection 11(3) of the Campaign Financing Regulations, all documents filed with the MEO and retained by the CAO under section 11.9 of this bylaw are public documents and may, upon request, be available for inspection on request to the CAO during regular officer hours.
- 11.11. Pursuant to subsection 12(1) of the Campaign Financing Regulations, a candidate, whether elected or not, shall retain all records required pursuant to the regulations for no less than seven years.
- 11.12. Pursuant to subsection 12(2) of the Campaign Financing Regulations, the MEO, or the CAO if the MEO is no longer appointed, may require a candidate (whether elected or not) to provide additional information and supporting documentation in respect of the candidate's disclosure statement at any time within the seven-year period referred to in section 11.11 of this bylaw.

12. Reporting

- 12.1. Pursuant to subsection 11(4) of the Campaign Financing Regulations, the CAO shall forward to Council a report summarizing the disclosure statement of each candidate, noting any candidate who has exceeded the limit on election expenses pursuant to sections 8.5 and 8.6 of this bylaw and the name of any candidate who failed to file the required disclosure statement.
- 12.2. Pursuant to subsection 11(5) of the Campaign Financing Regulations, the CAO shall ensure that the summary referred to in section 12.1 of this bylaw is posted in a conspicuous place in the municipality and on the website of the municipality for a period of at least 6 months.
- 12.3. Pursuant to subsection 11(6) of the Campaign Financing Regulations, the CAO shall ensure that the filed disclosure statement of each candidate who sought election in the immediately preceding election (whether elected or not) is posted on the website of the municipality for a period of at least 6 months.

13. Complaints & Compliance

- 13.1. Pursuant to subsection 12(3) of the Campaign Financing Regulations, where:
 - (a) a candidate fails or refuses to provide the additional information and supporting documentation referred to in section 11.12 of the bylaw; or
 - (b) the MEO or CAO, as the case may be, is not satisfied with the additional information and supporting documentation provided by the candidate;The MEO or CAO, as the case may be, refer the matter to Council.
- 13.2. Pursuant to subsection 12(4) of the Campaign Financing Regulations, Council may:
 - (a) determine that no further action is required;

- (b) order the candidate to provide the additional information and supporting documentation required under section 11.12 of the bylaw; or
 - (c) take any further action the Council considers appropriate.
- 13.3. Pursuant to subsection 12(5) of the Campaign Financing Regulations, an elector of the municipality may in writing make a complaint that relates to information contained in a candidate's disclosure statement and deliver the complaint to the MEO, or the CAO if the MEO is no longer appointed.
- 13.4. Pursuant to subsection 12(6) of the Campaign Financing Regulations, the MEO or the CAO, as the case may be, who receives a complaint from an elector under section 13.3 of this bylaw may:
- (a) determine that no further action is required;
 - (b) require the candidate who is the subject of the complaint to provide additional information under section 11.12 of the bylaw, or
 - (c) refer the matter to Council to be dealt with under section 13.2 of this bylaw.

14. Offences and Penalties

- 14.1. Pursuant to subsection 13(1) of the Campaign Financing Regulations, a person who contravenes a provision of this bylaw is guilty of an offence and liable on summary conviction to a fine of \$2,000.
- 14.2. Pursuant to clause 13(2)(a) of the Campaign Financing Regulations, a conviction for an offence referred to in section 14.1 of this bylaw does not relieve the person convicted, including a candidate referred to in section 13.2(b) of this bylaw, from the requirement to comply with this bylaw.
- 14.3. Pursuant to clause 13(2)(b) of the Campaign Financing Regulations, the convicting judge may, in addition to any fine imposed, order the person to do any act or work, within the time specified by the judge in the order, to comply with the provisions of this bylaw.
- 14.4. Pursuant to subsection 14(1) of the Campaign Financing Regulations, where a candidate who is elected has contravened any provision of this bylaw and is convicted of an offence in respect of that contravention, the candidate is disqualified from office and shall resign immediately.
- 14.5. Pursuant to subsection 14.(2) of the Campaign Financing Regulations and despite 14.4 of this bylaw, a candidate may not be required to resign where a judge of the Supreme Court decides that the contravention of the candidate arose through inadvertence or by reason of an honest mistake.

PART IV – List of Electors

15. Agreement with Elections PEI

- 15.1. Pursuant to subsection 41(2) of the Act, the Council of the Rural Municipality of Miltonvale Park shall enter into an agreement with the Chief Electoral Officer of Prince Edward Island to obtain data to be used in preparation of a list of electors.

- 15.2. The Municipal Electoral Officer may supplement the information obtained from the agreement with the Chief Electoral Officer of Prince Edward Island with information from any source that, in the opinion of the Chief Electoral Officer, is relevant to ensuring the list of electors is accurate.

16. Protection of Privacy

- 16.1. Personal information in respect of an elector that is collected or obtained for the purpose of an election
- (a) shall be used only for the purpose for which it was collected or obtained; and
 - (b) shall be disclosed only to the Chief Electoral Officer for a purpose for which the Chief Electoral Officer has responsibility under this or any other enactment.

17. Voters Not on List

- 17.1. Pursuant to subsection 45(2) of the Election Regulations, electors not appearing on the official list of voters may register at the time of attendance at a voting opportunity if the person is eligible to vote under the Act.

Part V – Advance Polls

18. Advance polls

- 18.1. An advance poll will be held in accordance with section 45 of the Act and section 43 of the Election Regulations

Part VI – Administering the Election

19. Location of office

- 19.1. Pursuant to sections 10 and 11 of the Election Regulations, the election office shall be opened from the fourth Wednesday before the election at the municipal office, located at the Milton Community Hall, 7 New Glasgow Road, Rte 224, North Milton, and shall be open with hours to be determined by the Municipal Elections Officer between 9 a.m. and 9 p.m., and must be open while advance polling station and election day polls are open.

20. Candidates

- 20.1. Pursuant to subsection 12(2.1) of the Election Regulations, a candidate in an election is not eligible to be appointed, and shall not serve, as an election official in the election.

21. Person closely connected

- 21.1. Pursuant to subsection 18(3) of the Election regulations, a person closely connected, as defined in the Act, to a candidate shall not serve as an election official in the election.

22. Nominations

- 22.1. Pursuant to subsection 26(4)(a) of the Municipal Election Regulations, the minimum number of nominators required for each nomination shall be 5. Nominators must be qualified electors.
- 22.2. Notwithstanding 19.1 the deadline for submitting a nomination is 2:00pm on Nomination Day

23. Records

- 23.1. Records pertaining to the election will be destroyed or retained, as the case may be, in accordance with section 87 of the Election Regulations and the records retention bylaw, and where such a bylaw has not yet been enacted the records will be retained for at least 7 years.

Part VII – By-Elections

24. By-elections

- 24.1. All by-elections will be undertaken in accordance with sections 60-62 of the Act and section 5 of the Election Regulations.

Part VIII – Approval and Adoption

25. Repeal of Existing Bylaw

- 25.1. On adoption, this bylaw replaces Bylaw #2021-07.

26. Effective Date

- 26.1. This Elections Bylaw, Bylaw# 2022-07, shall be effective on the date of approval and adoption below.

First Reading:

This Elections Bylaw, Bylaw# 2022-07, was read a first time at the Council meeting held on the ___ day of _____, 2022.

This Elections Bylaw, Bylaw# 2022-07, was approved by a majority of Council members present at the Council meeting held on the ___ day of _____, 2022.

Second Reading:

This Elections Bylaw, Bylaw# 2022-07, was read a second time at the Council meeting held on the ___ day of _____, 2022.

This Elections Bylaw, Bylaw# 2022-07, was approved by a majority of Council members present at the Council meeting held on the ___ day of _____, 2022.

Approval and Adoption by Council:

This Elections Bylaw, Bylaw# 2022-07, was adopted by a majority of Council members present at the Council meeting held on the ___ day of _____, 2022.

27. Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Elections Bylaw adopted by the Council of the Rural Municipality of Miltonvale Park on _____ is certified to be a true copy.

Chief Administrative Officer Signature **Date**
