

Community of Miltonvale Park Regular Council Meeting Minutes

Community Office – Winsloe Lions Hall

Tuesday, August 21, 2007, 4:30 p.m.

Present: Chair Don Aitken, Councillors Brian Andrew, George Piercey, Betty Pryor, Joe Murphy

Administrator: Shari MacDonald

Regrets: Councillors Gail Ling, Sheila MacKinnon

1. CALL TO ORDER

Chair Aitken called the meeting to order at 4:40 p.m.

2. APPROVAL OF AGENDA – DECLARATION OF CONFLICT OF INTEREST

The agenda was approved, with the Planning Board Report moved to the beginning of Committee Reports, as Councillor Pryor would be leaving at 6:00. Due to the illness of the Finance and Personnel Chair, those reports (6. a. and b.) will be approved at the next regular meeting.

Councillor Pryor gave notice that she would excuse herself from the portion of the meeting dealing with 6.e.v. – Maintenance - Park and Recreation Committee.

3. APPROVAL OF MINUTES

Motion 07-120: Moved by Councillor Betty Pryor, seconded by Councillor Brian Andrew that **the minutes of the June 26, 2007 Regular Council Meetings be approved as circulated, with the following corrections: insertion of the word “pump” after the words “ submersible well” at the bottom of page 3, and correcting of typographical errors in the spelling of “Aitken”**. Motion carried.

4. BUSINESS ARISING

a. EMO Training –Municipal EMO coordinator Gary Robbins will provide emergency training tabletop exercises for Councillors on Tuesday, August 28, 2007 at 6:00 p.m. Councillors Pryor and Andrews noted they were unable to attend. It was suggested that regular training be held, possibly annually.

b. Proposal for Official Plan and Bylaws – Planning Board Chair Pryor reviewed the proposals, and procedures for funding, for the Official Plan and Bylaws. An expense list must be submitted to the PEI Infrastructure Secretariat, and a cheque will be issued for 90% of approved expenditures, to a maximum of \$45,000. A separate audit, at our expense, is required for these funds. The administrator was requested to track her hours for this project.

Motion 07-121: Moved by Councillor Betty Pryor, seconded by Councillor Joe Murphy **that Council accept the proposal received from P. Wood & Associates and ADI Limited (\$38,925 + taxes) to prepare an Official Plan and Bylaws for the Community of Miltonvale Park.** Motion carried.

Motion 07-122: Moved by Councillor Betty Pryor, seconded by Councillor George Piercey **that, based upon the proposed expenses presented to Council, and comments received from councillors, the Administrator and Councillor Pryor prepare an expense statement to be submitted to the PEI Infrastructure Secretariat for funding of the Official Plan and Bylaws.** Motion carried.

Suggested expenses included digital mapping, open house costs, and possible legal fees for contract review. It was noted our insurance company may also review the contract. It was suggested that a 15% holdback be instituted in the contract, until ministerial approval is obtained for the plan and bylaws.

c. Website Proposal

Motion 07-123: Moved by Councillor Betty Pryor, seconded by Councillor Joe Murphy **that Council accept the proposal from Make It Simple Media for website design and hosting, as circulated to Council, contingent to negotiating a signed contract, with the terms satisfactory to Council.** Motion carried.

d. Card Parties

Council will provide lunch for the September 27th Thursday evening card party at the Milton Community Hall. Chair Aitken and Councillor Pryor are available to work. Further details are to be arranged in September.

5. CORRESPONDENCE

Council reviewed the circulated list of correspondence received since the last meeting.

Motion 07-124: Moved by Councillor Betty Pryor, seconded by Councillor Brian Andrew **that Council donate \$25 to Elizabeth Lund, a member of the West Royalty Softball Team attending the Eastern Canadian Championships in Quebec Aug 23-26.** Motion carried.

Motion 07-125: Moved by Councillor George Piercey, seconded by Councillor Joe Murphy **that Council send a letter of support to the Province of PEI, and cities of Summerside, and Charlottetown in their bid to host the 2014 Federation of Canadian Municipalities Annual Meeting.** Motion carried.

6. COMMITTEE REPORTS

a. **Finance/Payment of Accounts** - deferred to next meeting.

b. **Personnel Committee** - deferred to next meeting.

c. Planning Board

Planning board discussed two applications at their August 9, 2007 meeting, and submitted recommendations to Council.

i. Jeff MacRae Application

Council approval is required for accessory buildings exceeding 1200 square feet on lot larger than five acres. The planning board recommended approval for a 44'x 66'x 22'H accessory building on PID #829341 (Owner Jeff MacRae, 6.65 acres at 25 Arnold's Lane), for a non-commercial workshop to repair and store farm trucks/tractors. The application states that there will be no parking of vehicles outside and only one vehicle at a time will be on the property. Impact on neighbours will be minimal, as the building will be well screened from the road and the surrounding property is owned by Mr. MacRae or family members.

Motion 07-125: Moved by Councillor Betty Pryor, seconded by Councillor Joe Murphy that **based on the recommendation of Planning Board, Council approve the development application from Jeff MacRae, for the construction of a non-commercial, accessory building on PID #829341, contingent on its having a cement floor, to allay environmental concerns.** Motion carried.

It was suggested that the development application form be revised to ask for type of floor. It was also noted that roofing and siding materials should be considered with respect to glare, which can affect the traveling public, such as occurs with the galvanized steel accessory building at the intersection of Rte 2 and the Lower Malpeque Rd.

ii. Sheila MacKinnon Application

An application to subdivide one parcel from PID 848499 was received from Sheila MacKinnon. Planning board and the Development officer reviewed the application and determined that Ms MacKinnon's lot was created in 1996; therefore, cannot be subdivided, according to Section 63.4 of the *Planning Act Subdivision and Development Regulations*, (Charlottetown Special Planning Area) which only allows parcels in existence as of July 9, 1994, to be subdivided, upon approval.

The application also does not meet the requirements of Miltonvale Park's *Official Plan & Zoning and Subdivision Bylaws*. Section 6.4(b) states "where central servicing is not available, the number of lots permitted to be subdivided will be the lessor of five lots off any parcel in existence prior to December 31, 1982." Ms. MacKinnon's lot in 1996 was the twelfth lot off the parent parcel.

Planning board recommended that Ms. MacKinnon be given the option to a) defer her application or b) to have the application denied, allowing her to proceed with an appeal to the Island Regulatory and Appeals Commission (IRAC), if desired.

Motion 07-125: Moved by Councillor Betty Pryor, seconded by Councillor Joe Murphy that **Ms. MacKinnon be given an opportunity to accept one of the following options: 1) to have her application deferred, pending review of the Special Planning Area Regulations and the new Official Plan & Development Bylaws for the community and have her development fee refunded; or**

2) to proceed with the Planning Board's recommendation which would be to deny the application for subdivision. The basis for the refusal would be Section 6.4 (a) & (b) of the Zoning & Subdivision Bylaws. Motion carried.

Councillor Pryor left the meeting at 6:00 p.m.

The following permits were issued by Development Officer Wakelin since the June meeting:

PERMIT 2007-10 to Merle Chappell, PID 692699 for a 14x16' storage building at 990 Loyalist Road.

PERMIT 2007-11 to Fred Smith, PID 281758 for a 32x36' addition to an auto repair shop at 1049 Rustico Road.

PERMIT 2007-12 Allison MacDonald, PID 449207, for a new mini barn storage building at 17213 Rte 2.

There has also been application from Darlene Crabbe, PID 458265 for a private garage at 17756 Rte 2.

iii. Charlottetown Special Planning Area

Chair Aitken was in contact with Minister Bertram's assistant today to arrange a meeting regarding the Special Planning Area regulations.

d. Water & Sewer

Green Funds Application - The application (Part B) was submitted on August 14, 2007, for \$60,000 funding from the Federation of Canadian Municipalities, to investigate the current situation and options for servicing for the community. If successful, the community would pay 50% of the costs, or \$30,000. The decision is expected in March 2008.

e. Parks and Recreation

i. Bursaries

Bursaries were awarded to Jessica MacKinnon (\$50), Philip Jefferson (Maxwell - \$50), Marlene MacRae (Sarah, Alyssa, Madeline -\$150).

ii. Canada Day

Chair Aitken expressed appreciation for those Councillors who were able to help at the successful Canada Day celebrations.

iii. Summer Student/Recreation Program

An update from the summer students was circulated. It noted that positive comments were being received about the bathrooms, convenience of the fridge and availability of chairs, and the possibility of renting the park. The students had received other comments from people who were not aware that the park existed, and were concerned about the unfinished look of the floor, and the lack of cupboard doors.

The average number of children has ranged from 5 - 11 per day, with quite a few people at the park in the evenings for the ball games.

Motion 07-126: Moved by Councillor Brian Andrew, seconded by Councillor George Piercy that **the park supervision be finished as of September 1, 2007.** Motion carried.

iv. **Water**

The park has been under a boil water order for the summer, with water being provided from drinking coolers. The system was flushed three times; however all four water tests showed coli form levels above 80. E coli levels were at zero. Levels of barium and chlorine were also found to be elevated, but within acceptable levels. The well was constructed in early 1980s when park was established and is estimated to be 35-45 ft deep. The new submersible wellhead is designed for 100 ft well or deeper and may contribute to any sediment problem. The coli form could be caused by interference from surface water. Options include 1) The installation of a UV light, (\$950), with an annual bulb replacement cost (\$115) which would solve the bacteria problem. 2). A new well with 80 ft casing and a depth of 170-190 ft range should probably solve the bacteria problem. (\$4000 + gst). 3). A water softener would treat the barium (but not the coli form).

Approximately \$750 is left in the MRIF account for eligible shelter expenses, which could include a new well. The administrator will gather further information and estimates for well-drilling costs before the next council meeting.

v. **Maintenance**

Motion 07-127: Moved by Councillor George Piercey, seconded by Councillor Joe Murphy **that Council ratify the selection of Bob Turner as maintenance person for the Community Park.** Motion carried.

The decision about appropriate honoraria for Joannie MacKinnon, for her work at the park will occur at the September meeting, and Council will also consider purchasing a stove for the shelter next year.

f. **Report from Staff**

A written report from the Administrator was circulated.

Motion 07-128: Moved by Councillor George Piercey, seconded by Councillor Joe Murphy **that Administrator Shari MacDonald be authorized to attend the 2007 Association of Municipal Administrators Annual General Meeting in Georgetown on Friday, September 14th, with Council paying costs associated with this meeting.** Motion carried.

Park Lease – Concern was raised about the liability of the community regarding the possible presence of alcohol in the park. The insurance company noted that a clause in the lease, stating that alcohol is not permitted at the park, will protect the Community from legal liability.

Community Pasture – Chair Aitken noted that according to the information held by the Council, the community is responsible for the administration of the community pasture. He has been contacted by Leo Creamer from Transportation and Public Works regarding this issue, and hopes to arrange a meeting to resolve the issue.

7. BUSINESS

The annual Council Appreciation Event will be addressed at the September meeting.

8. NEXT MEETING DATE

The next regular Council meeting is scheduled for September 25, 2007 at 4:30 p.m.

9. ADJOURNMENT

Motion 07-129: Moved by Councillor Brian Andrew, seconded by Councillor Joe Murphy **that the meeting be adjourned.** Motion carried at 6:45.

Chair

Administrator

Date approved