
Rural Municipality of West River Council Meeting

Meeting No	31	Chair	Helen Smith-MacPhail
Meeting Date	Thursday, October 13, 2022	Phone	902-675-7000
Start Time	7:00 PM	E-mail	admin@westriverpe.ca
Location	Afton Community Center	Session	Public
Present	Mayor Helen Smith-MacPhail, Councillor Lori Ashley, Councillor Pam Baglole, Councillor Stephen Gould, Councillor Sabrina Loughran, Councillor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Sharon Slauenwhite, Councillor Chad Stretch		
Also	Laala Jahanshahloo – CAO		
Regrets	Deputy Mayor Robert Clow, Councillor John Yeo		

- **Call to order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:05 pm.

- **Approval of Agenda**

It was moved by Councillor Chad Stretch and seconded by Councillor Shaun MacArthur; the agenda was approved as circulated.

Motion Carried

- **Declarations of Conflict of Interest**

No conflict of interest was declared.

- **Approval of Minutes**

It was moved by Councillor Lori Ashley, seconded by Councillor Sabrina Loughran; the minutes of September 8, 2022, Council meeting was approved as circulated.

Motion Carried

- **Approval of Minutes**

It was moved by Councillor Stephen Gould, seconded by Councillor Pam Baglole; the minutes of October 6, 2022, Council meeting was approved as circulated.

Motion Carried

- **Business Arising from Minutes**

Nil.

- **Mayors Report**

- ➔ Mayor thanked the EMO Chair, staff, and volunteers for running the RMWR's warming centers.
- ➔ Mayor was helping at the warming center and attending the daily beefing meeting of EOC at Afton CC.
- ➔ Mayor attended Emergency Measure, Finance, Planning, and Properties Committee meetings.
- ➔ Mayor received a letter from Minister Fox, a response to Mayor's September 8, 2002, and after reviewing the timeline of SPA amendment and communication with RMWR:
 - March 30, 2022 - Executive Council (EC2022-210) approved amendments to several sections of the Planning Act Subdivision and Development Regulations, including changes to Section 63 Special Planning Area Regulations.
 - April 9, 2022 - EC2022-210 – SPA amendments came into force.
 - May 9, 2022 - EC2022-210 has come to the attention of the Planning Board (PLB16.7), as a portion of our Municipality is within the SPA, and therefore, we are directly impacted by amendments to these regulations. In addition, given that the Municipality is presently engaged in the process of developing a new OP and LUB, changes to Section

63 of the SPA regulations also impact that project. RMWR was not consulted prior to these changes being made, and the CAO has confirmed that the PEI Federation of Municipalities were also not consulted prior to these changes taking effect nor informed after the date they came into force. Planning Board requests that Council consider sending a letter to the Minister of Fisheries & Communities and the Minister of Agriculture & Land and copy the PEIFM too.

- May 12, 2022 - As RMWR is presently engaged in the process of developing a new OP & LUB, EC2022-222 directly impacted this project. Also, RMWR was not consulted before these changes were made, and the Council was informed that the PEI Federation of Municipalities were not consulted prior to these changes taking effect nor informed after the date they came into force. The Council of RMWR unanimously passed a motion and approved the PLB request that the Mayor Send a letter to the Minister of Fisheries & Communities and the Minister of Agriculture & Land and copy the PEIFM.
- May 31, 2022 - The Minister and Deputy Minister of the Department of Fisheries & Communities Director of Municipal Affairs met with RMWR's Mayor, Deputy Mayor, Chair of the Planning Board and CAO. RMWR expressed concerns regarding section (63) Special Planning Area Regulations amendment.
- June 1, 2022 - Executive Council (EC2022-451) approved amendments to Subsection 63(5) of the Planning Act Subdivision and Development Regulations (EC693/00) is amended.
- June 9, 2022 - Mayor wrote a letter to Ministers Thompson and Fox asking:
- The RMWR has very much appreciated the ongoing advice and support we have received from your departments during the amalgamation process, and it was an unpleasant surprise to learn that the regulation amendments were in place without any prior consultation taking place. We have confirmed that the PEI Federation of Municipalities was also not consulted prior to these changes taking effect. While we don't speak on behalf of the PEIFM, as a member municipality, the lack of communication seems contrary to the positive relationships all parties have worked hard to build and maintain over the course of the implementation of the new Municipal Government Act. The RMWR respectfully asks for your departments to respond to the following questions:

1. What prompted the recent amendments to the Regulations?
 2. What consultation work and review were undertaken to consider these amendments?
 3. Why were the impacted municipalities within the Special Planning Area, who are obligated to ensure compliance, not consulted?
- June 20, 2022 - Municipal Affairs informed RMWR that they would respond to the Mayor's June 9, 2022 letter, and the department believes the impact of these changes on municipalities to be minimal.
 - July 11, 2022 - Planning Board requests that Council consider sending a letter to the Minister of Fisheries & Communities and the Minister of Agriculture & Land and CC the PEIFM following up on the lack of communication (PLB18, As RMWR was informed neither in the meeting of May 31 nor in the email of June 20 regarding the upcoming changes to SPA (PLB18.5).
 - July 14, 2022 - Following PLB18.5's recommendation, The Council of RMWR unanimously passed a motion and approved the PLB request that the Mayor Send a letter to the Minister of Fisheries & Communities and the Minister of Agriculture & Land and copy both MLAs and the PEIFM.
 - July 29, 2022 - The Deputy Minister of Agriculture and Land responded to the Mayor's June 9, 2022, letter mentioning the SPA amendments as housekeeping and minor corrections, which these changes may directly impact some municipalities. Following WRC#28 Mayor would send the second letter as some unanswered questions remained.
 - September 8, 2022 - Mayor sent Minister Fox and Minister Compton a letter regarding the SPA (Special Planning Areas) mentioning:
 1. SPA amendments were once again made without notice or consultation with impacted municipalities or the PEI Federation of Municipalities is concerning. Even more so, perhaps, since Department of Fisheries and Communities officials communicated with our Municipality during that interim period and made no mention of the second amendments that were forthcoming. It, unfortunately, reinforces the perception that the Province does not place enough importance

on transparent communication and therefore, we felt compelled to send this second letter.

2. The November 2021 changes to Sections 2 and 2.1 of the Planning Act signal the Province's intention to encourage the integration of plans at the provincial and municipal levels to address the significant climate, social, and environmental challenges our Province is facing. The Rural Municipality of West River welcomes the opportunity to partner with your departments, and we respectfully ask that more consideration and attention be given to our role in these planning matters and the relevant legislation that guides us all.

○ October 3, 2022 - Minister Fox responded to the Mayor's September 8, 2022 letter pointing out:

1. We have raised your concerns with the Department of Agriculture and Land with respect to a lack of consultation regarding recent changes to the Planning Act Subdivision and Development Regulations.
2. We agree that transparency and communication are vitally important to provide effective land use planning, both within and outside of municipal planning authority.
3. The government is currently embarking on initiatives to foster increased interdepartmental collaboration on important issues such as these. We are hopeful that increased transparency and communication will result and assist in alleviating concerns like these in the future.

➔ The Council approved the Mayor to send a letter to the Minister of Fisheries & Communities as there is neither a clear explanation to the asked question nor a suggestion of any corrective actions in the received response of October 3, 2022, and copy the Minister of Agriculture & Land, both MLAs and the PEIFM. It was moved by Councillor Sharon Slauenwhite and seconded by Councillor Stephen Gould.

Motion Carried.

- **CAO Report**

- ➔ CAO has been coordinating with ENO Chair and corresponding with EMO PEI and Municipal Affairs regarding the RMWR warming centers in response to Fiona.
- ➔ CAO has been preparing the Ministerial package for submitting the OP&LUB Statutory for final approval.
- ➔ CAO will apply for DFAP after receiving the Council approval.

- **Emergency Measure Committee Report**

- ➔ Councillor Shaun MacArthur noted the Committee met on October 3, 2022. He presented a summary of the meeting's report.
- ➔ The after-action report (AAR) and debrief of Fiona's response will be reviewed at the next EMC committee meeting.

- **Finance Committee Report**

- ➔ Councillor Stephen Gould noted the Committee met on October 4, 2022. He presented a summary of the meeting's report.

- **Planning Board Report**

- ➔ Councillor Sharon Slauenwhite noted the Committee met on October 3, 2022. She presented a summary of the meeting's report.

- **Properties Committee Report**

- ➔ Councillor Chad Stretch noted the Committee met on October 11, 2022. He presented a summary of the meeting's report.
- ➔ Regarding item PTY 21.5, Councillor Lori Ashley and Councillor Sabrina Loughran brought to Council's attention that these signs belonged to the former Council of the Bonsahw. The item was returned to the Committee to be reviewed at the November meeting in light of the new information.

→ The Mayor reminded the Bonsahw Community Councillors to mention to the Bonsahw Community Center BODs that The BOD does not have any control outside the BCC building. RMWR owns this property; any addition has implications and liability for the Municipality, which needs to be reviewed and approved accordingly.

- **Other Business**

→ Nil.

- **Resolutions**

→ **MOTION#2022-85**

Moved by Councillor Shaun MacArthur

Seconded by Councillor Stephen Gould

WHEREAS

The Department of Justice and Public Safety announced the PEI Disaster Financial Assistance Program for Municipalities on September 29, 2022, to deal with Post-Tropical Cyclone Fiona, and

WHEREAS

The Council received the recommendations of the Emergency Measure and Finance Committees to apply for this program, and

WHEREAS

The Council concurs with the recommendations of the Emergency Measure and Finance Committees,

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Mayor and Chief Administrative Officer to sign all the related and necessary documents of the PEI Disaster Financial Assistance Program on behalf of the Municipality.

CARRIED 8-0

→ **MOTION#2022-86**

Moved by Councillor Stephen Gould

Seconded by Councillor Chad Stretch

WHEREAS

The Rural Municipality of West River submitted funding applications for Community Revitalization Program: Rural Growth Initiative for the Bonshaw Community Center Improvement Project to the Department of Fisheries and Communities on July 16, 2022, and

WHEREAS

The Council received the recommendations of the Finance Committees to sign the Community Revitalization Program Funding Agreement, and

WHEREAS

The Council concurs with the recommendations of the Finance Committees,

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Mayor and Chief Administrative Officer to sign the necessary contracts and documents of the Community Revitalization Program Funding Agreement on behalf of the Municipality.

CARRIED 8-0

→ **MOTION#2022-87**

Moved by Councillor Pam Baglole

Seconded by Councillor Sabrina Loughran

WHEREAS

Pursuant to the Municipal Government Act section (172) to conduct an annual audit of the finances of the Municipality,

BE IT RESOLVED

The Council for the Rural Municipality of West River designates MRSB Group as Auditor for 2022 on a fee-for-service basis.

CARRIED 8-0

→ **MOTION#2022-88**

Moved by Councillor Sharon Slauenwhite

Seconded by Councillor Chad Stretch

WHEREAS

The Planning Board and the Council for the Rural Municipality of West River have undertaken a full process to develop the Rural Municipality of West River Land Use Bylaw, and

WHEREAS

A series of public engagement exercises was undertaken as part of the review, including a presentation of the proposed 2022 Official Plan and 2022 Land Use Bylaw to the public at a meeting held on September 15, 2022, at which residents and other interested persons were invited to make representation in accordance with sections 11 and 18 of the Planning Act, and

WHEREAS

The proposed 2022 Land Use Bylaw was recommended by Planning Board for Council reading and approval at a meeting held on October 3, 2022, and

WHEREAS

The Rural Municipality of West River 2022 Land Use Bylaw, Bylaw # 2022-04, was read and approved a first time on October 6, 2022,

BE IT RESOLVED

That the Rural Municipality of West River 2022 Land Use Bylaw, Bylaw # 2022-04, be hereby read a second time; and

BE IT FURTHER RESOLVED

that the Rural Municipality of West River 2022 Land Use Bylaw, Bylaw # 2022-04, be hereby approved.

CARRIED 8-0

→ MOTION#2022-89

Moved by Councillor Pam Baglole

Seconded by Councillor Aaron MacEachern

WHEREAS

The Planning Board and the Council for the Rural Municipality of West River have undertaken a full process to develop the Rural Municipality of West River Land Use Bylaw, and

WHEREAS

A series of public engagement exercises was undertaken as part of the review, including a presentation of the proposed 2022 Official Plan and 2022 Land Use Bylaw to the public at a

meeting held on September 15, 2022, at which residents and other interested persons were invited to make representation in accordance with sections 11 and 18 of the Planning Act, and

WHEREAS

The proposed 2022 Land Use Bylaw was recommended by Planning Board for Council reading and approval at a meeting held on October 3, 2022, and

WHEREAS

The Rural Municipality of West River 2022 Land Use Bylaw, Bylaw # 2022-04, was read and approved a first time on October 6, 2022, and a second time on October 13, 2022,

BE IT RESOLVED

That the Rural Municipality of West River 2022 Land Use Bylaw, Bylaw # 2022-04, be adopted and declared passed.

CARRIED 8-0

→ **MOTION#2022-90**

Moved by Councillor Shaun MacArthur

Seconded by Councillor Chad Stretch

WHEREAS

The Rural Municipality of West River received a Contingency Change Order request from the Afton Community Center's Board of Directors, and

WHEREAS

The Council received the recommendations of the Finance and Properties Committees to accept this request, and

WHEREAS

The Council concurs with the recommendations of the Finance and Properties Committees,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts a Contingency Change Order from Afton Community Center's Board of Directors as part of Gas Tax Project 27.1.1 up to \$7,000 plus HST and authorizes the CAO to execute it.

CARRIED 8-0

→ **MOTION#2022-91**

Moved by Councillor Pam Baglole

Seconded by Councillor Chad Stretch

WHEREAS

That the Rural Municipality of West River Bylaw number # 2022-03, the Bylaw to Regulate Remuneration of Council and Appointees, be read and approved a first time on September 8, 2022,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2022-03, the Bylaw to Regulate Remuneration of Council and Appointees, be read and approved a second time.

CARRIED 8-0

→ **MOTION#2022-92**

Moved by Councillor Sabrina Loughran

Seconded by Councillor Aaron MacEachern

WHEREAS

That the Rural Municipality of West River Bylaw number # 2022-03, the Bylaw to Regulate Remuneration of Council and Appointees, be read and approved a first time on September 8, 2022,

WHEREAS

That the Rural Municipality of West River Bylaw number # 2022-03, the Bylaw to Regulate Remuneration of Council and Appointees, be read and approved a second time on October 13, 2022,

BE IT RESOLVED

The Rural Municipality of West River Bylaw number # 2022-03, the Bylaw to Regulate Remuneration of Council and Appointees, be adopted by Council.

CARRIED 8-0

● **Questions from the Audience**

→ Nil.

- **Adjournment**

- The meeting adjourned at 8:30 pm.
- The next meeting will be on November 10, 2022.

HELEN SMITH-MACPHAIL _____

MAYOR

LAALA JAHANSHALOO _____

CHIEF ADMINISTRATIVE OFFICER