



Rural Municipality of West River Council Meeting Minutes

Meeting No	2023-04	Time	7:00 PM
Session	Regular - Public	Date	Thursday, April 27, 2023
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Center
Adaptation status	Approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Aaron MacEachern, Councillor Ryan Roggeveen, Councillor John Yeo, Councillor Lillian MacCannell, Councillor Shaun MacArthur, Councillor Steve Pollard, Laala Jahanshahloo – CAO		
Regret	Nil		
Guest	Nil		

- **Call to Order**

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

Councillor Ryan Roggeveen and Councillor Shaun MacArthur joined the meeting virtually.

- **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Councillor John Yeo and seconded by Councillor Lillian MacCannell, unanimously carried.

- **Declarations of Conflict of Interest**

Mayor Helen Smith-MacPhail, Councillor John Yeo, Councillor Shaun MacArthur and Councillor Lillian MacCannell recused themselves from item FIN.2023.4.2, citing a conflict of interest as the Mayor was a Meadowbank Women's Institute member, Councillor John Yeo's wife is a member of the Meadowbank Women's Institute, Councillor Shaun MacArthur's mother was a member of St Catherines Women's Institute, and Councillor Lillian MacCannell is a member of the PEIWI's Board of Directors.

- **Delegations & Public Input**

Nil.

- **Adoption of Previous Meeting's Minutes**

The minutes of March 22, 2023, Council Meeting were approved as circulated. It was moved by Deputy Mayor Aaron MacEachern and, seconded by Councillor Steve Pollard, unanimously carried.

The minutes of April 13, 2023, Committee of Council Meeting were approved as circulated. It was moved by Councillor Lillian MacCannell and, seconded by Councillor John Yeo, unanimously carried.

- **Informational Items**

- **FIN.2023.4.1 - 2022-23 Annual Audit and Annual Expenditure Report**

Decision Type: Information

Status: Received

Background:

Municipal Government Act section (172) and Motion #2021-87

Description:

The financial documents for the 2022-23 fiscal year audit and Gas Tax Funding expenditures were uploaded to MRSB secure portal on April 19, 2023.

- **OTR.2023.4.1 - FPEIM Annual Meeting April 24**

Decision Type: Information

Status: Received

Background:

OTR.2023.3.1

Description:

The Municipality's representatives attended the FPEIM Annual Meeting on April 24, 2023.

Mayor Helen Smith-MacPhail was elected Queens County representative to the FPEIM's Rural Municipalities Caucus by acclamation.

- **Discussion Items**

- **FIN.2023.4.2 - Awarding Grants - April 2023**

Important Note:

As Councillor Lillian McConnell declared her conflict of interest and recused herself from both applications, Mayor Helen Smith-MacPhail and Councillor John Yeo declared their conflict of interest and recused themselves from Meadowbank's WI application, and Councillor Shaun MacArthur declared his conflict of interest and recused himself from St Catherine's WI application:

- Councillor Lillian MacCannell and Councillor Shaun MacArthur left the meeting before the Chair obtained the floor and rejoined the meeting after the vote was taken for St Catherine's WI grant.
- Mayor Helen Smith-MacPhail, Councillor Lillian MacCannell, and Councillor John Yeo left the meeting before the Chair obtained the floor and rejoined the meeting after the vote was taken for Meadowbank's WI grant.
- Deputy Mayor Aaron MacEachern chaired the meeting in the absence of Mayor Helen Smith-MacPhail.

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-29

Moved by Councillor Steve Pollard and **Seconded by** Deputy Mayor Aaron MacEachern

WHEREAS

Pursuant to Municipal Grant Bylaw #2022-02, the Committee of the Whole reviewed the grant request applications from the St Catherines Women's Institute and Meadowbank Women's Institute and completed Schedule C for both applicants, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves awarding a one-time grant to the following applicants from the 2023-24 operating budget:

- \$2000 for St Catherines Women's Institute
- \$500 for Meadowbank Women's Institute

Councillor Ryan Roggeveen and Councillor Shaun MacArthur left the meeting at 7:25 PM.

▪ **FIN.2023.4.3 - Bonshaw Community Center Improvement Project- Change Order#8**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-30

Moved by Councillor Lillian MacCannell and **Seconded by** Deputy Mayor Aaron MacEachern

WHEREAS

According to Motion #2021-55, the project admin approved the change order No. 8, and

WHEREAS

Pursuant to Motion#2022-26, the Municipality signed an agreement with the ICF – CCRF federal program to receive \$300,000 from ACOA (project #219227), and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts adding the attached Change Order#8 (Appendix A, attached hereto, forming a part of this resolution) at the cost of \$35,000.00, plus HST to the Bonshaw Community Cultural Centre Improvement Project signed contract and authorizes the CAO to execute it.

BE IT FURTHER RESOLVED

The Council for the Rural Municipality of West River authorizes the CAO to backdate it to March 28, 2023, to be paid from the 2022-23 budget to comply with ACOA project #219227 agreement sections (2.3) and (5.2).

▪ **FIN.2023.4.4 - Bonshaw Community Center Improvement Project- Change Order#9**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-31

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor Lillian MacCannell

WHEREAS

According to Motion #2021-55, the project admin approved the change order No. 9, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts adding the attached Change Order #9 (Appendix A, attached hereto, forming a part of this resolution) at the cost of \$117,645.02 plus HST to the Bonshaw Community Cultural Centre Improvement Project signed contract and authorizes the CAO to execute it.

▪ **FIN.2023.4.5 - Bonshaw Community Center Improvement Project- Construction Energy Usage**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-32

Moved by Councillor Lillian MacCannell and **Seconded by** Councillor John Yeo

WHEREAS

The Bonshaw Community Center was evacuated during the construction period, and

WHEREAS

The Bonshaw Community Center's electricity bills during the improvement project were considered "Construction Energy Usage" and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River approves reimbursing the Bonshaw Community Center's electricity bills for the construction period after completion of the project, subject to receiving a written request from the Bonshaw Community Centre Board of Directors and authorizes the CAO to execute it.

▪ **FIN.2023.4.6 - Municipality Baseball Diamond Field Rental Fee -2023**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-33

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor John Yeo

WHEREAS

According to Schedule-A of the Fee Bylaw # 2021-11, the sports fields rental should be determined by a resolution, and

WHEREAS

The renters would have access to the Baseball Diamond Field for one slot a week starting in the Spring and ending in the Fall with this fee, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River sets the Baseball Diamond Field's rental fee for 2023 as \$275.00 for returning clients and \$300.00 for new clients.

- **FIN.2023.4.7 - Municipality Soccer Field Rental Fee -2023**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-34

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor John Yeo

WHEREAS

According to Schedule-A of the Fee Bylaw # 2021-11, the sports fields rental should be determined by a resolution, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River sets the NHR soccer field's rental fee for 2023, at \$25 per hour and \$20 per hour if rented in bulk.

- **FIN.2023.4.8 - Mutter Park Grass Cutting Contract - 2023**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-35

Moved by Councillor John Yeo and **Seconded by** Councillor Lillian MacCannell

WHEREAS

Pursuing Policy # 2022-03, the CAO requested a quote from Spruce Grove, Tender Lawn Care, DNS Grass Cutting & Landscaping, Exact Lawn Care and J W Gass Cemetery Services, and

WHEREAS

Following Policy # 2022-03 Section (8.3), the CAO only received one quote from J W Gass Cemetery Services to provide cutting grass, fertilizing & liming, weed control, and garbage removal for the ball field, soccer field and Legacy Park by the given deadline, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River accepts the proposal from J W Gass Cemetery Services (Appendix A, attached hereto, forming a part of this minutes) to receive services for the 2023 season at the ball field, soccer field, and Legacy Park and authorizes the CAO to execute it.

▪ **FIN.2023.4.9 - Inman Park Fiona Recovery - Fence Signage**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-36

Moved by Councillor John Yeo and **Seconded by** Councillor Lillian MacCannell

WHEREAS

According to Motion#2023-09, Eastern Fence Products was awarded the contract to replace the fence at Inman Park as a part of the Fiona Recovery initiative, and

WHEREAS

According to Municipal Government Act Section (180) (a), a Council may provide services for municipal purposes respecting the safety, health and welfare of people and the protection of persons and property, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for Rural Municipality of West River accepts the proposal from Eastern Fence Products to supply and install "Danger - High Bank" signs (6" (H) x 12" (W) reflective sign, white font on red background) for each gap between the posts - on the chain link at the cost of \$28.00 plus HST for each sign as a part of the Fiona Recovery initiative. The CAO is authorized to execute this.

- **FIN.2023.4.10 - Jobs for Youth Program -2023**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-37

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor Lillian MacCannell

WHEREAS

According to Municipal Government Act Section (156), agreements, contracts, and other legal or financial instruments shall be signed or authorized by both the Mayor and the Chief Administrative Officer of a municipality, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Mayor and Chief Administrative Officer to sign the necessary documents and contracts for the 2023 Jobs for Youth Program on behalf of the Municipality.

▪ **FIN.2023.4.11 - Rural Enhancement Employment Program -2023**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-38

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor Lillian MacCannell

WHEREAS

According to Municipal Government Act Section (156), agreements, contracts, and other legal or financial instruments shall be signed or authorized by both the Mayor and the Chief Administrative Officer of a municipality, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Mayor and Chief Administrative Officer to sign the necessary documents and contracts for the 2023 Rural Enhancement Employment Program on behalf of the Municipality.

▪ **FIN.2023.4.11 Rural Growth Initiative 2023-24**

Decision Type: Action

Status: Motion Carried (4-0)

Description: Motion 2023-39

Moved by Councillor Lillian MacCannell and **Seconded by** Councillor John Yeo

WHEREAS

According to Municipal Government Act Section (156), agreements, contracts, and other legal or financial instruments shall be signed or authorized by both the Mayor and the Chief Administrative Officer of a municipality, and

WHEREAS

This resolution bears the recommendation of the Committee of the Whole as discussed at a meeting held on April 13,

BE IT RESOLVED

The Council for the Rural Municipality of West River authorizes the Mayor and Chief Administrative Officer to sign the necessary documents and contracts for the Rural Growth Initiative 2023-24 Program on behalf of the Municipality.

▪ **PLB.2023.4.1 - PLB.2023.4.1 - PEI Housing Strategy Consultation**

Decision Type: Action

Status: Motion Carried (4-0)

Moved by Deputy Mayor Aaron MacEachern and **Seconded by** Councillor Lillian MacCannell

Background

Deputy Minister Jamie MacDonald sent the following invitation on April 25, 2023:

- The Department of Housing, Land and Communities are in the process of developing a new five-year Housing Strategy for Prince Edward Island. To support the development of this strategy, the Department is implementing an engagement process to receive valuable feedback from municipalities, community partners and other stakeholders. We all play an important role in supporting the housing needs of Island residents along the housing continuum and helping those who are facing or at risk of homelessness. We invite you (or an alternate representative) of your municipality to join other municipalities in a discussion about housing along the housing continuum in PEI and potential solutions to support the development of the strategy led by the Department.

Description:

Councillor Steve Pollard will attend the "Municipalities Roundtable Session" on May 4, 2023.

▪ **PLB.2023.4.2 - Mayor's Letter to the Minister of Housing, Land and Communities, Leader of the Opposition, MLA D-16, and MLA D-17**

Decision Type: Action

Status: Motion Carried (4-0)

Moved by Councillor John Yeo and **Seconded by** Councillor Lillian MacCannell

Description:

The Mayor will send a letter (to Minister Rob Lantz (CC- Deputy Minister Deputy Minister Jamie MacDonald), Hal Perry (Leader of the Opposition), Mark McLane (MLA D-16), and Peter Bevan-Baker (MLA D-17) regarding the Rural Municipality of West River, having several concerns about its Official Plan and Land Use Bylaw. The letter will be as follows:

- West River has recently developed and completed its first Official Plan and Land Use Bylaw. This was started in 2021 and completed in May 2022. There was a significant financial investment made by the community. The Planning Committee followed the Provincial Planning Act to prepare the Official Plan and interacted with residents in a number of ways, including at least five public engagements.
- The Official Plan and Land Use Bylaw was passed by the 2020-2022 Council in October of 2022. The Plan was then sent to the Provincial Department of Agriculture and Land Use for approval. In January, the Province finished its review of the Official Plan, but there has been a delay from the Province in approving the Plan. With the call of the election, the Provincial Government was in 'caretaker' mode, and there has been a further delay in the Plan's approval.
- Until the Official Plan is approved, change of land use and approval of development permits in the Municipality is stalled.
- It is pertinent to West River that the Official Plan and Land Use Plan be approved so that West River can be in charge of the land use and development within the municipality. I have had inquiries from landowners and developers on the status of the Plan. People are anxious for the Plan to move forward so they can move forward with their own plans
- West River has made a significant financial investment in its Official Plan and Land Use Bylaw. We have done everything within our power to move this file along. All of the required procedures were followed within reasonable timelines. It has been very frustrating to have the work of West River tied up in bureaucratic red tape.

- Residents of West River deserve to have this issue resolved by the newly elected government immediately after the election is held. The Rural Municipality has been patiently waiting since October 2022 for the Official Plan and Land Use Bylaw to be approved. We hope that this can be achieved immediately following the election.

- **Adjournment**

- Councillor Lillian MacCannell motioned to adjourn the meeting at 8:15 PM.
- The next meeting will be on May 25, 2023.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____

Appendix A - Motion 2023-30

Standard Construction Document CCDC 2 2020

CHANGE ORDER

Work: "Bonshaw Community Center Improvements", 25 Green Road, Bonshaw,
PEI PID 402917, for the Rural Municipality of West River.
title and location

Change Order No.: 8

Date: March 28, 2023

Reference: Contract CCDC 2 2020

Consultant: W. D. Lawrence Architecture Inc.

Owner: Rural Municipality of West River

Contractor: Ridgeline Construction Ltd

Pursuant to paragraph 6.2.2 of GC 6.2 – CHANGE ORDER in CCDC 2 – 2020, the following is an amendment to the *Contract* stating the agreement between the *Owner* and the *Contractor* upon a change in the *Work* and the adjustments in the *Contract Price* and *Contract Time*.

Description:

Amount of original Contract	\$	272,941.00
CO #1: Doors/hardware	\$	57,394.00
CO #2: Drywall	\$	59,000.00
CO #3: Rebuild main entry	\$	22,600.00
CO #4: Add ramp	\$	101,050.00
CO #5: Add shower	\$	26,550.00
CO #6: Add generator (pending, not yet approved)	(-) \$	87,300.00
CO #7: Add well pump	\$	<u>2,700.00</u>
Previously Revised Contract amount	\$	542,235.00

CO #8:		
1. Painting	\$	<u>35,000.00</u>
Total	\$	577,235.00
Revised Contract amount	\$	<u>577,235.00</u>

Appendix A (Continued)- Motion 2023-30

Standard Construction Document CCDC 2 2020

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The contingency allowance is increased/decreased by the sum of \$ N/A
The Contract Price is increased by the sum of \$ 35,000.00
The Contract Time is increased/decreased by 0 Working Days

Recommended by the Consultant

Wil Lawrence, Principal WDLA
name and title of person signing

signature

March 28, 2023
date

Approved by the Owner

Laala Jahanshahloo - CAO
name and title of person signing

signature

date

Approved by the Contractor

Ridgeline Construction Ltd.
name and title of person signing

signature

Mar 28/23
date

Appendix A- Motion 2023-31

Standard Construction Document CCDC 2 2020

CHANGE ORDER

Work: "Bonshaw Community Center Improvements", 25 Green Road, Bonshaw,
PEI PID 402917, for the Rural Municipality of West River.
title and location

Change Order No.: 9

Date: April 13, 2023

Reference: Contract CCDC 2 2020

Consultant: W. D. Lawrence Architecture Inc.

Owner: Rural Municipality of West River

Contractor: Ridgeline Construction Ltd

Pursuant to paragraph 6.2.2 of GC 6.2 – CHANGE ORDER in CCDC 2 – 2020, the following is an amendment to the *Contract* stating the agreement between the *Owner* and the *Contractor* upon a change in the *Work* and the adjustments in the *Contract Price* and *Contract Time*.

Description:

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CO #3: Rebuild main entry	\$	22,600.00
CO #4: Add ramp	\$	101,050.00
CO #5: Add shower	\$	26,550.00
CO #6: Add generator (pending, not yet approved)	(-) \$	87,300.00
CO #7: Add well pump	\$	2,700.00
CO #8: Painting	\$	<u>35,000.00</u>
Previously Revised Contract amount	\$	577,235.00
CO #9:		
1. Interior finish	\$	55,465.00
2. Flooring/stairs	\$	24,800.00
3. Kitchen millwork	\$	20,800.00
1. Kitchen materials increase	\$	2,837.56
4. Drywall materials increase	\$	906.36
5. Ramp materials increase	\$	3,250.00

Appendix A (Continued)- Motion 2023-31

Standard Construction Document CCDC 2 2020

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6.	Insurance extension increase	\$	5,006.10
7.	Add exterior lighting at main entry + deck at rear of building	\$	
8.	Replace gutters and downspouts	\$	5,400.00
9.	Credit sold used items	(-) \$	820.00
	Total	\$	117,645.02
	Revised Contract amount	\$	<u>694,880.02</u>

The contingency allowance is increased/decreased by the sum of \$ N/A
 The *Contract Price* is increased by the sum of \$ 117,645.02
 The *Contract Time* is increased/decreased by 0 *Working Days*

Recommended by the Consultant

<u>Wil Lawrence, Principal WDLA</u>	_____	<u>April 13, 2023</u>
<small><i>name and title of person signing</i></small>	<small><i>signature</i></small>	<small><i>date</i></small>

Approved by the Owner

<u>Laala Jahanshahloo - CAO</u>	_____	_____
<small><i>name and title of person signing</i></small>	<small><i>signature</i></small>	<small><i>date</i></small>

Approved by the Contractor

<u>Ridgeline Construction Ltd.</u>	_____	<u>April 13/23</u>
<small><i>name and title of person signing</i></small>	<small><i>signature</i></small>	<small><i>date</i></small>

Appendix A – Motion 2023-35

J W Gass Cemetery Services

2378 West River Road, Route 9
New Haven, PE C0A 1H3

Business # 84778 6647 RT 0001
Phone: 902 675-4558
Cell: 902 940 -1730
Email: jasangass71@gmail.com

Quote

Attention: Laala Jahanshahloo
Rural Municipality of West River
1552-B New Dominion, PE C0A 1H6

Grass Cutting and Maintenance of Rural Municipality of West River (New Haven) properties for 2023 Season.

- Ball Diamond
 - Grass Cutting per cut \$75.00 + HST (approximately 15 cuts)
 - Spreading Lime \$370 +HST (One-time)
 - Spreading Fertilizer \$150 +HST (One-time)
- Soccer Field
 - Grass Cutting per cut \$110 + HST (approximately 15 cuts)
 - Spreading Lime \$1100 +HST (One-time)
 - Spreading Fertilizer \$540 +HST (One-time)
- Legacy Park Grass Cutting \$60.00 per + HST (approximately 12 cuts)
- Garbage Can Maintenance \$200.00 + HST (whole Season)

Sincerely,
Jason Gass

✓