

The Rural Municipality of Malpeque Bay  
January 31, 2021  
Regular Council Meeting – 7:00pm  
Kensington Town Chambers

**Present:** Mayor Paul Brown, Deputy Mayor Herb Clark, Councillors Ghislaine Duplain, Brian McKinnon, Ted Andrews, and Wayne Crosby.

**CAO:** Joanne McCarvill

Due to COVID-19 restrictions no residents were in attendance.

1. **Call to order**

The meeting was called to order by Mayor Brown at 7:10 pm.

2. **Agenda**

**Motion 2020:50** *It was moved by Councillor Andrews and seconded by Councillor Crosby that the Agenda be approved as circulated.* **MOTION CARRIED**

3. **Disclosure of Conflict of Interest**

4. **Approval of Minutes**

**Motion 2020:51** *It was moved by Councillor Duplain and seconded by Deputy Mayor Clark to accept the minutes of the November 18, 2020 meeting as circulated.* **MOTION CARRIED**

5. **Business arising from minutes**

DRAFT EMO Agreement – CAO was directed to contact the Town of Kensington to confirm the willingness to enter into an Agreement for the use of their Warming Centre when needed by municipality’s residents of Malpeque Bay.

It was noted that the municipality had engaged a lawyer with Key Murray Law in Summerside and he indicated that he would have to check with his colleagues for any possible conflict of interest. There was a conflict identified and the Town of Kensington chose not to allow the lawyer to represent the municipality in this proceeding.

Stairs at Thunder Cove -

**Motion 2020:52** *It was moved by Councillor Andrews and seconded by Councillor McKinnon that the Rural Municipality of Malpeque Bay cease all efforts with regards to the possible purchase and installation of aluminum stairs at Thunder Cove Beach.* **MOTION CARRIED**

**Motion 2020:53** *It was moved by Councillor Duplain and seconded by Councillor Andrews*

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*that the Municipality continue with its efforts to advocate with the Province, including the Department of Transportation, Tourism, and EMO, for residents at Thunder Cove and the Lecky subdivision to: provide improved road conditions to allow safe response by EMS vehicles; mitigate the current obstacles Island Waste Watch collection personnel endure on a weekly basis often leaving without collecting from area residents because of the lack of space to navigate the road safely; install a turning area at the top of the Thunder Cove Road accessed only by Emergency Vehicles and Vehicles collecting Waste Watch carts; and install more signage identifying a Restricted Parking Zone including the wording 'Vehicles will be towed at the owner's expense'.*

**MOTION CARRIED**

**6. Review of Mandatory MGA requirements for Malpeque Bay**

The EMO Plan is expected to be completed on or before December 31, 2021. Mayor Brown indicated that he would assume the position of Coordinator to facilitate this deadline.

Councillor Duplain identified the following online version of the MGA with regards to the office requirements:

**Section 85 and 86 of the MGA reads:** (pages 47 and 48)

**85. Municipal office**

- (1) A council shall,
  - (a) by resolution, designate a place in the municipality as its municipal office;
  - (b) provide public notice of the location of the municipal office; and
  - (c) notify the Minister, in writing, of the civic address of the municipal office.

**Office operational requirements**

- (2) Within five years after the coming into force of this section, a council shall
  - (a) ensure that its municipal office is accessible to all members of the public; and
  - (b) establish, publish, and maintain a schedule of not less than twenty hours in each week during which the municipal office shall be open to serve the public.

**Exemption – shared office**

- (3) Despite clause (1)(a), a council may designate a place outside the municipality as its municipal office where the office is shared with another municipality as its municipal office.

2016, c.44,s.85;2020,c.76,s.11.

CAO McCarvill was directed to confirm the above legislation with Municipal Affairs and report back to Council. The deadline for these office requirements is December 31, 2022.

It was noted that the Official Plan and Bylaws deadline is December 31, 2023. Council will work towards meeting this deadline between now and then.

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**7. Bike Lane project update**

Councillor Crosby identified that an application for \$64,000. was submitted to the Active Transportation group. It is hoped that an answer will be received by the end of February 2021. He noted that the application includes the provision for at least 6 six bicycle repair stations strategically placed within the municipality allowing cyclists the ability to put air in their tires and make repairs to their bicycle. The committee is also considering hiring a Consultant used in other municipalities that assisted municipalities in identifying the best route and plan for cyclists. This information will be used to create cyclists' maps of the area.

The Department of Transportation has identified that the paved shoulder will continue to be widened on Hwy 20 over the next five years which would allow for cyclists to safely use the shared roadway.

Councillor Crosby will contact Minister Fox to provide him with an update on the progress of the project.

CAO McCarvill was asked to review the Insurance coverage with the Agent to ensure there is coverage for the creation of maps for cyclists.

**8. Indian River Festival request**

Councillor Crosby excused himself from the meeting as a family member is on the Board of Directors with the Indian River Festival.

The CAO will call a representative from the IRF Board to request that the Board put their request for funding in writing for consideration by Council. It was noted that there is approximately \$15,000.00 which could be directed to the IRF provided Council receives a written request from IRF and that an application for Geothermal equipment is submitted to the Infrastructure Secretariat and is approved.

**9. Visit from Minister Fox review**

Mayor Brown provided Council with an overview of a meeting held on December 14, 2020 at the request of Minister Fox. The meeting was held at the Mayor's home and Minister Fox's assistance was in attendance.

Several issues were discussed, and Minister Fox made it clear that he and his department were there to help the municipality in any way possible. Some specifics included the possibility of stairs at Thunder Cove, garbage and traffic/parking issues at Thunder Cove, bicycle lane project, and summer student availability. Mayor Brown will contact the Minister for clarification on funding availability through his department.

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**10. Other Business**

Councillor McKinnon identified that he has received a pamphlet and letter in his mailbox from the Rural Coalition of PEI, Inc. who have been working to have the government live up to their promise to rescind the Municipal Government Act (MGA). Because of their lack of success to date they have decided to begin a court challenge.

CAO McCarvill was asked to scan and email the documents to Council for review and discussion at the next meeting.

There will be a Budget Planning meeting on February 10, 2021 at the Town Hall in Kensington beginning at 7pm. The CAO was asked if there existed a schedule of all municipal tax rates on PEI. She identified that she had prepared one several years ago for Council and would scan and email that document prior to the February meeting.

**11. The meeting was adjourned by Mayor Brown at 9:00pm - Next meeting February 10, 2021.**

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Paul Brown, Mayor  
Rural Municipality of Malpeque Bay  
Dated: January 13, 2021 at Kensington, PE

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Joanne McCarvill, CAO  
Rural Municipality of Malpeque Bay