

The Rural Municipality of Malpeque Bay
January 10, 2018
Regular Council

Present: Jamie Crozier, Herb Clark, Paul Brown., Ghislaine Duplain, Tyler Pickering, Myles Hickey, Trent Caseley,

Administrator: Absent due to flu – Tyler Pickering agreed to take notes with Joanne finalizing the minutes.

There were 5 residents in attendance.

1. The meeting was called to order at 7:00pm by the Chair.

2. **Agenda**

Motion 2018:01 It was moved by Paul Brown and seconded by Myles Hickey that the Agenda be approved as circulated. **MOTION CARRIED**

3. **Minutes**

Motion 2018:02 Minutes of the November 23, 2017 meeting were read by Jamie Crozier. It was moved by Ghislaine Duplain and seconded by Herb Clark to accept the minutes as read. **MOTION CARRIED**

4. **Business arising from minutes**

A resident asked if a request had been made to the Province to have the Minister or Deputy attend this meeting. Council was unsure if contact had been made and also noted that the Cabinet Shuffle had probably impacted on their availability.

Hall/office concerns

Spring Valley

It was noted that Spring Valley had not yet held a community vote. A community representative had taken a plot plan to Access PEI to determine the feasibility of the project.

Malpeque

Malpeque Hall representatives had a similar reaction to Spring Valley representatives, in that they are willing to entertain a proposal for a community office but require further information.

Sea View

Dale Adams identified that part of the hall in Sea View is currently not on land owned by the hall. He didn't believe the proposal would be possible but that he would bring it up at their annual meeting in March.

Hamilton

Paul Brown identified that there was quite a bit of interest from Hamilton. The Hall is not being used and there are options of buying or leasing. Renovation would be required. There is also good potential for internet relaying as there is a direct line of site to Summerside.

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Other considerations identified at the meeting are as follows:

- Does the community actually need an office or is this simply a requirement of the Act?
- Darnley School was also mentioned as a possible site as well as an empty lot across the road from Sea View Hall both of which are privately owned.

Motion 2018-03 Paul Brown moved that a proposal be prepared to present to all communities outlining the basic criteria needed to fulfill the requirement of an office facility. Ghislaine Duplain seconded the motion. **MOTION CARRIED**

There were a number of questions regarding changes to the Municipal Government Act (MGA) and whether or not changes could be made. It was noted that the Act was Proclaimed on December 23, 2017.

Concerns raised about the effectiveness of getting information from Council to Residents. It was identified that the Community would be seeking to hire a summer student through the Jobs for Youth program and main task would be to create a data base of resident email addresses.

Mandatory Bylaws required by municipality

There were nine Bylaws identified. The establishment of Tax Rate Groups is under the discretionary category. Below is a list as provided by the Province regarding mandatory Bylaws which all municipalities are required to establish under the MGA. Some bylaws are mandatory which means that a Council is required to establish them in order to comply with the Act. Discretionary Bylaws follow.

Mandatory Bylaws

Subsection 36.1: Campaign Contributions, Spending Limits and Disclosure Bylaw (must be passed 90 days before an election)

Subsection 78.4: Council Size Bylaw (must be passed at least 180 days before the election at which it is to take effect)

Subsection 82.1: Council and Council Committee Remuneration Bylaw (required immediately upon the MGA coming into effect)

Clause 86.2(e): Procedural Bylaw (must be passed within 12 months of the Act coming into effect)

Subsection 97. (2): Conflict of Interest Bylaw (must be passed within 12 months of the Act coming into effect)

Subsection 107.1 Code of Conduct for Council Bylaw (must be passed within 12 months of the Act coming into effect)

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Subsection 117.1: Records Retention Bylaw (must be passed within 12 months of the Act coming into effect)

Subsection 147.1: Access to Information Bylaw (must be passed within 12 months of the Act coming into effect)

Subsection 148.1: Protection of Personal Information Bylaw (must be passed within 12 months of the Act coming into effect)

Section 169: Procurement Bylaw (required date will be set out in regulation)

Discretionary Bylaws

Subsection 35. (3): Classification of Restricted Municipal Employees Bylaw

Section 48: Voting by Alternative Means Bylaw

Section 49: Automated Voting Systems

Subsection 88. (1): Delegation of Specified Power, Duties or Functions Bylaw

Subsection 134. (1): Authorizing a Person to Conduct A Revision of Bylaws

Subsection 155. (1): Reserve Fund Bylaw

Subsection 160. (2): Establishing Tax Rate Group Bylaw (required for more than one tax rate including commercial/non-commercial before March 30th in each year)

Subsection 161. (2): Tourism Accommodation Levy Bylaw

Sub clause 162. (1)(a) (i) and (ii): Fees Bylaw

Sections 164 – 166: General Borrowing Bylaw

Subsection 184. (1): Levying Rates and Frontage Charges for Utility Services

Section 201: Local Improvements Bylaw

Subsection 223. (1): Bylaw Enforcement Bylaw

Subsection 226. (3): Municipal Offence Ticketing Bylaw

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A question was asked about the requirements necessary to pass a Bylaw

Under section 124 of the MGA, the following bylaw adoption process must be followed:

The bylaw must be read and formally approved by a majority of the Council members present and voting on two (2) separate occasions at meetings of the Council held on different days.

After the bylaw is read a second time, it is formally adopted by resolution of the Council.

The adopted bylaw must be signed by the Mayor and CAO and sealed with the municipality's seal.

If a copy of the proposed bylaw is made available to the public to read at the Council meeting or before it, Council may recite the bylaw name and a brief description rather than reading the entire bylaw aloud during the meeting.

Under the MGA, some bylaws have additional public notice requirements. Check the MGA or contact Municipal Affairs if you have questions on a specific subject.

Resolutions of Council and the Bylaw Adoption Process

A new bylaw or amendment bylaw will require a total of five (5) resolutions over two (2) meetings held on different days:

1.
Resolution to give first reading
2.
Approval of first reading
3.
Resolution to give second reading
4.
Approval of second reading
5.
Adoption of the Amendment Bylaw

Council Meeting #1 – Open to the public
Resolution to give 1st reading to the bylaw
Resolution to approve the bylaw (1st instance)

Council Meeting #2 – Open to the public
Resolution to give 2nd reading to the bylaw
Resolution to approve the bylaw (2nd instance)
Resolution to adopt the bylaw

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Amending a Bylaw Before it is Passed

A proposed bylaw may be amended after its first reading. If it is, the amendment must be read word by word at the Council meeting even if updated copies are made available to the public at or before the meeting.

If a bylaw is not formally adopted within two years from the date of its first reading, it must be read again for the first and second time as if it were a brand new bylaw once again.

Financial Statements

Were reviewed by Jamie. The projects were also reviewed. There was a question about how much funding is still available to the community under the Notional Allocation program.

Proposed 15 Month Budget – January 1, 2018 – March 31, 2019

Motion 2018-04 It was moved by Herb Clark and seconded by Tyler Pickering to adopt the Proposed Budget January 1, 2018 - March 31, 2019 as presented with two adjustments. The Advertising account is to be reduced from \$1,250 to \$1,000 and Community Initiatives account reduced from \$6,250 to \$3,500 with a Net Income of \$19.00. The Tax Rate for the year remains at 0.065 cents. **MOTION CARRIED**

New Business

A discussion was held regarding community AEDs and keyless entry systems. The Province is currently working towards the establishment of a Provincial Registry which will identify where AEDs are available. There was some concern raised regarding the integrity of battery life especially in areas that do not maintain a level of heat during the winter months.

Next meeting is scheduled for March 14, 2018 with location to be determined and posted on website.

Meeting adjourned at 9:07

Jamie Crozier, Mayor

Rural Municipality of Malpque Bay

Tyler Pickering, Councillor

Joanne McCarvill, Administrator
Rural Municipality of Malpeque Bay

Dated: January 10, 2018 at Kensington, PE