

**RURAL MUNICIPALITY OF VICTORIA
REGULAR COUNCIL MEETING
MONDAY, JULY 10, 2023
6:30PM – OLD SCHOOL
730 VICTORIA RD., VICTORIA**

MINUTES

Attendance Deputy Mayor Trainor, Councillor Jamie-Lee Brown, Councillor Eric Gilbert, Councillor Jean McCardle, Councillor Tom Wright

CAO Anna Keenan, FAA Marsha Empson.

Mayor Martin Ruben (Chair) attended virtually, along with members of the public.

1. Call to Order

a. Call to order 6:31pm

Mayor Ruben thanks Deputy Mayor Trainor for her work leading Council in his absence in the past many months.

He thanks Council members and staff for their fantastic work, and everyone, including many residents, for their notes of support over the many difficult months for his family.

Acknowledgement of attendance in person and electronically

Full quorum, with full attendance of Council. 1 member of the public on Zoom, and 2 are currently in the public gallery in-person. Other members of the public may join throughout the meeting.

b. Establish public participation method for this meeting

There is an agenda item for a 10 minute period of public comments/questions, along with 3 minute periods after some agenda items.

Mayor Ruben reminds all to keep comments and questions relevant to agenda items.

2. Approval of agenda

The agenda was approved.

Moved by Councillor McCardle, seconded by Councillor Brown, unanimously carried (5-0).

3. Declaration of conflict of interest

Eric Gilbert - will recuse himself from items 13 d & e, due to immediate family connections.

4. Adoption of Minutes

Minutes of the public portion of the Regular meeting June 12, 2023

(See also an in-camera item at Agenda item 14)

Deputy Mayor Trainor moved to adopt the minutes as presented, seconded by Councillor Brown.

Discussion - Clarification question: whether a motion to adopt a policy on RFP's appeared in the minutes. CAO Keenan confirmed that it was present in the minutes (before the policy wording).

Motion carried unanimously (5-0).

5. Public Presentations/Petitions/Delegations & public comments questions

a. Jason Squires - update on Victoria Park community-based fundraising drive (10 mins)

- \$3000 in total was raised by Friends of Victoria Park (Susan MacVittie and Jason Squires)
- Thanks to Henry Dunsmore for the design work for the advertising sign and printing materials
- Thanks to Darlene Foster who hand painted the Welcome portion of the sign
- Thanks to Susan MacVittie for donating the materials for the sign, along with Jason Squires, who also built the sign
- Thanks to Susan MacVittie who, alongside Jason Squires, canvassed the community for donations
- Thanks to the following individuals and businesses for their cash donations:
 - Jason Squires - Old Skool Welding - \$500
 - Sara Bennetto O'Brien - The Hand Pie Company - \$500
 - Terry Robblee and family - The Blue Goose Restaurant - \$500
 - Spencer MacKinnon - MacKinnon Enterprises - \$500
 - Susan MacVittie - Exit Realty - \$250
 - Meeghan Bradly - Foxy Fox Coffee House & Boutique - \$250
 - Krunal Pattel - Crapaud General Store - \$250
 - Linda Gilbert - Island Chocolates - \$125
 - Henry Dunsmore - The studio Gallery - \$125

Friends of the Park also extended an offer to do this fundraising on an annual basis! Jason commented that many people from the south shore area, non-residents of Victoria included,

hold the park in high regard, and the ease with which the funds came together was a demonstration of this, and a cause for motivation for him.

Councillors thanked Jason and Susan for their efforts.

b. Brief period for questions & answers from the public to Council (for matters not addressed elsewhere on the agenda - 10 mins)

Alison Jenkins, a board member for the SSWA, questioned rumours that Victoria Park had changed hands, and that the transition was a ‘done deal’. The ongoing rumour is that Amar is trying to purchase that land. Ms. Jenkins requested clarification.

- CAO Keenan provided a summary of the current state, and requirements that would need to be met by AMAR before any kind of change of use could be applied to the space. CAO Keenan offered to forward the last municipal newsletter to Ms. Jenkins, which addressed this item.
Action item - CAO to forward a copy of the latest municipal newsletter to Ms. Jenkins.
- Councillor Gilbert directed Ms. Jenkins to AMAR’s proposal, posted on the municipal website. He also requested from CAO Keenan that newsletters be posted on the municipal website, as well as emailed to residents.
Action item - post newsletters on the municipal website.
- Ms Jenkins indicated that she is no longer a journalist and did not attend the meeting in that capacity. She has concerns regarding the province selling beaches, and non-permitted work being done in general.

Councillor Gilbert informed attendees that he and CAO Keenan had Anna attended 2 meetings with Department of Finance, Innovation PEI, PEI BioAlliance and Deputy Minister of Innovation and can provide more details if needed.

Jason Squires requested reiteration of where council is in regards to discussion on renewing the lease of Victoria park or continuation of Victoria’s usage of the space. Mayor Ruben indicated that an update would be included in the CAO report.

6. Business arising from Minutes

6a: Presentation and potential approval of Draft Financial Statements from Auditor Tara Wheeler - deferred at 6:54pm, until Tara Wheeler arrives at the meeting.

6b. Motion #2023-44 - Thanking Heather MacKenzie for donating a memorial bench, placed in Victoria Park

Motion moved by Councillor Gilbert, seconded by Councillor McCardle.

Motion carried unanimously (5-0):

WHEREAS

Heather MacKenzie, a resident of Cornwall with fond memories of the town of Victoria throughout her life, contacted the municipality and offered to place a memorial bench, and subsequently arranged for its construction and installation in Victoria Park in a spot overlooking the park and harbour.

WHEREAS

The bench is now installed as shown below, and a small memorial plaque will be added to the bench by Heather's family at the appropriate time.

BE IT RESOLVED

That the Municipality of Victoria acknowledges and thanks Heather MacKenzie for her kind donation of a memorial bench, and commits to care for and maintain it going forward.

7. Reading of Correspondence

(No formal correspondence was received warranting Council discussion this month)

8. Reports from Standing and ad hoc Committees

a. Water & Sewer Commission

Councillor Brown indicated that there is no formal report this month as no meeting has taken place since March, and that CAO Keenan will provide an update about the causeway project in her report.

Mayor Ruben thanked Councillor Brown for taking on the role of Chair for the Commission.

b. Planning Board

Councillor Gilbert indicated that the Board is still working through the review of legal advice for the Draft Official Plan & Bylaw. The next planning board meeting is scheduled for Monday July 17.

Questions for the Chair:

- Is the Draft Bylaw was being reviewed as well? Yes.
- Is there an anticipated end date? There is not, but the intention is to have it complete as soon as possible.
 - Deputy Mayor Trainor added: the board had two meetings in June, to expedite the process. Half of the review is now complete.
 - CAO Keenan shared that it took 3 meetings to complete half of the review and she estimated 3 more meetings would be needed to complete the final portion,

and then perhaps 2 or 3 more meetings would be needed to provide a completed draft.

- Would be helpful to have the support of the Development Officer , or other technical support when reviewing the legal advice? The chair feels that the legal advice provided is the technical support.
 - Deputy Mayor Trainor added: once the review is complete, some outstanding research items may require more technical advice. If the advice of the Development Officer is required, it could be obtained at that time by the CAO.
 - CAO Keenan confirmed: more research may be needed on some line items and that the advice of the Development Officer, other Municipalities, or legal advisors may be called upon to assist at that time. There may be additional grants that we are able to pursue to support this work.

Tara Wheeler arrived, 7:05pm. Council therefore returned to item 6a, “Presentation and potential approval of Draft Financial Statements from Auditor Tara Wheeler”.

6a: Presentation and potential approval of Draft Financial Statements from Auditor Tara Wheeler.

Mayor Ruben stated that the goal of this item is for Council to have enough sense/feel of the financial statements, that they feel comfortable to approve them with any suggested changes, so that the CAO can finalize them and we can submit the audited statements to the province, meeting our responsibilities as a municipality.

He acknowledged work done by municipal staff, and the auditor, in order to provide the data in a timely manner.

Mayor Ruben asked CAO Keenan gave brief introductory comments, noting that she had previously submitted written comments to Council in the meeting package.

CAO Keenan noted:

- This is her first municipal audit.
- Overall, after being guided through the statements by Ms. Wheeler, she feels that the audit accurately reflects the financial status of the municipality’s past year.
- She recommended that the management report line referring to a finance committee be edited to reflect that RMV has no such committee.
- The audited cash surplus for the last year also is in accordance with the projected surplus that was included in the current financial year’s budget.
- She expected questions about the fire department and wanted to address those by first providing an update on the financials for that department:
 - 2022/23 operating budget was \$24K
 - Expenses captured were lower than budget (roughly \$18k)

- The Firefighters' Association has fundraised funds also, and this year used those funds to purchase a used fire truck. Municipality has no view of funds raised or purchases made.
- With the Fire Department liaison, she is partway through creating a full list of inventory, to enable the municipality and fire department to create, on a solid evidence base, an expectation of the level of capital investment that is annually required to operate the department.
- It is clear to the CAO that we are not fully capturing are the costs of operating the FD, because while the Municipality contributes to costs, the Firefighters' Association also directly pays for some equipment, through independent fundraising.
- Nonetheless, she is confident that the audit accurately reflects the funding of the department that was handled by the municipality.

Councillor Gilbert Eric questioned how much of the FD budget was spent last year, and how much came in from outside fire dues. Ms. Wheeler reported \$17,761 in expenses, as per the statements being reviewed, and revenue of ~\$8K from outside fire dues.

Ms. Wheeler presented some details and explanations of the financial statements to council, starting with the new "Qualified Opinion" requirement being explained. Analysis of all municipal buildings needed to assess any potential "decommissioning" costs, such as asbestos. Estimated obligated costs (legal obligations) need to be calculated, and this has not yet been done for the RMV, resulting in the accountant's opinion of the financial statements to be noted as "Qualified". This is the only item within the statements noted as Qualified. RMV is not the only municipality with this issue this year. The province is accepting this opinion for this year as it's a transitional year, but the requirements should be met next year.

There would be an operational cost in the FY23-24 year, to have this assessment done. Mayor Ruben noted that this hasn't been allocated in the current budget, and the costs are so far unknown. CAO Keenan indicated that a webinar regarding this requirement was sent to municipal offices, she will review for potential grants and direction. Ms. Wheeler indicated that RMV can possibly use the same firm used by the province to do the analysis. She then continued her presentation, stopping for questions at page 5 of the documents provided in the package.

Questions:

- Mayor Ruben: Was there was an allowance for doubtful accounts in accounts receivable?
 - Ms. Wheeler clarified that an allowance was not set up because the majority of doubtful accounts are under water and sewer, and balances due can be recouped during property transfers, if those properties ever sold.
 - This was confirmed by CAO Keenan: upon transfer of any property, any debts owing to the municipality have to be resolved by the previous owner, and any balance owing is deducted from the property sale price. We have been

contacted by lawyers who facilitate land transactions to do this in the past. She believes it may be part of property law.

- Mayor Ruben requested confirmation that the \$45K line of credit has not been paid down during the year. This is the same amount that was listed the previous year.
 - CAO Keenan confirmed, to the best of her knowledge, that this was the case. There are no regular payments being made against this line of credit. She is also not aware of why that line of credit was previously spent down.
- Mayor Ruben questioned if this was a concern to Ms. Wheeler, in regards to liquidity.
 - Ms. Wheeler responded that she felt current cash flow was sufficient, but the concern is that cash surplus will decrease consistently, in part due to assets that do not generate an income. This is not an imminent concern, but is a concern going forward, and was noted in the management letter report. Will run into issues if capital funding is not available to cover capital expenditures.
 - Mayor Ruben commented that this is the same concern that led to the municipality in past years commissioning the Sustainability Study.
- Mayor Ruben asked if Tara has concerns with respect to the Municipality being an ongoing concern.
 - She stated, it is not enough of a concern to put a note in the financial statements at this time.
 - However, there is a note in the management letter saying that we do have this concern, and we hope to be able to address it in the future.
 - But there is not enough of a concern to add a 'going concern' note under the audit, but she feels that it would only be a few years out from 'hitting the wall'.
 - Right now, all capital work is covered under infrastructure funding. However, if there comes a point in time where that funding is not available, but the work is still required, then the municipality will run into cashflow issues.
- Councillor McCardle spoke to the multiple assets the municipality owns:
 - All assets are losing a substantial amount of money.
 - On depreciation, while these are not a cash expense, in a perfect world we would be putting aside a cash reserve for replacement costs, but we are not - so in a sense, we are doubly indebted, because we lose on actual costs on each asset per year (vs income), but we are also not covering the depreciation/replacement costs and keeping those in reserve.
 - While an amazing job was done to pull together the financial statements, the true story is not being told, and this is a long-running issue with how they are interpreted - it can leave an appearance of making money when in actuality the municipality is in serious debt.
 - Ms. Wheeler responded that the reason the statements are laid out as they are, for public sector vs privatized, is to highlight that net debt number. The indication is that without selling assets there is currently no ability to cover all costs, including non-financial costs.

- Councillor Wright added that while value is placed on water and sewer infrastructure, these costs are unrecoverable: they can't be sold to cover debts. The cost of decommissioning is a liability.
 - CAO Keenan noted that small steps in the right direction have been made this year (for example charging rent for the first time for the welcome centre).
 - This was not the year to look at the playhouse lease, given the changes at the Victoria Playhouse leadership, but the conversation is open about how that relationship could change before their 10year lease ends in 2025.
 - We have also passed a new policy on RFPs for use of municipal assets.
 - These are small steps in the right direction, but ultimately, even though we have a cash surplus, we have a significant deficit when accounting for depreciation, so the concern is absolutely valid.
- Councillor Brown questioned if RMV's current state was comparable to other municipalities.
 - Ms. Wheeler replied that it's hard to compare, but it's not uncommon for small municipalities, this is not uncommon. They tend to have assets that are not generating more income than they cost.

Ms. Wheeler then reviewed the remainder of the draft audit, after which there was more discussion and questions:

- Mayor Ruben questioned the value of \$33K in 'Other Expenditures'.
 - Ms. Wheeler clarified that \$27K represents the value for amortization of the seawall.
 - Mayor Ruben asked if this significant annual amount should be identified clearly
 - Ms. Wheeler explained that the report is limited by the number of columns available.
 - Mayor Ruben requested that the seawall and larger values be identified going forward.
- Mayor Ruben noted that the breakdown of expenses shows Salaries & Benefits, Amortization & Interest, and Goods and Services. For Goods and Services for general government, it is shown as \$116K, with no breakdown of what that represents - can this be broken down more? For example, to show the larger expenses such as legal expenses.
 - Ms. Wheeler explained that what is showing is the minimum reporting standards, it's up to the municipality to decide on how to break out.
 - Ms. Wheeler said it would not take much to break it down into 2 or 3 larger amounts, it would just require discussion with management to clarify what is wanted.
 - CAO Keenan added that there is more detail in the budget, which is also publicly available, in addition to the audit.
 - Councillor McCardle agreed that it would be helpful to see more detail.
- Mayor Ruben asked about note 2, referring to water & sewer being a service of the municipality and an entity, the Water & Sewer Commission as an organization of the

municipality. He questioned whether it should be referred to as a separate and incorporated corporation.

- After discussion, Council agreed that wording be updated as follows: “The Victoria Water & Sewer Corporation (as established by the Rural Municipality of Victoria Water & Sewer Corporation Bylaw 2021)”
- **Mayor Ruben noted that the fire department not-for-profit organisation (a.k.a. Victoria Fire Department Association inc, or the Victoria Firefighters’ Association) owns many of the assets used by the fire department to provide fire service to the community**, and that therefore, the costs for the fire department are not fully disclosed in the financial statements. He asked whether a note should be put in the statements identifying the relationship with the non profit organisation, and the responsibility to provide fire coverage.
 - Ms. Wheeler indicated this was a good question. A note could be made to show that there is an Association contributing to the Fire Department operations, but she does not feel that it is required, but it doesn’t hurt, and that it could be useful for the readers.
 - Mayor Ruben feels it’s misleading. And the MGA requires us to provide fire coverage. For example, if we showed no expenses for fire services, without acknowledging that another organization is contributing significant funds, while claiming coverage is being provided by the municipality, it would not be disclosing much to the reader. The financial statements should show that we are providing fire services, but should acknowledge that much of the cost of service delivery is being contributed by another organization.
 - Councillor Gilbert commented that this shouldn’t be the case: the municipality should be, but is not providing what the fire department needs, and as such the separate entity is picking up slack.
 - CAO Keenan added the municipality is trying to address the ‘shoulds’ and ‘going forwards’ appropriately, as she addressed in the CAO report to come later in this meeting. However, this audit report is reflecting the 2022/23 year. She considers the purchases of the Association to be a sort of ‘in-kind’ contribution to the municipality, however, unfortunately these are not able to be captured in the financial statements, because we were not able to provide Tara with any information from the Association, about the amount of their contributions in the past year. The municipality has no visibility on what was spent by the Association in the past year, and so Tara can’t include it in the reports. She suggested that this could be included in the Management Letter.
 - Ms. Wheeler confirmed that costs can’t be identified without supporting information. This is an issue and it should be tracked going forward. We need to know what the costs are, and what they would be going forward, to operate the department. It’s not clear, with the way things are being done, who the assets belong to, and as such they are not being shown in the financial statements. Assets are owned by the Association, although they are in use by the Department, until they are transferred to the municipality, at which point they can be recorded as an asset.

- CAO Keenan has perhaps mischaracterized the contribution of assets as ‘in
- For example: the truck has been purchased by the Association. The verbal agreement we have is that the proceeds from the sale of the truck would return to the non-profit, however it is used by the municipality, and insured by the municipality, and that.
- There are ideas going forward for how we could improve these practices, bringing nonprofit association expenses onto the books of the municipality, that would enable capital grants to be accessed.
- I think the existence of a parallel organisation is understandable, given the history of mistrust between the municipality and fire department members.
- Councillor Gilbert reiterated his feelings that the municipality is not properly supporting the fire department, stating that the nonprofit would ideally not be making capital purchases, but they are filling a gap.
- Councillor Brown asked that bring the discussion back to the question at hand, the audit and it’s accuracy/completeness.
- Ms Wheeler stated that the question we are addressing is whether a note should be added to the financial statements reflecting the relationship between the municipality and the Association
- Councillor Gilbert suggested no, and that we work towards getting complete information on costs. In an ideal world, the nonprofit association is not subsidizing the operations of municipal government to deliver services.
- CAO Keenan: working towards that goal.
- Ms. Wheeler indicated that there are processes that can be followed to allow for more transparency.
- Deputy Mayor Trainor reiterated that while Councillor Gilbert’s concerns were valid moving forward, this financial report was for the previous year.

With no further questions or discussion on the suggestions.

Mayor Ruben asked CAO Keenan to summarise the amendments arrived at through the discussion:

1. Remove ““s finance and audit committee” from the management letter
2. Acknowledge the water & sewer commission as a corporation, according to current bylaw.
3. She believes the consensus in the room was not to add an additional note to omit discussion or an additional note regarding the fire department
4. There will be changes to the segmented disclosures to further eliminate the “Other” expenses (identifying the seawall amortization cost specifically), and to increase disclosure for Goods and Services breakdown.

Motion moved by Councillor Gilbert to approve these amendments to the audit as presented, seconded by Councillor Brown.

Motion carried unanimously (5-0).

Motion moved to approve the financial statements if so amended, by Councillor McCardle, seconded by Councillor Wright.

Motion carried unanimously (5-0).

Mayor Ruben thanked Ms. Wheeler for attending.

Tara thanked Anna and Marsha, acknowledging the difficulty of answering questions about the whole year, when you've only arrived part-way through the year. Tara left the meeting shortly after 8pm.

Mayor Ruben allowed 3 minutes for public questions and comments on the audit:

- Councillor McCardle asked where do we go from here, and will we make the deadline from the province?
 - CAO Keenan confirmed that the changes would be applied and financials submitted on time, the deadline being in mid-October. (The deadline used to be mid-July, but the legislation was recently Amended).
 - However, it wasn't known that we had recently missed the end-June deadline for the water & sewer statements to be submitted to IRAC and as such those would be submitted late. From her discussions with Ms. Wheeler, CAO Keenan understands that this late submission has occurred in previous years and has never posed a problem in the past. The Water & Sewer Commission needs to approve those statements.

9. Report from CAO

a. Activities report

Summarised by CAO Keenan, full report forms part of the meeting package.

Discussion:

- **Mayor Ruben asked if the objective of the municipality is to continue to consider the purchases of the fire department non-profit association to be owned by that organisation, while we seek more information about the costs, so that we can budget properly going forward.** CAO Keenan stated that unlike other municipal assets, the cost of replacement of Fire Department equipment is important to have a very transparent picture of, because it affects people's health and safety. She stated that she won't be attempting to make changes in the ownership of assets within that department, nor recommending any significant changes in fire service delivery to Council, until all the pertinent information is known, ie, when the inventory is complete and the full annual cost of capital replacement is known, what the

comparative costs of, what would the impact be on insurance costs for residents, what would the Fire Marshall recommend. However, she is pleased with the progress we are making towards gathering more information to inform future budgeting, and this work will continue over the coming months.

- **A member of the public asked for elaboration on the municipality has said to AMAR is required.** CAO Keenan stated that AMAR was directed to the bylaws and processes in the municipality, that they would need to follow if they want the development to go ahead.
 - Mayor Ruben reminded the members of the public that after the report, there will be an opportunity for the public to ask questions.
 - CAO Keenan noted that there will also be an opportunity for Councillors to ask questions, after the report.
 - **Councillor Gilbert expressed his concern that it's July and the Victoria Park lease ends on August 3,** with no clarity on land ownership. He expressed concern about statements made by AMAR that 'the village is supportive of this', even though he has heard varying comments, ranging from support to concern, from residents. He shared that has extensive notes that he's willing to share with anyone who wants to read them. He'd like to see the municipality follow up on our request to the province to renew the lease or take ownership of the park, and feels the municipality should be more engaged in attempts to do that.

Mayor Ruben requested that questions from Councillors or the public be held so that CAO Keenan could finish summarising her report.

Councillor Gilbert also noted that in Mayor Ruben's absence, we have tried to keep meetings to 2 hours.

Mayor Ruben noted that tonight's meeting included the Financial Statements, which would normally be referred to a Committee in other municipalities, and asked to return to the CAO report.

CAO Keenan read the letter from the provincial property manager regarding the park lease, which ends on August 3 which stated "I can assure you that if the lease is not renewed by August 3, the municipality can continue its operation of the park property. Technically, if we continue to support your use of the property and you are desirous of continuing to maintain it, the lease is viewed as being in an overhold position, meaning that the same conditions are in effect." She stated that she is extremely confident that nothing is going to change on August 4, and there will certainly not be shovels in the ground on August 4, as there has not been any development application nor permit issued for that land, it remains zones as Recreational and Open Space. Even if the ownership changed, this would be the case.

However, a transfer of ownership of the land would be extremely unlikely to occur before a development permit by the municipality was issued - this would be an unwise business

decision. Even if the province supports development, they cannot proceed without Municipal approval.

After being questioned by members of the public with concerns about the Amar property multiple times while giving her report, CAO Keenan reminded the public present this was a meeting of council that the public is invited to observe until invited to speak.

b. Actions list - list forms part of the meeting package.

c. Development permits report - report forms part of the meeting package.

d. Financial update - full report forms part of the meeting package.

e. Water test results transparency - full report forms part of the meeting package.

10. Inquiries by members of Council

- Councillor Brown stated that she's received many positive comments about the cleanliness of the village right now, and thanked CAO Keenan for the work she did to arrange for a new solution to waste bins in the village.
 - CAO Keenan indicated that she'd relay that message to Phil Lamarche, the seasonal maintenance staffer.
- Councillor Gilbert, in relation to Victoria Park, asked what will happen if the lease is not renewed by August 3.
 - CAO Keenan explained that the current lease will be assumed to remain. The existing lease (operation of the property as a park) is assumed to continue in an overhold position, unless the land is sold or a new lease signed. A transfer of ownership, or renewal of the lease, has been requested by the municipality.
 - When asked by Mayor Ruben if Councillor Gilbert thought the municipality should be doing something different, he recommended posting the community newsletters to the municipal website going forward. This was actioned earlier in the meeting.
- Councillor Gilbert then questioned if the seasonal maintenance person had been instructed by the CAO that he should not paint the Victoria Park bathroom floor 'because the building was going to be torn down next year'.
 - CAO Keenan clarified that no, when Phil asked if he should paint the floor, she communicated that she did not recommend investing in painting the floor because of the uncertainty of the future of that building, and the fact that paint on concrete eventually flakes, and that a concrete floor is adequate. The flaking paint was scraped back in May by Allan Marshall, under the beach grant funding, and the current concrete floor is suitable for the purpose.
- Councillor Wright questioned if there were actions of Council that AMAR or the province are waiting on, that would hold up decisions, and if there is an indication of a known timeline for decisions to be provided.

- CAO Keenan confirmed no, there are no actionable items for the municipality to respond to on this matter, as we have received no application. Due to the presence of a surveyor on the site, she expects that we may receive such a proposal within a few months, however she also perceives a lot of hesitancy from the province to support this development proposal, given the sensitivities about shoreline development. They seem to currently be unsure whether they will support the development, as have various perspectives to balance - economy, tourism, environment, and so on.
- It is only with the support of the province, as the current owners of that property, that we would receive a development proposal from Amar, at which point we go through the process to decide whether it is in the municipality's interests and meets our development bylaw requirements.
- She notes that given the amount of time spent on the issue to date, and the lack of an official proposal, she sees no need for her to spend more of her time, or Council's time, until a proposal is received.
- Deputy Mayor Trainor asked if there was an update on boardwalk repairs.
 - CAO Keenan indicated that a quote for the boardwalk had been received and that she was considering going ahead with that expense, which was significant, and it can no longer be covered by insurance due to the years elapsed since that time.
 - Deputy Mayor Trainor suggested a simpler repair by our current maintenance person, rather than a replacement of the posts, which is expensive and perhaps unnecessary.
 - CAO Keenan agreed with this suggestion, noting that it could free up operational budget, and the general consensus in the room was that this was a good idea.
- **Action item** - arrange for the rope at the boardwalk to be removed/cut/tied in a way that improves the look of the area and so that it's not hanging on the ground or posing any danger to the public.
- Deputy Mayor Trainor asked if there was an update on the Water St property that has broken windows.
 - FAA Empson responded that attempts to communicate with the owners had been made. They were notified that windows were broken, and a response to that notification was received.
 - CAO Keenan indicated that the property has been reported to the province as an unsightly property. It is a private property, and the municipality has no bylaw that would give them the ability to order change.
- Councillor McCardle indicated that a recommendation was made in 2022 to charge extra fees to businesses (both restaurants, and including BnB's such as her own residence) for water & sewer services. She suggests that the water & sewer commission consider this.
- Councillor Wright questioned whether the insurance policy held by the municipality covered the boardwalk, breakwater and rocks. He noted that people climb in unsafe areas.

Action item - CAO to review the current policy, to see if the lighthouse, seaport museum and the boardwalk and breakwater, are covered.

Council discussed the process for completing the meeting, given the hour.

Mayor Ruben deferred other questions, including questions on financial aspects of the CAO report, to a future session, in the interests of time.

3 minutes was allotted for public questions and comments.

Alison Jenkins apologized for interrupting the meeting earlier, and read the remainder of a prepared statement regarding future development at Victoria Park beach:

- I strongly encourage the municipality to ensure that any development follows municipal bylaws, which you have indicated it will, as well as provincial legislation governing shoreline development.
- I hear that the impression the company is getting is that Victoria by the Sea is open to a development, and that the community is waiting to take the pulse of the community. We are here tonight to show that we are opposing.
- The Lands Protection Act section 5 includes that “*a Corporation shall not have an aggregate land holding (a) in excess of five acres; or (b) having a shore frontage in excess of 165 feet, measured in a line following the general trend of the shore frontage,*” [CAO note in preparing the minutes - the text of the Lands Protection Act also includes ‘unless it first receives permission to do so from the Lieutenant Governor in Council’.]
- In addition, there is a moratorium on shoreline development.
- As a lifelong Islander, I’m pretty cynical that the government is not just going to do whatever it wants, especially in the name of business, but at least I can get it on the record that I am watching closely, and I know that there are others watching closely as well.
- We’ve seen on Point Descroches that it was all approved legally, even though it’s in contravention of all its own acts, and is referring to a working agreement that doesn’t exist.
- I would hate to see that happen here, and I would hate to see Victoria accused as a municipality of allowing something like that to happen.
- I think there will be a lot of eyes, not only those of us here tonight, and I urge you to ensure that the province does not sell the f-ing beach!
- Thank you for allowing me the opportunity to comment, and thank you for taking care of this beautiful village.

Councillor Gilbert thanked Alison for her presentation, encouraged her to submit her prepared statement in writing to the CAO and Council.

11. Introduction and Reading of Bylaws

(None this month - Fire Services Bylaw passed first reading in May 2023 and awaits amendment and second reading)

12. Appointments to Committees

- a. Motion #2023-45: Appointing Hilary Price to the Water & Sewer Commission**
Motion moved by Councillor Brown, seconded by Deputy Mayor Trainor.
Motion carried unanimously (5/0):

WHEREAS

There is currently a vacancy for 1 resident on the Water & Sewer Commission.

WHEREAS

The Water & Sewer Commission bylaws requires a minimum of 2 Councillors and 2 Residents on the Water & Sewer Commission, and in equal number.

WHEREAS

Hilary Price has offered to serve on the Water & Sewer Commission as a resident representative.

BE IT RESOLVED

That Council appoints Hilary Price as a resident representative on the Water & Sewer Commission.

13. Introduction of New Business

- a. Motion #2023-46 - Canada Post requests decision Community Mail Boxes**
Motion moved by Councillor McCardle, seconded by Councillor Brown.

BE IT RESOLVED that the Rural Municipality of Victoria supports Canada Post establishing a Community Mail Box in the town, following the closure of the existing Dealer.

BE IT FURTHER RESOLVED that Municipal staff will share information on the transition process with the public, will invite members of the public to share their ideas about potential locations, and will share any public input with Canada Post, to inform their decision on location.

Discussion

- **Councillor Gilbert expressed that he doesn't feel closing post office and moving to community mailboxes is the best option.** He suggested that the municipality canvas residents to see if anyone is willing to host a location for a post office.
- **Deputy Mayor Trainor agreed that the public should be informed of the option to host a location.**

After discussion, *Councillor McCardle rescinded the motion.*

Action item - CAO to present the news of the post office closing in September to the public, with the option of offering up a location to host at a different site, and will follow up with Canada Post on their decision-making deadlines.

It will be noted that Canada Post holds all of the decision-making power on placement, not the municipality. Suggestions or expression of interest from the municipality, or residents, will be considered by Canada Post.

- b. Motion #2023-47 - Recommending acceptance of Island Coastal's bid on the Causeway Watermain Project**
Motion moved by Councillor Gilbert, seconded by Councillor Brown.
Motion carried unanimously (5/0).

WHEREAS Stantec completed their engineering work on the Causeway Watermain project, on behalf of the W&S Commission, and the Municipality secured all required permits, and that Stantec therefore put out [a Tender notice](#) that was open for bids between June 15 and June 29, 2023.

WHEREAS a single submission (see attachment) was received from Island Coastal, for a total cost of \$89,360+HST, attesting that the work can be completed within a window of 17 days, and this amount is within the \$155,000 Capital budget that Council had reserved for the Causeway project.

BE IT RESOLVED that Council recommends that, should all other aspects of the bid from Island Coastal be considered acceptable to the Water & Sewer Commission, that they accept the tender by Island Coastal.

BE IT FURTHER RESOLVED that a meeting of the Water & Sewer Commission be scheduled as soon as possible, to allow for timely approval and commencement of the work.

- c. Motion #2023-48 - Support for the Playhouse to obtain a Liquor Licence for service during performances only**
Motion moved by Councillor Gilbert, seconded by Councillor Brown.

Discussion:

- **Councillor Wright pointed out that the motion as written provided no true definition of when they can start serving.** To avoid potential future issues, he suggested putting specific times.

- After discussion it was agreed by consensus to adjust the wording to allow for alcohol service for 1 hour prior to show time and during intermissions of theatrical performances.

Motion to amend the wording as discussed. moved by Councillor Gilbert, seconded by Councillor Wright, Carried unanimously (5/0).

Motion carried unanimously as Amended (5/0):

WHEREAS Council has received the letter attached as Schedule A, from the Victoria Playhouse, requesting the Municipality's support in applying for a liquor licence.

WHEREAS the Development Officer and CAO consider that if the licence for service of alcohol is restricted only to periods immediately pre-show and during the intermission of theatrical performances, and that no new seating is added, that this does not constitute a 'change of use' for the Community Hall under our Development Bylaw, but rather that it falls under the existing Permitted Use of the Community Hall, which is its operation as a theatre.

BE IT RESOLVED that the Rural Municipality of Victoria supports the Victoria Playhouse obtaining a Liquor Licence, under the following conditions:

1. service being restricted to periods immediately (1 hour) pre-show and during intermission of theatrical performances
2. that all alcohol be consumed on the premises,
3. that no structural changes are made to the building to facilitate alcohol service,
4. that no additional seating is added.

BE IT FURTHER RESOLVED that, should the Playhouse desire in future to expand liquor service outside of the above conditions, that a Development Permit application and approval would be required.

d. Motion #2023-49 - Approving the Change of Use aspects of Linda Gilbert's development application V-23-04 (23 Howard St)

Councillor Gilbert left the meeting at 9:05pm due to conflict of interest.

Motion moved by Councillor Wright.

- At this point Councillor Brown indicated that she was unsure of the rules and didn't want this to come back as improperly approved.
- Councillor McCardle shared that in previous years, this application was refused for lack of parking, and she doesn't feel that we have sufficient information before us to make the decision.

After some discussion with multiple Councillors naming that they did not have sufficient information, there was no seconder, and the motion was dismissed.

- e. Motion #2023-50 - Encouraging immediate approval for the Storage Building in Linda Gilbert's development application V-23-05 (11 Main St)**

No Councillor moved the motion, the issue was deferred.

Action item - CAO to schedule meeting with Development Officer and applicant to gather more information on both permits.

Councillor Gilbert returned to the meeting.

Councillor Gilbert motioned to close the meeting at 9:18pm, seconded by Councillor Brown. Motion carried unanimously (5/0).

14. In-camera items discussed:

- a. Approval of minutes of in-camera session, June 12**
- b. Updates to and questions from Council on legal matters, particularly development permit issues & appeals, and bylaw enforcement**
- c. Updates to and questions from Council on in-camera discussions from the Planning Board**

Councillor Brown motioned to open the meeting at 9:36pm, seconded by Deputy Mayor Trainor. Motion carried unanimously (5/0).

15. Adjournment

Mayor Ruben asked for council's permission to ask questions to the CAO about the interim financial statements, and share with council via email. No objections.

Mayor Ruben adjourned the meeting at 9:38pm.