

Minutes of a Meeting of the Council of the Regional Municipality of Wood Buffalo held in the Council Chamber at the Municipal Offices in Fort McMurray, Alberta, on Tuesday, February 28, 2017, commencing at 6:00 p.m.

Present: P. Meagher, Acting Mayor
T. Ault, Councillor
J. Cardinal, Councillor
S. Germain, Councillor
J. Stroud, Councillor
A. Vinni, Councillor
C. Voyageur, Councillor (via teleconference)

Absent: M. Blake, Mayor
L. Bussieres, Councillor
K. McGrath, Councillor
C. Tatum, Councillor

Administration: A. Antoniak, Interim Chief Administrative Officer
A. Rogers, Chief Legislative Officer
E. Hutton, Chief Financial Officer
R. Billard, Director
C. Bouchard, Director
J. Doyle, Director
D. George, Director
R. Marshall, Legislative Officer

Call To Order

Acting Mayor P. Meagher called the meeting to order at 6:00 p.m. and passed on regrets on behalf of Mayor M. Blake, Councillor L. Bussieres, Councillor K. McGrath and Councillor C. Tatum who were unable to attend this evening.

Adoption of Agenda

Moved by Councillor J. Stroud that the Agenda be adopted as presented.

Minutes of Previous Meetings

1. Regular Council Meeting - February 21, 2017

Moved by Councillor J. Stroud that the Minutes of the Council Meeting held on February 21, 2017 be approved as presented.
CARRIED UNANIMOUSLY

Recognition

**2. Children's Wish Month
Social Work Week
William McMurray Day**

Acting Mayor P. Meagher spoke to the proclamations for Children's Wish Month, March; Social Work Week, March 5-11; and William McMurray Day March 4.

Bylaws

3. Land Planning and Transportation Committee Recommendation - Bylaw No.17/001 - Undeveloped Government Road Allowance Closures within the Canadian Natural Resources Limited Horizon Project Area

(6:05 p.m. – 6:06 p.m.)

Moved by Councillor T. Ault that Bylaw No. 17/001, being a bylaw to close undeveloped government road allowances within the Canadian Natural Resources Limited Horizon Oil Sands project area, be read a first time; and that the public hearing be scheduled for Tuesday, March 28, 2017.

CARRIED UNANIMOUSLY

4. Land Planning and Transportation Committee Recommendation - Bylaw No. 17/002 – Undeveloped Government Road Allowance Closures within the Enbridge Pipelines (Athabasca) Inc. Project Area

(6:06 p.m. – 6:07 p.m.)

Moved by Councillor J. Stroud that Bylaw No. 17/002, being a bylaw to close undeveloped government road allowances within the Enbridge Pipelines (Athabasca) Inc. project area, be read a first time; and that the public hearing be scheduled for Tuesday, March 28, 2017.

CARRIED UNANIMOUSLY

5. Land Planning and Transportation Committee Recommendation – Bylaw No. 17/003 – Undeveloped Government Road Allowance Closures within the Total E&P Canada Joslyn North Mine Project

(6:08 p.m. – 6:09 p.m.)

Moved by Councillor T. Ault that Bylaw No.17/003, being a bylaw to close undeveloped government road allowances within the Total E&P Canada Joslyn North Mine project area, be read a first time; and that the public hearing be scheduled for Tuesday, March 28, 2017.

CARRIED UNANIMOUSLY

Pecuniary Interest

Councillor T. Ault declared a potential pecuniary interest in the following agenda item due to an employment relationship and exited the Chamber at 6:09 p.m.

6. Land Planning and Transportation Committee Recommendation – Bylaw No. 17/004 – Closure of Forestry Road FRD 640002 within the Fort Hills Oil Sands Project Area

(6:09 p.m. – 6:10 p.m.)

Moved by Councillor J. Cardinal that Bylaw No.17/004, being a bylaw to close Forestry Road FRD 640002, within the Fort Hills Oil Sands Project area, be read a first time; and that the public hearing be scheduled for Tuesday, March 28, 2017.

CARRIED UNANIMOUSLY

Return

Councillor T. Ault returned to the chamber at 6:10 p.m.

Reports

7. Land Planning and Transportation Committee Recommendation – Sale of Lot 11, Block 1, Plan 1521203 in Fort McKay

(6:10 p.m. – 6:25 p.m.)

Moved by Councillor J. Stroud that the Municipality enter into a land sale agreement with the Fort McKay Group of Companies Limited in accordance with the Land Sale Terms and Conditions, dated January 4, 2017 (Attachment 1 to the Land Planning and Transportation Committee Report, dated February 21, 2017).

Jamie Doyle, Director of Planning and Development, spoke to the land sale agreement with the Fort McKay Group of Companies Limited.

Jim Rogers, resident, spoke in opposition to the recommendation.

CARRIED UNANIMOUSLY

8. Sustainable Development Committee Recommendation – Licence of Occupation Agreement – Borealis Canoe Club

(6:25 p.m. – 7:02 p.m.)

Councillor J. Cardinal put forward the following for consideration: “That the Municipality enter into a Licence of Occupation Agreement with the Borealis Canoe Club for the use of a portion of land legally described as Lot 9, Block 1, Plan 616AO; Lot OT, Block 1, Plan 616AO; and Road Right-of-Way adjacent to Morimoto Drive, at fair market value, in accordance with the terms and conditions dated January 6, 2017 (Attachment 1 to the Sustainable Development Committee Report, dated February 7, 2017).”

Jamie Doyle, Director of Planning and Development, spoke to the Licence of Occupation Agreement with the Borealis Canoe Club.

John Keough, member of the Borealis Canoe Club, provided a presentation and spoke to the goals of the Club, as well as the benefits that the Club brings to the community. Mr. Keough

indicated that the Club is seeking approval to enter into the Licence of Occupation Agreement for \$1.00 as they are a not-for-profit organization.

Paul McLeod, resident, spoke in support to the recommendation, but noted that the land should be leased at a nominal rate as opposed to fair market value.

Justin Ellis, resident, spoke in support to the recommendation, but indicated that the land should be leased at a nominal rate as opposed to fair market value.

Keith Smith, Senior Manager, Land Administration, confirmed that previous Licence of Occupation and Leases have been issued to not-for-profit organizations for a nominal sum.

Councillor T. Ault proposed a friendly amendment to the motion to change “fair market value” to “\$1.00”. There were no objections from Council; therefore, this was deemed to be passed with unanimous consent.

Moved by Councillor A. Vinni that Attachment 1 to the Sustainable Committee Report dated February 7, 2017 (Summary Terms and Conditions) be amended to change the term from one (1) year with the right to extend for another one (1) year to a term of five (5) years with the right to extend for another five (5) years, and by striking out paragraph two (2) under Conditions from the Summary Terms and Conditions.

CARRIED UNANIMOUSLY

Voting then occurred on Councillor J. Cardinal’s original motion, which now reads as follows:

Moved by Councillor J. Cardinal that the Municipality enter into a Licence of Occupation Agreement with the Borealis Canoe Club for the use of a portion of land legally described as Lot 9, Block 1, Plan 616AO; Lot OT, Block 1, Plan 616AO; and Road Right-of-Way adjacent to Morimoto Drive, at the nominal rate of \$1.00 per year, in accordance with the terms and conditions dated January 6, 2017 (Attachment 1 to the Sustainable Development Committee Report, dated February 7, 2017), as amended.

CARRIED UNANIMOUSLY

9. Selection Committee Recommendations – Council Committee Appointments
(7:02 p.m. – 7:04 p.m.)

Moved by Councillor J. Cardinal that the following appointments be approved, effective immediately:

- **Community Services Committee:** Travis Strickland to December 31, 2018.
- **Public Art Committee:** Brandie Lake to December 31, 2017.
- **Regional Advisory Committee on Inclusion, Diversity and Equality:** Farai Kufakwedu to December 31, 2017.
- **Wood Buffalo Housing and Development Corporation:** Celina Malcolm to December 31, 2017.

CARRIED UNANIMOUSLY

10. 2017 Capital Budget Amendments – Revised and New Projects

(7:05 p.m. – 7:10 p.m.)

Moved by Councillor J. Stroud:

- That the 2017 Capital Budget Amendments as summarized on Attachment 1 (2017 Capital Budget Amendments – Revised and New Projects) dated February 28, 2017 be approved; and
- That the revised Cash Flow of Capital Projects as summarized on Attachment 2 (2017 Capital Budget Amendments – Revised and New Projects – Projects Cash Flow Summary), dated February 28, 2017 be approved.

Linda Ollivier, Director of Finance, spoke to the 2017 capital budget amendments, indicating that it will result in a net decrease in capital funding of \$4,935,000 in 2017.

CARRIED UNANIMOUSLY

11. 2017 Property Tax Relief

(7:10 p.m. – 7:49 p.m.)

Councillor S. Germain put forward the following for consideration:

“WHEREAS the Council considers it equitable to

- (a) cancel the municipal portion of property taxes that will become due and payable upon enactment of the 2017 Property Tax Bylaw in respect of residential properties that were destroyed or irreparably damaged by the wildfire of May 2016 and that remained uninhabitable as of January 1, 2017, and
- (b) take other steps as set out in this resolution to further support affected residential property taxpayers in a fair and equitable manner and to seek financial support from the Government of Alberta for the loss of municipal revenue resulting from providing relief to such taxpayers;

NOW THEREFORE BE IT RESOLVED that Council, in the exercise of its discretion and authority under Section 347 of the Municipal Government Act, hereby approves cancellation of the municipal portion of property tax on residential properties in accordance with the following, to become effective immediately after enactment of the 2017 Property Tax Bylaw:

For every residential property that continues to be uninhabitable as of January 1, 2017 because it was destroyed or irreparably damaged by the wildfire, cancellation of the amount representing the pro-rated daily amount of the whole municipal portion of 2017 property tax , including land and building, multiplied by the number of days in 2017 until the first to occur of:

- (a) Completion of reconstruction of the residence on the property as determined through the issuance of a final occupancy permit;

- (b) Sale of the property to a new owner, or;
- (c) The end of the calendar year 2017;

AND BE IT FURTHER RESOLVED that Administration is directed to implement the aforesaid tax cancellations when they take effect, in a manner that exempts from tax cancellation those property owners whose insurance policies cover some or all of their property tax liability or who wish to voluntarily pay the full amount of their 2017 property taxes, to the extent that the software, systems and procedures of the Taxation and Assessment Department will so allow;

AND BE IT FURTHER RESOLVED that Council ask the Mayor to make a request to the Government of Alberta on Council's behalf to waive that portion of the provincial education requisition for 2017 that would ordinarily be payable by property owners for whom the municipal portion of property tax is to be cancelled in accordance with this resolution;

AND BE IT FURTHER RESOLVED that Administration be directed to make application to the Government of Alberta for funding support to the Regional Municipality in an amount equal to the municipal portion of property taxes to be cancelled in accordance with this resolution;

AND BE IT FURTHER RESOLVED that Administration be directed to prepare for Council's consideration a bylaw to over-ride the provisions of the Tax Penalty Bylaw in order to effect cancellations or refunds of penalties that were applied on January 1, 2017 and would otherwise be applied at later times in 2017 to residential property taxes in arrears, to the extent that such penalties arise from the portion of tax arrears that relates to the 2016 provincial education requisition, such over-riding bylaw to be drafted to be effective if and when and to the extent that the Government of Alberta pays a refund to the Regional Municipality of Wood Buffalo (RMWB) for all or a portion of the amount paid by the RMWB to the Government of Alberta on account of the 2016 provincial education requisition."

Councillor S. Germain indicated that he wished to make the following friendly amendments to the motion before Council:

- Deleting the words "final occupancy permit" from subsection (a) and replacing it with "Permit Service Report" and
- Deleting the paragraph immediately following subsection (c) and replacing it with "AND BE IT FURTHER RESOLVED that Administration is directed to implement the aforesaid tax cancellations when they take effect, in a manner that allows those who wish to voluntarily pay the full amount of their 2017 property taxes, to the extent that the software, systems and procedures of the Taxation and Assessment Department will so allow;"

As there were no objections from Council, the friendly amendment was deemed passed with unanimous consent.

Jim Rogers, resident, spoke in support of the motion.

Marty Giles, resident, spoke in support of parts of the motion, but noted that property owners should be paying taxes on the value of the property that they own, and that any exemption or cancellation should apply only to primary residences and not include rental properties.

Justin Ellis, resident, spoke in opposition of the motion, noting that residents with standing homes should not be forced to bear the additional tax burden associated with exempting those with now-vacant land from paying the municipal portion.

Paul McLeod, resident, spoke in opposition to the motion, also noting that it would be unfair to pass the tax burden onto residents with standing homes.

Assuming of the Chair

Councillor J. Stroud assumed the Chair at 7:43 p.m. to allow Acting Mayor P. Meagher to put forward the following motion for consideration:

Moved by Acting Mayor P. Meagher that this item be deferred for up to one month to allow administration more time to review this item.

CARRIED

For: J. Cardinal, P. Meagher, J. Stroud,
C. Voyageur

Opposed: T. Ault, S. Germain, A. Vinni

Resuming of the Chair

Acting Mayor P. Meagher resumed the Chair at 7:49 p.m.

Adjournment

As all scheduled business matters had been concluded, Acting Mayor P. Meagher declared the meeting adjourned at 7:50 p.m.

Mayor

Chief Legislative Officer