

MINUTES OF A REGULAR MEETING OF THE COUNCIL OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO HELD IN THE COUNCIL CHAMBERS AT THE MUNICIPAL OFFICES IN FORT McMURRAY, ON TUESDAY, JULY 12, 2005, COMMENCING AT 6:00 P.M.

PRESENT:	MAYOR	M. BLAKE
	DEPUTY MAYOR	J. VYBOH
	COUNCILLORS	J. CARBERY J. CHADI L. FLETT S. GERMAIN R. REBUS C. SLADE L. WILTZEN
	ACTING REGIONAL MANAGER	B. FEDORAK
	CHIEF LEGISLATIVE OFFICER	K. GREIG
	LEGISLATIVE COORDINATOR	A. HAWKINS
ABSENT:	COUNCILLORS	S. CLARKSON P. MEAGHER

CALL TO ORDER

The Mayor called the meeting to order at 6:01p.m.

1. PRAYER

The Mayor asked everybody to join her in the Prayer.

2. ADOPTION OF AGENDA

The Mayor asked if there were any additions or deletions to the Agenda.

MOVED by Deputy Mayor Vyboh that the Agenda be adopted with the following amendments:

- Remove Pages 82 to 86 (Agenda Bill #05-128) and replace with revised Pages 82 to 86B;
- Remove Page 137 and replace with revised Page 137;
- Delete Page 142 (Agenda Bill #05-147); and
- Remove Pages 159 to 163 (Agenda Bill #05-150) and replace with revised Pages 159 to 163A.

CARRIED UNANIMOUSLY

3. PRESENTATIONS

A. MR. BRIAN FAYANT, METIS LOCAL 1935 RE: METIS CULTURAL CENTRE 05/191

Mr. Fayant came forward and explained that the Metis Local 1935 is requesting a letter of support to acquire the land that the Metis Local 1935 is presently occupying across the road from the Sawridge Hotel. Mr. Fayant explained the Metis Local 1935 is looking to build a cultural centre on the site in question, which would be a benefit not only to the Metis population, but to the entire Regional Municipality of Wood Buffalo.

B. MR. DAVE MARSHALL, WOOD BUFFALO BUILDERS ASSOCIATION RE: OFF-SITE LEVIES WORKSHOP 05/192

Mr. Marshall came forward and explained that the Wood Buffalo Builders Association is trying to set up an off-site levies workshop with participation from Municipal Affairs and representatives from AUMA.

He was present to extend an invitation to Council members and to staff to attend the workshop.

C. BUSINESS ARISING OUT OF PRESENTATIONS 05/193

I. Metis Cultural Centre

MOVED by Councillor Rebus that a letter of support for the Metis Cultural Centre be provided to the Metis Local 1935.

CARRIED UNANIMOUSLY

II. Off-site Levies Workshop

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MOVED by Councillor Rebus that the presentation made by Mr. Dave Marshall be received as information.

CARRIED UNANIMOUSLY

Mr. Marshall was directed to provide further information relative to the date of the workshop to the Municipality, when available.

4. MINUTES OF PREVIOUS MEETINGS

A. REGULAR MEETING – JUNE 28, 2005

The Minutes of the Regular Council Meeting held on June 28, 2005 were submitted for consideration.

MOVED by Deputy Mayor Vyboh that the Minutes of the Regular Council Meeting held on June 28, 2005 be approved with the following amendments:

- Page 3, Item 3-C – replace “Clarks” with “Clarkson”;
- Page 15, Item 8-C – remove “Meagher” from voting list;
- Page 16, Item 8-F – remove “Meagher” from voting list;
- Page 17, Item 8-F – identify Councillor Germain as voting against 2nd and 3rd readings of Bylaw No. 05/027.

CARRIED UNANIMOUSLY

4-B. PUBLIC HEARING – JUNE 28, 2005

The Minutes of the Public Hearing held on June 28, 2005 were submitted for consideration.

MOVED by Deputy Mayor Vyboh that the Minutes of the Public Hearing held on June 28, 2005 be approved with the following amendment:

- Page 1, change date of Public Hearing from June 14 to June 28.

CARRIED UNANIMOUSLY

4-C. BUSINESS ARISING OUT OF MINUTES

There was no business arising out of the Minutes.

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5. PUBLIC HEARINGS

MOVED by Councillor Rebus that the Regular Meeting move into the Public Hearing at 6:14 p.m.

CARRIED UNANIMOUSLY

RECONVENE

The regular meeting reconvened at 6:45 p.m.

6. UPDATES

**A. REPORTING OF COUNCILLORS ON VARIOUS BOARDS/COMMITTEES
(COUNCILLORS FLETT, SLADE, DEPUTY MAYOR VYBOH AND COUNCILLOR
WILTZEN)**

Councillor Flett reported on the following:

- Aboriginal Day event held at Heritage Park
- Day Care Awards in Fort Chipewyan
- Grand Opening of Fort MacKay new office
- Canada Day celebrations

Councillor Slade reported on the following:

- MLAs Tour
- MacDonald Island Park
- Wood Buffalo Housing & Development Corporation
- Wished everybody a great and safe summer recess

Deputy Mayor Vyboh reported on the following:

- MLAs Tour and various issues discussed/addressed
- Discussion held relative to challenges faced in the downtown core and suggestion that Protective Services Standing Committee look at enhancing police traffic control downtown and designating police officers to the downtown area over the summer recess instead of only using volunteers as is currently the case

Councillor Wiltzen reported on the following:

- Attendance at Willow Lake Community Association meetings
- Attendance at graduation ceremony in Janvier
- Participation in MLAs Tour

6-B. MAYOR'S UPDATE

Mayor Blake reported on the following:

- Attendance at Composite High School Graduation
- Canada Day Parade – Municipality took 3rd place. The Municipality also placed first in the municipality category in the Calgary Stampede Parade
- MLAs Tour and announcements made relative to land being released, assistance with the tertiary treatment plant and an additional \$200M for road work
- Recognized the community of Fort MacKay which won overall for communities between 300 and 900 category in the “Chose Well Community Challenge”
- This is the last meeting before summer recess, the next regular Council meeting will be held on August 23.

Councillor Slade then commended Mayor Blake for being part of the top 15 list in the Alberta Venture Magazine.

7. REPORTS

7-A. AGENDA BILL # 05-133 – OPTI/NEXEN & CONOCOPHILLIPS – ANZAC POLICING INITIATIVE PROPOSAL 05/194

Reference was made to Agenda Bill #05-133, being the Report prepared by Inspector Peter Clark, RCMP, regarding OPTI/NEXEN & ConocoPhillips Anzac Policing Initiative Proposal.

MOVED Councillor Wiltzen:

1. THAT Administration accept and formalize the proposal put forward by OPIT/NEXEN and ConocoPhillips.
2. THAT Administration dialogue with the Province to participate in the Anzac Policing Initiative through an enhanced policing agreement and Administration ensure the necessary agreements and invoicing procedures are developed with OPTI/NEXEN and ConocoPhillips.
3. THAT failing Provincial participation in the Anzac Policing Initiative through an enhanced policing agreement, the Officer in Charge of Fort McMurray/Fort Chipewyan Detachment's deploy one of the municipally funded rural RCMP Constables to the Anzac Policing Initiative for a period of two years commencing on September 11, 2005 or as soon thereafter as possible.

CARRIED UNANIMOUSLY

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**7-B. AGENDA BILL # 05-134 – MacDONALD ISLAND PARK CORPORATION
DECEMBER 31, 2004 FINANCIAL RESULTS**
05/195

Reference was made to Agenda Bill #05-134, being the Report dated June 24, 2005 and prepared by Darold Sturgeon, Corporate Services, regarding MacDonald Island Park Corporation - December 31, 2004 Financial Results.

MOVED by Councillor Carbery that the 2004 audited financial statements of the MacDonald Island Park Corporation be accepted as information.

CARRIED UNANIMOUSLY

7-C. AGENDA BILL # 05-135 – MacDONALD ISLAND PARK CORPORATION FUNDING
05/196

Reference was made to Agenda Bill #05-135, being Report dated June 27, 2005 and prepared by Stephen Clarke, Community Services, regarding MacDonald Island Park Corporation Funding.

MOVED by Councillor Chadi that the Regional Municipality of Wood Buffalo provide MacDonald Island Park Corporation a grant in the amount of \$935,991 to eliminate the Corporation's unrestricted deficiency as at December 31, 2004.

CARRIED UNANIMOUSLY

**7-D. AGENDA BILL #05-136 – TIMBERLEA ATHLETIC PARK PHASE TWO (TENDER #
QU1679)**
05/197

Reference was made to Agenda Bill #05-136, being Report dated July 6, 2005 and prepared by Stephen Clarke, Community Services, regarding Timberlea Athletic Park Phase Two (Tender # QU1679).

MOVED by Deputy Mayor Vyboh:

1. THAT Wilco Landscape Contractors be awarded the Timberlea Athletic Park Phase Two Contract for \$4,749,125.55 plus GST.
2. THAT the parking lot and sports field lights, trail lights and the power service be re-tendered on or before September 2005.

CARRIED UNANIMOUSLY

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7-E. AGENDA BILL # 05-137 – TRAIL CONSTRUCTION AND AMENITIES (TENDER # QU1680)
05/198

Reference was made to Agenda Bill #05-137, being Report dated July 6, 2005 and prepared by Stephen Clarke, Community Services, regarding Trail Construction and Amenities (Tender # QU1680).

MOVED by Councillor Rebus that Wilco Landscape Contractors be awarded the Trail Construction and Amenities Contract for \$925,598.65 plus GST.

CARRIED UNANIMOUSLY

7-E. AGENDA BILL #05-138 – COMMUNITY BEAUTIFICATION INITIATIVE
05/199

Reference was made to Agenda Bill #05-138, being Report dated June 30, 2005 and prepared by Peter Spearey, Community Services, regarding Community Beautification Initiative.

MOVED by Deputy Mayor Vyboh:

1. THAT Administration be authorized to prepare a request for proposal (similar to the attached) with the purpose of developing a comprehensive beautification strategy for Fort McMurray.
2. THAT funding in the amount of up to \$150,000.00 be provided from Emerging Issues Reserve Funding.

CARRIED UNANIMOUSLY

7-G. AGENDA BILL #05-139 – FORT McMURRAY WASTE WATER TERTIARY TREATMENT PLANT SUPPLEMENTAL ENGINEERING SERVICES AWARD
05/200

Reference was made to Agenda Bill #05-139, being Report No. ED05-19 dated June 28, 2005 and prepared by Wes Holodniuk, Operations and Maintenance, regarding Fort McMurray Waste Water Tertiary Treatment Plant Supplemental Engineering Services Award.

MOVED by Councillor Chadi that the Supplemental Engineering Services (that includes Design, Tendering, Contract

Administration & Site Supervision) for the Fort McMurray Waste Water Tertiary Treatment Plant be awarded to Earth Tech Canada Inc. for an expenditure of \$4,794,070 plus GST.

CARRIED UNANIMOUSLY

7-H. AGENDA BILL #05-140 – FORT McMURRAY WWTP EQUIPMENT SUPPLY CONTRACT FOR PROCESS AIR BLOWERS SUPPLY SYSTEM
05/201

Reference was made to Agenda Bill #05-140, being Report Mp/ ED05-18, dated June 28, 2005 and prepared by Wes Holodniuk, Operations and Maintenance, regarding Fort McMurray WWTP Equipment Supply Contract for Process Air Blowers Supply System.

MOVED by Deputy Mayor Vyboh that the Supply of Process Air Blowers for the Fort McMurray Waste Water Tertiary Treatment Plant be awarded to Turblex Inc. for an expenditure of \$823,500 plus GST.

CARRIED UNANIMOUSLY

7-I. AGENDA BILL #05-141 – REQUESTS FOR SUPPORT FOR OIL SANDS PROJECTS
05/202

Reference was made to Agenda Bill #05-141 being Report No. PL-077-2005 dated June 29, 2005 and prepared by Beth Sanders, Planning and Development, regarding Requests for Support for Oil Sands Projects.

MOVED by Deputy Mayor Vyboh:

1. THAT Administration be authorized to engage both legal counsel and an economist to pursue opportunities to intervene at the Alberta Energy and Utilities Board in an effort to seek compensation for the impacts of oil sands development on the Municipality.
2. THAT the costs of the intervention, up to \$100,000, be accommodated within the Emerging Issues Reserve Fund.

CARRIED UNANIMOUSLY

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7-J. AGENDA BILL #05-142 – PROPOSED LEASE OF 9816 HARDIN STREET
05/203

Reference was made to Agenda Bill #05-142, being Report No. PD-049-2005, dated April 15, 2005 and prepared by Beth Sanders, Planning and Development, regarding Proposed Lease of 9816 Hardin Street.

MOVED by Councillor Chadi:

1. THAT the Municipality lease 9,015 square feet in the Hardin Street Building, plus eighteen (18) on-site parking spaces, for a minimum of 5 years plus option for an additional 5 years, at a cost of \$319,000 approximately annually including estimated utilities, except for 2005 which will be \$132,917 in rent and utilities plus a fit-up cost estimated to be \$200,000; and
2. THAT the \$332,917 for the 2005 costs be funded from the Planning and Development operating budget; and
3. THAT in the event that the entire amount cannot be accommodated within the Planning and Development operating budget, the balance be funded from the 2005 Corporate Operating Budget surpluses; and
4. THAT in the event that the 2005 Corporate Operating surpluses do not exist or are unable to entirely fund the shortfall, funds be committed from the 2005 Emerging Issues Reserve; and
5. THAT the future costs be accommodated in the 2006-2008 Planning and Development operating budget/financial plans.

CARRIED UNANIMOUSLY

7-K. AGENDA BILL #05-143 – 2005 STAFFING LEVEL BUSINESS CASE FOR GEOGRAPHIC INFORMATION SYSTEMS: GIS PROGRAMMER/ANALYST
05/204

Reference was made to Agenda Bill #05-143, being Report No. PD-073-2005, dated June 17, 2005 and prepared by Stephen Clarke, Planning and Development, regarding 2005 Staffing Level Business Case for Geographic Information Systems: GIS Programmer/Analyst.

MOVED by Deputy Mayor Vyboh that Administration be

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authorized to change the 3 year term contract position (Technology Implementation Coordinator) to permanent full time position.

CARRIED UNANIMOUSLY

7-L. AGENDA BILL #05-144 – 2005 MUNICIPAL CENSUS RESULTS
05/205

Reference was made to Agenda Bill #05-144, being Report No. PD-079-2005 dated July 6, 2005 and prepared by Beth Sanders, Planning and Development, regarding 2005 Municipal Census Results.

MOVED by Councillor Rebus:

1. THAT the Census 2005 Report be accepted as information.
2. THAT the Census 2005 figures be submitted to the Minister of Municipal Affairs as the official regional population for the year 2005.

CARRIED UNANIMOUSLY

RECESS

A break occurred at 7:52 p.m. and the meeting reconvened at 8:18 p.m.

EXIT

Councillor Germain declared conflict of interest with the next item to be discussed and left the meeting at 8:19 p.m.

7-M. AGENDA BILL #05-145 – PROPOSED LAND PURCHASE BY RUSTY'S NATIONAL HOTEL LTD. AND ALLSTAR PROPERTY MANAGEMENT LTD. (MUNICIPAL RESERVE – GREGOIRE)
05/206

Reference was made to Agenda Bill #05-145, being Report No. PD-016A-2005, dated July 6, 2005 and prepared by Beth Sanders, Planning and Development, regarding Proposed Land Purchase by Rusty's National Hotel Ltd. and Allstar Property Management Ltd. (Municipal Reserve – Gregoire)

MOVED by Deputy Mayor Vyboh:

1. THAT Administration be authorized to complete the sale of

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the land to the applicants at the current offered price of \$4.00 per square foot plus a 7% Administration Fee, subject to rezoning the property from EP-Environmental Preservation to C4-Highway Commercial.

2. THAT the net proceeds of the sale be directed to the Other Parks Reserve as per MGA.
3. THAT Administration be directed to bring forward an amendment to the Land Use Bylaw 99/059 to designate that portion of Municipal Reserve to be sold from EP-Environmental Preservation to C4-Highway Commercial.

CARRIED UNANIMOUSLY

RETURN

Councillor Germain returned to the meeting at 8:20 p.m.

7-N. AGENDA BILL #05-146 – AWARD OF CONTRACT: QU#1646 – 2005 WATERMAIN REHABILITATION/STORM REHABILITATION MIP – MacDONALD CRESCENT
05/207

Reference was made to Agenda Bill #05-146, being Report No. PD-074-2005, dated June 16, 2005 and prepared by Stephen Clarke, Planning and Development, regarding Award of Contract: QU# 1646, 2005 Watermain Rehabilitation/Storm Rehabilitation MIP – MacDonald Crescent.

MOVED by Deputy Mayor Vyboh:

1. THAT the contract for the construction of 2005 Watermain Rehabilitation project “Mackenzie Industrial Park – MacDonald Crescent” be awarded to Nikiforuk Construction Ltd. for the amount of \$1,113,966.30 (including G.S.T.).
2. THAT the funding shortfall of \$400,000 be funded from the Capital Infrastructure Reserve.

CARRIED UNANIMOUSLY

7-O. AGENDA BILL #05-147 – APPOINTMENT OF DEVELOPMENT OFFICER
05/208

This item was deleted from the Agenda.

7-P. AGENDA BILL #05-148 – TIMBER HEIGHTS SUBDIVISION – COST SHARING REIMBURSEMENT FOR CARTERET DRIVE

05/209

Reference was made to Agenda Bill #05-148, being Report No. PD-077-2005, dated July 5, 2005 and prepared by Beth Sanders, Planning and Development, regarding Timber Heights Subdivision – Cost Sharing Reimbursement for Carteret Drive.

MOVED by Councillor Carbery:

1. THAT Timber Heights Developments Ltd. be paid \$197,799.70 plus GST to complete the Municipality's obligation under the Development Agreement.
2. THAT Administration be authorized to pay the \$197,799.70 from the Year End Operating Reserve Fund for the purpose of contributing towards the cost of the extension to Carteret Drive.

CARRIED UNANIMOUSLY

7-Q. AGENDA BILL #05-149 – GOLOSKY GROUP OF COMPANIES RELOCATION

05/210

Reference was made to Agenda Bill #05-149, being Report No. PD-062-2005, dated July 5, 2005 and prepared by Beth Sanders, Planning and Development, regarding Golosky Group of Companies Relocation.

MOVED by Councillor Chadi:

1. THAT Administration be directed to subdivide 27 acres of the Forestry site and sell to the Golosky Group of Companies for \$2,970,000 plus GST, and;
2. THAT Administration be directed to purchase the required portion of Lot 1, Block 3, Plan 972 4221 required for the proposed Clearwater Drive from the Golosky Group of Companies for the price of \$23.00 per square foot to a maximum of \$2,548,883 plus GST provided that neither of these transactions take place in isolation and provided that Goloskys grant a right of first refusal for the purchase of any or all of adjacent Golosky land and that both transactions are

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subject to the Terms and Conditions of Sale and Purchase as set out in Attachment 3; and

3. THAT the net proceeds from the transactions be deposited to the Land Acquisition Reserve Fund.

CARRIED

For: Blake, Carbery, Chadi, Flett, Vyboh,
Wiltzen

Opposed: Germain, Slade, Rebus

**7-R. AGENDA BILL NO. 05-150 – APPLICATION FOR SUBDIVISION NO. 2005-WB-RS-015
– SPRUCE VALLEY ESTATES
05/211**

Reference was made to Agenda Bill #05-150, being Report No. PD-065-2005, dated July 5, 2005 and prepared by Stephen Clarke, Planning and Development, regarding Application for Subdivision No. 2005-WB-RS-015 – Spruce Valley Estates.

MOVED by Councillor Rebus that the Plan of Subdivision, as illustrated on Attachment #3, be approved, subject to the conditions identified in Attachment #4, and subject to final approval by Council of Bylaw No. 05/030 and Bylaw No. 05/031, for the following reasons:

- The use of the land for the proposed subdivision is consistent with the Municipal Development Plan, Highway 69/Clearwater River Valley and the Sapræe Creek Area Structure Plans and the Land Use Bylaw as amended;
- The subdivision will be serviced with municipal water;
- The subdivision will create on-site sewer services for each lot;
- Storm water management within the subdivision area will be accommodated by the construction of a storm water management facility; and
- The land is suitable for the intended residential uses.

A Public Hearing was held on this matter earlier in the meeting. It was clarified that as part of the conditions of development, an advisement was added that development permits will not be issued until the development is connected to the Southeast Water Line.

Discussion occurred relative to lot size and how the 2 acre size currently identified in the Area Structure Plan was determined, septic systems (septic tank vs. septic field), character of the existing community,

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road configuration, # of lots available based on 1.9 acres and 2 acres sizes, tree buffering, quality of life.

CARRIED

For: Blake, Carbery, Flett, Germain, Rebus

Opposed: Chadi, Slade, Vyboh, Wiltzen

NOTE: As second reading of Bylaw No. 05/030 and second reading of Bylaw No. 05/31 were defeated, the plan of subdivision cannot proceed.

7-S. AGENDA BILL #05-151 – APPLICATION FOR SUBDIVISION – TIMBERLEA CONSORTIUM STAGE 1 – 2005-WB-US-016.

05/212

Reference was made to Agenda Bill #05-151, being Report No. PD-066A-2005, dated July 6, 2005 and prepared by Beth Sanders, Planning and Development, regarding Application for Subdivision – Timberlea Consortium Stage 1 2005-WB-US-016.

MOVED by Deputy Mayor Vyboh that a revised Plan of Subdivision be approved subject to the conditions identified in Attachment #2 and with minor variances identified in Attachment #3, for the following reasons:

- The use of the land for the proposed subdivision is consistent with the Municipal Development Plan;
- The use of the land for the proposed subdivision is Timberlea Area Structure Plan and the Land Use Bylaw, as amended;
- The subdivision will be serviced with municipal water and sewer services;
- Storm water management within the subdivision area will be accommodated by the construction of a storm water management facilities within this phase; and
- The land is suitable for the intended residential uses.

CARRIED UNANIMOUSLY

7-T. AGENDA BILL #05-152 – AWARD OF CONTRACT: QU # 1663 – POWDER DRIVE CONSTRUCTION

05/213

Reference was made to Agenda Bill #05-152, being Report No. PD-075-2005, dated July 7, 2005 and prepared by Beth Sanders, Planning and Development, regarding Award of Contract: QU#1663 – Powder Drive Construction.

MOVED by Councillor Carbery:

1. THAT the contract for the construction of Powder Drive, #QU1663 be awarded to E Construction Ltd. for the amount of \$4,353,533.24 (plus G.S.T.).
2. THAT the funding shortfall of \$2,060,160 be funded from the Capital Infrastructure Reserve.
3. THAT the funding recouped from developers for cost-sharing of the roadway and storm water improvements repay the Capital Infrastructure Reserve.

CARRIED UNANIMOUSLY

7-U. AGENDA BILL #05-153 – APPOINTMENT OF CHAIRMAN AND TREASURER OF WOOD BUFFALO HOUSING AND DEVELOPMENT CORPORATION
05/214

Reference was made to Report submitted by Gilles Huizinga, Wood Buffalo Housing & Development Corporation, regarding Appointment of Chairman and Treasurer of Wood Buffalo Housing and Development Corporation.

MOVED by Councillor Wiltzen that Regional Council appoint Ravi Natt as Chairman and Lindsay Taylor as Treasurer of the Wood Buffalo Housing & Development Corporation until the earlier of the date on which Council appoints alternate nominees following the next Annual General Meeting of the Members, the respective expiration of, or termination of each appointee's term on the Board.

CARRIED UNANIMOUSLY

8. BYLAWS

8-A. BYLAW NO. 05/028 – DEBENTURE BYLAW AMENDMENT, FORT McMURRAY SEWAGE TREATMENT UPGRADE (AGENDA BILL #05-111)
05/215

Reference was made to Agenda Bill # 05-111, being Report No. ED 05-15, dated June 8, 2005 and prepared by Wes Holodniuk, Operations and Maintenance, regarding Debenture Bylaw Amendment, Fort McMurray Sewage Treatment Upgrade.

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Bylaw No. 05/0281, BEING A DEBENTURE BYLAW TO AMEND BYLAWS NO. 01/079 AND 04/033 BEING A DEBENTURE BORROWING BYLAW FOR THE FORT McMURRAY SEWAGE TREATMENT UPGRADE, was submitted to receive second and third readings.

MOVED by Councillor Chadi that Bylaw No. 05/028 be given second reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Carbery that Bylaw No. 05/028 be given third and final reading.

CARRIED UNANIMOUSLY

8-B. BYLAW NO. 05/030 – AMENDMENT TO SAPRAE CREEK AREA STRUCTURE PLAN – LOTS 1 AND 2, BLOCK 1, PLAN 032 5670 (AGENDA BILL # 05-129)
05/216

Reference was made to Agenda Bill # 05-129, being Report No. PD-059-2005 dated June 14, 2005 and prepared by Stephen Clarke, Planning and Development, regarding Amendment to Saprae Creek Area Structure Plan – Lots 1 and 2, Block 1, Plan 032 5670 (Saprae Creek).

Bylaw No. 05/030, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND MINISTERIAL ORDER NUMBER FM 19-94 BEING THE SAPRAE CREEK AREA STRUCTURE PLAN, was presented to receive second and third readings.

MOVED by Councillor Rebus that Bylaw No. 05/030 be given second reading.

Various issues were raised when Councillors put forward their reasons for or against the proposed amendment:

- Reducing lots from 2 acres to 1.9 acres not substantial
- Housing is needed in the municipality
- The Area Structure Plan needs to be followed and not changed at the “whim” of a developer
- People living in the area need to feel secure that the guidelines will be followed
- The Area Structure Plan identifies 2 acre lots and that should remain as is
- When land is purchased, developers are aware of the zoning
- Developer has come a long way from original design to accommodate the requests from the residents
- Number of lots which would be developed on the lands at the 2 acre lot size
- Developer providing financial assistance towards a community centre which would improve the quality of life for all residents.

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DEFEATED

For: Blake, Carbery, Germain, Rebus

Opposed: Chadi, Flett, Slade, Vyboh,
 Wiltzen

**8-C. BYLAW NO. 05/031 - LAND USE BYLAW AMENDMENT – LOTS 1 AND 2, BLOCK 1,
 PLAN 032 5670 (SAPRAE CREEK) (AGENDA BILL # 05-130)
 05/217**

Reference was made to Agenda Bill # 05-130, being Report No. PD-060-2005, dated June 13, 2005, and prepared by Stephen Clarke, Planning and Development, regarding Land Use Bylaw Amendment – Lots 1 and 2, Block 1, Plan 032 5670 (Saprae Creek).

Bylaw No. 05/031, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 99/059, BEING THE LAND USE BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, was presented to receive second and third readings.

MOVED by Councillor Rebus that Bylaw No. 05/031 be given second reading.

DEFEATED

For: Blake, Carbery, Germain, Rebus

Opposed: Chadi, Flett, Slade, Vyboh,
 Wiltzen

As the Application for Subdivision No. 2005-WB-RS-015 – Spruce Valley Estates previously approved during this meeting was subject to final approval of Bylaw No. 05/030 and Bylaw No. 05/031, the application for subdivision will not proceed further.

**8-D. BYLAW NO. 05/032 – ARCHIE SIMPSON REDEVELOPMENT STEERING
 COMMITTEE (AGENDA BILL # 05-154)
 05/218**

Reference was made to Agenda Bill # 05-154, being Report dated July 6, 2005 and prepared by Stephen Clarke, Planning Community Services, regarding Archie Simpson Redevelopment Steering Committee Bylaw.

Bylaw No. 05/032, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO PROVIDE FOR THE ESTABLISHMENT OF THE ARCHIE SIMPSON REDEVELOPMENT COMMITTEE TO IMPLEMENT THE NEXT STEPS OF FACILITY DESIGN AND DEVELOPMENT OF AN ARENA, was presented to receive all three readings.

MOVED by Deputy Mayor Vyboh that Bylaw No. 05/032 be

given first reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Wiltzen that Bylaw No. 05/032 be given second reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Rebus that consideration be given to third and final reading of Bylaw No. 05/032.

CARRIED UNANIMOUSLY

MOVED by Deputy Mayor Vyboh that Bylaw No. 05/032 be given third and final reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Chadi that the Archie Simpson Arena Redevelopment Committee completes the conceptual facility program time schedule and capital costs for Council consideration and approval on or before December 30, 2005.

CARRIED UNANIMOUSLY

9. NOTICE OF MOTION

None Scheduled

10. NEW AND UNFINISHED BUSINESS

None scheduled.

11. ADJOURNMENT

MOVED by Councillor Wiltzen that the meeting adjourn at 9:15
p.m.

CARRIED UNANIMOUSLY

MAYOR

CHIEF LEGISLATIVE OFFICER

ROAD ALLOWANCES FOR CNRL LEASE (AGENDA BILL #05-128)
05/220

2-B. OPENING STATEMENT

MS. BETH SANDERS, PLANNING AND DEVELOPMENT, REGIONAL MUNICIPALITY OF WOOD BUFFALO

Ms. Sanders explained this is a straight forward application to close a road allowance for CNRL lease. The intent is to mine the road allowance.

3-B. WRITTEN PRESENTATIONS

There were no written presentations.

4-B. ORAL PRESENTATIONS

There were no oral presentations.

5-B. OTHER PRESENTATIONS, TIME PERMITTING, WITH APPROVAL OF COUNCIL

There were no other presentations.

6-B. CLOSING STATEMENT

Following the Public Hearing, the Bylaw will be forwarded to the Minister of Transportation for approval before being considered for second and third readings.

C. PUBLIC HEARING RE: BYLAW NO. 05/030 – AMENDMENT TO SAPRAE CREEK AREA STRUCTURE PLAN – LOTS 1 AND 2, BLOCK 1, PLAN 032 5670 (SAPRAE CREEK) (AGENDA BILL #05-129) AND BYLAW NO. 05/031 – AMENDMENT TO THE LAND USE BYLAW – LOTS 1 AND 2, BLOCK 1, PLAN 032 5670 (SAPRAE CREEK) (AGENDA BILL #05-130)

05/221

2-C. OPENING STATEMENT

MR. CHUCK MCNUTT, SENIOR MANAGER, PLANNING, THE FOCUS CORPORATION LTD.

Mr. McNutt came forward and explained that 64 hectares of land has been released by the Province for Development in Saprae Creek. Several concepts were prepared but residents did not want half acre, fully serviced lots. A new proposal is being brought forward after extensive public consultation and residents' concerns being addressed and included in the plan. He added that Planning and Development

support the proposed development concept.

Mr. McNutt then provided background information on how the original proposal was developed into the one being presented tonight. He confirmed that all lots will be a minimum width of 1.7 acres and a maximum of 2.4 acres, with the average lot size being 1.9 acres.

He concluded his presentation by noting this development is good for the area as it:

- Completes vacant lands
- Provides additional housing choices
- Assists with off-site drainage and
- Provides financial assistance for recreation centre development.

For the Municipality, it:

- Provides additional housing choices
- Efficient infill development to existing community
- No public funds required
- Additional tax revenues.

3-C. WRITTEN PRESENTATIONS

There were no presentations received.

4-C. ORAL PRESENTATIONS

The following requested to make oral presentations:

Robert Leclair, Opposing

Mr. Leclair explained that several years ago, an attempt was made to determine how best to manage future growth of the community and Council of the day agreed on the 2 acre lot size for the area. This size was established to deal with the inconsistencies in lot sizes. His concern is related to the water supply as well as the type of residences allowed on these new lots. There is a need for growth, provided it meets the standards as set up by Council for Sapræ Creek.

The proposal is an investment for the developer, but development should stay within the current guidelines of the Area Structure Plan.

Jonathan Grant, Opposing

Mr. Grant indicated his opposition to the proposed change to the Area Structure Plan. He is concerned with the precedent set should this change be allowed as future request from developers for further changes may negatively impact the community.

His concern lies with developers purchasing land and then requesting to change the land use. The

developer purchased the land knowing the lot limits and should develop the property as such.

Richard Scrimshaw, Opposing

Mr. Scrimshaw addressed his concerns relative to:

- reduced water flow
- the plans shown do not identify a green space allowance of 10% as mentioned
- tree buffer zone in Saprae Creek
- if the development proceeds, will the Municipality enforce the restrictive covenants established in the community
- lot size reduction and possible encroachment of septic fields
- developer was requested to provide a outline plan identifying the number of lots lost if the reduced lot size is not used

Mr. Scrimshaw concluded by stating he is in support of development in Saprae Creek as long as it conforms to the Area Structure Plan which everybody else has to conform to.

John Semple, Opposing

Mr. Semple was not in attendance.

Bob Reynolds, Opposing

Mr. Reynolds indicated that this developer asking Council to approve the reduced lot size is showing disrespect to the residents of Saprae Creek. He suggested that smaller acreages translate to higher density and more children running down the road. He suggested that the figure of 10% of lots meeting the 2 acres requirement would be better if it was 10% of the lots not meeting the 2 acres requirement, although this would not be as beneficial to the developer financially.

He concluded by noting his opposition to the proposed amendment.

David Killick, Opposing

Mr. Killick was not in attendance.

5-C. OTHER PRESENTATIONS, TIME PERMITTING, WITH APPROVAL OF COUNCIL

Mr. Mark Frederickson

Mr. Frederickson noted his opposition to the proposed amendment. He feels it is disrespectful of the developer to come in and downsize the properties as proposed. Residents went out there and spent a lot of work developing the properties in terms of the current Area Structure Plan.

6-C. CLOSING STATEMENT

Mr. McNutt explained the developer goes into communities and helps them develop better communities. In some cases, this requires some changes. Change is not necessarily a bad thing. He noted the changes made to the original proposal based on input from and consultation with the residents.

In response to the concern relative to the reduced water flow, he explained the development will be connecting to the south east water line which will not impact the residential. In terms of reserve calculations, the developer will provide reserves but in way of cash in lieu from direction received from residents who advised they are in need of funds for the recreation centre. It was agreed the money would be better spent towards the recreation centre rather than park space.

With respect to the issue of tree buffering, the developer is working with Planning and Development to provide some around the entire site.

7. ADJOURNMENT

MOVED by Deputy Mayor Vyboh that the Public Hearing adjourn at 6:45 p.m.

CARRIED UNANIMOUSLY

MAYOR

CHIEF LEGISLATIVE OFFICER