

**Approved Minutes of a Meeting of the Council of the Regional Municipality of Wood Buffalo held in the Council Chambers at the Municipal Offices in Fort McMurray, AB, on Tuesday, December 8, 2009, commencing at 6:00 p.m.**

**Present:** M. Blake, Mayor  
M. Allen, Councillor  
D. Blair, Councillor  
M. Byron, Councillor  
S. Clarkson, Councillor  
L. Flett, Councillor  
S. Germain, Councillor  
P. Meagher, Councillor  
R. Rebus, Councillor (via teleconference)  
J. Vyboh, Councillor (via teleconference)

**Absent:** G. Janvier, Councillor

**Administration:** K. Kloss, Acting Chief Administrative Officer  
S. Kanzig, Chief Legislative Officer  
D. Elliott, Deputy CAO  
W. Holodniuk, Assistant DCAO  
B. Broomfield-Andrews, Recorder/Legislative Assistant  
A. Wojtkiewicz, Legislative Assistant  
N. MacDonald, Legislative Assistant

**Call to Order**

Mayor Blake called the meeting to order at 6:02 p.m.

**Opening Prayer**

The Mayor asked everyone to join her in Prayer.

**Agenda**

09-290 Moved by Councillor Meagher:

- THAT the agenda be amended by adding Item 11, Appointments to the Fort McMurray Airport Authority; and
- THAT the agenda be adopted as amended.

CARRIED UNANIMOUSLY

**Minutes**

**1. Council Meeting – November 24, 2009**

09-291 Moved by Councillor Allen that the Minutes of the Regular

Meeting held on November 24, 2009 be approved as presented.  
CARRIED UNANIMOUSLY

### **Delegations**

#### **2. Mr. Allen Langdon, Canadian Council of Grocery Distributors, re: Bylaw No. 09/033 – Single-Use Plastic Shopping Bag Bylaw**

Mr. Langdon was in attendance representing the Canadian Council of Grocery Distributors (CCGD). A PowerPoint presentation on the CCGD's response to the proposed ban on plastic bags was presented. The presentation included reasons why a ban is not necessary; that if a plastic bag ban is approved by Council the consumer will be impacted, not industry; and recommendations to work in partnership with the Regional Municipality of Wood Buffalo to help achieve a reduction in disposable shopping bags, and to propose the formation of a local group to create a model that will deliver the most effective and efficient method for reducing plastic bag use.

#### **3. Ms. Colleen Tatum re: Bylaw No. 09/033 – Single-Use Plastic Shopping Bag Bylaw**

Ms. Tatum asked if a bag ban is really green, or just a distraction from issues such as the lack of curb side pick up, and on site pick up of boxes for recycling. A plastic bag ban is not a green solution if reusable bags that are produced from a form of plastic are permitted for use as this will be just switching from one type of plastic to another type of plastic. The proposed ban would be considered green if it were to be legislated the type of bags permitted for use, such as 100% organically grown cotton bags. Ms. Tatum noted she has a petition signed by a number of people who do not agree with the proposed ban on plastic bags. Ms. Tatum concluded by asking Council to not pass Bylaw No. 09/033.

### **Other Delegations**

#### **Joseph Hoffman, Resident**

Mr. Hoffman advised he is in attendance as a supporter of banning single use plastic bags from department stores and within the Regional Municipality of Wood Buffalo. There are biodegradable bags made of 100% cornstarch that will degrade when exposed to air, but in a landfill would still take years or decades to biodegrade completely. Having biodegradable bags mandatory in stores is a good option, but this would require frequent inspections by Bylaw Services to ensure the biodegradable bags are made of 100% cornstarch. Mr. Hoffman urged Council to support the bylaw.

#### **Asia Sadovska, Resident**

Ms. Sadovska advised she supports Bylaw No. 09/033, and commented that the bylaw should be passed with the inclusion of the paper bag amendment.

#### **Michael Lang, Resident**

Mr. Lang advised of his support for Bylaw No. 09/033 especially with the inclusion of paper bags. Single-use bags are a detriment to the environment and reusable cloth bags are the best option. In his opinion, to allow any single-use alternative would be in direct opposition of the intent of this bylaw. Mr. Lang concluded his remarks with the hope that Council passes the amended bylaw.

**Catherine Lynch, Resident**

Ms. Lynch advised of her support for both Bylaw No. 09/033 and the amendments. A need exists to limit choices and implement a legislation that would eliminate all single-use shopping bags. Cloth bags are more environmentally friendly, more durable and will last longer. By implementing this bylaw, it may be that other communities would look up to the Regional Municipality's example and follow through with similar legislation in their own communities.

**Veronique Rensonnet, Resident**

Ms. Rensonnet advised of her support for the ban and amendment. She stated that the poorer members of the community may be the best prepared for this ban as they do not have the resources to travel from home to work, to home then to the grocery store, then home again, especially if they utilize public transit, and would be more apt to carry reusable bags. Reusable bags are not inconvenient to carry around as in addition to the larger, bulkier bags, the smaller, folded up bags are available. Ms. Rensonnet advised that she is in favour of including paper bags in the ban, but is not in favour of exempting paper bags from food services outlets. Although there is a difference between biodegradable and compostable bags, if there is an exemption she would like it to be compostable bags. It is her opinion that the best way to create a level playing field would be to legislate.

**Mike Durocher, Resident**

Mr. Durocher advised that he is against the bylaw as there are many details missing from it, such as that the consumer will face higher costs for lost, damaged and forgotten bags, and the sizing of reusable bags. He asked what is a person to do if they buy a large gift, or are buying groceries for a family of four or more instead of for a single person. A plastic bag ban will affect consumer impulse buying which will in turn hurt retailers. And, will retailers want customers bringing their own bags into their stores. Will retailers have the resources to check customers' bags? Mr. Durocher concluded by urging Council to consider all of the pros and cons of banning plastic shopping bags before they approve the bylaw.

**Debbie Graburn, Resident**

Ms. Graburn advised that she manages a liquor store. A sign is posted at the front of the store that, due to theft, customers are required to have their packages checked as they enter the premises. Approving Bylaw No. 09/033 will mean that customers can bring their own bags in. Ms. Graburn noted that there are many more uses for plastic bags, but not paper ones. Her concern is that liquor store purchases have to be bagged, and if the bylaw is passed, people can walk around with unbagged items, which will impact public safety. Ms. Graburn advised that if there are exemptions,

liquor establishments should be part of the exemptions. Ms. Graburn asked that this be considered before a decision is made to adopt the bylaw.

### **Patricia Budd, Resident**

Ms. Budd advised she is in support of the ban, supports the idea of no exemptions, and is of the opinion that the biodegradable bags made of cornstarch would be a good choice, especially for carrying meats. More items can fit into a cloth bag, and retailers are already taking advantage of advertising on their cloth bags.

### **Sean Graham, Resident**

Mr. Graham addressed some of the points made by the other presenters with regard to the amendments to Bylaw No. 09/033 and the concerns expressed with regard to the proposed exemptions. Mr. Graham noted that the majority of residents within the Municipality are in support of a ban.

Several of the presenters provided clarification and responded to questions from Council.

### **Public Hearings**

There were no Public Hearings scheduled.

### **Bylaws**

#### **4. Bylaw No. 09/033 – Single-Use Plastic Shopping Bag Bylaw**

It was noted that the following correspondence had been received from:

- Lori Capstick, dated December 2, 2009 – In Support
- Jordan Odland, dated December 2, 2009 – In Support
- Amy Kilburn, dated December 2, 2009 – In Support
- Brent Lawson, dated December 1, 2009 – In Support
- Jessica Jackson, dated December 1, 2009 – In Support
- Catherine Lynch, dated December 1, 2009 – In Support
- Michael Lang, dated December 1, 2009 – In Support
- Sarah Macleod, dated December 1, 2009 – In Support
- Manuel Reyes, dated December 1, 2009 – In Support
- Kimlee Valler, dated December 1, 2009 – In Support
- Patricia Marie Budd, dated December 1, 2009 – In Support
- Emily Zielke, dated December 1, 2009 – In Support
- Greg Cleal, dated November 30, 2009 – In Support
- Sarah Lang, dated November 30, 2009 – In Support
- Anastasiya Sadovska, dated November 30, 2009 – In Support
- Lisa Wassilaskus, dated November 30, 2009 – In Support

- Serge Pegov, dated November 30, 2009 – In Support
- Tendai Mugambiwa, dated November 30, 2009 – In Support
- Andrew Cameron, dated November 30, 2009 – In Support
- Elaine Tatum, dated November 30, 2009 – In Support
- Chantelle Tatum, dated November 30, 2009 – In Support
- James Tatum, dated November 30, 2009 – In Support
- Darius Muller, dated November 30, 2009 – In Support
- Michael Muir, dated November 30, 2009 – In Support
- Sherry Freeman, dated November 30, 2009 – In Support
- Jeff Cadegan, dated November 30, 2009 – In Support
- Elaine Shanks, dated November 30, 2009 – In Support
- Cheri McGuigan, dated November 30, 2009 – In Support
- Helen MacLeod, dated November 30, 2009 – In Support
- Denise Quinn, dated November 30, 2009 – In Support

The following motion was introduced at the Council meeting of November 24, 2009 and is now before Council for consideration, which reads as follows: “MOVED by Councillor Vyboh that Bylaw No. 09/033 be further amended by:

- Deleting the word “PLASTIC” from the first paragraph;
- Deleting the word “plastic” from the third WHEREAS statement;
- Adding the words “and paper” immediately following the word “plastic” in the fourth WHEREAS statement;
- Deleting the existing text from Section 1 and inserting the following: “The purpose of this bylaw is to eliminate the distribution of single-use shopping bags within the Regional Municipality of Wood Buffalo, thereby decreasing the plastic and paper impact on the environment”;
- Deleting the word “Plastic” from Section 2;
- Adding the following text at the end of Section 3b): “but does not include the following, as defined in Land Use Bylaw No. 99/059, or any successor legislation:
  - food service, drive-in or drive-through;
  - food service, major restaurant;
  - food service, minor restaurant;
  - food service, mobile catering;
  - food service, take out restaurant;
- Deleting the existing text from Section 3.e) and inserting the following: “single-use shopping bag” means:
  - any bag made with less than 2.25 mils thick polyethylene, including a biodegradable bag; OR
  - any bag made of pulp;used mainly for the transporting of goods from outlet to home, but does not include reusable bags;
- Deleting the word “plastic” from Section 4; and
- Deleting the existing text from Section 9 and inserting the following: “Bags provided by

pharmacists to contain prescription drugs shall be exempted from this bylaw”.

The following amendment was introduced by Councillor Germain: “THAT Bylaw No. 09/033 be further amended by adding to section f), item (vi) liquor store”.

A discussion occurred with regard to the exclusion of liquor store in the exemptions proposed in Bylaw No. 09/033. Clarification was provided on the definition of a liquor store, and that within the Regional Municipality of Wood Buffalo, alcohol is not sold in any grocery or corner stores.

Voting then occurred on Councillor Germain's amendment.

09-292 Moved by Councillor Germain that Bylaw No. 09/033 be further amended by adding to section f), item (vi) liquor store.  
CARRIED UNANIMOUSLY

Voting then occurred on Councillor Vyboh's amendments, as amended, to Bylaw No. 09/033, as follows:

09-293 MOVED by Councillor Vyboh that Bylaw No. 09/033 be further amended by:

- Deleting the word “PLASTIC” from the first paragraph;
- Deleting the word “plastic” from the third WHEREAS statement;
- Adding the words “and paper” immediately following the word “plastic” in the fourth WHEREAS statement;
- Deleting the existing text from Section 1 and inserting the following: “The purpose of this bylaw is to eliminate the distribution of single-use shopping bags within the Regional Municipality of Wood Buffalo, thereby decreasing the plastic and paper impact on the environment”;
- Deleting the word “Plastic” from Section 2;
- Adding the following text at the end of Section 3b): “but does not include the following, as defined in Land Use Bylaw No. 99/059, or any successor legislation:
  - food service, drive-in or drive-through;
  - food service, major restaurant;
  - food service, minor restaurant;
  - food service, mobile catering;
  - food service, take out restaurant; and
  - liquor store;
- Deleting the existing text from Section 3.e) and inserting the following: “single-use shopping bag” means:
  - any bag made with less than 2.25 mils thick polyethylene, including a biodegradable bag; OR
  - any bag made of pulp;  
used mainly for the transporting of goods from outlet to home,

- but does not include reusable bags;
- Deleting the word “plastic” from Section 4; and
  - Deleting the existing text from Section 9 and inserting the following: “Bags provided by pharmacists to contain prescription drugs shall be exempted from this bylaw.”

CARRIED UNANIMOUSLY

Councillor Allen expressed concern that the matter is being turned into an anti-littering bylaw in that it is the perception that a bylaw is being created that does not significantly impact the waste stream, local businesses that are not part of the litter problems will bear the expense of a ban, and Bylaw resources will be diverted to enforce a ban. It would be preferred to amend Bylaw No. 09/033 to educate the public rather than to legislate behaviour.

The following amendment to defer second reading of Bylaw No. 09/033 was introduced by Councillor Allen, which reads as follows: “THAT Council defer second reading of this bylaw until January 12, 2011; THAT for the next year, Administration continue and enhance education efforts; and THAT we work with the business community to develop a genuinely effective resolution to the Single-Use Bag debate.”

A discussion ensued with regard to a proposed deferral to second reading of Bylaw No. 09/033.

Voting then occurred on Councillor Allen's amendment.

09-294 Moved by Councillor Allen:

- THAT Council defer second reading of this bylaw until January 12, 2011;
- THAT for the next year, Administration continue and enhance education efforts; and
- THAT we work with the business community to develop a genuinely effective resolution to the Single-Use Bag debate.

DEFEATED

For: Allen, Clarkson, Flett,

Meagher, Rebus

Opposed: Blair, Blake, Byron,

Germain, Vyboh

09-295 Moved by Councillor Allen that Bylaw No. 09/033, being the Single-Use Plastic Shopping Bag Bylaw, as amended, be read a second time.

Councillor Allen expressed concern with regard to second reading of Bylaw No. 09/033 relating to the amount of time required by Administration on this matter, the impact of the ban on the community, and legislating public behaviour. Concern was also expressed that the matter not become an anti-littering bylaw, that local businesses that are not part of the litter problems will bear the expense of a ban, and that Bylaw resources will be diverted to enforce a ban.

CARRIED UNANIMOUSLY

09-296 Moved by Councillor Meagher that Bylaw No. 09/033 be read a third and final time.

CARRIED UNANIMOUSLY

### **Disconnected from Teleconferencing Call**

Councillor Vyboh advised he would be disconnecting from the teleconferencing call at 8:00 p.m.

09-297 Moved by Councillor Allen that Administration be directed to return a report to Council in September 2011 to report on the successes and challenges of the bylaw.

CARRIED UNANIMOUSLY

### **Recess**

A recess occurred from 8:07 p.m. to 8:29 p.m.

### **Reports**

#### **5. Accommodations Master Plan**

09-298 Moved by Councillor Allen that the 2009 Capital Budget be amended as summarized in Attachment 1 – Capital Budget Amendment Request – Jubilee Centre Renovation Construction– December 8th, 2009.

In response to a question from Council, Carol Theberge, General Manager, Community Services, provided clarification on the work scope change for the Jubilee Centre Renovation Construction, and on a risk assessment of the building.

CARRIED

For: Allen, Blair, Blake, Clarkson,  
Flett, Meagher, Rebus

Opposed: Byron, Germain

09-299 Moved by Councillor Meagher that the 2009 Capital Budget be amended as summarized in Attachment 2 – Capital Budget Amendment Request – Lease Space Design Development– December 8th, 2009.

A discussion ensued during which concerns were expressed with regard to meeting Land Use Bylaw standards for parking, layout of parking stalls, standards being applied to the building, overall costs of renovations to the building, amount remaining on the lease, and the amount of time that renovations will take. Ms. Theberge provided clarification and responded to questions from Council.

CARRIED

For: Allen, Blair, Blake, Clarkson,  
Flett, Meagher, Rebus  
Opposed: Byron, Germain

09-300 Moved by Councillor Clarkson that the provisions of Attachments 1 and 2 – (Capital Budget Amendment Request – Lease Space Design Development – December 8th, 2009; and Capital Budget Amendment Request – Jubilee Centre Renovation Construction– December 8th, 2009, respectively) remain confidential pursuant to sections 16 and 25 of the Freedom of Information and Protection of Privacy Act, R.S.A., 2000 c. F-25, as amended.

CARRIED

For: Allen, Blake, Clarkson, Flett,  
Meagher, Rebus  
Opposed: Blair, Byron, Germain

09-301 Moved by Councillor Meagher that Attachment 3 - the Accommodation Services 2010-2030 Implementation Plan 2010-2030 be accepted as information.

CARRIED UNANIMOUSLY

**6. 2008 Uncommitted Emerging Issues Reserve Transfer**

**Elsie Hutton, Chief Financial Officer; Victor Memo, Manager Financial Planning; and D'arcy Elliott, Deputy Chief Administrative Officer, were in attendance**

09-302 Moved by Councillor Allen that \$12,243,523, representing the uncommitted balance in the 2008 Emerging Issues Reserve as at December 31, 2008, remain in the Emerging Issues Reserve for 2009.

CARRIED UNANIMOUSLY

**7. 2009 Operating Budget Amendment – Balanced Budget**

09-303 Moved by Councillor Meagher that the 2009 Operating Budget in the amount of \$492,542,064 as set out in Attachment 1, 2009 Amended Operating Budget – December 8, 2009, be approved by Council.

CARRIED UNANIMOUSLY

09-304 Moved by Councillor Clarkson that in the event there is a 2009 corporate operating budget deficit, a maximum of \$35,238,308 be committed in the 2009 Emerging Issues Reserve.

Elsie Hutton, Chief Financial Officer, provided clarification and responded to questions from Council.

CARRIED UNANIMOUSLY

**8. 2010 Operating Budget**

09-305 Moved by Councillor Meagher that the 2010 Operating Budget in the amount of \$495,341,653 as set out in Attachment 1, 2010 Operating Budget – December 8, 2009, be approved.

CARRIED UNANIMOUSLY

Kelly Kloss, Acting Chief Administrative Officer, provided the opening comments for the 2010 Operating Budget being presented for Council's review and approval. Acting CAO Kloss commented on the opportunities and challenges for residents, local business, and the Regional Municipality, and shared the details of the many accomplishments and internal successes achieved in 2009. Acting CAO Kloss noted there is a difference in the budget this year in that only the operating budget is being presented, whereas typically both the operating and capital budgets have been brought forward. A separate capital budget will be coming forward early in 2010.

Elsie Hutton, Chief Financial Officer, presented a PowerPoint presentation on the budget review process. The presentation contained information such as 2010 budget development challenges; operating budget summary; 2010 budget comparison to the years 2007, 2008, 2009 and 2010; program changes for various departments; and budget changes.

Positive comments were extended in appreciation of the time and effort by Administration and staff for their efforts in preparing the 2010 budget. Mayor Blake noted that this budget is one of the best budgets that has come to her attention for consideration. It was commented that for future consideration, processes that would include stakeholder relations and public consultation, and work on service standards, be developed.

**9. 2010 Councillor Operating Budget Request**

09-306 Moved by Councillor Meagher that Administration develop a business case on enhanced transit service delivery to rural areas for presentation to Council.

D'arcy Elliott, Deputy Chief Administrative Officer, provided clarification and responded to questions from Council.

CARRIED UNANIMOUSLY

**New and Unfinished Business**

**10. Notice of Motion re: Land Management Policy and Release**

Councillor Germain served Notice of Motion at the November 24, 2009 regular Council meeting that Administration be directed to develop a Land Management policy that allows the Municipality to release non-required land to non-profit organizations that provide community benefits and services

for a nominal amount. He now provided the rationale for this matter, and accepted a friendly amendment to his original motion.

09-307 Moved by Councillor Germain that Administration be directed to develop a Land Management policy.

CARRIED UNANIMOUSLY

## **11. Appointments to the Fort McMurray Airport Authority**

09-308 Moved by Councillor Germain that the following appointments be made to the Fort McMurray Airport Authority effective January 1, 2010:

- John Howard to December 31, 2010;
- Roy Williams to December 31, 2011; and
- John Coyne to December 31, 2013.

CARRIED UNANIMOUSLY

### **Notice of Motion**

Councillor Germain served the following notice of motion which will be brought forward at the next regular Council meeting for consideration:

“THAT Council approve the development of two sub-committees as an interim basis to make recommendations to Council to improve governance structure, process, and information content. The proposal is that there be a governance committee that meets on the first and third Monday at 5:00 p.m., and a budget and audit committee that meets on the second and fourth Monday at 5:00 p.m.”

Voting on the matter will occur at the January 12, 2010 regular Council meeting.

### **Updates**

#### **Mayor's Update**

Mayor Blake reported on the following:

- Chamber of Commerce Luncheon
- Citizenship Ceremonies
- Santa Clause Parade and Tree Lighting Ceremony
- Community Development Advisory Board
- Olympic Torch Relay Debriefing Session
- Santa Clause Parade Float Awards
- Airport Announcement and Meeting with Minister Ouellette
- Regional Lower Athabasca Advisory Committee
- Funeral for Former Councillor R. Morgan
- Fort McMurray Little League Cheque Presentation

- Anzac Community Engagement and Civic Awards

### **Reporting of Councillors on Boards and Committees**

Councillor Clarkson reported on the following:

- AUMA Building Communities Committee
- Seniors Tea

Councillor Blair reported on the following:

- RCMP Visit to Fort Chipewyan
- On behalf of Council attended a Study Release implemented in Fort Chipewyan regarding a Water Study
- Winter Road Opening

Councillor Allen reported on the following:

- Initiator's Group with Alberta Environment
- Anzac Community Engagement and Civic Awards
- Food Bank Drive and Corporate Challenge
- Annual Miracle Marathon

Councillor Meagher reported on the following:

- Citizenship Ceremonies
- Snow Flake Soiree
- Chamber of Commerce Luncheon
- Oil Sands Discovery Centre Upcoming 25<sup>th</sup> Celebration
- Heritage Park Old Fashioned Christmas
- Annual Miracle Marathon

Councillor Flett reported on the following:

- Athabasca Water Management Board Elections

### **Administrative Update**

- Acting CAO Kloss extended Christmas Greetings to everyone.

### **Adjournment**

09-309 Moved by Councillor Meagher that the meeting be adjourned.  
CARRIED UNANIMOUSLY

The meeting adjourned at 10:32 p.m.

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Mayor

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Chief Legislative Officer