

Unapproved 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, April 26, 2016, commencing at 6:00 p.m.

Present: M. Blake, Mayor
T. Ault, Councillor
J. Cardinal, Councillor
S. Germain, Councillor
K. McGrath, Councillor
P. Meagher, Councillor
J. Stroud, Councillor
C. Tatum, Councillor
A. Vinni, Councillor
C. Voyageur, Councillor

Absent: L. Bussieres, Councillor

Administration: M. Ulliac, Chief Administrative Officer
K. Scoble, Deputy Chief Administrative Officer
B. Couture, Executive Director
E. Hutton, Executive Director
M. Johnstone, Executive Director
D. Leflar, Director, Legal and Legislative Services
A. Rogers, Senior Legislative Officer
D. Soucy, Legislative Officer
A. Hawkins, Legislative Officer

Call To Order

Mayor M. Blake called the meeting to order at 6:00 p.m.

Adoption of Agenda

Moved by Councillor A. Vinni that the Agenda be amended by deleting Item #2 – Interim Appointments to Wood Buffalo Housing & Development Corporation Board, and that the Agenda be adopted as amended.

CARRIED UNANIMOUSLY

Minutes of Previous Meetings

1. Minutes from Council Meeting - April 19, 2016

Moved by Councillor P. Meagher that the Minutes of the Council Meeting held on April 19, 2016 be approved as presented.

CARRIED UNANIMOUSLY

Reports**2. Interim Appointments to Wood Buffalo Housing & Development Corporation Board**

This item was deleted from the Agenda

3. Municipally Sponsored Ground-breaking and Ribbon-cutting Ceremony Policy COM-120

(6:04 p.m. – 6:23 p.m.)

Marilyn Hood, Director, Communications and Stakeholder Relations, and Adam Hardiman, Manager, Public Affairs, provided an overview of the Municipally Sponsored Ground-breaking and Ribbon-cutting Ceremony Policy.

Councillor J. Stroud put forward the following for consideration: “That Ground-breaking and Ribbon-cutting Ceremony Policy COM-120, dated April 26, 2016 be approved”

Moved by Councillor A. Vinni that the Policy be amended by adding the following as Section 3.1.7: No Ground-breaking or Ribbon-Cutting ceremonies be held within the 60 days prior to any municipal election.

CARRIED UNANIMOUSLY

Moved by Councillor J. Stroud that Ground-breaking and Ribbon-cutting Ceremony Policy COM-120, dated April 26, 2016 be approved as amended.

CARRIED UNANIMOUSLY

4. Cancellation of Governance Training

(6:24 p.m. – 6:34 p.m.)

Moved by Councillor A. Vinni that the Council Resolution passed on March 15, 2016, approving the engagement of Watson Advisors Inc. to provide two days of governance training to Council Members and designated members of Administration be rescinded.

CARRIED

For: M. Blake, T. Ault, J. Cardinal, S. Germain, K. McGrath, P. Meagher, A. Vinni, C. Voyageur

Opposed: J. Stroud, C. Tatum

5. 2016 Council Compensation Review
(6:35 p.m. – 6:53 p.m.)

Moved by Councillor J. Stroud:

1. That Administration be directed to proceed with securing an industry professional through a formal Request for Proposal process to undertake a comprehensive review of Elected Officials' Compensation, Travel, Expense and Support Policy LEG-050; and
2. That recommendations for amendments to the Policy be brought forward for Council's consideration and approval no later than six months prior to the 2017 General Municipal Election, in accordance with Section 2.01(b) of the Policy.
3. That subject to recommendations 1 and 2 being approved, Administration prepare and submit to Council, a bylaw to repeal the Council Compensation Review Committee Bylaw No. 14/022.

David Leflar, Director, Legal and Legislative Services, provided the background of the current Elected Officials Compensation, Travel, Expense and Support Policy, noting that it has been 15 years since a comprehensive review has been undertaken.

Exit and Return:

Councillor K. McGrath exited the meeting at 6:37 p.m. and reentered at 6:38 p.m.

CARRIED

For: M. Blake, J. Cardinal, S. Germain, J. Stroud, C. Tatum, C. Voyageur

Opposed: T. Ault, K. McGrath, P. Meagher, A. Vinni

6. Audit Committee Recommendation – Audit Committee Terms of Reference
(6:54 p.m. – 7:03 p.m.)

Moved by Councillor T. Ault:

- That the Audit Committee Terms of Reference (as set out in Attachment 1, dated April 20, 2016) be approved, in principle; and
- That Administration bring forward an amendment to the Standing Council Committees Bylaw to incorporate the provisions of the Audit Committee Terms of Reference.

CARRIED UNANIMOUSLY

Recess:

A recess occurred from 7:03 p.m. to 7:20 p.m.

7. Timberlea Sewer Backups – Financial Support for Impacted Homeowners
(7:20 p.m. – 10:18 p.m.)

Amie McGowan, Manager, Sustainable Operations, Ray Cruickshank, Manager, Program Management, and Michael Colbert, Supervisor, Underground Services, provided a presentation on the technical components of the Timberlea Sewer Backups report, including the engineering investigation and analysis. The conclusion was that the proximate cause of flooding was the severity of the July 12, 2015 storm, assessed at a 1 in 50 year event, which overwhelmed the capacity of the sanitary system and the capacity of the temporary construction stormwater management system on site. The storm event was so severe that it would likely have caused widespread sewer backups regardless of any construction water management impacts.

David Leflar, Director, Legal and Legislative Services, and Fred Seeley, Manager, Insurance Services, provided an overview of the key elements relating to liability and insurance. It was noted that there is no convincing evidence of negligence on the part of the Municipality giving rise to legal liability under the Municipal Government Act; therefore, the Municipality's insurance policy will not cover the claims of affected property owners. It was further indicated that the insurer's position is subject to review by their legal counsel but is not anticipated to change.

Exits and Returns:

Councillor K. McGrath exited the meeting at 7:50 p.m. and reentered at 7:52 p.m.

Councillor S. Germain exited the meeting at 7:59 p.m. and reentered at 8:01 p.m.

Morris Gordon, resident, questioned whether or not there was reduced capacity in the sewer system and why adequate action was not taken at the time.

Carol Gillis, resident, mentioned that the July 12, 2015 event was the first time in the 20 years of living in the area that they had experienced a sewer back up. Ms. Gillis further indicated her belief that the Municipality has a moral obligation to help affected residents.

Kathi Gouthro, resident, questioned the amount of time it took to complete the upgrades to the infrastructure following the 2010 floods and urged Council to look at the totality of the event, which put financial strain on the residents and affected their insurance policies and property values.

Debra Hahn, resident, questioned the lack of services and support provided to the affected residents by the Municipality during the flooding and clean-up. She also expressed her disappointment that the Municipality was trying to push the problem off onto the Province under the Disaster Recovery Program, which is a lengthy process.

Anne Simpson, resident, spoke to the lack of assistance and guidance from the Municipality during the flooding, including the cleanup and disposal of the contaminated debris. Ms. Simpson stated her belief that the Municipality is liable for the flooding and the financial loss suffered by the affected residents.

Michelle Fetter, resident, spoke to the need for peace of mind, indicating that fixing the infrastructure must be a priority to ensure that sewer backups won't happen again. Ms. Fetter spoke to both the financial and emotional impacts of the flooding, noting that some of the items lost can never be replaced. Ms. Fetter asked that Council show their understanding and support by providing compensation to impacted residents.

Craig Simpson, resident, spoke to his disappointment in the length of the process, indicating that he does not agree with the results of the analysis.

Exit and Return:

Councillor S. Germain exited the meeting at 9:09 p.m. and reentered at 9:10 p.m.

Councillor T. Ault put forward the following for consideration: "That Administration be directed to implement a program to provide for compensation to property owners affected by sewer backup flooding in Timberlea on July 12, 2015, as described under the heading "Alternative" in the Council Report dated April 26, 2016." Following debate and with the permission of Council, Councillor Ault added the following to the end of the motion: "...excluding any reference to the Disaster Recovery Program."

Motion Recess:

A motion recess occurred from 10:04 p.m. to 10:09 p.m.

Councillor A. Vinni proposed amending the motion presented by Councillor T. Ault by deleting the words "to implement a program". As this did not present a substantive change to the motion, it was accepted as a friendly amendment by Council as per the Procedure Bylaw. Voting then occurred on the motion, which now reads as follows:

Moved by Councillor T. Ault That Administration be directed to provide compensation to property owners affected by sewer backup flooding in Timberlea on July 12, 2015, as described under the heading "Alternative" in the Council Report dated April 26, 2016, excluding any reference to the Disaster Recovery Program.

CARRIED UNANIMOUSLY

Adjournment

As all scheduled business matters had been concluded, Mayor M. Blake declared the meeting adjourned at 10:18 p.m.

Mayor

Chief Legislative Officer