

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 13, 2004, COMMENCING AT 6:00 P.M.

PRESENT:	MAYOR	D. FAULKNER
	DEPUTY MAYOR	M. CADDEN
	COUNCILLORS	M. BLAKE J. CARBERY J. RIGNEY C. SLADE J. VYBOH T. WEBER
	REGIONAL MANAGER	D. PUTZ
	CHIEF LEGISLATIVE OFFICER	K. GREIG
	LEGISLATIVE COORDINATOR	A. ROGERS
ABSENT:	COUNCILLORS	J. CHADI S. GERMAIN P. MEAGHER

CALL TO ORDER

The Mayor called the meeting to order at 6:05 p.m.

APOLOGIES

The Mayor extended apologies of Councillors Germain and Meagher, both of whom were away on vacation, and Councillor Chadi who was absent due to a death in the family.

1. PRAYER

The Mayor asked everybody to join him in the Prayer.

2. ADOPTION OF AGENDA

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

MOVED by Councillor Weber:

- THAT the Agenda be amended by:
 - deleting Item 5-A. – Public Hearing re: Bylaw No.

04/029 – Land Use Bylaw Amendment – Lot 2, Plan 942
0970 (Surmont Creek);

- deleting Item 8-A – Bylaw No. 03/060 – Lower Townsite
East End Offsite Levy Bylaw; and
- THAT the Agenda be adopted as amended.

It was noted that the Public Hearing for Bylaw No. 04/029 will be re-scheduled to take place in September, and that further consultation needs to take place with respect to Bylaw No. 03/060 before it is given further consideration by Council.

CARRIED UNANIMOUSLY

3. PRESENTATIONS

3-A. DR. KEN NICKERSON, CO-CHAIR, 2003 ALBERTA SENIORS GAMES COMMITTEE RE: 2003 ALBERTA SENIORS GAMES FINAL REPORT 04/186

Dr. Nickerson's presentation was precluded by a short video presentation depicting various scenes from the 2003 Alberta Seniors Games. Dr. Nickerson then came forward and advised that the 2003 Alberta Seniors Games were held in Fort McMurray between July 21-27, 2003. More than 1,200 participants came to the Municipality to compete, learn and share in an experience of a lifetime.

The 2003 Alberta Seniors Games have been deemed to be the most successful ever presented in this province. The objective of the Games is to provide Albertans with an opportunity to pursue greater levels of physical, social and intellectual achievement through friendly competition and participation in a wide range of sport, recreational and cultural activities. Managing the financial costs associated with an event of this magnitude can be a challenge; however, the Board of Directors for the 2003 Alberta Seniors Games is proud to announce that over \$1.6 Million was raised through cash, gifts-in-kind, special events, souvenir and ticket sales. Following conclusion of the Games, the Board is left with net assets of \$96,000, \$10,000 of which will be allocated to the Royal Canadian Legion to assist with the installation of an elevator in their building. The remainder will be divided evenly between the local Golden Years Society and the Municipality's Games Legacy Fund.

Dr. Nickerson thanked the Municipality for its support leading up to and during the Games, and concluded by presenting Mayor Faulkner with a cheque in the amount of \$40,000, which represents the Board's contribution to the Games Legacy Fund, the audited financial statements, and a commemorative framed artwork for display.

Several Members of Council commended the Organizing Committee, volunteers, and participants on a very successful event.

3-B. MR. DAROLD STURGEON, CHIEF FINANCIAL OFFICER, REGIONAL

**MUNICIPALITY OF WOOD BUFFALO RE: 2005 CAPITAL BUDGET AND 2006-2009
CAPITAL FINANCIAL PLANS**

04/187

Mr. Sturgeon advised that the objectives of this evening's presentation are to provide Council and citizens with an understanding of the significant capital infrastructure needs of the Regional Municipality of Wood Buffalo over the next five years, and to receive approval of the budget and financial plans. Council has adopted capital budgeting guidelines to assist in preparing a capital financial plan. Within those guidelines, Council also approved criteria to assist in prioritizing projects. The criteria include safety, legislative changes, protection of property, maintaining services levels, increased efficiencies, and balance between hard and soft infrastructure.

Mr. Sturgeon then provided an overview of the capital budgeting process, noting that a substantial increase in capital infrastructure needs will occur over the next five years as a result of significant population growth within the Municipality. Mr. Sturgeon also provided an overview of the proposed 2005 Capital Budget, which amounts to \$62.2 Million. He indicated that it is the Municipality's long-term goal to minimize the amount of debenture borrowing to reduce the impact on the debt limit, as well as the Operating Budget. The Municipality will remain within 85% debt limited over the next five years by utilizing the Capital Infrastructure Reserve.

Changes from the previous year, such as grants, cost estimates, scope of projects, number of projects and timing, may impact the amounts needed to be secured by debenture financing. The Municipality continues to face several challenges, which include keeping pace with growth, changes in assessment assumptions if industry projections aren't realized, maintaining current capital infrastructure, and maintaining a proper balance between hard infrastructure and soft service. In 2005, the Municipality's committed debt limit will approach 76.3% of the legislated debt limit; therefore additional Federal and Provincial Government support is needed to ensure that the Regional Municipality of Wood Buffalo doesn't realize the highest debt levels in the Province.

**3-C. MR. DAROLD STURGEON, CHIEF FINANCIAL OFFICER, REGIONAL
MUNICIPALITY OF WOOD BUFFALO RE: 2005-2007 OPERATING BUDGET AND
FINANCIAL PLAN**

04/188

Mr. Sturgeon advised that the objective of his presentation this evening is to provide an understanding of the financial requirements to operate the Regional Municipality of Wood Buffalo, and to receive approval of the 2005-2007 Operating Budget and Financial Plans. A strategic approach was taken in developing the 2005-2007 Operating Budget and Financial Plan. Both the budget and plan were derived from the Municipality's Strategic Plan and Departmental Business Plans. Council also adopted Operating Budget guidelines to assist in preparing a three-year financial plan.

Several assumptions were used in the development of the Plan, including projected development growth,

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a substantial increase in population over the next three years which will impact the resources required to deliver services, a 3% inflation rate, and maintaining the current urban residential tax rate of 6.5%. The Municipality and industry have been working to ensure that budget data is based on the latest industry projections. The Municipality continues to experience tremendous growth from an active economic environment within the region.

Considering the Fort McMurray Factor, one might consider utilities to be among the highest in the Province; however, the fees charged by this Municipality are the lowest when compared with other similar sized municipalities. The Alberta Government requires municipalities to develop utilities based on full cost recovery, and Council subsequently gave direction to recover the cost of services for water, sewage and waste disposal in the Urban Service Area. Administration is recommending that utility rate increases be phased in over a three-year period. Based on a utility rate review, rates are budgeted at \$626 per year per household in the Urban Service Area. Even with a \$10 per month increase, the Municipality will still maintain competitive rates when compared to other cities in Alberta. Further increases are proposed in 2006 and 2007 to move toward cost recovery and to position services to become financially sustainable. Once sustainability is achieved, further opportunities will exist to create a non-tax supported reserve to develop infrastructure.

The 2005 Operating Budget proposes an increase of \$12.5 Million or 11.5% from the 2004 budget. The reasons for this are attributable to five major categories, being inflation, growth, new initiatives, fiscal policies, and debt servicing. The Federal Government recently passed legislation to provide for full rebate of the GST, rather than the previous 4% allowed. This savings allows the Municipality to enhance its Capital Infrastructure Reserve to address capital infrastructure challenges. Mr. Sturgeon pointed out that Council's prudent decision to utilize the Capital Infrastructure Reserve significantly reduces the need for debenture financing.

A total of \$121.4 Million has been budgeted for 2005, with the majority of increases being related to growth and implementing key initiatives highlighted in the Strategic Plan. Maintaining an urban residential tax rate of .0065 is necessary to continue to the progress made in achieving a higher level of financial sustainability. In addition, the Federal initiative to rebate all GST to municipalities has assisted in addressing capital infrastructure needs.

**3-D. MR. BARRY COLLEDGE, MORRISON HERSHFIELD RE: RURAL FIRE AND
EMERGENCY MEDICAL SERVICES RISK ASSESSMENT**
04/189

Mr. Colledge advised that the goals of the Rural Fire and Emergency Medical Services (EMS) Risk Assessment include providing comparable services to rural areas, reducing risk to rural communities, recognizing public expectations, meeting risks in a cost-effective manner, and addressing perceived lack of support of volunteers. Mr. Colledge then provided an overview of statistics related to EMS calls in the rural area.

Some of the key issues that need to be addressed are recruitment and retention of firefighters in the rural

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area, Fort McKay emergency services capability, airport protection, and emergency medical services, which are now under the Northern Lights Regional Health Authority. In terms of implementing the Plan, maintaining the status quo will require strong, responsive central report, as the size and distribution of the rural population makes the expected response level expensive.

Mr. Colledge provided an overview of the suggested regional system and the associated staffing increases that would be required for implementation. From an operational perspective, Mr. Colledge noted that 5 support positions would be required, changes made to remuneration, additional training and equipment provided for a total cost of approximately \$653,000.

3-E. BUSINESS ARISING OUT OF PRESENTATIONS

I. 2003 ALBERTA SENIORS GAMES FINAL REPORT
04/190

MOVED by Councillor Blake that the 2003 Alberta Seniors Games Presentation be accepted as information.

CARRIED UNANIMOUSLY

II. AGENDA BILL # 04-101 – 2005-2009 CAPITAL BUDGET AND FINANCIAL PLAN
04/191

Reference was made to Agenda Bill # 04-101, dated July 8, 2004, and prepared by Darold Sturgeon, Corporate Services, regarding the 2005-2009 Capital Budget and Financial Plan.

MOVED by Councillor Carbery:

1. THAT the 2005 Capital Budget be approved.
2. THAT the Capital Financial Plan for the years 2006 through to 2009 forms the basis for the development of the 2006 Capital Budget.

CARRIED UNANIMOUSLY

Concern was expressed relative to the debt limit ratio that will be realized and it was again pointed out that Federal and Provincial Government assistance is necessary to ensure that this Municipality doesn't incur the highest debt level in the Province. It was noted that the only other option available to Council would be to raise taxes or introduce a special levy on industry to pay for the increases.

III. AGENDA BILL # 04-102 - 2005-2007 OPERATING BUDGET AND FINANCIAL

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PLAN
04/192

Reference was made to Agenda Bill # 04-102, dated June 3, 2004, and prepared by Darold Sturgeon, Corporate Services, regarding the 2005-2007 Operating Budget and Financial Plan.

MOVED by Councillor Slade:

1. THAT the proposed 2005 Operating Budget in the amount of \$121,386,675, as set out in Attachment 2, be approved.
2. THAT the proposed 2006 & 2007 Operating Financial Plans in the amounts of \$129,755,905 and \$149,658,707 respectively, as set out in Attachment 3, be approved to form the basis for development of the 2006 Operating Budget.

CARRIED UNANIMOUSLY

IV. AGENDA BILL # 04-103 - RURAL FIRE AND EMERGENCY MEDICAL SERVICES RISK ASSESSMENT
04/193

Reference was made to Agenda Bill # 04-103, dated June 28, 2004 and prepared by Jeff Carlisle, Fire Department, and Barry Colledge, Morrison Hershfield, regarding the Rural Fire and Emergency Medical Services Risk Assessment.

MOVED by Councillor Rigney:

1. THAT the Rural Fire and Emergency Medical Services Study be supported as the foundation for the Regional Emergency Services concept and structure.
2. THAT the Rural Fire and Emergency Medical Services Study be implemented through a process that includes business case analysis that fully explores all opportunities for partnerships, revenues, and joint ventures, and is evaluated and prioritized annually through the Municipality's business planning and budget processes.

CARRIED UNANIMOUSLY

4. MINUTES OF PREVIOUS MEETINGS

A. PUBLIC HEARING – MAY 25, 2004

The Minutes of the Public Hearing held on May 25, 2004 were submitted for consideration.

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MOVED by Councillor Vyboh that the Minutes of the Public Hearing held on May 25, 2004 be approved as presented.

CARRIED UNANIMOUSLY

4-B. REGULAR MEETING – JUNE 22, 2004

The Minutes of the Regular Council Meeting held on June 22, 2004 were submitted for consideration.

MOVED by Councillor Rigney that the Minutes of the Regular Council Meeting held on June 22, 2004 be approved as presented.

CARRIED UNANIMOUSLY

4-C. BUSINESS ARISING OUT OF MINUTES

There was no business arising out of the Minutes.

5. PUBLIC HEARINGS

MOVED by Councillor Blake that the Regular Meeting move into the Public Hearing at 7:06 p.m.

CARRIED UNANIMOUSLY

RECONVENE

The regular meeting reconvened at 7:13 p.m.

6. UPDATES

**A. REPORTING OF COUNCILLORS ON VARIOUS BOARDS/COMMITTEES
(COUNCILLORS VYBOH, WEBER, BLAKE & CARBERY)**

Councillor Vyboh reported on the following:

- Commended Mayor on his efforts in the recent Federal election
- Westwood High School Graduation Ceremony
- Farewell Celebrations for Rod McDonald
- Grand Opening of Fire Hall # 4 - Timberlea

Councillor Weber reported on the following:

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- Edmonton City Centre Airport issues
- Mayor & Council Picnic
- Grand Opening of Fire Hall # 4 – Timberlea
- Rotary House 5th Anniversary Celebration
- Fire Department Annual Pancake Breakfast
- Clearwater Heritage River Committee

Councillor Blake reported on the following:

- Wood Buffalo Housing & Development Corporation Appreciation Event

Councillor Carbery reported on the following:

- Fort McMurray Regional Airport Commission
- Planning & Development Standing Committee
- Misrepresentation by Developers regarding proposed land uses
- Maintaining mill rates in light of increasing property values and the impact to residents on fixed incomes
- Royalties leaving this area for provincial coffers, vs. what is invested back into the area.

6-B. MAYOR'S UPDATE

Mayor Faulkner reported on the following:

- Fr. Mercredi High School Graduation
- Recent federal election
- Upcoming retirement from Council at the end of this term.

7. REPORTS

7-A. AGENDA BILL # 04-104 - APPROVAL TO PERMIT FINANCING: PROSPECT POINTE STAGE 2A/B 04/194

Reference was made to Agenda Bill # 04-104, dated July 5, 2004, and prepared by Gilles Huizinga, Wood Buffalo Housing & Development Corporation, regarding the Approval to Permit Financing: Prospect Pointe Stage 2A/B.

MOVED by Councillor Blake:

1. THAT the Wood Buffalo Housing & Development Corporation be permitted to borrow \$5,360,000 of constructing financing from the Royal Bank.
2. THAT the Regional Manager and Councillor representing the Regional Municipality be authorized to pass a resolution authorizing the borrowing.

Mr. Huizinga clarified that the reference to oversizing refers to the fact that the subject land is

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geographically the lowest piece of property, so oversized pipes are required to accommodate the water that will accumulate. Mr. Putz advised that the size of the pipes are based on engineering standards for the type of development that will take place. These standards take into consideration the amount of paving, number of houses, and percentage of grassed areas.

Mr. Huizinga also clarified that the Wood Buffalo Housing & Development Corporation is in a privileged position whereby it is buying land at market value and it is the Corporation's intention to reinvest any surplus back into its affordable housing processes. The Corporation is very cautious about not doing anything that may inadvertently upset the market itself. The Corporation has an opportunity to be competitive, but by providing a supply into the market that doesn't exist at present, it has effectively stopped prices from going up. Mr. Huizinga also indicated his belief that the price being paid to the Province for the property is not any better or worse than what the private sector would pay.

CARRIED UNANIMOUSLY

**7-B. AGENDA BILL # 04-092 - MACDONALD ISLAND PARK SOCIETY FINANCIAL
IMPACT FOR DECEMBER 31, 2003**
04/195

Reference was made to Agenda Bill # 04-092, dated June 17, 2004, and prepared by Darold Sturgeon, Corporate Services, regarding the MacDonald Island Park Society Financial Impact for December 31, 2003.

MOVED by Councillor Vyboh:

1. THAT the Regional Municipality of Wood Buffalo provide the MacDonald Island Park Corporation with a grant in the amount of \$377,799 to eliminate the Corporation's negative operating work capital as at December 31, 2003.
2. THAT Administration review the methodology for calculating the annual operating grant for MacDonald Island and present a report to Council in September based on:
 - the operating grant must exclude the golf and hospitality operations as they compete with private business in the community; and
 - the report should consider the relationship for calculating grants given to other recreation facilities such as Frank LaCroix and Thickwood Arena.

It was noted that there are all kinds of reasons put forward as to why MacDonald Island isn't operating in a positive financial position; however, most facilities of this nature need some kind of subsidy. MacDonald hasn't physically changed in the same manner as some of the other facilities it competes with. It was noted that if Council is serious about supporting MacDonald Island, it will require a major face lift in the near future. It was also noted that the new Board of Directors must be given the authority

and responsibility to manage the facility in whatever way they believe is right.

CARRIED UNANIMOUSLY

7-C. AGENDA BILL # 04-105 - FRANK LACROIX ARENA LEASE AGREEMENT
04/196

Reference was made to Agenda Bill # 04-105, dated June 10, 2004, and prepared by Stephen Clarke, Community Services, regarding the Frank LaCroix Arena Lease Agreement.

MOVED by Councillor Blake that the Operating and Management Lease Agreement with the Fort McMurray Minor Hockey Association for the Frank LaCroix Arena be approved for a term of three years, commencing on July 16, 2004 and ending on July 15, 2007.

CARRIED UNANIMOUSLY

7-D. AGENDA BILL # 04-106 - THICKWOOD HEIGHTS COMMUNITY CENTRE LEASE AGREEMENT
04/197

Reference was made to Agenda Bill # 04-106, dated June 10, 2004, and prepared by Stephen Clarke, Community Services, regarding the Thickwood Heights Community Centre Lease Agreement.

MOVED by Councillor Carbery:

1. THAT the Operating and Management Lease Agreement with the Northern Alberta Athletic Association for the Thickwood Heights Community Centre be approved for a term of three (3) years commencing on July 16, 2004, and ending September 22, 2007.
2. THAT the \$26,000.00 shortfall for 2005 be funded from the 2005 Community Services Operating Budget.

CARRIED UNANIMOUSLY

7-E. AGENDA BILL # 04-107 - WOOD BUFFALO SCIENCE FESTIVAL
04/198

Reference was made to Agenda Bill # 04-107, dated June 10, 2004, and prepared by Stephen Clarke, Community Services, regarding the Wood Buffalo Science Festival.

MOVED by Councillor Slade:

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1. THAT a grant of \$2,500.00 from the Joint Initiatives Fund and \$2,500.00 from the Civic Grant Fund be allocated for the Wood Buffalo Science Festival.
2. THAT the Communications Department donate a booth at the Fall Trade Show (September 24-26, 2004) for the Wood Buffalo Science Festival (approximate cost: \$600.00).
3. THAT advertisements provided by the Wood Buffalo Science Festival be placed on six (6) municipal buses (approximate cost: \$1,200.00).

CARRIED UNANIMOUSLY

7-F. AGENDA BILL # 04-108 - TIMBERLEA ATHLETIC PARK PHASE 1 (TENDER AWARD # QU1515)
04/199

Reference was made to Agenda Bill # 04-108, dated June 17, 2004, and prepared by Stephen Clarke, Community Services, regarding the Timberlea Athletic Park Phase 1 Tender Award # QU1515.

MOVED by Councillor Weber that Wilco Landscape Contractors be awarded the Timberlea Athletic Park Phase 1 Contract for \$622,890.42 (including 3% GST).

CARRIED UNANIMOUSLY

7-G. AGENDA BILL # 04-109 - ABASAND NECK URBAN PARK (TENDER AWARD # QU1516)
04/200

Reference was made to Agenda Bill # 04-109, dated June 17, 2004, and prepared by Stephen Clarke, Community Services, regarding the Abasand Neck Urban Park Tender Award # QU1516.

MOVED by Deputy Mayor Cadden:

1. THAT Wilco Landscape Contractors be awarded the Abasand Neck Urban Park Phase One and Phase Two contract, in the amount of \$940,419.64 (including 3% GST).
2. THAT the \$45,849.53 funding shortfall for Abasand Urban Neck Park Phase One and Phase Two be funded from the Community Services Department Operating Budget.

It was suggested that the Park be named "Doug Faulkner Park" and it was agreed that Councillor Weber

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would bring this matter forward for discussion at an upcoming Community Identification Committee Meeting.

CARRIED UNANIMOUSLY

7-H. AGENDA BILL # 04-110 - AMENDMENT TO THE WOOD BUFFALO SPORT AND WELLNESS CORPORATION
04/201

Reference was made to Agenda Bill # 04-110, dated June 29, 2004, and prepared by Stephen Clarke, Community Services, regarding the Amendment to the Wood Buffalo Sport and Wellness Centre Corporation.

MOVED by Councillor Carbery that the amended Articles of Association for the Wood Buffalo Sport and Wellness Corporation be accepted.

Concern was expressed relative to the appointment of a Provincial Government representative, as other similar facilities throughout the Province are able to function quite well without that representation. It was noted that the Steering Committee felt that it would be in the Corporation's best interest to have a Provincial representative on the Board, as increasing costs for the facility could result in a requirement for further provincial funding.

CARRIED

For: Blake, Cadden, Carbery, Faulkner,
Rigney, Slade, Weber

Opposed: Vyboh

7-I. AGENDA BILL # 04-111 - REGIONAL MUNICIPALITY'S BOARD APPOINTMENTS TO THE WOOD BUFFALO SPORT AND WELLNESS CORPORATION
04/202

Reference was made to Agenda Bill # 04-111, dated July 6, 2004, and prepared by Stephen Clarke, Community Services, regarding the Regional Municipality's Board Appointments to the Wood Buffalo Sport and Wellness Centre Corporation.

MOVED by Councillor Blake:

1. THAT Councillors Germain and Meagher and two (2) members of Administration, as designated by the Regional Manager, be appointed to the Wood Buffalo Sport and Wellness Corporation's Board of Directors.
2. THAT the Municipality's Board of Directors composition be

reviewed at the end of the second year of operation.

CARRIED UNANIMOUSLY

7-J. AGENDA BILL # 04-112 - 2004 GENERAL MUNICIPAL ELECTION – ORGANIZATIONAL MEETING AND SWEARING-IN CEREMONY
04/203

Reference was made to Agenda Bill # 04-112, dated June 10, 2004, and prepared by Kevin Greig, Corporate Services, regarding the 2004 General Municipal Election – Swearing-In Ceremony and Organizational Meeting.

MOVED by Councillor Vyboh:

1. THAT a special In-Camera Committee of the Whole Meeting be scheduled to take place on Thursday, October 21, 2004 at 6:00 p.m. in the 7th Floor Boardroom (Jubilee Centre).
2. THAT a Swearing-In Ceremony and Organizational Meeting be scheduled to take place on Monday, October 25, 2004 at 6:30 p.m. at the Keyano College Recital Theatre.
3. THAT the following meetings be cancelled:
 - Monday, October 18, 2004 – Community Services Standing Committee
 - Tuesday, October 19, 2004 – Public Works & Transportation Standing Committee and Committee of the Whole
 - Wednesday, October 20, 2004 – Planning & Development Standing Committee
 - Tuesday, October 26, 2004 – Audit/Budget Standing Committee and regular Council Meeting
 - Wednesday, October 27, 2004 – Protective Services Standing Committee.

CARRIED UNANIMOUSLY

7-K. AGENDA BILL # 04-113 - MIKISEW TECHNICAL SERVICES REQUEST FOR TAX RELIEF ON TAX ACCOUNT 8260001960 – PLAN 5642NY, BLOCK 11, LOT 6
04/204

Reference was made to Agenda Bill # 04-113, dated June 15, 2004, and prepared by Marcel Ulliac, Corporate Services, regarding the Mikisew Technical Services Request for Tax Relief on Tax Account 8260001960 - Plan 5642NY, Block 11, Lot 6.

MOVED by Deputy Mayor Cadden that the request for

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cancellation of penalties in the amount of \$3,405.84 owned against Property Tax Account 8260001960 (Plan 5642NY, Block 11, Lot 6) be denied.

The Regional Manager confirmed that with respect to determining who owns a property, it is the Municipality's responsibility to go by Land Titles records.

Councillor Rigney provided a detailed overview of the situation, noting that the First Nation is not denying that it made an error in how the property was registered; however, it also contends that the municipal government of the day should have made a serious effort to contact the person who was in arrears, and it doesn't appear as though that effort was made. Because this is such a unique case, the First Nation is asking that the penalties be waived.

Mr. Ulliac clarified that the Municipality followed the standard tax recovery process in this instance. The former Improvement District, would have registered a tax notification against the title. Alberta Land Titles is then notified and they in turn put the property owner on notice that the Municipality may proceed with tax action. In this instance it appears that the former Improvement District didn't follow through with the tax recovery process. Mr. Ulliac indicated that there is no process that would have mitigated this process or brought the matter to the Municipality's attention any earlier. The only instance in the past whereby the Municipality has forgiven taxes or penalties is when there has been physical destruction or a physical removal from the property. Mr. Ulliac noted that he is not aware of any instance in which taxes or penalties due to errors or omissions on the part of the property owner were forgiven.

It was suggested that a precedent may be set if this request is granted, and that there may be ramifications on future dealings with other taxpayers who say they didn't receive a tax bill. Mr. Ulliac confirmed that any action may possibly open up other requests coming from other property owners. The Municipality is responsible for the mailing of notices, and, upon mailing, it is the responsibility of the owner to follow through with payment and bring any errors or corrections to the Municipality's attention.

It was questioned why the property was not put up for sale as a result of taxes not being paid and Mr. Ulliac clarified that the process involves registering a tax notification against the title to notify the property owners that they are in arrears on taxes. A year after registering the tax notice, the Municipality can put the property up for public auction. Under the former Improvement District Administration, the property was not put up for auction. Property is normally put up for auction a year from the date the notification was registered against the title. In this instance, the property was transferred in 1988; therefore, it would be reasonable to assume that arrears started in 1989, so the property could have been put up for public auction as early as 1990. Once the taxes are paid and the account is cleared, Mikisew Technical Services will have taken measure to ensure that the title will be transferred back into their name, and will once again have freehold title to the property.

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The Regional Manager advised that the reason no action was taken earlier with any of the rural properties was at the direction of Council following amalgamation. The Council of the day had asked that Administration tread carefully with tax arrears and work through a process. Staff attended meetings in Fort Chipewyan, Conklin, and Janvier with respect to tax arrears and the issue of payment of taxes.

Councillor Rigney reiterated his earlier comments about the uniqueness of this situation. It was then pointed out that there are also approximately 10-20 other cases, all of which are just as unique, that will come forward to Council, one at a time, asking to have taxes and/or penalties forgiven for similar reasons in the near future.

DEFEATED

For: Blake, Cadden, Weber

Opposed: Carbery, Faulkner, Rigney,
Slade, Vyboh

7-L. AGENDA BILL # 04-114 - APPOINTMENT OF DEVELOPMENT OFFICER
04/205

Reference was made to Agenda Bill # 04-114, being Report No. PL-059-2004, dated July 5, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Appointment of Development Officer.

MOVED by Councillor Vyboh that Mr. Mushtaq Rabbi be appointed as a Development Officer for the Regional Municipality of Wood Buffalo.

CARRIED UNANIMOUSLY

**7-M. AGENDA BILL # 04-115 - APPLICATION FOR SUBDIVISION OF LOT 1, PLAN 982
4820 – BEAR RIDGE STAGE 5**
04/206

Reference was made to Agenda Bill # 04-115, being Report No. PD-038-2004, dated June 30, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Application for Subdivision of Lot 1, Plan 982 4820 – Bear Ridge Stage 5.

MOVED by Councillor Weber that the Plan of Subdivision be approved as shown on Attachment 5, subject to the conditions outlined in Attachment 6, for the following reasons:

1. The use of the land for the proposed subdivision is consistent with the Municipal Development Plan, Timberlea Area Structure Plan and Land Use Bylaw;

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2. The subdivision will be serviced with municipal water and sewer services;
3. Storm water management within the subdivision area will be accommodated by the construction of a storm water management facility; and
4. The land is suitable for the intended residential uses.

CARRIED

For: Blake, Cadden, Carbery, Faulkner
Rigney, Vyboh, Weber
Opposed: Slade

7-N. AGENDA BILL # 04-116 - APPLICATION FOR SUBDIVISION – PART OF W ½ SEC. 14-89-10-W4M – WOOD BUFFALO ESTATES WEST
04/207

Reference was made to Agenda Bill # 04-116, being Report No. PD-048-2004, dated June 16, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Application for Subdivision – Part of W ½ Sec. 14-89-10-W4M – Wood Buffalo Estates West.

MOVED by Councillor Vyboh that the Plan of Subdivision be approved subject to the conditions outlined in Attachment 3 for the following reasons:

1. The use of the land for the proposed subdivision is consistent with the Municipal Development Plan, Wood Buffalo Estates West Area Structure Plan and Land Use Bylaw;
2. The subdivision will be serviced with municipal water and sewer services;
3. Storm water management within the subdivision area will be accommodated by an existing storm water management facility; and
4. The land is suitable for the intended residential uses.

CARRIED UNANIMOUSLY

7-O. AGENDA BILL # 04-117 - REAL MARTIN DRIVE REHABILITATION
04/208

Reference was made to Agenda Bill # 04-117, being Report No. ST04-07, dated June 29, 2004, and prepared by Alain Simard, Engineering & Public Works, regarding the Real Martin Drive Rehabilitation.

MOVED by Councillor Carbery that the tender for the Real Martin Drive Rehabilitation be awarded to E. Construction Ltd. for the amount of \$1,274,736.40, plus GST.

CARRIED UNANIMOUSLY

7-P. AGENDA BILL # 04-118 - CONTRACT AWARD – CONKLIN ROAD REHABILITATION
04/209

Reference was made to Agenda Bill # 04-118, being Report No. ST04-09, dated June 30, 2004, and prepared by Alain Simard, Engineering & Public Works, regarding the Contract Award – Conklin Road Rehabilitation.

MOVED by Deputy Mayor Cadden:

1. THAT the tender for the Conklin Road Rehabilitation be awarded to Ledcor Alberta Ltd. for the amount of \$379,046.00, plus GST.
2. THAT the funding shortfall of \$13,093.56 be allocated from the 2004 Streets Improvement Grant.

CARRIED UNANIMOUSLY

7-Q. AGENDA BILL # 04-119 - CONTRACT AWARD – 2004 URBAN ROADWAY REHABILITATION
04/210

Reference was made to Agenda Bill # 04-119, being Report No. ER04-22, dated July 5, 2004, and prepared by Wes Holodniuk, Engineering & Public Works, regarding the Contract Award – 2004 Urban Roadway Rehabilitation.

MOVED by Councillor Vyboh:

1. THAT the Urban Roadway Rehabilitation Contract # QU1543, Section A, Thickwood Boulevard, be awarded to E. Construction Ltd. for the amount of \$229,220.88, plus GST.
2. THAT the Urban Roadway Rehabilitation Contract # QU1543, Section B, Signal Road, be awarded to H. Wilson Industries for the amount of \$274,327.00, plus GST.

3. THAT the Urban Roadway Rehabilitation Contract # QU1543, Section C, Sitka Drive, Rowan Street and MacAlpine Crescent, be awarded to E. Construction Ltd. for the amount of \$230,880.00, plus GST.

CARRIED UNANIMOUSLY

7-R. AGENDA BILL # 04-120 - PROJECT MANAGER & DETAILED DESIGN SERVICES – REGIONAL LANDFILL PROPOSAL AWARD

04/211

Reference was made to Agenda Bill # 04-120, being Report No. UT04-06A, dated July 5, 2004, and prepared by Larry Wright, Engineering & Public Works, regarding the Project Manager & Detailed Design Services – Regional Landfill Proposal Award.

MOVED by Councillor Blake that the Project Management and Detailed Design of the Regional Landfill Site be awarded to EBA Engineering in the amount of \$595,830.00, plus GST.

CARRIED UNANIMOUSLY

7-S. AGENDA BILL # 04-121 - MOBILE EQUIPMENT CONTRACT AWARD

04/212

Reference was made to Agenda Bill # 04-121, being Report No. ME04-04, dated June 28, 2004, and prepared by Jawed Malik, Engineering & Public Works, regarding the Mobile Equipment Contract Award.

MOVED by Councillor Rigney:

1. THAT the tender for repair and maintenance for all municipally-owned equipment/vehicles be awarded to Mikisew-SKE Partnership for a period of three (3) years (2004-2006) in the amount of \$1,455,500, plus GST.
2. THAT the Regional Municipality of Wood Buffalo retain the option to renew the contract, based on a performance review, for a one year period up to a maximum of two years.

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Mr. Holodniuk advised that the process used was one whereby there was an expression of interest made by various vendors, and those who qualified were invited to submit tenders. Part of the process also involved the vendor providing an assurance that they can meet the prices with the existing staff and resources, shop inspections and references. The second portion of the Motion before Council does lay out a requirement for performance reviews, and if performance is not deemed to be up to standard, the Municipality can act accordingly.

CARRIED UNANIMOUSLY

RECESS AND RECONVENE

A recess was called 8:46 p.m. and the meeting then reconvened at 9:06 p.m.

8. BYLAWS

**8-A. BYLAW NO. 03/060 - LOWER TOWNSITE EAST END OFF-SITE LEVY BYLAW
(AGENDA BILL # 03-220)
04/213**

This item was removed from the Agenda.

**8-B. BYLAW NO. 04/029 - LAND USE BYLAW AMENDMENT - LOT 2, PLAN 942 0970
(SURMONT CREEK) (AGENDA BILL # 04-089)
04/214**

Reference was made to Agenda Bill # 04-089, being Report No. PD-042-2004, dated May 27, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Land Use Bylaw Amendment – Lot 2, Plan 942 0970 (Surmont Creek).

Bylaw No. 04/029, 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 for re-scheduling of a Public Hearing.

MOVED by Councillor Weber:

1. THAT the Public Hearing for Bylaw No. 04/029 be re-scheduled to take place on September 28, 2004.
2. THAT Administration request the applicant initiate a parallel amendment of the Gregoire Lake Area Structure Plan.

CARRIED UNANIMOUSLY

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8-C. BYLAW NO. 04/030 - LAND USE BYLAW AMENDMENT – LOT 96, BLOCK 67, PLAN 792 1223 (AGENDA BILL # 04-098)
04/215

Reference was made to Agenda Bill # 04-098, being Report No. PD-049-2004, dated June 15, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Land Use Bylaw Amendment – Lot 96, Block 67, Plan 792 1223 – Thickwood Heights Fire Hall.

Bylaw No. 04/030, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 99/059 BEING THE LAND USE BYLAW FOR THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, was presented to receive second and third readings.

MOVED by Councillor Vyboh that Bylaw No. 04/030 be given second reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Carbery that Bylaw No. 04/030 be given third and final reading.

CARRIED UNANIMOUSLY

8-D. BYLAW NO. 04/031 - LAND USE BYLAW AMENDMENT – FEE SCHEDULE (AGENDA BILL # 04-099)
04/216

Reference was made to Agenda Bill # 04-099, being Report No. PD-012-2004, dated June 15, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Land Use Bylaw Text Amendment – Fee Schedule.

Bylaw No. 04/031, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 99/059 BEING THE LAND USE BYLAW FOR THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, was presented to receive second and third readings.

MOVED by Councillor Blake that Bylaw No. 04/031 be given second reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Slade that Bylaw No. 04/031 be given third and final reading.

CARRIED UNANIMOUSLY

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8-E. BYLAW NO. 04/032 - SUBDIVISION AUTHORITY BYLAW AMENDMENT – FEE SCHEDULE (AGENDA BILL # 04-100)
04/217

Reference was made to Agenda Bill # 04-100, being Report No. PD-011-2004, dated June 22, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Subdivision Authority Bylaw Amendment – Fee Schedule.

Bylaw No. 04/032, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 99/043, BEING THE SUBDIVISION AUTHORITY BYLAW, was presented to receive second and third readings.

MOVED by Councillor Vyboh that Bylaw No. 04/032 be given second reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Rigney that Bylaw No. 04/032 be given third and final reading.

CARRIED UNANIMOUSLY

8-F. BYLAW NO. 04/033 - DEBENTURE BORROWING BYLAW AMENDMENT TO CHANGE PAYMENT TERMS (AGENDA BILL # 04-122)
04/218

Reference was made to Agenda Bill # 04-122, dated July 5, 2004, and prepared by Darold Sturgeon, Corporate Services, regarding the Debenture Borrowing Bylaw Amendments to Change Payment Terms.

Bylaw No. 04/033, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND THE RE-PAYMENT TERMS OF THIRTY-NINE DEBENTURE BORROWING BYLAWS, was presented to receive all three readings.

MOVED by Councillor Blake that Bylaw No. 04/033 be given first reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Carbery that Bylaw No. 04/033 be given second reading.

CARRIED UNANIMOUSLY

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MOVED by Councillor Vyboh that Bylaw No. 04/033 be considered for third and final reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Weber that Bylaw No. 04/033 be given third and final reading.

CARRIED UNANIMOUSLY

8-G. BYLAW NO. 04/034 - BOREALIS ROAD CLOSURE BYLAW (AGENDA BILL # 04-123)
04/219

Reference was made to Agenda Bill # 04-123, being Report No. PD-040-2004, dated July 5, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Borealis Road Closure Bylaw.

Bylaw No. 04/034, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO FOR THE PURPOSE OF CLOSING PORTIONS OF A PUBLIC ROADWAY IN THE URBAN SERVICE AREA, was presented to receive first reading.

MOVED by Councillor Carbery that Bylaw No. 04/034 be given first reading and a Public Hearing scheduled to take place on August 24, 2004.

CARRIED UNANIMOUSLY

8-H. BYLAW NO. 04/035 - LAND USE BYLAW AMENDMENT – LOTS 1-3, BLOCK 11, PLAN 792 0314 (ANZAC) (AGENDA BILL # 04-124)
04/220

Reference was made to Agenda Bill # 04-124, being Report No. PD-056-2004, dated June 29, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Land Use Bylaw Amendment – Lots 1-3, Block 11, Plan 792 0314 (Anzac).

Bylaw No. 04/035, 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 first reading.

MOVED by Councillor Weber that Bylaw No. 04/035 be given first reading and a Public Hearing scheduled to take place on August 24, 2004.

CARRIED UNANIMOUSLY

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8-I. BYLAW NO. 04/036 - DEBENTURE BORROWING BYLAW – MUNICIPAL ENERGY FIRST PROGRAM (AGENDA BILL # 04-125)

04/221

Reference was made to Agenda Bill # 04-125, being Report No. FM04-09, dated June 23, 2004, and prepared by Wes Holodniuk, Engineering & Public Works, regarding the Debenture Borrowing Bylaw – Municipal Energy First Program.

Bylaw No. 04/036, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AUTHORIZE THE INCURRENCE OF AN INDEBTEDNESS BY THE ISSUANCE OF DEBENTURES IN THE AMOUNT OF FOUR HUNDRED THIRTY THOUSAND DOLLARS (\$430,000.00) FOR THE PURPOSE OF THE THICKWOOD HEIGHTS ARENA EXTERIOR WALLS, was presented to receive first reading.

MOVED by Councillor Slade:

1. THAT the funding source for the 2004 Thickwood Heights Arena Exterior Walls capital project be amended from Capital Infrastructure Reserve funding to debenture financing to meet the eligibility criteria of the Province of Alberta's Municipal Energy First Program.
2. THAT the five-year debenture payments be funded from the Capital Infrastructure Reserve and the refunded interest payments be directed into the Capital Infrastructure Reserve.
3. That Bylaw No. 04/036 be given first reading.

CARRIED UNANIMOUSLY

8-J. BYLAW NO. 04/037- CLOSURE OF UNDEVELOPED ROAD ALLOWANCES FOR OPTI/NEXEN LEASE (AGENDA BILL # 04-126)

04/222

Reference was made to Agenda Bill # 04-126, being Report No. PD-057-2004, prepared by Russell Dauk, Planning & Development, regarding the Closure of Undeveloped Road Allowances for Opti-Nexen Lease.

Bylaw No. 04/037, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO FOR THE PURPOSE OF CLOSING AND CREATING TITLE TO UNDEVELOPED GOVERNMENT ROAD ALLOWANCE IN ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT, was presented to receive first reading.

MOVED by Councillor Blake that Bylaw No. 04/037 be given first reading and a Public Hearing scheduled to take place on August 24, 2004.

CARRIED UNANIMOUSLY

9. NOTICE OF MOTION RE: FORGIVING OF PENALTIES AND FEES IN RURAL HAMLETS

04/223

Deputy Mayor Cadden served notice that the following Motion will be brought forward for consideration at the Council Meeting scheduled to take place on August 24, 2004:

THAT this Council take this opportunity to build relationships and build the honour of our Regional Municipality in the eyes of the rural hamlets by forgiving all penalties and fees, excluding taxes, that have accumulated in the rural area as a result of amounts owing prior to amalgamation.

Deputy Mayor Cadden also requested that this matter be debated at a public Council Meeting, and not referred to a Standing Committee, noting that this Notice of Motion stems from the precedent set earlier in the meeting with respect to the Mikisew Technical Services property.

10. NEW AND UNFINISHED BUSINESS

There was no New and Unfinished Business.

11. ADJOURNMENT

MOVED by Councillor Vyboh that the meeting adjourn at 9:16 p.m.

CARRIED UNANIMOUSLY

MAYOR

CHIEF LEGISLATIVE OFFICER

MINUTES OF A PUBLIC HEARING 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 13, 2004.

PRESENT:	MAYOR	D. FAULKNER
	DEPUTY MAYOR	M. CADDEN
	COUNCILLORS	M. BLAKE J. CARBERY J. RIGNEY C. SLADE J. VYBOH T. WEBER
	REGIONAL MANAGER	D. PUTZ
	CHIEF LEGISLATIVE OFFICER	K. GREIG
	LEGISLATIVE COORDINATOR	A. ROGERS
ABSENT:	COUNCILLORS	J. CHADI S. GERMAIN P. MEAGHER

1. CALL TO ORDER

The Mayor called the Public Hearing to order at 7:06 p.m.

- A. PUBLIC HEARING RE: BYLAW NO. 04/029 - LAND USE BYLAW AMENDMENT - LOT 2, PLAN 942 0970 (SURMONT CREEK) (AGENDA BILL # 04-089)**
04/224

This Item was removed from the Agenda.

- B. PUBLIC HEARING RE: BYLAW NO. 04/030 - LAND USE BYLAW AMENDMENT – LOT 96, BLOCK 67, PLAN 792 1223 (AGENDA BILL # 04-098)**
04/225

B. OPENING STATEMENT

MR. ED CURRAN, SUPERINTENDENT, PLANNING & DEVELOPMENT, REGIONAL MUNICIPALITY OF WOOD BUFFALO

Mr. Curran advised that the subject property is located on the corner of Thickwood Boulevard and Signal Road and houses the Thickwood Fire Hall. The R1 zone previously allowed for public services to be located within an R1 district; however, this was changed when a new Land Use Bylaw was adopted in 1999. A number of fire halls were rezoned at that time, but the Thickwood Station was overlooked. The proposed amendment will correct the zoning oversight and change the land use designation to PS-Public Service District.

3-B. WRITTEN PRESENTATIONS

There were no written presentations.

4-B. ORAL PRESENTATIONS

No requests were received.

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

There were no other requests to address Council.

6-B. CLOSING STATEMENT

The proponent did not wish to make a closing statement.

**C. PUBLIC HEARING RE: BYLAW NO. 04/031 - LAND USE BYLAW
AMENDMENT – FEE SCHEDULE (AGENDA BILL # 04-099)
04/226**

2-C. OPENING STATEMENT

MR. ED CURRAN, SUPERINTENDENT, PLANNING & DEVELOPMENT, REGIONAL MUNICIPALITY OF WOOD BUFFALO

Mr. Curran advised that a Public Hearing was held regarding this matter on May 25, 2004; however, the Hearing was recessed at that time to allow consultation to take place with the Wood Buffalo Builders' Association to get a consensus for what was being proposed. Administration met with the Association on June 4th and 9th, and as a result, made a number of changes to the Bylaw. Based on the extent of the changes proposed, Administration withdrew the original Bylaw and brought forward a new Bylaw for consideration. The Builders' Association has indicated its support of the principles behind the proposed

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fee amendments, and did not raise any objections to the proposed 25% increase in fees. Anything beyond a 25% increase will be phased in. The Builders' Association has also requested that the fee structure be reviewed on an annual basis. This is consistent with the Business Plan initiatives, and is supported by the Planning & Development Department.

3-C. WRITTEN PRESENTATIONS

There were no written presentations.

4-C. ORAL PRESENTATIONS

No requests were received.

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

There were no other requests to address Council.

6-C. CLOSING STATEMENT

The proponent did not wish to make a closing statement.

7. ADJOURNMENT

MOVED by Councillor Weber that the Public Hearing adjourn at
7:13 p.m.

CARRIED UNANIMOUSLY

MAYOR

CHIEF LEGISLATIVE OFFICER