

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, OCTOBER 9, 2007, COMMENCING AT 6:00 P.M.

PRESENT: MAYOR M. BLAKE
DEPUTY MAYOR J. VYBOH
COUNCILLORS J. CARBERY
S. CLARKSON
L. FLETT
S. GERMAIN
P. MEAGHER
R. REBUS
L. WILTZEN
S. SLADE
CHIEF ADMINISTRATIVE OFFICER B. NEWELL
SENIOR LEGISLATIVE OFFICER S. KANZIG
LEGISLATIVE ASSISTANT W. HAYES
ABSENT: COUNCILLORS J. CHADI

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

PRAYER: The Mayor thanked Council members for their hard work and asked everyone to join her in Prayer.

AGENDA: Resolution # 07- 352
MOVED by Councillor Meagher that the agenda be adopted.
CARRIED UNANIMOUSLY

MINUTES: **Council Meeting – September 25, 2007**
Resolution # 07- 353
MOVED by Councillor Vyboh that the Minutes of the regular meeting held on September 25, 2007 be approved as presented.
CARRIED UNANIMOUSLY

DELEGATIONS: **Linda Ball, Vice Chair & Sana Elache, Executive Director Re: Leadership Wood Buffalo Annual Report.**

Ms. Ball thanked Council for the support supporting Leadership Wood Buffalo. She then provided an overview of the organization, noting that

it focuses on teaching active community leadership, and includes representation from industry, small business and government network to ensure sustainability.

She concluded by presenting the Leadership Wood Buffalo Annual Report to the Community 2006-2007, and responded to questions from Council.

Resolution # 07-354

MOVED by Councillor Meagher that the Leadership Wood Buffalo presentation be received as information.

CARRIED UNANIMOUSLY

PUBLIC HEARINGS

Resolution # 07-355

MOVED by Councillor Meagher that the meeting move into Public Hearing.

CARRIED UNANIMOUSLY

A public hearing was held from 6:16 p.m. to 7:54 p.m., followed by a brief recess. The regular meeting then reconvened at 8:10 p.m. It was noted that Councillor Meagher had left the meeting while the Public Hearing was in progress.

REPORTS:

Council Expense Report – Period Ending September 30, 2007

Resolution # 07-356

MOVED by Councillor Rebus that the Council Expense Report for the period ending September 30, 2007 be received as information.

CARRIED UNANIMOUSLY

ARRIVAL

Councillor Flett rejoined the meeting at 8:13 p.m.

Memorandum of Understanding – Regional Economic Development Alliance – Regional Municipality of Wood Buffalo and Alberta Employment, Immigration & Industry

Resolution # 07-357

MOVED by Councillor Vyboh that a Memorandum of Understanding be entered into with Alberta Employment, Immigration and Industry to establish a Regional Economic Development Alliance (REDA) within the Regional Municipality of Wood Buffalo.

Mr. Jeff Penney, Manager of Economic Development provided an overview of the proposed Regional Economic Development Alliance

and responded to questions from Council.

It was clarified that there would be no resource impact to the Regional Municipality of Wood Buffalo, as the program would be administered by current Economic Development staff.

CARRIED UNANIMOUSLY

Franklin/Riedel Upgrading and Rehabilitation

Resolution # 07-358

MOVED by Councillor Carbery:

- THAT the 2007 Capital Budget be amended as outlined in Attachment 2 – Capital Budget Amendment Request, dated October 9, 2007:
- THAT the contract for the Franklin/Riedel Upgrading and Rehabilitation be awarded to E-Construction for the amount of \$2,698,436.19 + GST; and
- THAT an additional \$135,000 be assigned for design, construction services, material tests as shown in Attachment 1 – Anticipated Project costs, dated October 9, 2007.

CARRIED UNANIMOUSLY

RCMP/Search and Rescue Warehouse

The following motion was presented by Councillor Clarkson:

“THAT \$542,000 be committed from the Capital Infrastructure Reserve for the RCMP/Search and Rescue Society warehouse, on the condition that if the Search and Rescue Society receive Provincial Grant funding for the project that it will be used to reimburse the Municipality for construction costs.”

A lengthy discussion ensued during which concern was expressed relative to the lack of options presented, quotes being obtained only from a single contractor, whether or not the tire storage facility would represent a time savings for the RCMP, and the cost of the facility. It was also noted that other issues, such as homelessness, should be given priority over things like storage.

Resolution # 07-359

MOVED by Councillor Germain that the main motion be amended by reducing the amount to be committed from the Capital Infrastructure Reserve to \$250,000 to allow for demolition of the current structure and construction of the Search and Rescue portion of the building only.

Support was expressed for proceeding with development of the Search and Rescue building, however, it was noted that the actual cost of demolition was unknown and had been built into the RCMP portion of the facility. In addition it was noted that the Search and Rescue Society requires matching funding for the grant application and had intended to use the RCMP portion of the building for that purpose. Without the RCMP portion, Search and Rescue could only apply for half of the funding.

DEFEATED

For: Carbery

Opposed: Blake, Clarkson, Flett,
Germain, Rebus, Slade,
Wiltzen

Resolution # 07-360

MOVED by Councillor Vyboh that the RMCP/Search and Rescue Warehouse report be referred back to Administration to identify other options to meet the needs of both organizations, and that the matter be brought back for Council's consideration no later than November 30, 2007.

CARRIED

For: Blake, Carbery, Flett, Germain,
Rebus, Slade, Vyboh, Wiltzen

Opposed: Clarkson

In order to allow the Search and Rescue Society to proceed with the application for grant funding, Administration was directed to prepare a letter of support from the Municipality.

Governance Review

Resolution # 07-361

MOVED by Councillor Vyboh:

- THAT the terms of reference be adopted as outlined in Attachment 1 – Terms of Reference for a Governance Review, dated September 2007;
- THAT funding, to a maximum of \$100,000, be allocated from the

2007 Corporate Services Operating Budget for the Governance Review;

- THAT in the event the entire amount cannot be accommodated within the 2007 Corporate Services Operating Budget, the balance be funded from the 2007 Corporate Operating Budget surpluses, and
- THAT in the event that 2007 corporate operating surpluses do not exist, the funds be committed from the 2007 Emerging Issues Reserve.

CARRIED UNANIMOUSLY

BYLAWS:

Highway 63/881 Corridor Area Structure Plan

- **Bylaw No. 07/049 – Amendment of Municipal Development Plan;**
- **Bylaw No. 07/050 – Highway 63 / 881 Corridor Area Structure Plan**
- **Bylaw No. 07/051 – Amendment to Hamlet of Anzac Area Structure Plan.**

Resolution # 07-362

MOVED by Councillor Rebus that Bylaw No. 07/049, being a Municipal Development Plan Amendment, be read a second time.

CARRIED UNANIMOUSLY

Resolution # 07-363

MOVED by Councillor Carbery that Bylaw No. 07/0049 be read a third and final time.

CARRIED UNANIMOUSLY

Resolution # 07-364

MOVED by Councillor Carbery that Bylaw No. 07/050, being the Highway 63/881 Corridor Area Structure Plan, as amended, be read a second time.

It was noted that the Gregoire Lake Estates Area Structure Plan needs to be updated as soon as possible to facilitate orderly development in the area, and that a formal plan could take up to a year to complete. It was also clarified that existing landowners have the right and ability to submit an application to amend the zoning of their respective properties at any time.

CARRIED UNANIMOUSLY

Resolution # 07-365

MOVED by Councillor Carbery that Bylaw No. 07/050 be read a third and final time.

CARRIED UNANIMOUSLY

Resolution # 07-366

MOVED by Councillor Wiltzen that Bylaw No. 07/051, being a Hamlet of Anzac Area Structure Plan Amendment, be read a second time.

CARRIED UNANIMOUSLY

Resolution # 07-367

MOVED by Councillor Rebus that Bylaw No. 07/051 be read a third and final time.

CARRIED UNANIMOUSLY

The following motion was presented by Councillor Carbery “That Administration be directed to complete the Gregoire Lake Estates Area Structure Plan within a three month timeline.”

Following a brief discussion, Councillor Carbery then amended the wording of his motion, as follows:

Resolution # 07-368

MOVED by Councillor Carbery that Administration be directed to expedite the process for the Gregoire Lake Estates Area Structure Plan to facilitate its completion within a reasonable time frame.

CARRIED UNANIMOUSLY

It was also clarified that if additional resources are required for this initiative, a request is to be brought forward for Council consideration.

Bylaw No. 07/067 – Procedure Bylaw Amendment

Resolution # 07-369

MOVED by Councillor Vyboh that Bylaw No. 07/067, being a Procedure Bylaw Amendment, be read a first time.

CARRIED UNANIMOUSLY

Resolution # 07-370

MOVED by Councillor Carbery that Bylaw No. 07/067 be read a second time.

CARRIED UNANIMOUSLY

Resolution # 07-371

MOVED by Councillor Vyboh that Bylaw No. 07/067 be considered for third reading.

CARRIED UNANIMOUSLY

Resolution # 07-372

MOVED by Councillor Germain that Bylaw No. 07/067 be read a third and final time.

CARRIED UNANIMOUSLY

Bylaw No. 07/068 – Subdivision and Development Appeal Board Bylaw Amendment.

Resolution # 07-373

MOVED by Councillor Vyboh that Bylaw No. 07/068, being a Subdivision and Development Appeal Board Bylaw Amendment, be read a first time.

CARRIED UNANIMOUSLY

Resolution # 07-374

MOVED by Councillor Clarkson that Bylaw No. 07/068 be read a second time.

CARRIED UNANIMOUSLY

Resolution # 07-375

Moved by Councillor Vyboh that Bylaw No. 07/067 be considered for third reading.

CARRIED UNANIMOUSLY

Resolution # 07-376

MOVED by Councillor Germain that Bylaw No. 07/068 be read a third and final time.

CARRIED UNANIMOUSLY

Resolution # 07-377

MOVED by Councillor Vyboh that the term of appointment for all current Subdivision and Development Appeal Board members be amended to reflect a termination date of December 31, 2007.

CARRIED UNANIMOUSLY

Bylaw No. 07/045 – Roads & Transportation Bylaw Amendment

Resolution # 07-378

MOVED by Councillor Rebus that Bylaw No. 07/045, being a bylaw to amend the Roads and Transportation Bylaw, be read a first time.

CARRIED UNANIMOUSLY

NEW BUSINESS:

Métis Local 1935 Consultation Protocol

REGIONAL MUNICIPALITY OF WOOD BUFFALO REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 9, 2007

Resolution # 07-379

MOVED by Councillor Carbery that Administration be directed to meet with Métis Locals to identify options for developing a consultative process to meet the needs of Métis people on issues which directly impact their traditional lands and interests.

CARRIED UNANIMOUSLY

ADJOURNMENT:

Resolution # 07-380

MOVED by Councillor Vyboh that the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:12 p.m.

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 OCTOBER 9, 2007.

PRESENT:	MAYOR	M. BLAKE
	DEPUTY MAYOR	J. VYBOH
	COUNCILLORS	J. CARBERY S. CLARKSON L. FLETT S. GERMAIN P. MEAGHER R. REBUS C. SLADE L. WILTZEN
	CHIEF ADMINISTRATIVE OFFICER	B. NEWELL
	CHIEF LEGISLATIVE OFFICER	S. KANZIG
	LEGISLATIVE OFFICER	W. HAYES
ABSENT:	COUNCILLOR	J. CHADI

CALL TO ORDER

Mayor Blake called the Public Hearing to order at 6:16 p.m.

PUBLIC HEARING RE: HIGHWAY 63/881 CORRIDOR AREA STRUCTURE PLAN - BYLAW NO. 07/049 - AMENDMENT OF MUNICIPAL DEVELOPMENT PLAN; BYLAW NO. 07/050 - HIGHWAY 63/881 CORRIDOR AREA STRUCTURE PLAN; BYLAW NO. 07/051 - AMENDMENT TO HAMLET OF ANZAC AREA STRUCTURE PLAN

A. Opening Statement

Ms. Susan Motkaluk, Director, Public Services, and Ms. Beth Sanders, General Manager, Planning and Development

Ms. Sanders provided a brief history of the development of the Highway 63/881 Corridor Area Structure Plan. The process involved several open houses held over a two year period in Anzac, Janvier and Conklin. At the September 11, 2007 meeting Council made changes including extending commercial property, and excluding the area contained within the Gregoire Lake Estates Area Structure Plan from the Highway 63/881 Corridor Area Structure Plan. An Area Structure Plan (ASP) is a key document required to deal with growth and development, and there is presently no such plan in place for the Highway 63/881 Corridor area at this time.

B. Written Presentations

The Mayor noted that a written presentation, dated October 9, 2007, had been received from Mr. Matthew Eisentraut, opposing the proposed bylaws.

C. Verbal Presentations

Mr. Matthew Eisentraut, resident, indicated his opposition to the proposed bylaw, specifically with respect to the exclusion of the area covered by the Gregoire Lake Estates Area Structure Plan. He requested fair treatment for himself and his neighbours, noting that he has been trying to develop his land into a campground for the last four years, however, two years ago the process was halted. Mr. Eisentraut noted that he had attended the Anzac meeting and understood that the issue would be resolved in Summer, 2006. On that basis, draft plans were circulated, however, in late July, he was notified that until such time as the Gregoire Lake Estates Area Structure Plan was modified, no development would be approved. Mr. Eisentraut also referenced the following key points from his written presentation to support his arguments:

- The Highway 63/881 Corridor and Gregoire Lake Estates Area Structure Plans are contradictory. The Gregoire Lake Estates ASP is at least 10 years out-of-date;
- The Gregoire Lake Estates ASP is unclear as to whether it does or does not impact lands located outside the 1 kilometre perimeter;
- The current Gregoire Lake Estates ASP, if taken literally, would prohibit all development in the entire region;
- The Highway 63/881 Corridor ASP, as presented, is clearly not intended to support a population that needs campsite residence.

Ms. Sarah Fotty, on behalf of Mr. David Platt, resident, presented an appeal to rezone the property of David Platt to either commercial or residential. She noted that oil sands employees need accommodations and it would be good for local business as well.

Mr. Jack Tobin, resident, expressed his opposition to the proposed bylaws. He noted that area residents were told they would have input, and that in 2004-2005, they were also told that their properties would be covered by the Highway 63/881 Corridor ASP thereby allowing them opportunities to develop. The Highway 63/881 Corridor ASP, as presented, does not include the Gregoire Lake Estates ASP and residents are left with properties covered by the antiquated document, which was intended to end in 1996. The recommendation put forward in June, 2007 showed the Gregoire Lake Estates area being included in the Highway 63/881 Corridor ASP, but it was later removed in August. Mr. Tobin expressed his dissatisfaction with the process used and concluded by noting that the Highway 63/881 Corridor ASP should not be adopted until the issues with the Gregoire Lake Estates ASP have been settled.

Mr. John Malcolm, resident, indicated opposition to the bylaw, noting that the proposed Area Structure Plan would impact their traditional aboriginal land use areas for a considerable time to come. He indicated that the Municipality should communicate more fully with First Nations on issues which may impact their traditional lands. He concluded by noting that the elders were here before Fort McMurray and they are not going anywhere.

Mr. Gregory Naundorf, resident and business owner, indicated that Anzac is in need of a better gas station with a reasonably priced convenience store. Mr. Naundorf requested that further commercial lands be allocated to facilitate a safe and convenient location for gas and grocery store development.

D. Other Verbal Presentations (Time Permitting and with Consent of Council)

Brian Fayant and Doreen Summers, Metis Local 1935, advised that Metis Local 1935 is opposed, in principle, to the Highway 63/881 Corridor ASP due to the lack of formal consultation with the Métis. They requested that a formal procedure be established to ensure that they will be adequately consulted with on matters affecting their membership.

Mr. Bill Quigley, resident, indicated that he would like to **have** his property designated as commercial, not recreational, as the development is currently taking place in close proximity to his land is industrial. Mr. Quigley advised that he has had an environmental assessment conducted on his property and feels that it would be ideally suited for storage or parking as it runs parallel to the railway tracks. He noted that his applications have been submitted and is hoping that Council will reach a favourable decision in a timely manner.

Mr. Mike Landen, resident, advised that he is currently residing at Surmont Creek Estates because he could not find adequate accommodations in Fort McMurray for himself and his pets. Mr. Landen expressed his support for the arguments presented by Mr. Eisentraut and requested that the Gregoire Lake Estates ASP area be included in the Highway 63/881 Corridor ASP.

Mr. Randy Schlender, resident, advised of his interest in the old peat bog site for development of RV storage. He indicated that it will now be the end of June, 2008 before any RV park development can take place, and requested that the Area Structure Plan, as presented, either be approved or completely scrapped so that the parties involved aren't left hanging.

Ian Dirom, resident, advised that he and other individuals were hoping to develop a 400-unit village on the combined land of Mr. Platt, Mr. Tobin and Mr. Eisentraut, and expressed his displeasure with the exclusion of the Gregoire Lake Estates area from the Highway 63/881 Corridor Area Structure Plan. He noted that land in question is eminently suitable for development of residential units. The proposed project would eliminate traffic problems by taking pressure off Anzac roads. Mr. Dirom indicated that he was previously advised that the site could accommodate a campsite of 200-500 units, and that it would be unreasonable to make his partners start the process anew, as it could another two years to see it through.

Cher Grosschedl, resident, advised that she and her husband live on Mr. Eisentraut's property in a trailer and expressed concern about possible eviction if Mr. Eisentraut is no longer permitted to accommodate trailers. Ms. Grosschedl noted that Fort McMurray is too far from Anzac to commute and that there is no space available anyway. She then requested that Council reconsider its decision about trailers at the farm.

E. Questions of Council

The following clarification was provided in response to questions from Council:

- Planning regulations allow for two or more area structure plans to overlap, as long as the plans are in agreement. If the plans are not in agreement, the plan with the more stringent regulations would apply. In this case, regardless of whether or not the Gregoire Lake Estates ASP had remained in the Highway 63/881 Corridor ASP, it contains the more stringent regulations and its provisions would still apply.
- The speaker who had requested allocation of additional commercial lands in Anzac has not engaged administration in dialogue, and it was recommended that he finalize his plans and then bring them forward utilizing the proper processes.
- Any property within the Gregoire Lake Estates Area Structure Plan area may be developed, however, development can only occur in accordance with the bylaw that is in place at the present time.
- Any property owner, at any time, can apply to have his property designated changed. It takes approximately 3-4 months, from the time an application is received to presentation for Council's consideration.
- The Supreme Court of Canada has stated that the Metis people of Canada have rights, however, no legislation, policies or direction have been established to date. It was suggested that the Regional Municipality of Wood Buffalo take the initiative to consult with Metis Locals. Additionally, Mr. Fayant clarified that Metis Local 1935 is not opposed to the Highway 63/881 Corridor ASP, per se, but objects on the basis of lack of consultation.
- Despite the fact that the text contained in the Gregoire Lake Estates ASP refers to all areas located 1 km from the Lake, it indicates that the area has been rounded to quarter-section boundaries, and there is no question that the map accompanying the ASP reflects the correct boundaries.

F. Closing Statement

Ms. Beth Sanders, General Manager, Planning & Development

Ms. Sanders indicated that administration recognized that the Gregoire Lake Estates Area Structure Plan is old and needs updating, but until that update takes place, the current Plan remains valid. Ms. Sanders concluded by encouraging landowners to submit their plans and engage staff.

CLOSURE OF PUBLIC HEARING

Resolution # 07- 384

MOVED by Councillor Meagher that the public hearing be closed.

CARRIED UNANIMOUSLY

The public hearing closed at 7:58 p.m.

MAYOR

CHIEF LEGISLATIVE OFFICER