The Special Meeting of Council was held on Friday, August 21, 2009 at 12:00 p.m. in Council Chambers.

Present:

Mayor Miltenberger, Councillors McKay, Lester, Burnstad, and Latour.

Staff:

Terry Molenkamp - Senior Administrative Officer.

Absent:

Deputy Mayor Maher, Councillors Wallington, and O'Brien.

1. CALL TO ORDER

The meeting was called to order at 12:00 p.m. with Mayor Miltenberger presiding.

2. ADOPTION OF AGENDA

#09-207

MOVED BY: CLLR LESTER

SECONDED BY: CLLR BURNSTAD

That the Council of the Town of Hay River accepts the Agenda for the August 21, 2009 Special Meeting of Council as presented.

CARRIED

3. DECLARATION OF INTEREST

There were no Declarations of Interest for the Special Meeting of Council, August 21, 2009.

4. DISCUSSION - OFFER TO PURCHASE LOT 1878, PLAN 3985, 6 WOODLAND DRIVE, JEFF AND ERIN GRIFFITHS

Jeff Griffiths purchased Lot 1878, Plan 3985 through a private sale on September 13, 2000 for the purchase price of \$52,000.00. The property is zoned I-Institutional and this zoning is the zoning in place at the time of sale. There is no document or agreement on file that states that the property would at any time revert to a different zoning like Parks should the land be sold.

In 2004 Mr. Griffiths applied to rezone Lot 1878, Plan 3985 from I-Institutional to R4-Multi Family Residential. His application for rezoning was defeated.

In 2008 Mr. Griffiths applied to rezone Lot 1878, Plan 3985 from I-Institutional to R4-Multi Family Residential. His application for rezoning was defeated.

In January 19, 2009 the Town received an offer to purchase Lot 1878, Plan 3985 from Mr. Griffiths in the amount of \$150,000.00. Council directed administration to obtain an appraisal for the property. The Town engaged Stewart Weir MacDonald to perform the appraisal.

On May 25, 2009 the Council of the Town of Hay River directed administration by Motion No. 09-126 to offer Jeff and Erin Griffiths the appraised value of \$85,000.00 as stated in the appraisal dated February 2009 from Stewart, Weir MacDonald Ltd. The motion also stated that if the offer were accepted consultation with the affected residents of Cameron Crescent would begin as defined in the by-laws and recovering costs.

On June 12, 2009 the Town sent an offer to purchase in the amount of \$85,000.00 for Lot 1878, Plan 3985 to Jeff and Erin Griffiths. The offer remained open until July 31, 2009.

On July 24, 2009 the Town received a response to the offer to purchase. The offer to purchase Lot 1878, Plan 3985 for \$85,000.00 is rejected by Jeff and Erin Griffiths and a counter offer of \$130,000.00 is proposed by the property owners based on a "hypothetical situation — zoning change" appraisal that they obtained from South Slave Appraisal. The counter offer remains open until August 23, 2009.

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#09-208

MOVED BY: CLLR MCKAY SECONDED BY: CLLR LATOUR

That Council proposes a counter offer to Jeff and Erin Griffiths for the purchase of Lot 1878, Plan 3985 before August 23, 2009.

CARRIED

Council moved in camera at 12:10 p.m. to discuss this matter.

#09-209

MOVED BY: CLLR MCKAY SECONDED BY: CLLR LESTER

CARRIED

After discussion, council moved out of camera at 12:50 p.m.

#09-210

MOVED BY: CLLR MCKAY

SECONDED BY: CLLR BURNSTAD

CARRIED

The following motion was presented and carried.

#09-211

MOVED BY: CLLR LESTER SECONDED BY: CLLR LATOUR

That the Council of the Town of Hay River offer Jeff and Erin Griffiths \$90,000.00, that the offer is subject to the acceptance of the affected residents as established by By-law as required under Section 117 of the Cities, Towns and Villages Act.

CARRIED

Let it be noted that the vote is recorded. Cllr Lester, Cllr Burnstad and Cllr Latour voted in favour of the motion. Cllr McKay is opposed to the motion.

5. ADJOURNMENT

#09-212

MOVED BY: CLLR BURNSTAD

That the Special Meeting of Council of August 21, 2009 be adjourned at 1:00 pm.

CARRIED

Certified correct as recorded on the 21st day of August, 2009.

These minutes were accepted by motion #09-258.

Mayor

Senior Administrative Officer