
The Regular Meeting of Council was held on Monday, January 19, 2009 at 7:30 PM in Council Chambers.

Present: Mayor Miltenberger, Councillors McKay, Lester, O'Brien, Burnstad, Wallington and Latour.

Staff: Terry Molenkamp – Senior Administrative Officer, Linda Folks, Gerry Maloney – Director of Finance and Cindy Petersen - Recording Secretary.

Excused Deputy Mayor Maher.
Absence:

Others Present: Marilyn Barnes, Ben Nind, Nancy Makepeace, Christine Gyapay, Marsha Wallington, Iris and Roger Blake, Chrissy Morgan, Tyler Hawkins, Harvey Werner, Wendy Morgan, Dean Steele, other residents of the Town of Hay River, Paul Bickford – News North, Patrick Teskey – the Hub and Bob Duck – CJCR Radio.

1. CALL TO ORDER

The meeting was called to order at 7:30 PM with Mayor Miltenberger presiding.

2. ANNOUNCEMENTS

- a) Councillor McKay received complaints from residents about the loud noise created by some snow machines and asked that snow machine operators be mindful and respectful when operating their machines.
- b) Councillor Latour announced that National Family Literacy Day is January 27, 2009.
- c) Mayor Miltenberger advised that he and Deputy Mayor Maher met with Dave Foster, President of NTCL and that NTCL is interested in appearing before council to give a corporate overview of where NTCL is and the direction in which it is moving.
- d) Mayor Miltenberger informed council that Mayor Peter Martselos of Fort Smith is interested in the Town position regarding the Power Rate Zone and Hay River's interest in submitting a joint response.
- e) Mayor Miltenberger announced that CJCD Radio has a new News Director, Mr. Bob Duck and welcomed him to our community.



3. ADOPTION OF AGENDA

#09-001 MOVED BY: CLLR LESTER
SECONDED BY: CLLR BURNSTAD

That the Council of the Town of Hay River accepts the Agenda for the January 19, 2009 as presented.

CARRIED

4. DECLARATION OF INTEREST

Councillor Wallington Declared an Interest on Item 8f) Development Permit Application No. D08-113 to Establish a Venue for Hosting Musical, Artistic and Related Gatherings at # 3 Studney Drive.

5. DELEGATION

6. MINUTES

a) Minutes of the Regular Meeting of Council, December 15, 2008.

#09-002 MOVED BY: CLLR MCKAY
SECONDED BY: CLLR O'BRIEN

That the Council of the Town of Hay River accepts the Minutes of the Regular Meeting of Council, December 15, 2008 as presented.

CARRIED

7. BUSINESS ARISING FROM THE MINUTES

There was no Business Arising from the Minutes of the Regular Meeting of Council, December 15, 2008.

8. COMMITTEE REPORTS

a) Excuse Absence

Councillors O'Brien and Latour have requested to be excused from the Committee of the Whole Meeting, January 12, 2009.

#09-003 MOVED BY: CLLR MCKAY
SECONDED BY: CLLR BURNSTAD

That the Council of the Town of Hay River excuse Councillors O'Brien and Latour from the Committee of the Whole Meeting, January 12, 2009.

CARRIED



Handwritten signature and initials, possibly "AM" and "TK1", located at the bottom right of the page.

b) Development and Building Permit Report

The Development and Building Permit Report for the month of December 2008.

NAME	DATE	DEV #	LOT	PLAN	DESC OF WORK	DEV FEE
Karen Gelderman	December 11/08	DH08-135	913	830	H/O Art works , Art Services	\$50.00
					Total	\$50.00

**#09-004 MOVED BY: DEPUTY MAYOR MAHER
 SECONDED BY: CLLR WALLINGTON**

That the Council of the Town of Hay River accepts the Development and Building Permit Report for the month of December 2008 as presented.

CARRIED

c) Municipal Enforcement Report

The Municipal Enforcement Report for the month of December 2008.

- (3) Dogs picked up for running at large
- (1) Dogs claimed and fines paid
- (2) Dogs remain in the pound

**#09-005 MOVED BY: CLLR WALLINGTON
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River accepts the Municipal Enforcement Report for the month of December 2008 as presented.

CARRIED

Handwritten initials: CW and TR

d) Recreation Department Report

Community Hall

December 2nd – Kurves
December 3rd – Recreation Board Meeting
December 5th – Power Corp Xmas Party
December 9th – Kurves
December 9th – Minor Hockey Meeting
December 11th – Kurves
December 12th – Hospital Xmas Party
December 14th – Hospital Kids Xmas Party
December 18th – Ecole Boreale Xmas Concert
December 19th – Bingo
December 31st – New Years Dance

Doug Wieterman Hall

December 1st – Minor Hockey Meeting
December 2nd – Union Meeting
December 5th – Chamber of Commerce Meeting
December 12th – Chamber of Commerce Meeting
December 13th – Minor Hockey Pizza Lunch
December 14th – Power Corp Kids Xmas Party
December 16th – Ptamigan Inn
December 20th – Private Rental
December 21st – Minor Hockey Meeting

Ice Surface- Tournaments/Camp

December 5th – DJSS Hockey Game
December 13th – Figure Skating Gala
December 21st – Skate with Santa

Public Ice Use

Monday & Thursday: Jr. Shinny 12:00-1:00
Wednesday & Friday: Sr. Shinny 12:00-1:00
Saturday: 50+ Shinny 4:15-5:15
Tuesday & Thursday: Parents & Tots 12:00-1:00
Tuesday: Public Skating 12:00-1:00
Saturday: Public Skating 2:30-4:15
Sunday: Public Skating 2:30-3:45

Additional Public Skating

December 5th – Junior Shinny 8:45-9:45pm,
Senior Shinny 10:00-11:00pm
December 6th – Junior Shinny 8:30-9:30pm,
Senior Shinny 9:45-10:45pm
December 22nd – Public Skating 10:45-11:45,
Public Skating 1:15-3:15
December 23rd – Junior Shinny 10:45-11:45am,
Public Skating 3:30-5:45pm
December 27th – Junior Shinny 7:15-8:15pm,
Senior Shinny 9:45-10:45pm
December 29th – Junior Shinny 10:45-11:45am,
Public Skating 1:15-3:15pm
December 30th – Junior Shinny 10:45-11:45am,
Public Skating 3:30-4:30pm, Junior Shinny 4:45-
5:45pm
December 31st – Senior Shinny 12:00-2:00pm,
Public Skating 2:30-4:30pm, Junior Shinny 4:45-
6:45pm, Public Skating 7:00-11:00pm

Aquatic Centre Programs

Aquasize

Tuesday & Thursday
1:00-1:45pm & 6:30-7:15 pm
Monday & Wednesday
6:30-7:15 pm

Parents & Tots

Thursday, December 4th, 11th, 18th
5:30-6:00pm

Swim Club

Monday- Thursday 4:30-6:30
Friday 5:00-6:00

Other Programs/Activities

Teen Night Fridays 8:00-9:30pm
Adult Swimming Mon-Thurs 8:00-9:30pm
December 7th – Private Rental
December 14th – Private Rental

#09-006

MOVED BY: CLLR MCKAY
SECONDED BY: CLLR WALLINGTON

That the Council of the Town of Hay River accepts the Recreation Report for the month of December 2008 as presented.

CARRIED

e) Recreation Board Meeting Minutes

The Recreation Board Meeting Minutes of December 3, 2008.

**#09-007 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR LESTER**

That the Council of the Town of Hay River accepts the Recreation Board Meeting Minutes of December 3, 2008 as presented.

CARRIED

**#09-008 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR WALLINGTON**

That the Council of the Town of Hay River approve the Bingo allocations as presented.

CARRIED

f) Taxi By-Law Review

MacDonald & Associates have completed a draft Taxi By-Law with recommendations for further changes.

**#09-009 MOVED BY: CLLR LESTER
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River accepts the draft Taxi By-Law and will bring forward to the Regular Meeting of Council for First and Second Reading January 19, 2009.

CARRIED

g) Development Permit Application No. D08-113 to Establish a Venue for Hosting Musical, Artistic and Related Gatherings at # 3 Studney Drive
Kevin Wallington, Chairperson of the Lighthouse Ministries has made application for development permit to use the property and building at 3 Studney Drive for a whole host of musical, artistic and related gatherings.

The proposed site is legally described as Lot 1375, Plan 1126 a map is attached for reference. The proposed use is not directly listed as a permitted or discretionary use and is therefore presented to Council for review and to render a decision regarding the development permit application. Relevant sections of the General Plan and Zoning and Building By-law are attached for your information and ease of reference.

JM
TM

The proponent states that "As we are looking at a multi use building by use of through a number of organizations and user groups, we would request that the town approve the site for semi public use as outlined in the discretionary uses of the current zoning of this property" and further states that "I know that concern was expressed in regards to this being a "religious" facility. While we have plans to hold a weekly gathering at some point, we by no means want to establish the building as a religious institution or in essence a church."

Semi public use as outlined in the by-law states "means a development which is used for the meeting, social or recreational activities of its members, which may or may not include the general public. Typical semi-public uses include private schools excluding commercial schools, indoor and outdoor recreational facilities, hospitals, lodges and clubs, cemeteries, galleries, museums, Religious Assembly and places of worship, and libraries."

A legal opinion was obtained regarding the interpretation and application of the definition of semi-public use in the Zoning and Building By-law No. 1812.

**#09-010 MOVED BY: CLLR LESTER
 SECONDED BY: CLLR MCKAY**

That the Council of the Town of Hay River turn down the development permit application based on the fact that it doesn't meet development requirements in the Industrial Park.

CARRIED

Councillor Wallington departed Chambers and did not participate in the discussion or the vote.

Let it be noted that Councillors McKay, Lester, O'Brien, Burnstad and Latour were in favor of the motion.

CARRIED

A handwritten signature in black ink, appearing to be 'J. Wallington', with the initials 'TW' written below it.

9. **NEW BUSINESS**

a) Excused Absence

Deputy Mayor Maher has requested to be excused from the Regular Meeting of Council, January 19, 2009.

**#09-011 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR LESTER**

That the Council of the Town of Hay River excuse Deputy Mayor Maher from the Regular Meeting of Council, January 19, 2009.

CARRIED

b) Integrated Community Sustainability Plan

On December 15, 2008 Sabrina Broadhead, Municipal and Community Affairs, Government of the Northwest Territories and Dave McGarva, Consultant delivered an overview of the Integrated Community Sustainability Plan Tool developed by the NWTAC and the GNWT to assist communities in completing the requirements of the agreement to receive federal gas tax funding – The New Deal for Cities and Communities (NDCC).

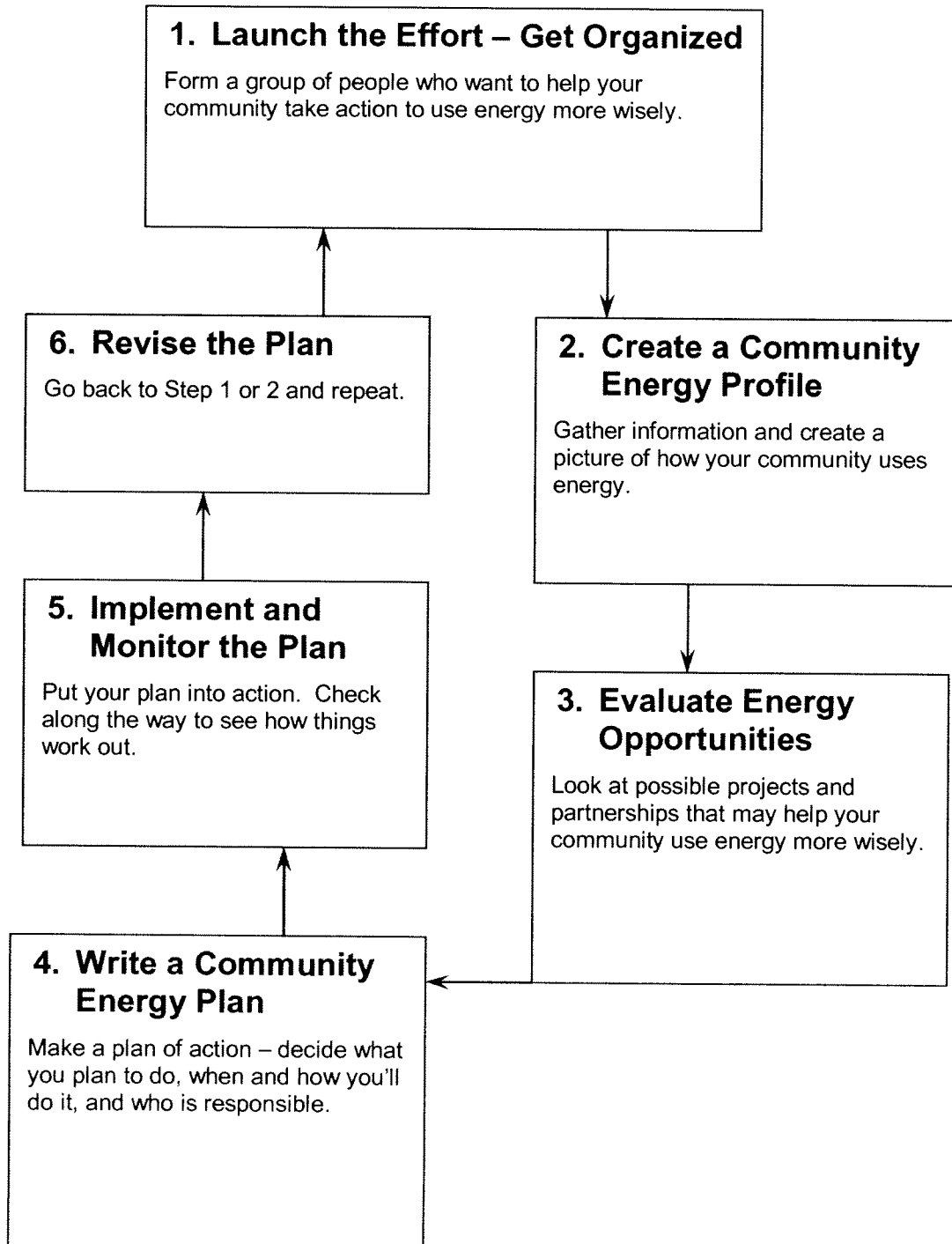
The NDCC provides financial assistance to government to support the sustainability of capital infrastructure. As part of the agreement community governments are required to develop an Integrated Community Sustainability Plan (ICSP) by March 31, 2010. In exchange for new multi-year funding allocations community governments are required to develop and implement ICSPs that at a minimum include the following components:

- Community Strategic Plan: Planning for long term priorities of the community
- Capital Investment Plan: Preparation of a multi-year capital investment plan
- Community Energy Plan: Taking stock of existing energy consumption and developing a plan to reduce energy and improve efficiency
- Human Resource Plan: Planning to make, manage and promote human resources and build capacity

Of the four ICSP components the Community Energy Plan (CEP) process requires the greatest amount of time to complete and The Arctic Energy Alliance has developed a toolkit to assist community governments. A diagram of the energy planning process is attached. A Hay River Community Energy Planning Committee must be established by resolution of Council to oversee the community energy planning process and to create a CEP. The planning cycle is estimated to take a minimum of



Energy Planning Process



Create a Community Energy Committee

To get things moving, you need a group of people to help make things happen. To bring the energy planning team together, be creative and use what works well in your community.

Here are some ideas and tips we've learned from past experience, to help create and maintain an effective energy planning committee. The first two tips are VERY important.

- 1) Ask local government to pass a resolution to create an energy planning committee and to support the energy planning process. The Toolkit includes a sample resolution.
- 2) Find an energy coordinator - someone with a vision of what the community can accomplish, and the skills to encourage and support the committee, and to organize the energy planning process. The energy coordinator should live in the community and does not necessarily need detailed knowledge about energy. We recommend you find funding to pay this person.
- 3) Encourage a variety of community members to get involved so you know you have broad community support. Look for people that community members respect and listen to:
 - Elders
 - Youth
 - Employers and business people
 - Community groups
 - Elected leaders and employees from all local governments: Band, Metis, municipality or hamlet, etc.
 - People who operate utilities
 - People who buy and sell fuel
 - Home owners and renters
 - People from the local housing authority.
- 4) Communicate openly and use consensus to build strong relationships among the people active in the committee and the rest of the community.
- 5) Communicate openly and often with the whole community – people outside the committee. Make sure they know what's going on and what they can realistically expect.
- 6) Encourage the committee to identify realistic, achievable goals.



-
- 7) Make it easy for people to participate.
 - 8) Expect committee members to come and go throughout the process. Encourage others to join the committee, to replace those that move on.
 - 9) Give each committee member a copy of the Community Energy Planning Toolkit. Use the Toolkit to introduce committee members to the energy planning process and to help them successfully work through the process.

c) Land Sales Incentive Program

In June of 2001 Council approved a Land Sales Incentive Program. This program has been renewed annually with the 10% deposit applying to all lots for sale in Town.

The guidelines for this program were as follows:

- The Land Sales Incentive Program shall apply to all land sales in the Town of Hay River
- Purchaser pays a 10% nonrefundable deposit on land
- Upon acceptance of their application the purchaser gets "possession" of the land, which gives them the right to develop
- Purchaser pays property taxes on the land from date of possession
- Purchaser has up to 12 months from the date of acceptance of their application to pay for the land plus GST (less deposit) interest free
- Upon final payment the Town will transfer title to the purchaser subject to the development conditions outlined in the Land Administration Bylaw No. 1913 and the Agreement for Sale.
- If payment for the land is not received within the 12 months period the land reverts to the Town plus all related improvements, the 10% deposit is not refunded
- A new Land Application was developed in 2002 to be used in conjunction with the Land Sales Incentive Program
- For new land sales only

**#09-013 MOVED BY: CLLR BURNSTAD
 SECONDED BY: CLLR O'BRIEN**

That the Council of the Town of Hay River extend the Land Sales Incentive Program through the Year 2009.

CARRIED

A handwritten signature in black ink, appearing to be 'J. Burnstad', with a date '1/19' written below it.

10. BY-LAWS

- a) By-Law No. 2158/LEG/08 – Indemnities and Allowances By-Law – Third and Final Reading

#09-014 **MOVED BY: CLLR WALLINGTON**
SECONDED BY: CLLR MCKAY

That the Council of the Town of Hay River give Third and Final Reading to By-Law No. 2158/LEG/08 – Indemnities and Allowances By-Law.

CARRIED

- b) By-Law No. 2159/BORR/08 – Short Term Borrowing By-Law – Third and Final Reading

#09-015 **MOVED BY: CLLR MCKAY**
SECONDED BY: CLLR WALLINGTON

That the Council of the Town of Hay River give Third and Final Reading to By-Law No. 2159/BORR/08 – Short Term Borrowing By-Law.

CARRIED

- c) By-Law No. 2162/LND/08 – Land Acquisition – Acquire Headlease for Lot 384, Plan 360 5 Robin Crescent , NWT Housing Corporation – Third and Final Reading

#09-016 **MOVED BY: CLLR BURNSTAD**
SECONDED BY: CLLR LESTER

That the Council of the Town of Hay River give Third and Final Reading to By-Law No. 2162/LND/08 - Land Acquisition – Acquire Headlease for Lot 384, Plan 360 5 Robin Crescent , NWT Housing Corporation.

CARRIED

d) By-Law No. 2163/LND/08 – Land Acquisition – Acquire Headlease for Lots 629 & 630, Plan 365 46 & 48 Woodland Drive, NWT Housing Corporation – Third and Final Reading

**#09-017 MOVED BY: CLLR O'BRIEN
 SECONDED BY: CLLR MCKAY**

That the Council of the Town of Hay River give Third and Final Reading to By-Law No. 2163/LND/08 - Land Acquisition – Acquire Headlease for Lots 629 & 630, Plan 365 46 & 48 Woodland Drive, NWT Housing Corporation.

CARRIED

e) By-Law No. 2164/GEN/09 – Management Personnel Employment By-Law – First and Second Reading

**#09-018 MOVED BY: CLLR WALLINGTON
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River give First Reading to By-Law No. 2164/GEN/09 – Management Personnel Employment By-Law.

CARRIED

**#09-019 MOVED BY: CLLR BURNSTAD
 SECONDED BY: CLLR WALLINGTON**

That the Council of the Town of Hay River give Second Reading to By-Law No. 2164/GEN/09 – Management Personnel Employment By-Law.

CARRIED

f) By-Law No. 2165/REG/09 – Taxi License By-Law – First and Second Reading

**#09-020 MOVED BY: CLLR LESTER
 SECONDED BY: CLLR WALLINGTON**

That the Council of the Town of Hay River give First Reading to By-Law No. 2165/REG/09 – Taxi License By-Law.

CARRIED

#09-021 **MOVED BY: CLLR LESTER**
 SECONDED BY: CLLR WALLINGTON

That the Council of the Town of Hay River give Second Reading to By-Law No. 2165/REG/09 – Taxi License By-Law.

CARRIED

g) By-Law No. 2166/LND/09 – Lease of Lot 1874, Plan 3898 #1 Forest Drive to Arcan Investments Ltd. – First and Second Reading

#09-022 **MOVED BY: CLLR WALLINGTON**
 SECONDED BY: CLLR BURNSTAD

That the Council of the Town of Hay River give First Reading to By-Law No. 2166/LND/09 – Lease of Lot 1874, Plan 3898 #1 Forest Drive to Arcan Investments Ltd.

CARRIED

#09-023 **MOVED BY: CLLR BURNSTAD**
 SECONDED BY: CLLR WALLINGTON

That the Council of the Town of Hay River give Second Reading to By-Law No. 2166/LND/09 – Lease of Lot 1874, Plan 3898 #1 Forest Drive to Arcan Investments Ltd.

CARRIED

11. ITEMS LISTED FOR THE INFORMATION OF COUNCIL

#09-024 **MOVED BY: CLLR WALLINGTON**
 SECONDED BY: CLLR LATOUR

That the Council of the Town of Hay River accepts the Information Listed as presented.

CARRIED

12. NOTICE OF MOTION

There is no Notice of Motion.



**13. IN-CAMERA
a) Land Issues**

**#09-025 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River move In-Camera at 8:12 pm.

CARRIED

**#09-026 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR LESTER**

That the Council of the Town of Hay River direct Administration to obtain an appraisal for Lot 428, Plan 360 for the information of council.

CARRIED

**#09-027 MOVED BY: CLLR LESTER
 SECONDED BY: CLLR O'BRIEN**

That the Council of the Town of Hay River move out of In-Camera at 9:18 pm.

CARRIED

14. ADJOURNMENT

#09-028 MOVED BY: CLLR BURNSTAD

That the Regular Meeting of Council of January 19, 2009 be adjourned at 9:19 pm.

CARRIED

Certified correct as recorded on the 19th day of January, 2009.

These minutes were accepted by motion #09-030.



Mayor



Senior Administrative Officer