
The Regular Meeting of Council was held on Monday, August 24, 2009 at 7:30 PM in Council Chambers.

Present: Mayor Miltenberger, Councillors M^cKay, Lester, Burnstad and O'Brien.

Staff: Terry Molenkamp – Senior Administrative Officer, May-Britt Hetesi – Assistant to the Senior Administrative Officer, Ross deBoer – Director of Recreation and Jaimi Carter – Recording Secretary.

Absent: Deputy Mayor Maher, Councillors Wallington and Latour.

Others: Brad Mapes, John and Jean Locke, James and Lisa Locke, Jeff Griffiths, Dawn Flemmerfelt, Geoff Buerger, Philip Kienholz, Paul Bickford – News North, and Diana Yeager – The Hub.

1. CALL TO ORDER

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

2. ANNOUNCEMENTS

- a) Councillor O'Brien sends a reminder to the Town of Hay River residents that the fiddling and jiggling championships are on the long weekend in September. It will be a full weekend of entertainment and competition. Come and Enjoy!
- b) Councillor Burnstad assisted with the Yards and Bloom Judging – there are a lot of great yards! The prizes and certificates will be given out this Saturday, August 26th, 2009.

3. ADOPTION OF AGENDA

**#09-213 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**


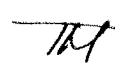
That the Council of the Town of Hay River accepts the Agenda for the August 24, 2009 Regular Meeting of Council as presented.

CARRIED

4. DECLARATION OF INTEREST

Note that there were no declarations of interest for the Regular Meeting of Council, Monday, August 24th, 2009.

5. DELEGATION

- a) Brad Mapes – Discussion on the following items;
 - Letters sent to the Super boards Re: Board Reform Initiatives.
 - Appointment of Deputy Mayor Maher as Administrator of the H.H.
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- Memorial Hospital
 - IT RFP, Contract to ArcTech Computers (concerned as a tax payer and wants to be assured that tax payers dollars are being spent to the best of Council's abilities)
 - Woodland Manor, assistance from Town with watering of flowers donated by Mr. Mapes.

6. MINUTES

a) Minutes of the Public Meeting of Council, July 20th, 2009.

**#09-214 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR LESTER**

That the Council of the Town of Hay River accepts the Minutes of the Public Meeting of Council, July 20th, 2009 as presented.

CARRIED

b) Minutes of the Regular Meeting of Council, July 20th, 2009.

**#09-215 MOVED BY: CLLR BURNSTAD
 SECONDED BY: CLLR LESTER**

That the Council of the Town of Hay River accepts the Minutes of the Regular Meeting of Council, July 20th, 2009 as presented.

CARRIED

7. BUSINESS ARISING FROM THE MINUTES

There was no Business Arising from the Minutes of the Public Meeting of Council, July 20th, 2009 and the Regular Meeting of Council, July 20th, 2009.

8. COMMITTEE REPORTS

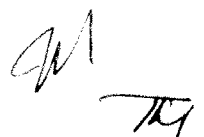
a) Excused Absence

Councillor O'Brien has requested to be excused from the Special Committee of the Whole Meeting, August 17, 2009.

**#09-216 MOVED BY: CLLR LESTER
 SECONDED BY: CLLR MCKAY**

That the Council of the Town of Hay River excuse Councillor O'Brien from the Special Committee of the Whole Meeting, August 17, 2009.

CARRIED

Handwritten signatures in the bottom right corner of the page.

b) Resolution to Phase out the Sale and Purchase of Bottled Water in Municipal Facilities

The Northwest Territories Association of Communities adopted Resolution 2009-11: Bottled Water at the Annual General Meeting on May 23, 2009. A copy of the resolution is attached for reference.

We received a letter from the President of the NWTAC, Mr. Gordon Van Tighem encouraging Council to join with the NWTAC, the NWT Legislative Assembly, the Federation of Canadian Municipalities as well as a growing number of municipal governments across Canada in saying no to bottled water, demonstrating that municipal water is clean, affordable and sustainable.

There are a number of ways that Council can support the NWTAC and its campaign to say no to bottled water. Council can adopt a resolution similar to what the NWTAC has done or Council can pass a by-law that will restrict the sale and purchase of bottled water within our operations.

**#09-217 MOVED BY: CLLR BURNSTAD
 SECONDED BY: CLLR MCKAY**

That the Council of the Town of Hay River joins the Northwest Territories Association of Communities campaign to say no to bottled water by by-law not to sell or purchase bottled water in municipal facilities to demonstrate that tap water is safe, healthy, highly regulated and accessible to residents, employers, employees and visitors to Hay River and substantially more sustainable than bottled water because bottled water consumes significant amounts of non-renewable fossil fuels to extract, package and transport water creating unnecessary air quality and climate change impacts and although bottled water is distributed in a container that can be recycled, between 40% and 80% of empty bottles end up as litter and/or are placed directly into the garbage and take up unnecessary space in landfills.

CARRIED

c) Proposed Curfew By-law

Note that this By-law was defeated by a vote of 3 to 1.

d) Janitorial Services – Town Hall

The current contract for Janitorial Services with Ken's Janitorial Services for the Town Hall Building expires on September 30, 2009. Clause 5 of the contract states that the Town at its option may extend or negotiate a further term of the contract for two (2) years. All other terms and conditions in the contract will remain the same including fee for service.

The other option would be to put the Town Hall Janitorial Services out to public tender.

**#09-218 MOVED BY: CLLR BURNSTAD
 SECONDED BY: CLLR MCKAY**

That the Council of the Town of Hay River extend the contract for Janitorial Services with Ken's Janitorial Services for an additional two years from September 30, 2009 to September 30, 2011.

CARRIED

e) Support for 9-1-1 in NWT Communities

Gordon Van Tighem, Mayor of the City of Yellowknife and President of the Northwest Territories Association of Communities advised that he made a presentation at the Annual General Meeting for the NWT Association of Communities in May of this year supporting the establishment of a 9-1-1 Service in the Northwest Territories as an option towards providing public safety initiatives to the residents of the NWT. With the support of the Government of the Northwest Territories the City of Yellowknife completed a feasibility study and implementation analysis for providing 9-1-1 service in the NWT. The study considered four basic deployment options that the City and the Government of the Northwest Territories should consider and the estimated costs of providing the service. The deployment options are:

1. Do nothing.
2. Provide E9-1-1 service throughout the NWT.
3. Provide E9-1-1 service in Yellowknife (including Dettah and Ingram Trail) now, but defer 9-1-1 in other communities.
4. Implement E9-1-1 service in Yellowknife and six of the larger communities as soon as possible. The six larger communities are identified as Hay River, Fort Smith, Inuvik, Fort Simpson, Norman Wells and Behchoko (Rae and Edzo).

The reports primary recommendation is option four to start a 9-1-1 service in Yellowknife and the six larger NWT communities. The Council for the City of Yellowknife has adopted the final report "Feasibility Study and Implementation Analysis" towards 9-1-1 services in the Northwest Territories and have asked the other six communities named in option four to review the report and its recommendations. After the review a conference call is proposed to discuss levels of support and the next steps for this important initiative. A copy of the report is attached.

**#09- 219 MOVED BY: CLLR LESTER
 SECONDED BY: CLLR O'BRIEN**

That the Council of the Town of Hay River accepts the report "Feasibility Study and Implementation Analysis" towards 9-1-1 services in the

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Northwest Territories from the City of Yellowknife as presented, and that the Council of the Town of Hay River will conduct a review of the report that may include public consultation. Upon completion of the review of the report Council will contact the City of Yellowknife to discuss the report and the next steps for this important initiative.

CARRIED

f) Request for Proposals Information Technology Management and Computer Services

On June 15, 2009 administration submitted the following report to Committee of the Whole for discussion and recommended the Town accepts the proposal.

The Town received an unsolicited proposal from ArcTech Computers Inc. for the maintenance, monitoring and security of the Town's extensive computer network. ArcTech Computers Inc. (ArcTech) currently holds a three year contract with the Town to provide these services. The contract will expire on July 31, 2009.

In the proposal from ArcTech they have offered the same services as provided in the current contract with no increase in fee for services. The proposed fee for service is \$11,000.00 per month.

ArcTech is clearly qualified to perform the services that the Town requires to maintain the integrity of our elaborate network including the IP phone system, Vadim (the municipal accounting software program) and program licencing and updates. The Town's computer network is physically located in the following locations: Town Hall, Fire Hall, Recreation Facility, Public Works and consists of twenty five to thirty work stations depending on the time of year and this does not include the lap top computers that the Town uses.

Administration is very satisfied with the quality of service and attention that ArcTech Computers Inc. provides to the Town.

On June 29, 2009 at the Regular Meeting of Council a motion was carried to tender the maintenance, monitoring and security of the Town's computer network for a term that will expire on October 31, 2012.

**#09-220 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR LATOUR**

That the Council of the Town of Hay River tender for the maintenance, monitoring and security of the Town's Computer Network for a term that will expire October, 31st, 2012.

CARRIED

On July 8, 2009 a Request for Proposal for Information Technology Management and Computer Services was issued with a closing date of August 4, 2009. A copy of the Request for Proposal is attached. The Town received one qualified request for proposal from ArchTech Computers Inc. The monthly fee submitted by ArcTech in exchange for performing the services is \$12,980.00 plus GST and that the monthly fee will increase by the greater of the annual increase in CPI or 3% effective January 1 of each year during the term of the contract.

**#09-221 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River award the contract for Information Technology Management and Computer Services to ArchTech Computers Inc. for a term beginning September 1, 2009 and expires October 31, 2012 for a monthly fee of \$12,980.00 plus GST and that the monthly fee will increase by the greater of the annual increase in CPI or 3% effective January 1 of each year during the term of the contract.

CARRIED

g) Community Energy Plan Committee Minutes

A Community Energy Plan (CEP) Committee meeting was held July 29, 2009.

**#09-222 MOVED BY: CLLR BURNSTAD
 SECONDED BY: CLLR MCKAY**

That the Council of the Town of Hay River accepts the Community Energy Plan Committee Meeting Minutes of July 29, 2009 as presented.

CARRIED

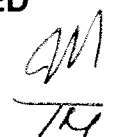
h) Proposed Community Energy Plan Committee By-law No. 2183

Assistant Senior Administration Officer, May-Britt Hetesi has prepared a draft of the Community Energy Plan Committee By-law for discussion.

**#09-223 MOVED BY: CLLR BURNSTAD
 SECONDED BY: CLLR O'BRIEN**

That the Council of the Town of Hay River accepts the Proposed Community Energy Plan Committee By-law in principle.

CARRIED



i) Recreation Department Monthly Activity Report

Community Hall

July 3rd– Night for the Arts Coffee House

July 10th – Chamber of Commerce Meeting

July 16th– Teen Health Workshop

July 20th – Soccer Meeting

July 24th– Bingo

July 25th– Persons with Disabilities Dance

July 31st – Federal Day School Reunion

Doug Wieterman Hall

July 7th – Minor Hockey Meeting

July 14th– Private Rental

July 18th – Private Rental

July 27th-31st– Ptarmigan Inn

Summer Ice Surface Rentals

July 1st– Canada Day Community BBQ & Games

July 3rd– Giant Bingo

July 15th– Lacrosse Player Development Clinic

July 30th– Multi-Sport Camp

Public Summer Ice Use Activities

Lacrosse Scrimmages

Youth Drop in- Wednesday 1:00-3:00pm

Curling Rink

Summer Heat- Tues/Wed/Thurs

Summer Heat Jr.- Mon & Fri

Ball Field

July 31-Aug 3rd– Coors Slo-Pitch Tournament

Aquatic Centre Programs

Aquasize

Tuesday & Thursday

9:00-9:45am & 6:30-7:15pm

Parents & Tots

Saturday 10:30-11:00am

Swim Lessons

Youth Lessons:

Mon/Tues/Wed/Thurs

10:00-12:15am

Tues/Wed/Thurs/Fri

10:00-11:45am & 4:15-6:45pm

Saturday

10:00-12:30am

Swim Club

Monday- Thursday 4:30-6:30pm

Friday 5:00-6:00pm

Hawks

Mon/Tues/Wed/Thurs/Fri

1:00-4:00pm

Bronze Medallion

Fri & Sat

2:00-6:00pm

Bronze Cross

Mon/Wed/Fri

6:00-10:00pm

Other Programs/Activities

Teen Night Fridays 8:00-9:30pm

Adult Swimming Mon-Thurs 8:00-9:30pm

Other Events

July 6th– Flag Football Clinic

July 7-9th– Youth Golf Camp

July 31st– Multi-Sport Camp

#09-224

MOVED BY: CLLR MCKAY

SECONDED BY: CLLR BURNSTAD

That the Council of the Town of Hay River accepts the Recreation Department Monthly Activity Report for the month of July as presented.

CARRIED

j) Development and Building Permit Report

NAME	DATE	DEV #	CIVIC ADDRESS	DESC. OF WORK
Ralph Colwell	July 1/09	D09-071	53 Fir Crescent	New Deck
Ron Dumas	July 2/09	D09-072	72 Stewart Drive	Garage and Deck
Darrell Dean & Rob Jameson	July 3/09	D09-073	39 Studney Drive	New Business, Drilling and General Contracting
Jackoline and Graham Milne	July 6/09	D09-074	11 Dean Drive	Developing Vegetable Gardens
Wayne Planadin	July 9/09	D09-075	73 McBryan Drive	Pave Driveway
Arctic Canada Construction Ltd.	July 9/09	D09-076	Diamond Jenness School	Trades Shop
Roxanne Doucette	July 13/09	D09-077	36 Cranberry Crescent	Fence Rear Yard
Arctic Canada Construction Ltd.	July 13/09	D09-078	4 Lepine Street	New Retail Store(Power Surge Tec.)
Gordon King	July 15/09	D09-079	34 Elm Crescent	Sun Deck
Ching Marzan	July 15/09	D09-080	41 Fir Crescent	Fence
Julita Bordey	July 17/09	DH09-081	35 Fir Crescent	Internet E-business
SLR Consulting for Petro Canada	July 21/09	D09-082	42064 Mackenzie Highway	Install/Operate Soil Vapor Extraction System
Gary Asels	July 21/09	D09-083	1B Poplar Road	Storage Shed
Shelly Martin	July 22/09	D09-084	5 McBryan Drive	Rear Deck
GNWT Public Works	July 23/09	D09-085	19 Industrial Drive	Record Storage Building Interior
Larry Monkman	July 24/09	D09-086	46 Cranberry Crescent	Rear Deck
Trade Show Direct	July 24/09	D09-087	44 Industrial Drive	40'X80' Shop and Office
May-Britt Hetesi	July 28/09	D09-088	53 Riverview Drive	Fence
Gregory G. Haist	July 30/09	D09-089	38 Paradise Road	Residential Renovations

**#09-225 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR O'BRIEN**

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

CARRIED



(Handwritten signatures and initials)

9. **NEW BUSINESS**

a) Excused Absence

Deputy Mayor Maher and Councilors Latour and Wallington have requested to be excused from the Regular Meeting of Council, August 24, 2009.

**#09-226 MOVED BY: CLLR LESTER
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River excuse Deputy Mayor Maher and Councilors Latour and Wallington from the Regular Meeting of Council, August 24th, 2009.

CARRIED

b) Property Assessment & Taxation Act Tax Sale Provision
Legislation

The Property Assessment and Taxation Act (PATA) Part III provides for the Recovery of Taxes related to land.

Section 97.6 provides

(1) A taxable property that remains on the tax arrears list after December 31 of the year that the tax arrears list was prepared may be offered for sale, at public auction, by the taxing authority at such time as it considers appropriate, if the property continues to be on the tax arrears list at that time.

(2) **The date of a public auction must be set**

(a) **by resolution of the council** of the municipal taxing authority, where the taxable property to be offered for sale is within its municipal taxation area; or

(b) by order of the Minister of Finance where the taxable property to be offered for sale is within the general taxation area.

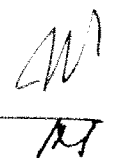
(3) A resolution or order referred to in subsection (2) must also set out, in respect of each taxable property to be offered for sale at the public auction,

(a) **the minimum sale price, as calculated in accordance with the regulations**; and

(b) any other term or condition that the taxing authority wishes to apply to the sale.

(4) A taxable property offered for sale at a public auction may not be sold for less than its minimum sale price and must be sold for the highest price bid above the minimum sale price.

(5) A taxing authority is not under any duty to obtain the best possible price for a taxable property and, for greater certainty, the taxing



authority is not obliged to delay the sale of the taxable property for that purpose.

The Government of the Northwest Territories Revised Regulation provides that the minimum price for the sale of land is 50% of the assessed value of the land.

3(1) Subject to subsection (2), **the minimum sale price of a taxable property that is to be offered for sale is**

(a) **50% of the assessed value** of the taxable property, where the taxable property is located in a municipal taxation area;

Properties Attached

The Administration has provided notice pursuant to legislation to all property owners that are in arrears for 2007 property taxes that those properties may be sold for property tax arrears of taxes.

Those properties listed on Schedule "A" to this Report to Committee are subject to Sale for Arrears of Property Taxes.

In accordance with the PATA Council must by resolution set the date for the sale and the minimum sale price.

**#09-227 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River in accordance with the Property Assessment and Taxation Act RSNWT. 1988 Chapter P-10, Section 97.6 hereby set November 18, 2009 at 9:00am in Town Hall Council Chambers for the date of Public Auction for the properties as noted with the minimum prices as noted.

CARRIED


10. BY-LAWS

a) **By-Law No. 2179 – Sale of LOT 1649, Plan 2421 to Greenway Holdings – Third and Final Reading**

**#09-228 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River give Third and Final Reading to By-Law No. 2179 – Sale of LOT 1649, Plan 2421 to Greenway Holdings.

CARRIED



3b) By-Law No. 2180/LND/09 – Sale of LOT 1846, Plan 3925 to Jason and Sarah Froese – Third and Final Reading

**#09-229 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River give Third and Final Reading to By-Law No. 2180/LND/09 – Sale of LOT 1846, Plan 3925 to Jason and Sarah Froese.

CARRIED

c) By-law No. 2182/LND/09 – Sale of LOT 1956, Plan 4183 to Gerry and Susan Balmer – First and Second Reading

**#09-230 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River give First Reading to By-law No. 2182/LND/09 – Sale of LOT 1956, Plan 4183 to Gerry and Susan Balmer.

CARRIED

**#09-231 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

That the Council of the Town of Hay River give Second Reading to By-law No. 2182/LND/09 – Sale of LOT 1956, Plan 4183 to Gerry and Susan Balmer.

CARRIED

d) By-law No. 2181/LND/09 – Sale of LOT 1655, Plan 2121 to Power Surge Technologies Ltd. – First and Second Reading

**#09-232 MOVED BY: CLLR LESTER
 SECONDED BY: CLLR O'BRIEN**

That the Council of the Town of Hay River give First Reading to By-law No. 2181LND/09 – Sale of LOT 1655, Plan 2121 to Power Surge Technologies Ltd.

CARRIED

**#09-233 MOVED BY: CLLR LESTER
 SECONDED BY: CLLR O'BRIEN**

That the Council of the Town of Hay River give Second Reading to By-law No. 2181LND/09 – Sale of LOT 1655, Plan 2121 to Power Surge Technologies Ltd.

CARRIED

e) By-law No. 2185/LND/09 – Sale of LOT 1958, Plan 4174 to Faye Eliason –
First and Second Reading

**#09-234 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

**That the Council of the Town of Hay River give First Reading to By- law
No. 2185LND/09 – Sale of LOT 1958, Plan 4174 to Faye Eliason.**

CARRIED

**#09-235 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

**That the Council of the Town of Hay River give Second Reading to By-
law No. 2185LND/09 – Sale of LOT 1958, Plan 4174 to Faye Eliason.**

CARRIED

f) By-law No. 2184/GEN/09 – Repeal Curfew By-laws – First and Second
Reading

**#09-236 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR LESTER**

**That the Council of the Town of Hay River give First Reading to By-law
No. 2184/GEN/09 - Repeal Curfew Bylaws.**

CARRIED

**#09-237 MOVED BY: CLLR MCKAY
 SECONDED BY: CLLR BURNSTAD**

**That the Council of the of Town of Hay River give Second Reading to By-
law No. 2184/GEN/09 – Repeal Curfew Bylaws.**

CARRIED

g) By-law No. 2183 – Community Energy Plan Committee By-law – First and
Second Reading.

**#09-238 MOVED BY: CLLR BURNSTAD
 SECONDED BY: CLLR LESTER**

**That the Council of the Town of Hay River give First Reading to By-law
No, 2183 – Community Energy Plan Committee By-law.**

CARRIED

AM
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#09-239 **MOVED BY: CLLR BURNSTAD**
 SECONDED BY: CLLR LESTER

That the Council of the Town of Hay River give Second Reading to By-law No. 2183 – Community Energy Plan Committee By-law.

CARRIED

11. ITEMS LISTED FOR THE INFORMATION OF COUNCIL

#09-240 **MOVED BY: CLLR MCKAY**
 SECONDED BY: CLLR BURNSTAD

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

CARRIED

12. NOTICE OF MOTION

13. ADJOURNMENT

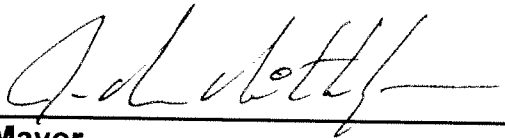
#09-241 **MOVED BY: CLLR BURNSTAD**

That the Regular Meeting of Council of August 24, 2009 be adjourned at 8:16 pm.

CARRIED

Certified correct as recorded on the 24th day of August, 2009.

These minutes were accepted by motion #09-259.



Mayor



Senior Administrative Officer