

The Regular Meeting of Council was held on Monday, November 16th at 7:30 PM in the Council Chambers.

- Present: Mayor Schofield, Councillors Kruger, Maher, Cassidy, Wallington, Langille, O'Brien, Dueck, and Latour.
- Staff: Terry Molenkamp – Senior Administrative Officer, Linda Folks, Ross deBoer – Director of Recreation, May-Britt Hetesi – Assistant to the Senior Administrative Officer, and Jaimi Carter – Recording Secretary.
- Others: Harvey Warner, Father Dawn Flumerfelt, Pastor Dean Steele, Laura Rose, Jeff Griffiths, John Sperry, Paul Bickford – News North and Diana Yeagar – The Hub.

1. CALL TO ORDER

The Meeting was called to order at 7:30 PM with Mayor Schofield presiding.

2. ANNOUNCEMENTS

a) **Mayor Schofield** announced that on Wednesday, November 4th, 2009, the RCMP made a drug bust involving two Hay River youths. On behalf of the Town of Hay River, I would like to thank the RCMP for their due diligence in getting these alleged Drug Traffickers off our streets.

b) **Mayor Schofield** announced that on Wednesday, November 18th, 2009, Mr. Robert O'Brien, a driver for Economy Carriers Ltd. will receive the Bridgestone Truck Driver Hero of the Year Award at a ceremony in Toronto, Ontario. Mr. O'Brien is receiving the award as a result of his heroic actions at an accident between Enterprise and Fort Providence last year. The Council of the Town of Hay River would like to congratulate Mr. Robert O'Brien on receiving this very prestigious award.

c) **Councillor Kruger** announced to the public that plan on attending the Buffalo Premiere of "Ice Pilots", that CBC Northbeat is requesting photo's of the event.

d) **Councillor Cassidy** announced that from November 21st – 22nd, 2009 that the Hay River Ski and Biathlon Clubs will be hosting approximately 60 athletes competing for positions in the Team NWT for the upcoming 2010 Arctic Winter games in Grande Prairie. Three teams will be selected; Ski Biathlon, Snowshoe Biathlon, and Cross Country Skiing. Many of our local athletes are competing for a spot on this team and so I encourage Council and staff to stop by the trails to support the athletes. The trials begin this Saturday, November 21st, 2009 at 1:00 PM and continue on Sunday, November 22nd, 2009 at 12:00 PM. If interested in becoming more involved as a volunteer, contact Theresa Swallow with MSS.

e) **Councillor Wallington** announced National Addictions Awareness Week, where each year there is a dedicated group of individuals who plan community events. This year's events are as follows; Monday, November 16th, 2009 – Parent and Youth information Night at DJSS at 8:00 PM, Tuesday, November 17th, 2009 – Lunch at DJSS at 12:00 NOON, Wednesday, November 18th, 2009 – Team Graffiti Challenge and launching of Drug Prevention art contest at DJSS at 12:00 NOON, Thursday, November 18th, 2009 – Restorative Justice Presentation at the Community Hall at 7:00 PM, Friday, November



19th, 2009 – RCMP taking on the Panther Team at DJSS at 2:30 PM – Meet and Greet with the RCMP at the Community Hall at 3:30 PM – Coffee House at DJSS at 10:00 PM.

3. ADOPTION OF AGENDA

**#09-309 MOVED BY: CLLR MAHER
 SECONDED BY: CLLR WALLINGTON**

That the Council of the Town of Hay River accepts the Agenda for the November 16th, 2009 Regular Meeting of Council.

CARRIED

4. DECLARATION OF INTEREST

Councillor Cassidy declared an interest in item #9.b) Hay River Community Youth Centre Application to Lease a Portion of LOT 1470, Plan 2191 because he is a member of the Youth Centre Board of Directors, and #9.c) The Soup Kitchen Application to Lease a Portion of LOT 1470, Plan 2191 because one item will have an effect on the other.

Councillor Wallington declared an interest in item #9.b) Hay River Community Youth Centre Application to Lease a Portion of LOT 1470, Plan 2191 because his Father is a member of the Youth Centre Board of Directors and he is currently living with his parents, and #9.c) The Soup Kitchen Application to Lease a Portion of LOT 1470, Plan 2191 because one item will have an effect on the other.

5. DELEGATION

There were no delegations for the Regular Meeting of Council, Monday, November 16th, 2009.

6. MINUTES

a) Minutes of the Regular Meeting of Council, September 28th, 2009.

**#09-310 MOVED BY: CLLR LATOUR
 SECONDED BY: CLLR MAHER**

That the Council of the Town of Hay River accepts the Minutes of the Regular Meeting of Council, September 28th, 2009 as presented.

CARRIED

b) Minutes of the Special Meeting of Council, October 13th, 2009.

**#09-311 MOVED BY: CLLR LATOUR
 SECONDED BY: CLLR MAHER**

That the Council of the Town of Hay River accepts the Minutes of the Special Meeting of Council, October 13th, 2009 as presented.

CARRIED

c) Minutes of the Special Meeting of Council, November 10th, 2009.

**#09-312 MOVED BY: CLLR MAHER
 SECONDED BY: CLLR DUECK**

That the Council of the Town of Hay River accepts the Minutes of the Special Meeting of Council, November 10th, 2009 as presented.

CARRIED

7. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the Minutes of the Regular Meeting of Council, September 28th, 2009, the Special Meeting of Council, October 13th, 2009 or the Special Meeting of Council, November 10th, 2009.

8. COMMITTEE REPORTS

a) Recreation Department Monthly Activity Report

<p><u>Community Hall</u> October 2nd – Bingo October 3rd – Minor Hockey Jazzercise October 4th – Minor Hockey Jazzercise October 5th – Advanced Poll Election October 7th – All Candidates Forum October 8th – All Candidates Forum October 13th – Volleyball AGM October 14th-16th – Metis Nation Meeting October 16th – Bingo October 17th – Filipino Fundraiser October 18th – Bingo October 19th – Elections October 20th – DJ Hockey Dryland October 22nd – DJ Hockey Dryland October 23rd – Bingo October 24th – Persons w/disabilities dance October 27th – DJ Hockey Dryland October 29th – Public Health Community Flu Fair October 30th – Bingo October 31st – Spook-a-rama RCMP</p> <p><u>Doug Wieterman Hall</u> October 3rd – Speed Skating Camp October 3rd – Minor Hockey IceBreaker October 4th – Speed Skating Camp October 4th – Minor Hockey Ice Breaker October 7th – Pee Wee Parent Meeting October 8th – Skating Meeting October 14th – Pee Wee Dryland</p>	<p><u>Aquatic Centre Programs</u></p> <p>Aquasize Tuesday & Thursday 1:00 – 1:45 PM Monday, Wednesday, Friday 7:00-7:45PM</p> <p>Swim Lessons <i>Youth Lessons:</i> Tuesday & Thursday 3:45-6:30 PM Wednesday & Friday 3:45-6:30 PM Saturdays 10:00 AM – 2:30 PM <i>Adult Lessons:</i> Tuesday & Thursday 7:00 – 8:30 PM</p> <p>Swim Club Monday – Thursday 4:30 – 6:30 PM Friday 5:00 – 6:00 PM</p> <p>Junior Lifeguarding Club Monday, Wednesday, Friday 3:45-5:15 PM</p> <p>Other Programs / Activities Teen Night Fridays 8:00 – 9:30 PM Adult Swimming Monday – Thursday 8:00 – 9:30 PM</p> <p><u>Other Events</u> October 30th – Town Halloween Party</p>
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<p>October 14th – Swim Club Meeting October 15th – Soccer Meeting October 17th-18th – Women’s Hockey Camp October 18th-22nd – Figure Skating Clinic October 25th – Private Rental October 29th – DJ Hockey Dryland October 30th – Halloween Party</p> <p>Ice Surface Rentals October 3rd-4th – Speed Skating Camp October 3rd-4th – Minor Hockey IceBreaker October 17th-18th – Women’s Hockey Camp October 18th-22nd – Figure Skating Clinic October 24th – Private Rental October 31st – Broomball Clinic</p> <p>Curling Rink October 16th-17th – Corporate Bonspiel</p>	
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**#09-313 MOVED BY: CLLR O’BRIEN
 SECONDED BY: CLLR DUECK**

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

CARRIED

b) Development and Building Permit Report

Carol Colosimo	Oct 02/09	DH09-127	14 Wright Cres.	Silpada Jewellery Sales
Dana Cross	Oct 6/09	DH09-128	10 Malcolm Cres.	Haywired Audio Production
Daniel Schuab	Oct 6/09	D09-129	474 Miron Drive	Heated Garage
Rodney Johnson	Oct 13/09	D09-130	8-101 st . Street	Move House on same property and Renovate
Scott Grey and Charles Cayen	Oct 13/09	DH09-131	23 Elm Crescent	Driving School Office
Kelly Schofield	Oct 15/09	D09-134	5 Morin Place	Storage Shed
Pelican Rapids Dev. Ltd.	Oct 19/09	D09-135	894 Mackenzie Hwy.	Clear lot of buildings.
Hay River Mobile Home Park	Oct 21/09	D09-136	3 Caribou Cres.	Demolish Burnt Duplex and replace.
Tanner Froehlich	Oct 23/09	DH09-137	1 Balsam Drive	Skidster Office
Diggerz Powersport	Oct 23/09	D09-138	2 Aspen Road	Freestanding Sign
Jimmy Larkin	Oct 26/09	B09-061	1 Forest Drive	Storage Shed
Bernard Langille	Oct 26/09	D09-139	36 Saskatoon Dr.	Chain link Fence
Kelly Schofield	Oct 27/09	D09-140	29-103 rd . Street	Demolish Remainder of bldg and clean lot

**#09-314 MOVED BY: CLLR LATOUR
 SECONDED BY: CLLR WALLINGTON**

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

CARRIED

c) The 2010 Council Meeting Schedule

January	February	March
Monday 4 Committee 18 Council	Monday 8 Committee 22 Council	Monday 8 Committee 22 Council
April	May	June
Monday 12 Committee 26 Council	Monday 10 Committee 31 Council	Monday 14 Committee 28 Council
July	August	September
Monday 12 Committee 26 Council	Monday 9 Committee 23 Council	Monday 13 Committee 27 Council
October	November	December
Monday 18 Committee 25 Council	Monday 8 Committee 26 Council	Monday 6 Committee 20 Council

**#09-315 MOVED BY: CLLR WALLINGTON
 SECONDED BY: CLLR LANGILLE**

That the Council of the Town of Hay River adopts the 2010 Council Meeting Schedule as amended.

CARRIED

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d) Code of Ethics / Code of Conduct

On October 27th, 2009 Members of the Council of the Town of Hay River elected at the municipal election held October 19th, 2009 attended the Conflict and Codes Session of the Good Governance Workshop that the Government of the Northwest Territories, Department of Municipal and Community Affairs has developed to assist municipal governments in delivering good governance to their communities.

On August 28th, 1995 the Council of the Town of Hay River adopted "Ethical Guidelines of Conduct for Members of Council" for the purpose of outlining certain basic rules for elected municipal government officials so that they may carry out their entrusted duties with impartiality and dignity. A copy of the "Ethical Guidelines of Conduct for Members of Council" is attached for the information of Council.

Copies of the adopted Code of Conduct for the City of Yellowknife and the City of Whitehorse are also provided for information purposes.

Mr. Ed Gullberg, facilitator of the workshop encouraged the Council of the Town of Hay River to conduct a review of the guidelines adopted in August 1995. That a code prepared with input from Councillors, staff and the public can be an extremely valuable tool in promoting ethical behavior on the part of Council Members. It can improve public confidence in Council and its decisions. It can also provide direction to Council Members on what is permitted or forbidden, helping to avoid ethical problems and disputes between Council Members.

Administration seeks the advice of Council on how members wish to proceed with the review and development of a Code of Conduct for Members of Council.

**#09-316 MOVED BY: CLLR WALLINGTON
 SECONDED BY: CLLR O'BRIEN**

That the Council of the Town of Hay River strike a Committee consisting of Cllr Wallington, Cllr Cassidy, and Cllr Kruger to seek out a review and development of our Code of Conduct.

CARRIED

e) Request for Proposal to Supply Fifteen Notebook/ Laptops for Lease

In June 2009 Council was advised that the three year rental agreement between the Town and ArcTech Computers Inc. (ArcTech) for the laptop computers issued to Members of Council and Management will expire on January 14, 2010.

Cllr McKay suggested that the Town start a new three year contract that mirrors the term of office for the new Council whose three year term will commence on November 2, 2009. That the new contract provides for each elected official to receive the lap top assigned to them as their own at the end of the term. Cllr McKay receives support from other Members of Council for this initiative.

Administration asked ArcTech to consider this proposal and provide a cost to amend the existing agreement to reflect Cllr McKay's suggestions and to include Cllr Wallington's suggestion that if a member of council is not interested the Town could perhaps donate the computer to student council, non-profit organization, etc.

ArcTech provided the following response. The Town can payout the remaining contract and purchase the laptops for 300.00 plus GST a unit. Administration estimates that the cost to payout the remaining term of the rental agreement on November 1, 2009 is \$2,796.65 plus GST and the cost to purchase all of the laptops will be \$4,200.00 plus GST. ArcTech will provide a proposal for a new three year agreement that will commence on November 2, 2009.

Administration agrees that it makes sense that the term of the rental agreement matches the term of office for elected officials. With respect to the purchase and disposal of the existing laptops Administration seeks input from Council on this matter.

Council passed the following motion on June 29th, 2009.

MOVED BY: CLLR WALLINGTON
SECONDED BY: CLLR O'BRIEN

That the Council of the Town of Hay River payout the remaining term of the current rental agreement for laptop computers with ArcTech Computers Inc. on November 1, 2009.

CARRIED

A request for proposal was issued for the lease of fifteen notebook/laptop for a period of three years that would expire on the 15th day of October, 2012.

A copy of the Terms of Reference and the Proposal Evaluation sections of the Request for Proposal are provided below:

Terms of Reference

Overview

The Town of Hay River in 2006 made the decision to go paperless by providing laptop computers to members of council and management for the purpose of receiving meeting packages and information, in addition elected official email addresses are given to each member of council and this email address is setup on the laptop computer.

For operational purposes the Town has adopted a standard for equipment including computer equipment. The Town's standard for computer equipment is Dell. For this work the Town will require a three year lease for fifteen (15) Dell notebook/laptop computers. The lease will be for equipment and upgrades only. Maintenance is not required in the lease agreement.

Scope of Work

The Town wishes to enter into a three (3) year lease agreement with a contractor who can provide fifteen (15) Dell notebook/laptop computers. The contractor must be authorized by Dell to conduct this business. The proposal should address the following:

- Dell product
- Pre-installed Microsoft Office Basic 2007 – English
- Genuine Windows XP Professional with Windows & Upgrade – English
- 15 inch LCD screen or larger
- Intel Core 2 Duo Processor
- 80GB or greater
- Memory – 2 GB or Greater
- Video Card – 256 MB or better
- Optical Mouse with scroll
- CD and DVD burner
- Wireless
- 3 year warranty
- Carrying case

Proposers may include additional suggestions that increase the function of the product or process.

Budget

The Town's 2009 budget for annual rental is \$13,424.00.

Local Involvement

The Successful Proponent is expected to utilize local resources whenever possible in order to maximize the benefits of this service to the community.

Project Team

Identify key members and their relevant experience, qualifications and project duties. The proponent shall present the firm(s) who shall comprise the Project Team.

Preference shall be given to those consultants who are able to staff the project with qualified personnel resident in the NWT.

Past Relevant Experience and References:

Proponents should describe similar services they have provided in the past five (5) years. Identify the location and dates of the work performed. Work for the Town is of particular interest; however other work that indicates the proponent's experience and ability to undertake the work should also be described.

Two references are required from previous projects that relate to this RFP. The names and contact information are required for each reference.

Work Plan/Methodology

Proponents should demonstrate their understanding of the work involved and explain their approach. The proponent should detail the proposed methodology to achieve the work objectives. The proponent should demonstrate their understanding of the work involved by addressing the following factors: objectives, information gathering, client input, schedules, budget, significant milestones or activities.

Available Resources:

Proponents may have access to observe the existing infrastructure for the purpose of submitting a proposal that is the subject of this RFP.

Proposal Evaluation

The following information should be provided in each proposal. As this information will be utilized in evaluating each responsive proposal submitted, proponents are encouraged to use the same headings to present their offer.

Team

Describe the team in terms of responsibilities, decision-making and the role each member of the team will play. In particular:

- Who will have the overall responsibility for managing the project team (ie: Project Manager)?
- What experience does this person have managing a team on similar projects? In particular, describe the manager's experience on at least two similar projects. What experience does this person have managing a fixed fee contract?
- Identify the amount of time key members are expected to put into this project.
- Identify who will be backup to key personnel. (ie: Project Manager / Discipline Design Team Lead)
- Provide resumes for key members of the project team, including back-up members.

Methodology

Proponents should demonstrate their understanding of the work involved; explain their approach to meeting the stated objectives, identifying significant factors, objectives, site visits, meetings, schedule, budget, various concerns, client reporting, and other significant events or activities.

Proponent's Past Relevant Experience

Proponents should describe similar services they have provided in the past five (5) years. Identify the location and dates of the work performed. Work for the Town is of particular interest; however other projects that indicate the proponent's experience and ability to undertake the work should also be described. Note to users, this section focuses on the Firm's experience whereas the Team section focuses on the team's individuals.

The Proponent should include references and contact information from two (2) previous projects that relate to this RFP.

Project Schedule

The proponent shall provide a detailed schedule and work plan that identifies how and when the services shall be conducted, individual responsibility for each service, and demonstrate that the work can be completed within the allotted time frame and within budget.

The work schedule will be evaluated based on how closely it meets the service requirements, and how it demonstrates a logical approach to delivering the required services.

Important Dates	Dates
Distribution of RFP to Proponents	September 28, 2009
Proposal Closing	October 14, 2009
Award of Proposal	October 16, 2009
Equipment Delivered	November 2, 2009

Fees

The Town intends to enter into a lease agreement as appended to this RFP for a period of time that begins on the date 19th day of October, 2009 for a period of three years ending on the 15th day of October, 2012. The proposal must propose a stipulated monthly sum fee for the total cost of the project.

- Prices bid must be stated in actual dollars and cents expressed in Canadian funds.
- Prices should not include GST.

Northern/Local Content

Preference will be made for Northern or Local content. The dollar value of the goods and services provided by the Proponent's own forces should be declared, as should the dollar value of goods and services to be provided by all sub-contractors with whom contracts will be entered into for this project. If this information is not submitted with a Proposal or is incomplete, the Proponent will not receive appropriate credit.

Mandatory Requirements

The following are mandatory requirements for all proposals. Proposals that do not clearly demonstrate compliance with these requirements will result in disqualification of the proponent's proposal and removal of the proposal from further considerations during the evaluation process.

- Must be received by the closing time and date.
- Must clearly state proposed fees and expenses.

Rating

Proposals shall be evaluated and rated by an evaluation committee, using predetermined criteria to determine which proposal potentially provides the best value to the Town.

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Detailed ratings and comments will be confidential however, once the contract has been executed, a proponent can ask for their own detailed rating and comments and the names and total rating of the other proponents.

In terms of relative importance, each criterion is given a pre-assigned weight, as outlined on the Proposal Rating Schedule, to which each proposal will be evaluated.

Each criterion is rated on a scale of 0 to 10. Each criterion's rating is then multiplied by the assigned weight to yield a total for that element. Summation of the individual totals yields a total score, which represents the overall degree of satisfaction for the respective submission.

This procedure is repeated for each of the responsive proposals. The highest total score will determine the proposal that potentially provides the best value to the Town.

Proposal Rating Schedule

Item	Rating Criteria	Assigned Weight (A)	Unit Points Awarded (B)	Total Points (A) x (B) = (C)
1	Team - Personnel to be assigned to or made available to the contract	30		
2	Methodology or approach proposed by the proponent	20		
3	Proponent's Past Relevant Experience	15		
4	Project Schedule	5		
5	Fees and Expenses	20		
6	Northern/Local Content	10		
Totals		100	N/A	

Legend

Unless stated otherwise herein, Unit Points will be assigned as follows:

Deficient 0 points

Poor 1 - 3 points

Fair 4 – 6 points
Good 7 – 8 points
Excellent 9 – 10 points

The Town received one response from Arctech Computers Inc. to this Request for Proposal. The proposed cost for the rental of fifteen laptops is a monthly fee of \$1,268.75 plus GST for the three year term.

Administration provides Council the following options for consideration:

1. That the Council of the Town of Hay River award the Request for Proposal for the supply of fifteen notebook/laptops by way of lease for a three year period that expires on October 15, 2012; or
2. That the Council of the Town of Hay River consider exploring the cost to purchase fifteen notebook/laptops; or
3. That the Council of the Town of Hay River provide other options to administration should the option to lease or purchase fifteen notebook/laptops not be acceptable.

Should option 2 or 3 be the decision of Council administration will supply information to Council by providing a paper package until a decision can be made regarding this matter.

**#09-317 MOVED BY: CLLR MAHER
 SECONDED BY: CLLR CASSIDY**

That the Council of the Town of Hay River consider exploring the cost to purchase fifteen notebook/laptops.

CARRIED

f) Deputy Mayor and Acting Mayor

The Council of the Town of Hay River appoints a Deputy Mayor on an annual basis as provided in the Cities, Towns and Villages Act. A copy of the section of the Act is provided below for reference.

The legislation states that "Council, on the recommendation of the Mayor, may, appoint a Councillor to be the Deputy Mayor." Past practice used by previous Council is; the Mayor asks Members of Council who are interested in being the Deputy Mayor to put their interest in writing and deliver it to the Office of the Mayor. The names received, if any, are placed on a ballot and Members of Council vote by secret ballot to elect a Deputy Mayor. In the past Council has not appointed an Acting Mayor.

However, the Mayor may recommend how the selection of the Deputy Mayor is conducted.

Deputy mayor 39. (1) Council, on the recommendation of the mayor, may, appoint a councillor to be the deputy mayor.

Powers and duties of deputy mayor (2) The deputy mayor
(a) shall perform the duties and may exercise the powers of the mayor when the mayor is absent or unable to act; and
(b) shall perform other duties and may exercise other powers determined by council on the recommendation of the mayor.

Acting mayor 40. (1) When both the mayor and the deputy mayor are absent or unable to act, council may appoint a councillor to be the acting mayor.

Powers and duties of acting mayor (2) The acting mayor has the same powers and duties as the deputy mayor.

#09-318 **MOVED BY: CLLR DUECK**
SECONDED BY: CLLR LATOUR

That the Council of the Town of Hay River appoints a Deputy Mayor and an Acting Mayor on the recommendation of the Mayor.

CARRIED

g) Information Listed

- a) Letter, Northern Transportation Company Limited, Re: Mackenzie Valley Land and Water Board – Water License and Land Use Permit Renewal
- b) Letter, Northwest Territories Association of Communities, Re: Responses by the Government of the Northwest Territories to the resolutions adopted during the 2009 annual general meeting in Inuvik
- c) Letter, Northwest Territories Association of Communities, Re: Federal Government Recreation Infrastructure Canada (RIInC) Program
- d) Letter, Northwest Territories Association of Communities, Re: GNWT efforts to open RCMP detachments in Gameti and Wrigley
- e) Letter, Polaris Institute, Re: Commitment to public water and the environment
- f) Letter, Mackenzie Valley Land and Water Board, Re: Request for Comments – Land Use Permit Application Review, GNWT ITI New Camping Loop Twin Falls Territorial Park and Campground
- g) Letter, Mackenzie Valley Land and Water Board, Re: Request for Comments – Draft Land Use Permit Conditions, Paramount Resources Ltd, Cameron Hills
- h) Letter, Mackenzie Valley Land and Water Board, Re: Further Study requested – Five New Well Sites, Cameron Hills

#09-319 **MOVED BY: CLLR WALLINGTON**
SECONDED BY: CLLR LANGILLE

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

CARRIED

On July 10, 2006 the HRCYC responded that they wish to keep the lease indefinitely and a concrete proposal would be prepared by the end of October.

No further action occurred until the Town received an application for development from the Soup Kitchen to replace their existing facility.

Administration met with representatives of the HRMA and the HRCYC on several occasions to discuss how to resolve the matter of the youth center and its developments on the whole of Lot 1470 and the soup kitchen plans.

On August 25, 2009 Mayor Miltenberger and the SAO met with Father Don Flumerfelt and Pastor Dean Steel to clarify the application for lease, the proposed development, the existing development, servicing requirements, access, lease fees, property tax and assessment. Father Flumerfelt and Pastor Steel said they would meet with the Soup Kitchen and make a decision on lease arrangements. In addition the HRCYC has developed outside of the leased area due to the permission that was given on May 13, 1996. Development outside of a leased area is not permitted and the HRCYC have told the Town that they will begin the work of removing the development outside of the lease boundary as they do not wish to lease the area.

On September 9, 2009 the Town received a separate application to lease a portion of Lot 1470 from the Soup Kitchen.

The application from the HRCYC to lease the portion of Lot 1470, Plan 2191 that the youth center occupies is a new application and is subject to the regulations of the Town. Lot 1470 is zoned C1 – Core Area Commercial and institutional uses are not permitted or discretionary uses of the C1 – Core Area Commercial zoning.

Under the by-laws in place and the current zoning of the parcel Administration cannot recommend approval of the application as presented. How does Council wish to proceed with the HRCYC application to lease a portion of Lot 1470, Plan 2191 to operate a youth center?

Let it be noted that The Council of the Town of Hay River has decided to meet with the members of the Soup Kitchen and the Youth Centre within the next month to discuss the future of these organizations.

On October 13, 2009 Deputy Mayor Maher, Cllr Burnstad, Cllr Lester and Cllr Wallington met with Vivian Smith, Bev Gibb, Laura Rose, Jill Taylor, Glen Wallington, Pastor Dean Steel, Father Don Flumerfelt and Roy Courtoreille representatives of the Hay River Community Youth Centre, Hay River Soup Kitchen, Soaring Eagle Friendship Centre and Lights On Program to discuss the present and future location of the Hay River Community Youth Centre.

There was much discussion with no results.

The lease application cannot proceed for the location requested because the zoning does not meet the proposed use of the land therefore the application by the Hay River

Community Youth Centre to lease a portion of Lot 1470, Plan 2191 for the purpose of operating a youth center cannot be considered.

FOR THE DISCUSSION OF COUNCIL

c) The Soup Kitchen Application to Lease a Portion of LOT 1470, Plan 2191

Preamble and Background

The Soup Kitchen made application to lease a portion of Lot 1470, Plan 2191, 65a Woodland Drive for the purpose of providing hot meals, bagged lunches and food bank services to those in need.

A history of events is provided.

The Soup Kitchen has been a tenant of the Hay River Ministerial Association on Lot 1470, Plan 2191 since 1995. This parcel was leased to the Hay River Ministerial Association (HRMA) from November 1, 1995 for a period of five years with an annual rental of \$1.00 per year for institutional purposes to operate a youth program and accommodate a soup kitchen facility. Two separate leases cannot be accommodated for the reason that Lot 1470 is serviced with one water line and one sewer line as permitted under the Water and Sewer By-law.

Recently the Soup Kitchen received a donation of a new facility and applied for a development permit. At that time it was discovered that the lease with the Hay River Ministerial Association had expired on October 31, 2005.

Initially the Hay River Community Youth Center made application to lease portions of Lot 1470 to accommodate the youth center and the soup kitchen.

Administration met with representatives of the HRMA and the HRCYC on several occasions to discuss how to resolve the matter of the youth center and its developments on the whole of Lot 1470 and the soup kitchen plans.

On August 25, 2009 Mayor Miltenberger and the SAO met with Father Don Flumerfelt and Pastor Dean Steel to clarify the application for lease, the proposed development, the existing development, servicing requirements, access, lease fees, property tax and assessment. Father Flumerfelt and Pastor Steel said they would meet with the Soup Kitchen and make a decision on lease arrangements.

On September 9, 2009 the Town received a separate application to lease a portion of Lot 1470 from the Soup Kitchen.

The application from the Soup Kitchen to lease the portion of Lot 1470, Plan 2191 that the soup kitchen occupies is a new application and is subject to the regulations of the Town. Lot 1470 is zoned C1 - Core Area Commercial and institutional uses are not permitted or discretionary uses of the C1 - Core Area Commercial zoning.

Under the by-laws in place and the current zoning of the parcel Administration cannot recommend approval of the application as presented. How does Council wish

Oxbow Creek and installing a flood gate at that juncture so that Council may consider this action in the 2010 budget.

CARRIED

**#09-323 MOVED BY: CLLR LATOUR
 SECONDED BY: CLLR CASSIDY**

That the Council of the Town of Hay River reviews the cost of maintenance of the existing West Channel berm, and other flood mitigation aspects, and any future berms, in its O&M budget on a regular annual basis.

CARRIED

**#09-324 MOVED BY: CLLR LATOUR
 SECONDED BY: CLLR DUECK**

That the Council of the Town of Hay River complete in house or commission a feasibility study to look at flood mitigation methods, including; creating a barrier to flooding to begin roughly at the Fisherman's Wharf and extend to the Harbour House beach following the East Channel as closely as possible. The study should consider a variety of methods including creating a barrier, such as raising the road or rail bed or building a berm, possible routings, elevations, ongoing maintenance, methods for defraying construction costs, the possibility of staging construction over several years to accommodate its overall cost, and any other matter that council or administration deems necessary.

CARRIED

10. BYLAWS

- a) By-law No.2187 – Sale of LOT 1656, Plan 2421 to Hay River Metis Government Council - First and Second Reading.

**#09-325 MOVED BY: CLLR MAHER
 SECONDED BY: CLLR LATOUR**

That the Council of the Town of Hay River give First Reading to By-law No. 2187 – Sale of LOT 1656, Plan 2421 to the Hay River Metis Government Council.

CARRIED

**#09-326 MOVED BY: CLLR O'BRIEN
 SECONDED BY: CLLR WALLINGTON**

That the Council of the Town of Hay River give Second Reading to By-law No.2187 – Sale of LOT 1656, Plan 2421 to Hay River Metis Government Council.

CARRIED

