

The Regular Meeting of Council was held on Monday, August 17th, 2015 at 7:00 pm in the Council Chambers.

Present: Mayor Cassidy, Deputy Mayor Jungkind, Councillors McKay, Mapes, Dohey, Jameson, Maher, and Coakwell

Staff: David Steele – Senior Administration Officer, Stacey Barnes – Executive Assistant/Recording Secretary, Ross Potter – Director of Protective Service, Harvey Harris – Director of Finance & Ian Frankton – Director of Recreation & Community Services.

Public: Duncan Cooke, Tom Colosimo, Marilyn and Andy Taylor, John and Tracy Hill, Steve Anderson, JM and Pat Williams, Paul Bickford, Jeff and Erin Griffiths

Public spoke to the Service Road by Super A area, needing to be paved.

1. CALL TO ORDER:

This Meeting was called to order at 7:04 pm with Mayor Cassidy presiding.

2. ADOPTION OF AGENDA

**#15-221 MOVED BY: DEPUTY MAYOR JUNGKIND
 SECONDED BY: CLLR M^cKay**

Amend to add agenda item #10f – Board of Revision and #10g – Excused Absence
CARRIED

3. DECLARATION OF INTEREST

Councillor Maher declared an interest in 10f as his brother is on the board.

4. ANNOUNCEMENTS, AWARDS, CEREMONIES & PRESENTATIONS

Councillor Jameson – Send a big thanks to Fort Smith for holding their slo-pitch tournament here in Hay River, and Hay River won.

5. MINUTES

a) Minutes of the Regular Meeting of Council, July 13th, 2015

**#15-222 MOVED BY: CLLR DOHEY
 SECONDED BY: DEPUTY MAYOR JUNGKIND**

That the Council of the Town of Hay River accepts the Minutes of the Regular Meeting of Council, July 13th, 2015 as presented.

CARRIED

6. **BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the Minutes of the July 13th, 2015 Regular Meeting of Council.

7. **DELEGATION**

- Donna Lee Jungkind & Tom Colosimo – “Change the Conversation”

8. **ADMINISTRATIVE ENQUIRIES**

Councillor Jameson – Do we have a report back from Maskwa re: patching?

Director, Ian Frankton – I have sent 3 emails last week.

Councillor M^cKay – Have we heard back re: highway rescue?

Deputy Mayor Jungkind – Can we put out information re: maintenance of the pool.

Director, Ian Frankton – yes, we have August 28th as opening tentative date.

Councillor M^cKay – What’s the timeline on having all the staff moved over to Town Hall?

Director, Ian Frankton – over the next couple of weeks.

9. **COMMITTEE REPORTS**

- a) Development and Building Report for July 2015

RECOMMENDATION:

#15-22

MOVED BY: CLLR M^cKAY

SECONED BY: CLLR DOHEY

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Development and Building Permit Report for the month of July 2015.

CARRIED

BACKGROUND:

SUMMARY

- 5 Development Permits and 5 Building Permits have been approved for the month of July 2015. In the month of July 2014 we had 16 Development Permits and 8 Building Permits signed out.

Background

- The July Development and Building Permit Report is as follows:

DATE	DEV #	CIVIC ADDRESS	DESC. OF WORK
July 8, 2015	B15-005	7 Cambridge Place	New Garage
July 13, 2015	B15-006	256 Miron Drive	New Trailer
July 17, 2015	B15-007	#19 103 St	Addition
July 22, 2015	B15-008	44B Woodland Dr	New Garage
July 27, 2015	B15-009	14 Malcolm Cr	Addition of Mudroom

July 10, 2015	D15-039	#5 105 St	Addition
July 17, 2015	D15-041	42 Industrial Drive	Shop & Caretaker Residence
July 6, 2015	D15-043	2 Forest Drive	New House
July 17, 2015	DH15-040	15 Robin Cr	Home Occupation
July 30, 2015	DH15-044	76 Miron Dr	Home Occupation

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

CONSIDERATIONS OR FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

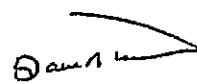
N/A

Prepared by:


Ross Potter
Acting Development Officer

Date: August 10, 2015

Reviewed by:


David Steele
SAO

Date: August 10, 2015

10. **NEW BUSINESS**

a) Northern Disaster Service

RECOMMENDATION:

#15-224

**MOVED BY: CLLR JAMESON
SECONDED BY: CLLR DOHEY**

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves payments totaling \$159,385.34 (before GST) to Northern Disaster Services in respect to work done in 2014 pertaining to mold clean- up at the Town Hall.

CARRIED

BACKGROUND:

In early summer 2014 Town staff and Council vacated the Town Hall due to a high incidence of mold within the facility. When requested, Northern Disaster Services provided a quote for an hourly labor rate and for various other associated costs, e.g. accommodation for out of town employees. The quote was to provide all the required services which included removal of the furnishings and all other contents from the facility to the neighboring area of the Old Fire Hall. Following the initial quote, considered to be in the area of \$30,000 based upon the anticipated scope of work at that time, work was initiated.

However, the work was soon halted as input and intervention by the Worker's Safety & Compensation Commission significantly increased the scope of work by imposing stringent methodology. In spite of an increase in the scope of work, the engaged contractor was directed to proceed without a revision to the total estimated cost.

The contracted work progressed in an accelerated manner, with long days in some instances, as well as working weekends. While the required work was completed in October, an invoice was not received by the Town until the following calendar year. Although not agreeing with the magnitude of the invoice, the Town acknowledged that they did owe some of the invoiced amounts, and made two interim installment payments to the contractor of \$50,000 each, until any and all matters surrounding the magnitude of the bill could be resolved. A negotiated settlement between the contractor and the Town was eventually reached, and the balance owing of \$59,385.54 was paid after significant discussion and support from Council. The total amount paid to the contract represented a 15% reduction of the original invoiced amount.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

This amount reflects an expenditure that was neither anticipated nor approved in the original 2014 O&M budget. This amount will be fully charged to the accounts of the Town as a 2014 expense.

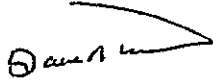
ALTERNATIVES TO RECOMMENDATIONS:

To not have arrived at a negotiated settlement would have led to potential legal action against the Town.

ATTACHMENTS:

N/A

Prepared by:



David Steele
Senior Administrative Officer

Date: August 15, 2015

b) Financial Statements

Not at this time, will be available for next meeting.

c) Electing a Returning Officer

RECOMMENDATION:

#15-225 **MOVED BY: DEPUTY MAYOR JUNGKIND**
 SECONDED BY: CLLR JAMESON

THAT THE COUNCIL OF THE TOWN OF HAY RIVER explore options to appoint a Returning Officer on or before August 31st for the Municipal Election being held on October 19th, 2015.

CARRIED

BACKGROUND:

In order to conduct the Municipal Election for the Town of Hay River being held on October 19, 2015, it is necessary to appoint a Returning Officer.

According to the Local Authorities Elections Act R.S.N.W.T. 1988, c.L-10, Section 2.5(1) *A local authority shall appoint a person as returning officer. The local authority must appoint a Returning Officer at least seven weeks before Election Day. If the Authority does not appoint a Returning Officer, or if the Returning Officer resigns, the Senior Administration Officer performs the duties and exercises the powers of the Returning Officer for the Municipality.*

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

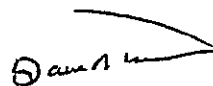
Prepared by:



Stacey Barnes
Executive Assistant

Date: August 13th, 2015

Reviewed by:



David Steele
Senior Administration Officer

Date: August 13th, 2015

d) Tender #1505 – Service Road Paving

RECOMMENDATION:

#15-226 **MOVED BY: CLLR M^CKAY**
SECONDED BY: CLLR DOHEY

**THAT THE COUNCIL OF THE TOWN OF HAY RIVER awards the Contract for 1505-
Service Road Paving 2015 to Rowe's Construction in the amount of \$471,251.16.**

CARRIED

BACKGROUND:

The Town issued a tender call for the paving of "Super A" service road. The tenders closed Friday, August 7th, 2015 at 3:00PM local time. Two submissions were received and are as follows:

Rowe's Construction \$471,251.16
NWT Construction \$617,916.75

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

Budgeted \$400,000 Capital 2015
Reallocate Public Works/Recreation vehicles for 2015(\$72,000)- \$71,251.16

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:


Ian Frankton
Community Services Director

Date: August 10th, 2015

Reviewed by:


David Steele
Senior Administrative Officer

Date: August 10th, 2015

Let it be noted that Councillors Mapes, Jameson & Coakwell were opposed.

e) Tender #1506 – Patching and Paving of TCT

RECOMMENDATION:

#15-227 **MOVED BY: CLLR M^CKAY**
 SECONDED BY: CLLR MAHER

THAT THE COUNCIL OF THE TOWN OF HAY RIVER awards the Contract for 1506- Patching and Paving of TCT to Rowe's Construction in the amount of \$615,280.60, including 10% contingency for expanded scope of work if required.

DEFEATED

BACKGROUND:

The Town issued a tender call for the Patching and Trail Paving. The tenders closed Friday, August 7th, 2015 at 3:00PM local time. Two submissions were received and are as follows:

Rowe's Construction \$615,280.60
NWT Construction \$926,326.50

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

Budgeted \$400,000 O&M 2015
TCT Grant- \$27,967.30
Remainder to be allocated funds from wages saved during the current work dispute-
\$187,313.30

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

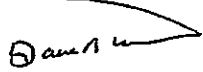
N/A

Prepared by:


Ian Frankton
Community Services Director

Date: August 10th, 2015

Reviewed by:


David Steele
Senior Administrative Officer

Date: August 10th, 2015

Let it be noted that Councillors Mapes, Maher, Dohey, Jameson, Coakwell & Jungkind were all opposed.

f) Appointment to 2015 Board of Revision

RECOMMENDATION:

#15-228

**MOVED BY: CLLR M^CKAY
SECONDED BY: DEPUTY MAYOR JUNGKIND**

THAT THE COUNCIL OF THE TOWN OF HAY RIVER appoints:

**Colleen Gagnier, Peter Maher, Alvin Pitre and Lynn Readman
as Members to the 2015 Board of Revision.**

CARRIED

BACKGROUND:

According to Section 30. (2) of the Property Assessment and Taxation Act, Council must appoint, by resolution, at least 3 members to the Board of Revision.

This year, the 2015 Board of Revision will meet on September 15 & 16, 2015 to hear assessment complaints.

The following members of the 2014 Board of Revision are willing to be on the 2015 Board; Colleen Gagnier, Peter Maher, Alvin Pitre and Lynn Readman, and recommended for appointment based upon demonstrated commitment and experience.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Section 30(2) of the Property Assessment and Taxation Act.

FINANCIAL IMPLICATIONS:

To help maintain integrity of property assessment process and associated taxation.

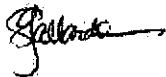
ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

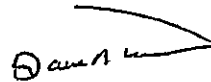
N/A

Prepared by:



Susan Gallardo - Lands
Date: August 17, 2015

Reviewed by:



Senior Administrative Officer
Date: August 17, 2015

g) Excused Absence

RECOMMENDATION:

#15-229 **MOVED BY: CLLR DOHEY**
 SECONDED BY: CLLR M^CKAY

THAT THE COUNCIL OF THE TOWN OF HAY RIVER excuses Councillor Candow from the Regular Meeting of Council, Monday, August 17th, 2015.

CARRIED

BACKGROUND:

Councillor Candow has requested to be excused from the Council Meeting for the Regular Meeting of Council, August 17th, 2015

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A


ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:



Stacey Barnes
Executive Assistant

Date: August 17th, 2015

11. BYLAWS

a) ByLaw No. 2339/LND/15 – Third & Final Reading

#15-230

**MOVED BY: CLLR M^CKAY
SECONDED BY: CLLR MAHER**

**THAT THE COUNCIL OF THE TOWN OF HAY RIVER give Third & Final Reading to
ByLaw No. 2339/LND/15**

CARRIED

b) ByLaw No. 2340/LND/15 – Third & Final Reading

#15-231 **MOVED BY: CLLR JAMESON**
 SECONDED BY: CLLR DOHEY

**THAT THE COUNCIL OF THE TOWN OF HAY RIVER give Third & Final Reading to
ByLaw No. 2340/LND/15**

CARRIED

c) ByLaw No. 2341/LND/15 – Third & Final Reading

#15-232 **MOVED BY: CLLR DOHEY**
 SECONDED BY: CLLR MAHER

**THAT THE COUNCIL OF THE TOWN OF HAY RIVER give Third & Final Reading to
ByLaw No. 2341/LND/15**

CARRIED

d) ByLaw No. 2342/LND/15 – Third & Final Reading

#15-233 **MOVED BY: CLLR DOHEY**
 SECONDED BY: CLLR M^cKAY

**THAT THE COUNCIL OF THE TOWN OF HAY RIVER give Third & Final Reading to
ByLaw No. 2342/LND/15**

CARRIED

e) ByLaw No. 2343/LND/15 – Third & Final Reading

#15-234 **MOVED BY: CLLR M^cKAY**
 SECONDED BY: CLLR JAMESON

**THAT THE COUNCIL OF THE TOWN OF HAY RIVER give Third & Final Reading to
ByLaw No. 2343/LND/15**

CARRIED

f) ByLaw No. 2344/LND/15 – Third & Final Reading

#15-235 **MOVED BY: CLLR DOHEY**
 SECONDED BY: CLLR M^CKAY

**THAT THE COUNCIL OF THE TOWN OF HAY RIVER give Third & Final Reading to
ByLaw No. 2344/LND/15**

CARRIED

12. NOTICES OF MOTIONS

There were no Notices of Motions for the Regular Meeting of Council, August 17th, 2015.

13. IN CAMERA

#15-236 **MOVED BY: CLLR DOHEY**
 SECONDED BY: CLLR M^CKAY

That the Council of the Town of Hay River move to In Camera at 8:00pm.

CARRIED

#15-237 **MOVED BY: CLLR DOHEY**
 SECONDED BY: CLLR M^CKAY

**That the Council of the Town of Hay River move out of In Camera
at 9:37pm.**

CARRIED

14. BUSINESS PLAN

#15-238 **MOVED BY: CLLR COAKWELL**
 SECONDED BY: CLLR DOHEY

**THAT THE COUNCIL OF THE TOWN OF HAY RIVER awards the contract for the Don
Stewart Recreation Centre Business Plan to David Nairne & Associates Ltd. in the
amount of \$24,450.**

CARRIED

15. ADJOURNMENT

#15-239 MOVED BY: CLLR CANDOW

That the Regular Meeting of Council be adjourned at 9:38pm.

CARRIED

Certified Correct as Recorded on the 17TH day of August, 2015.

These minutes were accepted by motion # ¹⁵⁻²⁶⁷ 267

Mayor



Senior Administrative Officer

