The Special Meeting of Council was held on Tuesday, April 10th, 2018 at 6:44pm in the Council Chambers.

Present: Mayor Mapes, Deputy Mayor Jungkind, Councillors McKay, Anderson, Dohey & Jameson

Staff: Director of Protective Services – Ross Potter, Director of Finance and Administration – Ruth Boden, Director of Public Works – Earle Dumas, Senior Administrative Officer- Judy Goucher & Stacey Barnes – Council Administrator & Recording Secretary

1. CALL TO ORDER:

This Meeting was called to order at 6:44pm with Mayor Mapes presiding.

2. ADOPTION OF AGENDA

#18-143 **MOVED BY: CLLR ANDERSON**
SECONDED BY: CLLR JAMESON

CARRIED

3. DECLARATION OF INTEREST

Councillor Jameson declared an item 4a) as it involves her company

4. NEW BUSINESS

a) Procurement Approval

RECOMMENDATION:

#18-144 **MOVED BY: DEPUTY MAYOR JUNGKIND**
SECONDED BY: CLLR ANDERSON

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approve the expenditure totaling $172,238.77 as outlined in the attached list.

CARRIED

BACKGROUND:

In accordance with Bylaw No. 1574/GEN/2016 sec. 4, and Schedule "A" of the bylaw which states:

Council delegates to the SAO the authority to commit or expend funds from the operations budget of the Town to a limitation of $25,000.00. the SAO may, in writing, delegating his authority to commit or expand funds to other Town Staff at his discretion, up to $5,000.00 such delegation will enable staff to initiate

expenditures against the budget for which they are accountable.
For expenditures in excess of $25,000.00 a resolution of Council authorizing the expenditure shall be required.

Administration has compiled a listing of expenditures exceeding the SAO authorization limit and is requesting Council approve the attached listing of expenditures for payment.

All items have been verified for accuracy, validity and budget inclusion by Administration.

COUNCIL POLICY / STRATEGY OR GOAL:

Town of Hay River Purchasing Policy

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Bylaw 1574-GEN-16 Property Procedures or Procurement Bylaw

FINANCIAL IMPLICATIONS:

2018 O&M Budget.

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

Expenditures in Excess of $25,000 listing

Prepared by:	**Reviewed by:**
Ruth Boden Director of Finance and Administration April 10, 2018	Judy Goucher Senior Administrative Officer April 10, 2018

b) Operations and Maintenance Funding Contribution Agreement

RECOMMENDATION:

#18-145 **MOVED BY: CLLR ANDERSON**
SECONDED BY: CLLR DOHEY

THE COUNCIL OF THE TOWN OF HAY RIVER approves the Operations and Maintenance Funding Contribution Agreement for 2018 – 2019 in the amount of $2,179,000.

CARRIED

BACKGROUND:

Each year Council approves a funding agreement with Government of Northwest Territories for Operations and Maintenance for the period April 1st to March 31st of the following year.

For this year April 1, 2018 to March 31, 2019 the agreement for Operations & Maintenance Funding is in the amount of $2,179,000.

Once these agreements are signed, funding will flow monthly.

COUNCIL POLICY / STRATEGY OR GOAL:

To obtain Operations and Maintenance Funding for the current budget year.

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Town of Hay River O&M Budget for 2018

FINANCIAL IMPLICATIONS:

$2,179,000 for operating expenditures for the calendar year.

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

Transfer Agreement – O & M Transfer Agreement.

Prepared by:	**Reviewed by:**
Ruth Boden	**Judy Goucher**
Director of Finance	**SAO**

c) Water and Sewer Finding Contribution Agreement

RECOMMENDATION:

#18-146 **MOVED BY: CLLR ANDERSON**
SECONDED BY: CLLR DOHEY

THE COUNCIL OF THE TOWN OF HAY RIVER approves the Water and Sewer Funding Contribution Agreement for 2018 – 2019 in the amount of $1,021,000.

CARRIED

BACKGROUND:

Each year Council approves a transfer agreement with Government of Northwest Territories for Water and Sewer funding for the period April 1st to March 31st of the following year.
For this year April 1, 2018 to March 31, 2019 the agreement for Operations & Maintenance Funding is in the amount of $1,021,000.

Once these agreements are signed, funding will flow monthly.

COUNCIL POLICY / STRATEGY OR GOAL:

To obtain Water and Sewer Funding for the current budget year.

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Town of Hay River Utility O & M Budget for 2018

FINANCIAL IMPLICATIONS:

$1,021,000 for utility operating expenditures for the calendar year.

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

Transfer Agreement – Water & Sewer Transfer Agreement.

Prepared by:
Ruth Boden
Director of Finance

Reviewed by:
Judy Goucher
SAO

d) CPI Funding Contribution Agreement

RECOMMENDATION:

#18-147 **MOVED BY: CLLR ANDERSON**

SECONDED BY: DUPUTY MAYOR JUNGKIND

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves the Community Public Infrastructure Funding Contribution Agreement for 2018 – 2019 in the amount of $1,260,000.

CARRIED

BACKGROUND:

CPI Funding is based on the GNWT fiscal year which is from April 1st to March 31st. Our funding for this year is based on 2017 -18 rates and will be $1,260,000.

The two requirements for CPI Funding are an approve capital budget and the approval of this agreement. We can anticipate received the funding in May once the agreements are signed and delivered as our Capital Budget for 2018 is approved and has been shared with MACA.

COUNCIL POLICY / STRATEGY OR GOAL:

To obtain CPI Funding for the current budget year to enable the Town to complete planned capital spending.

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Town of Hay River General Plan and Town of Hay River Capital Plan

FINANCIAL IMPLICATIONS:

$1,260,000 for capital expenditures.

ALTERNATIVES TO RECOMMENDATIONS:

None

ATTACHMENTS:

Transfer Agreement – Community Public Infrastructure.

Prepared by:	**Reviewed by:**
Ruth Boden	**Judy Goucher**
Director of Finance & Administration	**Senior Administrative Officer**

e) Tax Sale Public Auction

RECOMMENDATION:

#18-148 **MOVED BY: CLLR ANDERSON**
SECONDED BY: CLLR DOHEY

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*:

1. **Sets the date of public auction where taxable property will be offered for sale as June 27, 2018 at 9:00 am in Town Hall Council Chambers; AND**
2. **The minimum sale price of each taxable property, calculated in accordance with the regulations is provided for as follows;**

Property Address	LOT	BLOCK	PLAN	Assessment Value (2017)	Minimum Sale Price
27-28, 101 Avenue	96-97		38	139,600	$69,800.00
22-101 Avenue	99		38	11,300	$5,650.00
19-102 Avenue	100		38	11,300	$5,650.00
1-102 Avenue	1	A	40	12,400	$6,200.00
3-101 Street	2	A	40	12,400	$6,200.00
5-101 Street	3	A	40	12,400	$6,200.00
7-101 Street	4	A	40	12,400	$6,200.00
9-101 Street	5	A	40	17,400	$8,700.00
4-100 Street	23	A	40	12,400	$6,200.00
2-100 Street	24	A	40	12,400	$6,200.00
1-100 Street	1	B	40	15,100	$7,550.00
3-100 Street	2	B	40	15,100	$7,550.00
Vale Island	22 Rem	B	40	33,600	$16,800.00
3-102 Street	2	H	40	33,400	$16,700.00
13-103 Street	7	J	41	19,400	$9,700.00
14 & 16-102 Street	17 & 18	J	41	154,400	$77,200.00
12-102 Street	19	J	41	47,700	$23,850.00
8-102 Street	21	J	41	40,200	$20,100.00
31-103 Street	4	L	41	86,200	$43,100.00
47126 Mackenzie Hwy	4	XD	134	110,700	$55,350.00
47117 Back Road	8	XD	134	85,800	$42,900.00
23-105 Street	12	U	142	44,200	$22,100.00
4-104 Street	23	U	142	14,500	$7,250.00
2-104 Street	24	U	142	67,700	$33,850.00
24-105 Street	13	V	219	93,900	$46,950.00
22-105 Street	14	V	219	80,800	$40,400.00
17 Eagle Crescent	375		360	123,700	$61,850.00
91 Riverview Drive	472		360	73,700	$36,850.00
23 Caribou Crescent	486		360	63,300	$31,650.00
24 Elm Crescent	553-12	G814	917	107,400	$53,700.00
18 Fir Crescent	553-120	G814	991	68,400	$34,200.00
210 Paradise Road	549-2	G814	1225	85,000	$42,500.00
81 Riverview Drive	1454		1638	93,900	$46,950.00
364 Miron Drive	1524		2006	127,400	$63,700.00
5 Cranberry Crescent	1619		2218	130,400	$65,200.00
53 Miron Drive	1747		2701	159,700	$79,850.00
60 Cranberry Crescent	1795		3925	157,000	$78,500.00
13 Cranberry Crescent	1820		3925	119,100	$59,550.00
Lagoon Road (Mountain Avens)	1958		4174	286,100	$143,050.00
43044 MacKenzie Highway	1926		4196	431,200	$215,600.00

CARRIED

BACKGROUND:

The *Property Assessment and Taxation Act R.S.N.W.T. 1988, c.P-10 (PATA) Part III Taxation, Section 97.6* provides for the recovery of tax arrears by sale at public auction.

The Town of Hay River has not had a tax arrears sale since 2013. That sale included properties with tax arrears from 2011.

Legislative requirements allowing the Town to place a property in a tax arrears sale take two years and include multiple notices to the property owner and public notices to the community at large.

Administration has provided notice pursuant to the legislation to all property owners that are in arrears for 2016 property taxes notifying them that their properties are at risk of being sold for property tax arrears.

We are now preparing to move forward with advertisements being placed in the Northwest Territories Gazette for the April 30th, 2018 publication with the sale to follow on June 27, 2018.

The Town is using legal consultants to complete this process and the costs of that service are added to the arrears and recovered from sale proceeds.

The *Property Assessment and Taxation Act – Tax Sales Regulations Section 3* establishes the minimum price of a taxable property as 50% of the assessed value of the taxable property. Legislation gives the municipality the power to set the sale price higher than the prescribed minimum value to recover the tax arrears and the costs of collecting the taxes through sale. The review of tax arrears on each property has determined that the minimum sale price of 50% of 2017 assessed value will be sufficient to cover the arrears owed on each identified property. Any residual amounts will be disbursed in accordance with legislation.

The auction will be held at 9:00 am on June 27th, 2018 at the Town Hall Council Chambers in the Town of Hay River.

The properties listed below are subject to sale for arrears of property taxes.

Property Address	LOT	BLOCK	PLAN	Assessment Value (2017)	Minimum Sale Price	2016 Arrears
27-28, 101 Avenue	96-97		38	139,600	$69,800.00	$33,638.98
22-101 Avenue	99		38	11,300	$5,650.00	$2,411.43
19-102 Avenue	100		38	11,300	$5,650.00	$2,411.43
1-102 Avenue	1	A	40	12,400	$6,200.00	$352.30
3-101 Street	2	A	40	12,400	$6,200.00	$352.31
5-101 Street	3	A	40	12,400	$6,200.00	$352.30
7-101 Street	4	A	40	12,400	$6,200.00	$352.29
9-101 Street	5	A	40	17,400	$8,700.00	$494.41
4-100 Street	23	A	40	12,400	$6,200.00	$352.30
2-100 Street	24	A	40	12,400	$6,200.00	$352.51
1-100 Street	1	B	40	15,100	$7,550.00	$3,065.91
3-100 Street	2	B	40	15,100	$7,550.00	$3,065.91
Vale Island	22 Rem	B	40	33,600	$16,800.00	$954.12
3-102 Street	2	H	40	33,400	$16,700.00	$15,863.72
13-103 Street	7	J	41	19,400	$9,700.00	$471.46
14 & 16-102 Street	17 & 18	J	41	154,400	$77,200.00	$3,861.75
12-102 Street	19	J	41	47,700	$23,850.00	$1,159.24
8-102 Street	21	J	41	40,200	$20,100.00	$472.79
31-103 Street	4	L	41	86,200	$43,100.00	$14,235.15
47126 Mackenzie Hwy	4	XD	134	110,700	$55,350.00	$3,218.33
47117 Back Road	8	XD	134	85,800	$42,900.00	$14,710.62
23-105 Street	12	U	142	44,200	$22,100.00	$6,770.51
4-104 Street	23	U	142	14,500	$7,250.00	$5,193.01
2-104 Street	24	U	142	67,700	$33,850.00	$1,645.32
24-105 Street	13	V	219	93,900	$46,950.00	$3,449.52
22-105 Street	14	V	219	80,800	$40,400.00	$6,413.49
17 Eagle Crescent	375		360	123,700	$61,850.00	$385.87
91 Riverview Drive	472		360	73,700	$36,850.00	$9,624.49
23 Caribou Crescent	486		360	63,300	$31,650.00	$797.78
24 Elm Crescent	553-12	G814	917	107,400	$53,700.00	$9,869.97
18 Fir Crescent	553-120	G814	991	68,400	$34,200.00	$5,348.74
210 Paradise Road	549-2	G814	1225	85,000	$42,500.00	$5,707.32
81 Riverview Drive	1454		1638	93,900	$46,950.00	$2,995.30
364 Miron Drive	1524		2006	127,400	$63,700.00	$153.78
5 Cranberry Crescent	1619		2218	130,400	$65,200.00	$773.07
53 Miron Drive	1747		2701	159,700	$79,850.00	$16,562.98
60 Cranberry Crescent	1795		3925	157,000	$78,500.00	$36,578.37
13 Cranberry Crescent	1820		3925	119,100	$59,550.00	$3,583.41
Lagoon Road (Mountain Avens)	1958		4174	286,100	$143,050.00	$4,953.02
43044 MacKenzie Highway	1926		4196	431,200	$215,600.00	$26,012.34
						$248,967.55

If prior to commencement of public auction, any person including the assessed owner pays the arrears of property taxes and all reasonable expenses incurred by the Town to collect the arrears, the property will not be offered for auction.

Any person who pays the arrears of property taxes and expenses prior to commencement of the public auction may obtain a lien on the taxable property for the amount paid, if the person is other than the assessed owner and having an interest, estate, encumbrance or claim registered or filed under the Land Titles Act in or against the taxable property or a transferee of such a person.

The assessed owners of any of the above taxable properties is entitled to redeem that taxable property within 30 days after the date of the public auction by paying the Town the arrears of property taxes and all reasonable expenses incurred by the Town to collect the arrears.

Where a taxable property that is sold at the public auction is redeemed by its assessed owner, the sale cannot be completed and all rights and interest of the purchaser in the taxable property cease.

COUNCIL POLICY / STRATEGY OR GOAL:

To maintain financial stability to enable continued provision of the desired levels of service

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Property Assessment and Taxation Act – Tax Sales Regulations Section 3

FINANCIAL IMPLICATIONS:

Collection of $248,000 in delinquent property taxes.

ALTERNATIVES TO RECOMMENDATIONS:

Council could choose to not proceed with a tax sale for 2018.

ATTACHMENTS:

N/A

Prepared by:	Reviewed by:
Ruth Boden	Judy Goucher
Director of Finance & Administration	Senior Administrative Officer
Date: April 10, 2018	Date: April 10, 2018

f) Extension of Sale Agreement

RECOMMENDATION:

#18-149 MOVED BY: CLLR ANDERSON
SECONDED BY: CLLR JAMESON

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves a 6-month extension of the Agreement for Sale between the Town of Hay River and Raine Trucking Ltd. for Lot 2166; Plan 4611 to November 29th, 2018.

CARRIED

BACKGROUND:

Council of the Town of Hay River in Motion #15-043 February 2, 2015 approved the sale of Lots 2163 to 2167 Plan 4611 (south end of Dean Drive) for $36,900 which included the costs of providing electrical utility service to the property in the amount of $8,839.

On May 29th, 2017 Council gave 3rd and final reading to Bylaw No. 2367/LND/17 approving the agreement for sale to Raine Trucking Ltd. for the established price. In the agreement for sale, the purchaser is required to pay a deposit of 10% of the purchase price plus GST and the pay the remaining balance within 12 months from the date of acceptance. Raine Trucking Ltd. has complied with the terms of the agreement.

The Town has not had an opportunity to service the lot with the electrical utility due to the prohibitive costs of development during the winter months. The preliminary estimate on installing the service for the lots during the winter was obtained from Northland Utilities and was around $100,000 ($20,000 per lot).

Administration is recommending that the terms of the agreement be extended an additional 6 months to allow for installation of the electrical utility and completion of the sale.

COUNCIL POLICY / STRATEGY OR GOAL:

Town of Hay River Financial Sustainability

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

2018 Land Development Budget.

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Ruth Boden
Director of Finance and Administration
April 10, 2018

Reviewed by:
Judy Goucher
Senior Administrative Officer
April 10, 2018

g) Ground Ambulance & Highway Rescue Funding

#18-150 MOVED BY: CLLR MCKAY
SECONDED BY: CLLR DOHEY

THAT THE COUNCIL OF THE TOWN OF HAY RIVER negotiate an annual fee for providing emergency services to GNWT assets outside Municipal boundaries.

CARRIED

**Let it be noted that Councillor Anderson was opposed.

5. IN CAMERA

#18-151 MOVED BY: DEPUTY MAYOR JUNGKIND
SECONDED BY: CLLR JAMESON

That the Council of the Town of Hay River move to In Camera at 7:30pm.

CARRIED

#18-152 MOVED BY: CLLR MCKAY
SECONDED BY: CLLR ANDERSON

That the Council of the Town of Hay River move out of In Camera At 8:30PM.

CARRIED

6. ADJOURNMENT

#18-153 MOVED BY: CLLR ANDERSON

CARRIED

That the Special meeting of Council be adjourned at 8:30pm.

Certified Correct as Recorded on the 10th Day of April 2018

These minutes were accepted by motion # 18-157.

Mayor

P Boden/ for Judy Goucher

Senior Administrative Officer