



**COUNCIL OF THE TOWN OF FORT SMITH
MEETING 08-18
THE FIRST REGULAR MEETING OF COUNCIL FOR
THE MONTH OF AUGUST AND THE
EIGHTH FOR THE YEAR 2018**

PRESENT: D/M K. Smith Cr. R. Patel
Cr. B. McArthur Cr. A. Kikoak
Cr. A. Dumont Cr. E. Bell
Cr. R. Holtorf

REGRETS: Mayor Napier-Buckley, Cr. B. Tuckey

STAFF: K. Morrison, Senior Administrative Officer
L. Pierrot, Executive Secretary

GALLERY: Sergeant Gilbert, Lorraine Tordiff, Sarah Pruys

Meeting 08-18	7:00 PM
August 21, 2018	Council Chambers

A. CALL TO ORDER & CONFIRMATION OF QUORUM

D/M Smith called the meeting to order at 7:00 p.m. and confirmed a quorum of Council was present.

B. APPROVAL OF AGENDA

18-165 Moved by: Cr. Kikoak
Seconded by: Cr. Bell

That the agenda be adopted as amended.

CARRIED UNANIMOUSLY

C. PRESENTATIONS

- a. RCMP Delegation
- b.

- i. Police Report – The RCMP Police Report for July 2018 was reviewed – Sgt. Gilbert presented the July 2018 police report. He indicated that he was away for the last week of July. He noted that there were only three curfew checks completed due to the those on curfew being sent out of the community to the Remand Centre. He indicated that two of the youth that are on conditions did return to the community the last week of July when the curfew checks were completed and have continued into August. There are currently two youth that have been sent to the Remand Centre and another one that was just sent out on Friday August 17, 2018. He indicated that the number of calls to the Trail Cross continues to be low. He added that there only two complaints for the mental health act.

Sgt. Gilbert indicated that he did lose one member of the department who transferred his post to Yellowknife but did come back immediately as a relief member and eventually moved on August 5th, 2018. He indicated that there was also a RCMP member that came from Behchoko, NT and served for one week in July. He indicated that the RCMP detachment did receive one new recruit who arrived on Friday August 17th, 2018. There is also a member that came from British Columbia and will be in the community until September 19th, 2018. He indicated that one member will be back from leave on September 7th, 2018 and another member on September 19th, 2018 so the detachment will be fully staffed after mid-September. He welcomed questions



from Council.

Cr. Kikoak indicated that Trail Cross was unsuccessful in tendering the services, she asked if the RCMP will be submitting a letter of concern. Sgt. Gilbert indicated that he has not submitted a letter. He advised that normally he would submit concerns to his superior and they process his concerns. He added that he would never personally submit concerns to the GNWT.

Cr. Holtorf indicated that there were six RCMP members in the community and asked what is the regular amount of staff to be considered fully staff. Sgt. Gilbert advised that the RCMP is comprised of eight members and there are currently five members on shift. He added that they will also be down to seven as one member is off on maternity leave therefore he is considering seven members fully staffed.

Cr. Bell brought attention to appendix A in the report, theft under five thousand, she indicated that there were twelve compared to July 2017. She asked for an explanation on the increase and if any of the cases have been solved. Sgt. Gilbert advised that there were two new youth stealing bikes around the community which resulted in seven complaints. He indicated that probation services were involved in those case and that they have not received any further calls regarding the youth. Sgt. Gilbert indicated that another contributing factor is that people are leaving belongings at house parties and reporting it stolen.

Cr. Bell advised that the COP program members met on August 21, 2018 and discussed attending the college welcome BBQ and got information from the Director of Community Services on other events that they can attend. She indicated that she will be forwarding that information to Sgt. Gilbert and welcomed information on any other events that the COP program members can attend. She advised that there are four completed applications for the COP program.

Cr. Kikoak asked what the liquor act offences are and if they are youth related. Sgt. Gilbert brought attention to the line that is total calls for service and total violations, he advised that the way they score files is whatever is the most serious offence is what the file will be scored under. Cr. Kikoak thanked Sgt. Gilbert for his delegation and efforts in the community.

Sgt. Gilbert advised that they received a call from a resident which two members responded to regarding the incident which resulted in a fatality. It was immediately relevant how serious the call was and the two remaining members in town were called to the scene. They dealt with the investigation all night and crime investigations were called into the community. Sgt. Gilbert advised that the RCMP did receive a call regarding explosives act on Sunday August 19, 2018. He advised that residents found blasting caps from a mine when moving out. They brought in members from bomb squad to deal with the situation. He indicated that the RCMP has had a fairly full week which will be reflected in the August police report. Cr. Holtorf wondered if any members in the NWT attended the memorial events in New Brunswick for the two fallen members. Sgt. Gilbert advised there was an email sent out inviting members and there is a fund that is specifically for those events. He advised that no members have gone from Fort Smith and was unsure if anyone from the NWT has gone as well.

D. APPROVAL OF MINUTES

Cr. Kikoak clarified that the on page five of the minutes she suggested that the Town purchased security cameras. She noted that the minutes indicated that she checked into four thousand dollar cameras and are not expensive to purchase. She advised that she didn't mean that the cameras cost four thousand but that there are cameras that are a



higher resolution which are not very expensive.

18-166 Moved by: Cr. Patel
Seconded by: Cr. Dumont

That the minutes of Regular Meeting 07-18 of July 17, 2018 be adopted as presented.

CARRIED UNANIMOUSLY

E. **COUNCIL BUSINESS**

a. Introduction and Consideration of Committee Reports

Corporate Services Standing Committee

18-167 Moved By: Cr. McArthur
Seconded By: Cr. Bell

That the attached Corporate Services Standing Committee minutes from August 7, 2018, be adopted as presented.

IN FAVOUR – CR. PATEL, CR. MCARTHUR, CR. KIKOAK, CR. BELL,
CR. HOLTORF

ABSTAINED – CR. DUMONT

CARRIED

Accounts Paid Part I

18-168 Moved By: Cr. Kikoak
Seconded By: Cr. Bell

That the Accounts Paid List Part I for the period ending July 31, 2018, totaling \$820,028.44 be approved.

CARRIED UNANIMOUSLY

Aurora College Program Review - Cr. Kikoak advised that the committee had discussed the job description of the special projects coordinator and asked Administration what he thought about the committee minutes. Administration indicated that there was a recommendation from the Community Services Standing Committee to hire a special projects communications officer. He advised that in order to retain this service he required a better understanding of what the committee wished to accomplish. He indicated that was the reason for the meeting and minutes outline the requirements of the position. He was uncertain if all of the tasks outlined in the minutes could be accomplished by an employee but that the work can be completed by consultants. He advised that the minutes indicate the level of education required for the successful incumbent and that there is enough information for him to proceed. He indicated that the requirements for the position are set high and that he may have trouble with finding the correct person for the position. He advised that the only other question that he has for Council is that what are our next schedules and milestones to achieve. He advised that hiring a person may not be necessary if Council has already achieved everything that they set out and that the next steps don't require the need of a projects officer and their requirements in the job description. He is ready to action on the recommendation to hire someone and asked Council if this is the next steps they want to take.

D/M Smith advised that it would be inappropriate to brief Council on presentation to the Standing Committee on Social Development in the Mayor's absence. He suggested that a more appropriate approach is to formally brief with the NWT Post-Secondary committee with the Mayor.

Cr. Holtorf agreed with Administration and that to determine the next steps. He thinks that should be completed quickly to not lose momentum as there have been many positive responses received. He suggested completing a newsletter including six major topics to the public as there is a sense that Council is not pursuing this issue.



Cr. Patel thinks that the outcome of the Standing Committee on Social Development meeting would shape things moving forward. She would rather hire a local person that would bring more passion to the position. She is glad they are moving forward.

18-169 Moved By: Cr. Patel
 Seconded By: Cr. Holtorf

That Council hire a Special Projects Communications Officer for our communications and follow-up for the NWT Post-Secondary Education Committee.

CARRIED UNANIMOUSLY

Appointment of Returning Officer – Cr. Holtorf asked what date the Returning Officer will be starting. Administration advised that August 27th, 2018 is the scheduled start date for the Returning Officer.

18-170 Moved By: Cr. Dumont
 Seconded By: Cr. McArthur

That Margo Harney be appointed the Returning Officer for the 2018 Municipal Election.

CARRIED UNANIMOUSLY

Community Services Standing Committee

18-171 Moved By: Cr. Bell
 Seconded By: Cr. Patel

That the attached Community Services Standing Committee minutes from August 14, 2018, be adopted as presented.

CARRIED UNANIMOUSLY

Community Services Level of Service Increase Request

18-172 Moved By: Cr. Holtorf
 Seconded By: Cr. McArthur

That Council approve an increase of \$35,000 to Recreation and Community Centre wages budget to offset the cost of back filling positions as a result of leave and that this increase become a part of the yearly budget process to ensure that sufficient wages are available to support daily operation of the facility; and

That Council approve the recommended re-organization of the Community Services Department, including removing the Aquatic Lead Position and reallocating wage to increase Recreation Assistant – Programs PY and Lifeguard/Instructor PY.

CARRIED UNANIMOUSLY

Road Closure – Mad Bison Run Event – Cr. Holtorf asked how the event was. Administration advised that the event was successful with 33 participants. He advised on some upcoming events that include; the Dark Sky Festival, Private Stock, and the College BBQ and block party.

18-173 Moved By: Cr. Kikoak
 Seconded By: Cr. Dumont

That for the reason of public safety during the Mad Bison Run Event, Council approved the road closure from the corner of Mackenzie Avenue and Breynat Street, Marine Drive to Wolverine Street, Wolverine Street and the Boat Launch on August 18th, 2018 from 10:00 am to 1:00 pm.

CARRIED UNANIMOUSLY



Municipal Services Standing Committee – Cr. Kikoak clarified that on page four of the minutes that she meant for her statements to say that stop signs in residential areas as opposed to the increased residents as currently indicated. D/M Smith advised that the changes will reflect in the current minutes. Cr. Holtorf asked if the strategic plan will be finalized before the end of Council's term. Administration advised the Mayor did meet with the consultant and provided her with all the final comments and changes provided by Council. He indicated that the consultant was tasked with completing the Aurora College response paper therefore she was unable to fulfill the deadline requirements for the strategic plan. She will be completing the Strategic plan before the end of Council's term. D/M Smith understands that there is no additional meeting with the consultant to get the document finalized. Cr. Holtorf asked for the plan moving forward with the asset management project. Administration advised that the Town has access to the software and is in the process of inputting data. There was a competition to hire a someone to complete that work, but the competition was unsuccessful and considering putting the position back out to competition in September. Cr. Holtorf asked if there have been any sidewalk repairs completed. Administration advised that when the water and sewer project is underway, and that a part of the project will include the reinstatement of sidewalks.

Cr. Holtorf asked if the initiative to obtain a water truck fill station has been completed. Administration advised that the work is currently with the engineer and hope he will receive a predesigned steel package. Cr. Holtorf asked if the project will likely be completed before the season ends. Administration advised that the work will most likely not be completed right away. He advised that there are a lot of capital projects not advancing due to capacity issues.

Cr. Holtorf asked for an update on the electronic sign. Administration advised that the electronic sign has arrived, and he is currently in the process of getting quotes for the installation.

18-174 Moved By: Cr. Dumont
Seconded By: Cr. Bell

That the attached Municipal Services Standing Committee minutes from August 14, 2018, be adopted as presented.

CARRIED UNANIMOUSLY

Four Way Intersection – Field Street, Klondike Avenue and Winter Street – Cr. McArthur advised that as a bus driver he will be checking all the intersections to provide feedback on where he thinks all the stop signs and yield signs should be placed. Cr. Dumont indicated that there are current four-way intersections that have been created in the past year which are not complete. He added that the placard that indicates that the intersection is a four way stop has not been installed. He thinks the signs should be installed to have the four-way intersections completed advising that the intersections are four way stop intersections. Cr. Kikoak feels comfortable with having a three way stop placed at the proposed intersection if not a four way. She indicated that there is a lot of more residents that live on caribou. She acknowledged that the request was for a four way but feels that a stop sign is required on Winter Street.

Cr. Holtorf thinks there should be more background information collected before these requests are presented to Council. Administration advised that the request for a briefing note was made from the Corporate Services Standing Committee meeting from the correspondence. He advised that the request has come from a resident who submitted a complaint letter and that there have been no other complaints from any other residents. This was the direction that was provided to him by Council. He advised that information and suggestions were previously brought to Council to have a traffic plan created that would address the creations of four way stops. At the time Council decided to proceed with the issues through council motions. Cr. Holtorf thanked Administration for his efforts and supported the initiative of creating a traffic plan that would address these issues.



Cr. Bell advised that she lives down the street from this intersection and supports this change. She indicated that there are a lot of children and traffic at this intersection and a four-way intersection would help slow the traffic for pedestrians.

18-175 Moved By: Cr. Patel
Seconded By: Cr. McArthur

That Council approve the two yield signs placed at the intersection of Field Street, Klondike Avenue, and Winter Street be replaced with a four way stop.

IN FAVOUR – CR. PATEL, CR. MCARTHUR, CR. KIKOAK, CR. DUMONT,
CR. BELL
ABSTAINED – CR. HOLTORF
CARRIED

Appointment of Acting Senior Administrative Officer – Cr. Kikoak indicated that she has previously requested the amount of leave that Administration has taken to date. She indicated that she thought Council approves Administrations leave but was mistaken and that she no longer requires that information.

18-176 Moved By: Cr. Patel
Seconded By: Cr. Dumont

That Jim Hood, Director of Corporate Services, be appointed Acting Senior Administrative Officer from the period of Wednesday, August 22nd, 2018 at 1:00 pm to Tuesday, August 28th, 2018 at 8:30 am.

CARRIED UNANIMOUSLY

NWT Post-Secondary Education Committee – Cr. Kikoak advised that the Committee is working out the response to the Aurora College Foundational Review and the resources that will be required to accomplish that. She advised that the committee is trying to premeditate a dynamic plan as the argument evolves responding to our position. She hoped to have reviewed the document that was presented to the Standing Committee on Social Development. She would like to review the minutes at the next meeting and add what has happened at the Standing Committee on Social Development meeting. She would like to process new objectives moving forward and see how things have changed. She would also like to review the finished document to continue to direct ourselves in the change in direction. She advised that a priority of the Committee includes the ongoing communication with the residents of Fort Smith. She hoped she could have the document that was presented to the Standing Committee on Social Development last week, so she could have approached Chief Martselos to present to the Dene National Assembly. She indicated that the document will be supporting concise messaging which will benefit Fort Smith's position moving forward on this issue. She indicated that in the discussion there were comments that the issue was approached in the summer as a crisis and that this is no longer a crisis, so we can address it with a measured action. She indicated that there are also comments that this has to be addressed in a timely manner. She indicated that there is a lot of brainstorming within the committee. She acknowledged the committee and community members that have had faith that our community can persevere and formulate a good argument.

Cr. Holtorf advised that the committee has identified three deadlines; the presentation to the Standing Committee on Social Development, determine the measurement of what has been accomplished and to prepare for the Standing Committees meeting with Fort Smith.

Cr. Patel indicated that there have more meetings and if it would be beneficial to have notes from those meetings or at least the dates to show that the committee has met and suggested that the officer that will be hired could compile that information. She asked for the reason why the document that completed by consultant was not shared with band leaders. Cr. Holtorf advised that the document hasn't been shared with anyone and that the committee has not reviewed it either. D/M Smith advised that he can't speak that comment as he was not involved in the process of producing the document. He advised that he was consulted to provide last minute changes before presenting to the standing committee. Cr. Patel asked if there was any communication with any of the delegates for



the Dene National Assembly. Cr. Holtorf advised that he did have an informal discussion with Chief Martselos and advised that he would try to provide her office with a copy of the document. Cr. Patel advised that the Dene National Assembly is ongoing and suggested that if the document was forwarded to Chief Martselos and Chief Tourangeau after the meeting they would have some background to present to the Assembly. D/M Smith advised that the document is a total of eighteen pages with ten items in the beginning and a series of recommendations concluding the document. Administration advised that he received direction from the Mayor to hold off on distributing the document. He advised that the document is a strong document. He advised that Acting Mayor carries all authority as same as the Mayor and was advised that she would contact Chief Martselos. He was unsure if those communications had occurred and if not then D/M Smith has all authorities to contact Chief Martselos. D/M Smith advised he will reach out to Chief Martselos and Chief Tourangeau.

18-177 Moved By: Cr. Holtorf
Seconded By: Cr. Bell

That the attached NWT Post-Secondary Education Committee minutes from August 17, 2018, be adopted as presented

CARRIED UNANIMOUSLY

- b. Enactment of Bylaws and Policies – There were no enactment of bylaws or policies
- c. Appointments – There were no appointments.
- d. Mayor and Council
 - i. Cr. Holtorf – Cr. Holtorf had no comments
 - ii. Cr. McArthur – Cr. McArthur indicated that it was nice to see the road repair team maintaining the roads. He commended the Director of Community Services and the Recreation Programmer on all of the programming that is be provided. He reminded Council that school will be starting again in two weeks and would like to advise drivers to continue to slow down driving throw the school zones.
 - iii. Cr. Bell – Cr. Bell indicated that it is always nice to have the music festival back and hopes it will continue. She looks forward on how to expand on the music festival for next year. She congratulated the winners of the mad bison run. She looks forward to the bylaw review committee meeting and college BBQ.
 - iv. D/M Smith – D/M Smith would like to congratulate the organizations and volunteers involved in hosting the 50th anniversary of the landslide, Paddle Fest and the South Slave Friendship Festival. He advised that the presentation to the Standing Committee on Social Development happened at 9 am. He advised that all members of the Standing Committee were in attendance including additional interested members. He advised that the Mayor completed the introductions and conclusion of the presentation. Both and Mayor and Deputy Mayor took turns presenting the drafted response which included sections on; research methodology, decentralized vs. centralized service delivery model, trends in post-secondary education, lack of knowledge about Aurora College, direct and indirect impacts, and costs. He advised that the presentation document can be circulated through email. He advised that the approached taken was to get a positive message and to discredit the recommendations through tackling the research methodology used in the review. He advised that they did spend a considerable amount of time talking about the role of ECE in the past 8 years and how Aurora College was properly positioned to be a polytechnic university. They wanted to have the standing committee



thinking about what the real issue behind this is and maybe that this not an educational issue but a relationship issue between the department and Aurora College. He advised that there was a receptive audience and every MLA actively participated in the discussion and asked questions. He advised that it was a positive discussion which also included the role of students. The discussion also included the effects of students and families of students that would come to Fort Smith for trades programs. The impact of the presentation is unknown, but discussion did continue after the presentation which was very positive. He indicated there they were able to have informal discussions with Cabinet ministers and MLAs as well after the meeting. He indicated that the presentation did catch some of the ministers off guard as they were unaware of their delegation. He acknowledged this presentation as an opportunity to provide the GNWT with concerns from the community. He thinks that this is the beginning of a long process. He thinks that a formal debrief should be scheduled with the Aurora College Committee once the Mayor is back in the office. D/M Smith highlighted some things that are apparent to him; there is a lack of knowledge about Aurora College in general, the functions, operations and programs. He thinks that if MLAs were better informed they would have provided more complex questions. He understands that the Standing Committee on Social Development is working in conjunction with the Minister of Education to provide a joint response. He advised that he is unsure if that will continue and got a sense that may have fragmented. He added that there is still a lot of work to be done.

Cr. Patel asked if there were any representatives from the Department of Education, Culture, and Employment present at the meeting. D/M Smith advised that there were legislative advisors present but no senior management from the Department of Education, Culture, and Employment. He advised that Cabinet Ministers were having a meeting at the same time and were unable to attend the presentation but there were a few cabinet advisors in the gallery. He advised that the meeting was a public meeting and that there were a few people in the gallery.

Cr. Kikoak indicated that the foundational review portrayed a different character of a responsible government and that the review did not include adequate statistics, feasibility and portraying the need to make seats for destination students when our mandate is for northern students. She asked if any of those issues were discussed. D/M Smith indicated that those issues were mentioned and that the audience did read the report in detail. He added that MLAs did have issues behind the methodology behind the report. There were discussions and concerns brought forward on the policy statements and feasibility. The audience was receptive and that the next steps would be to meet with the Premier.

Cr. Holtorf asked if there were any concerns in the discussion that the Government spent over four hundred thousand on this report. D/M Smith indicated that the meeting was open to the public and that there was a mention that the report was a waste of money. Cr. Holtorf indicated that there have been mentions of the report being presented in a colonization model. D/M Smith advised that there was a receptive audience that want to hold cabinet accountable. He felt positive coming out of meeting and to have both Mayor and Deputy Mayor presenting to the committee.

- v. Cr. Patel – Cr. Patel thanked the Town of Fort Smith staff for all the programming and work that they have been doing. She indicated that



the College students don't have mail boxes so students are not receiving mailed notifications from the Town of Fort Smith. She indicated that alternate communications must be considered with the college students to ensure they receive programming notifications. She was disappointed in the delayed response from the Premier's office regarding the request to meet the community. She asked if Council is amendable to opening the discussion on the Aurora College Foundational review and welcome other questions. She thinks that the scope should be broadened. D/M Smith advised that any Town of Fort Smith advertisements are sent to student services at the College who distribute to students.

- vi. Cr. Dumont – Cr. Dumont advised that in discussions with the camp ground attendant he has been informed that the camp ground occupation has increased considerably with the new chip seal of the highway. He would like to see street lights installed heading down the road to the camp ground. He suggested that a request be sent to the territorial camp management to have lights installed around the camp ground to ensure the safety of the campers. He thanked all the staff for work in the last three years.
- vii. Cr. Kikoak – Cr. Kikoak suggested that the Town Website include a page that has information around College Student Life. She mentioned that the Private Stock event will be happening on September 8, 2018. She indicated that the set up for the Friendship Festival was interesting and that it elongated conibear park. She advised that it was nice, and spectators enjoyed the event. She indicated that it would be nice to have the theatre building demolished for free for the property to be opened for parking. Cr. Patel advised that she saw someone measuring the door of the theatre building and asked if there was any movement on that building. Administration advised that the Director of Corporate Services provided an update on that building. He indicated that the building was owned by Starlight Corporation which has been dissolved. He advised that the building is sitting ownerless with significant back taxes and remediation costs. He advised that he is working with the GNWT to resolve that issue. He advised that there is also a business development loan associated with it as well. Cr. Kikoak advised that it was brought to her attention that a bank has a real estate ad online listing the building for sale for four hundred thousand.

e. Administration

Briefing Note – DPA-026-18 Amanda Spooner Home Occupation Permit – Administration advised that the applicant is applying to operate a day home. The property is a rental unit and has received approval from the home owner. There is no issue with the permit and details with respect to the day home are not the jurisdiction of the Town and with ECE to enforce. Cr. Holtorf asked if there are any requirements to advise ECE of the approved home occupation. Administration advised that when the business license is approved there is a note provided to the owner advising them of ensuring they adhere to all the requirements to operate their business, but the Town is not an enforcing authority.

18-178 Moved By: Cr. Patel
Seconded By: Cr. Bell

That DPA-026-18, submitted by Amanda Spooner, to operate a day home from Lot 1384, Plan 1760, 445 Calder Avenue in Fort Smith be approved.

CARRIED UNANIMOUSLY

Briefing Note – Tordiff Sewer Services – Administration advised that the briefing note is



in response to a delegation at the Municipal Services Standing Committee meeting. He indicated that the briefing note is detailed including definitions and various problems that the Town encounters. He advised that the things can stop working for two reasons one being the act of god and other is how you operate the line. The way we apply the service interruption insurance is for act of god situations. He indicated that if lines fail due to how the line was operated that is the responsibility of the home owner. In this case there was no indications of a physical failure of the line and all indications lead to that the line was freezing and was not eligible for the service interruption insurance. That was the position he had taken administratively on the issue.

Cr. Dumont indicated that he had discussions with people that were involved in the situation and was told from the company from Hay River that this was not a freeze up and was a failure at the Town connection site. The way the sewer line was connected to the main was by 90-degree elbow which is completely illegal. Also, the company who did service job from Hay River is available to talk to Council because there are some areas that may have been taken out of context. He advised that the contractor is in the opinion that this is something that should have been handled in a different way.

Cr. Patel asked if the insurance is administered through a third party. Administration advised that it is called insurance and is a fixed fee that this charged on every resident's utility bill. The fee goes under a specific reserve which is administered by the Town and there is no insurance company involved in the process. Cr. Patel asked if there is a protocol on taking deposits for work to be completed on water lines and then bill residents after the work is completed as she is unsure if she is reading into the bylaw incorrectly. Administration advised that the way the bylaw is written is that if a resident encounters a sewer problem they can approach the town and the Town can initiate the work as the bylaw is written. Typically, what happens is that home owners go directly to the contractors and initiate the work from there. At that point if it is determined that the issue was not caused by how the line was operated then the Town will step in from there and determine the cost to date and finish the work to be completed. If the damage is severe and requires digging up of the ground and equipment, that was the intent of the insurance, if there is only cleaning that is required then that is the cost of the home owner. Cr. Patel clarified that in this case there was no deposit received for the work to be completed as it was determined that this was not a Town issue. Administration advised that all indications were that there was no failure of the line and that it was frozen.

Cr. Dumont would like to reiterate the fact that the company from Hay River, West Side Plumbers, stated from the video that the line was not frozen, so we can't say it was frozen line. He brought attention to section 504 of Bylaw 705 which states that – after completion of construction of ownership of maintenance of all below service pipes and accessories of municipal roads from below ground main to the property line shall become the property and responsibility of the Town subject to charges as outlined in this bylaw made payable by any person. He indicated that the area in question according to the bylaw was on the Town property and not on the property owner and should be the responsibility of the Town. He suggested that this issue is not brushed off and make arrangements with West Side Plumbing to discuss this issue.

Cr. Holtorf doesn't think it's right for Council to get involved in this as this is an appeal for which there is no designated process. He indicated that this is a matter for expert opinion and would require a fair deal of knowledge to assess this and make a fair decision. He is not comfortable making a decision without that information. He indicated that typically Council makes decisions with the information that is provided and that he would like to support Administration until there is a process not to. He indicated that he is not comfortable with making a decision as this should be treated like an appeal and reviewed by an appeal committee of some sort.

Cr. McArthur indicated that when he watched the video, the camera went right to the end and it showed something there, but when the line was flushed it was gone. He asked if this was something from the Town's existing line and that he is confused about the video. He indicated that if this was something coming up from down stream then yes it was the main line therefore he would like to know what that obstruction was.



D/M Smith indicated that in Council proceedings questions are not normally asked to the gallery and that there is a question period after the meeting. Lorraine Tordiff advised that there is nothing in bylaw 697 that addresses line disruption. She advised that this was a serious blockage and that it was an interruption in her services. Administration indicated that there is reference to a failure of the line and that the bylaw is an interruption of service. Lorraine Tordiff advised that she sent the contractor a copy of the briefing note and he thinks there are discrepancies. She presented pictures from the video that was taken by the contractor. She indicated that there is something at the end of her sewer line and the pictures show corners or squares. She indicated that the blockage was 130-140 feet out of her home and that there was debris. She advised that the Town had a poor video taken. They have gone back in the last month. She doesn't feel that she is asking for anything that is not in the bylaw.

Cr. McArthur would like this issue resolved one way or another and not go past this meeting as this happened in February 2018. Cr. Patel indicated that she trusts the work that Administration has done and that they concluded based on the resources that they had. She agreed with Cr. Holtorf and that this is an appeal process and the Town is not an insurance company.

Administration brought attention to Bylaw 697-part 2 Section 4 stating that the customers should not be entitled to assistance because of negligence as a customer. He added that this is the part in the briefing note that for whatever reason the sewer line was blocked not due to any failure of the line but due to user negligence. The location of where the debris built up because the Town is not responsible for what is put down the lines, we can't be accountable for where the debris settles and is negligent operation of the service and is not eligible on the service interruption insurance. He advised that if Council moves forward with this, Council will have to approve every time a line freezes and every time a line blocks and now becomes a liability. This decision would imply that Administration ignore how residents operate the lines. He advised that there is a five-hundred-dollar deductible for the insurance. He advised that the service interruption reserve receives fees in the amount of eighteen thousand per year, the cost to replace a failed line can vary between ten thousand to fifteen thousand, and if Council moves forward on the motion they could encounter that cost for every plugged line.

Cr. Holtorf doesn't think Council should be voting on this as he doesn't know precedence this would set. He doesn't think we should be an appeal body and there is no procedure for this issue. He advised that he is not comfortable as a councillor to vote on this as there should be another level of expertise.

Cr. Bell thinks there is a reason why the Town has this insurance and why residents pay into it. She doesn't see the failure being the resident's fault in this case. She indicated that it would be easy for something to get stuck in the line and she is not a professional in this sense but supports reimbursing Lorraine Tordiff.

Cr. Kikoak advised that she was recently involved in providing assurity on a legal matter. She advised that there was a lot of defined actions and expectations when you do insure that something will be covered. She agreed with Cr. Holtorf and feels that there is not enough information for her to make a sure decision. She worried about the precedence this would set. She would support an appeal but does not feel comfortable voting on this. Cr. Patel asked if she were to flush a diaper down the drain would it block the neighbor's services what would happen in that circumstance. Administration advised that each service is tied to an individual home, each service is tied to the main, and each service is small. The main lines are large and see greater flow. Typically, the only time you would see a blockage of the main is with failure of the line. If the diaper makes it through your service lines it will make it through the main.



18-179 Moved By: Cr. Patel
Seconded By: Cr. Dumont

That Council direct Administration to enact Bylaw 697 and reimburse Lorraine Tordiff in the amount of \$6,404.25

IN FAVOUR – CR. PATEL, CR. MCARTHUR, CR. BELL, CR. DUMONT
ABSTAINED – CR. KIKOAK, CR. HOLTORF
CARRIED

Briefing Note – Water and Sewer Infrastructure Replacement 2018 – Administration advised that Council was involved in the approval of the design. He advised that this briefing note is the result of putting the work out to tender. The amount along with the amount for the design contract pushes the overall amount of the project over the five-million-dollar budget. He advised that there should be some form of contingency costs. He advised that five-million-dollar project consists of three million seven hundred and fifty thousand in funding from the Federal Clean Water and Wastewater Fund (CWWF). This funding requires a one million two hundred and fifty-thousand-dollar contribution from the Town, resulting in a required contribution from the Town for one million seven hundred and fifty thousand dollars. He indicated that there are a few options; there are enough fund in the CPI budget to address the five hundred-thousand-dollar overage.

Cr. Holtorf asked what the limitations would include if the scope of work is reduced. Administration advised that the Town would be limited on what we can reduce as this is tender. He will have to find out the extent of what he can negotiate to get a lower price.

Cr. Patel asked if this project involves tearing up sideways and paving and if that can be tied in with other projects. Administration advised that was the intent of curb and gutter portion with this project. There is opportunity to tie in with downtown development.

Cr. Kikoak asked if the old water pipes are a health concern. Administration advised that not that he is aware of and that the need to replace them is due to age and wear. Cr. Kikoak asked for the percentage of cost to mitigate the valves versus resolving with changing the pipes.

18-180 Moved By: Cr. McArthur
Seconded By: Cr. Patel

That Council approves the Capital budget for the Water and Sewer Infrastructure Replacement 2018 project be increased to \$5,500,000.00.

That the Water and Sewer Infrastructure Replacement 2018 contract be awarded to Rowe's Construction in the amount of \$4,763,834.00 plus GST.

CARRIED UNANIMOUSLY

H. **PROCLAMATIONS**

There were no proclamations.

I. **ABSENCE OF COUNCIL MEMBERS**

18-181 Moved By: Cr. McArthur
Seconded By: Cr. Bell

That Cr. Dumont be excused from the Corporate Services Standing Committee Meeting on August 7, 2018.

IN FAVOUR – CR. PATEL, CR. MCARTHUR, CR. KIKOAK, CR. BELL, CR. HOLTORF
ABSTAINED – CR. DUMONT
CARRIED



18-182 Moved By: Cr. Patel
Seconded By: Cr. Dumont

That Mayor Napier-Buckley and D/M Smith be excused from the Community and Municipal Services Standing Committee meeting on August 14, 2018.

CARRIED UNANIMOUSLY

18-183 Moved By: Cr. Patel
Seconded By: Cr. McArthur

That Mayor Napier-Buckley and Cr. Tuckey be excused from the Regular Meeting of Council on August 21, 2018.

CARRIED UNANIMOUSLY

J. **DATE OF NEXT COUNCIL MEETING**

Corporate Services Standing Committee Meeting – September 4, 2018 Cr. McArthur advised that he will be unable to attend the Corporate Services Standing Committee meeting.

Community and Municipal Services Standing Committee Meetings – September 11, 2018
Council Meeting 09-18 – September 18, 2018

K. **ADJOURNMENT**

18-184 Moved By: Cr. Dumont
Seconded By: Cr. McArthur

That the meeting be adjourned at 9:28 p.m.

CARRIED UNANIMOUSLY

Minutes adopted this 18th day of September, 2018.



Mayor Lynn Napier-Buckley

Certified Correct by the
Senior Administrative Officer Keith Morrison

L. **QUESTION PERIOD**

A question period was offered in accordance with policy.