

**MINUTES OF COUNCIL MEETING #C10-09** of the Council of the City of Dawson called for 7:00 p.m. on Wednesday, February 24, 2010 in the Town of the City of Dawson Council Chambers.

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**PRESENT:**

Mayor	Peter Jenkins
Councillor	Ashley Doiron
Councillor	Stephen Johnson
Councillor	Wayne Potoroka
Councillor	Rick Riemer

**ALSO PRESENT:**

A/CAO	Scott Widmeyer
Secretary	Karen Fischer

**ABSENT**

**CALL TO ORDER:** Mayor Jenkins called the meeting to order at 7:00 PM.

**AGENDA**

The following items were added to the agenda

- New Business – AYC Housekeeping
- New Business - Albert Fuhre

**C10-09-01** Moved by Councillor Johnson, Seconded by Councillor Riemer that the agenda for Council Meeting #C10-09 be adopted as amended

**CARRIED 5-0**

**C10-09-02** Moved by Councillor Johnson, Seconded by Councillor Riemer that Council move into Committee of the Whole for the purpose of hearing Delegations.

**CARRIED 5-0**

**DELEGATIONS**

Shirley Pennell was present to speak to the issue of the Slinky Mine proposal on the Dome; within municipal boundaries. She notes that she is a supporter of the profession of the miner, but not in the municipality; Dawson relies on the profession, and Dawson relies on the established community residents. Ms. Pennell reviewed the needs of the community and the needs of the miner and clearly noted that mining does not mix with residential uses... but the mining regulations in place are from a previous era. If this proposal is permitted to proceed it will have an adverse effect on the neighbourhood. How will the government protect its citizens? This issue needs to be dealt with by all levels of government. If this project proceeds the residents receive a 10 year sentence and there is a lasting environmental impact. Will the City be making a “no” submission to YESAA? It was noted that the claims were staked before boundary expansion and that the issue should have been dealt with at that time.

Ms. Pennell was advised that the City will be making a submission to the YESAA Board.

Council was asked if it would be with respect to placer or quartz claims. Council will be submitting with respect to placer claims.

**C10-09-03** Moved by Councillor Johnson, Seconded by Councillor Riemer that the Committee of the Whole revert to Council and proceed with the agenda.

**CARRIED 5-0**

### **BUSINESS ARISING FROM DELEGATIONS**

Councillor noted the mining issue will be considered under New Business

### **ADOPTION OF MINUTES**

a) Special Council Meeting C10-06

**C10-09-04** Moved by Councillor Riemer, Seconded by Councillor Doiron that the minutes of Special Council Meeting C10-06 of Feb 10, 2010 are approved as amended.

**CARRIED 5-0**

b) Council Meeting C10-07

**C10-09-05** Moved by Councillor Riemer, Seconded by Councillor Doiron that the Minutes of Council Meeting C10-07 of Feb 10, 2010 are approved as presented.

**CARRIED 5-0**

c) Recreation Board Meeting R10-02

**C10-09-06** Moved by Councillor Doiron, Seconded by Councillor Riemer that the Minutes of Recreation Board Meeting R10-02 of January 18, 2010 are accepted as presented.

**CARRIED 5-0**

d) Recreation Board Meeting R10-03

e)

**C10-09-07** Moved by Councillor Riemer, Seconded by Councillor Johnson that the minutes of Recreation Board Meeting R10-03 of February 1, 2010 are accepted as presented.

**CARRIED 5-0**

### **BUSINESS ARISING FROM MINUTES**

C10-06 None Stated

C10-07 Question was raised re: the expected deficit. Council was reminded of new accounting practices outlined in a note from Mackay. This is an on paper deficit and it will not make a difference in our cash position. The new practices affect every municipal and government agency in Canada. This item should be on the AYC Board Meeting Agenda. It was also noted that a finance meeting is needed.

R10-02 None Stated

R10-03 It was noted that there was community input in the selection of the area for replacing the Minto Playground. Notation was also made that there has been no discussion on location of a new recreation centre.

### **ACCOUNTS PAYABLE**

Final Cheque register for AP Batch 506& 507,  
VOID Cheque Register and  
Final Cheque Register for AP Batch 508

The following items were questioned:

Bull Houser...	PSAC Application
CIBC	Feb 2010 RRSP Contributions
Bud's Industrial	Fire Hall Doors
Men's World	Flagging
Standard Life	Benefits...confirm period
Humane Society	(will confirm)

**C10-09-08** Moved by Councillor Riemer, Seconded by Councillor Potoroka that the Accounts Payable

- Final Cheque Register dated February 22, 2010 in the amount of **\$184,412.17** covering AP Batch # 506 & 507
- A/P VOID Register dated February 22,2010 in the amount of **\$7,663.01**
- And Final Cheque Register dated February 22,2010 in the amount of **\$3,630.53**

Totalling **\$180,379.69** are approved for payment.

**CARRIED 5-0**

## FINANCIAL

None Presented

## REPORTS

### a) CAO Report

A/CAO presented a verbal report outlining progress on

- Batch Plant for WWTP

Councillor Johnson stated he is the construction manager for Corix on this project and removed himself from Chambers. (7:44PM)

Council was advised Corix is considering where to locate the batch plant. Council noted it need not be located as far as the grader station.

**C10-09-09** Moved by Councillor Doiron, Seconded by Councillor Potoroka that Council Directs administration to request that Corix use their local resource personnel to site the batch plant on an appropriate industrial site that is outside of Dawson Town-site.

**CARRIED 4-0**

Councillor Johnson returned to Chambers.(7:47PM)

- Build Canada Projects

A/CAO noted that some projects have been combined to reflect priorities and make more manageable applications. It was noted that the other projects, over and above the WWTP are vital.

**C10-09-10** Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council direct the CAO to forward Dawson's Build Canada project Priorities to Yukon Government and ask that it be considered in addition to the wastewater treatment plant as the listed upgrades are vital to Dawson's infrastructure to acceptable and working conditions.

**Amendment** Moved by Councillor Potoroka, Seconded by Councillor Riemer to replace “CAO” with “Mayor” and replace “Yukon Government” with “Minister Lang”

**CARRIED 5-0**

▪ **Audit**

It was noted that this is the final year of the contract and that a proposal has been requested for next year.

**C10-09-11** Moved by Councillor Riemer, Seconded by Councillor Johnson that Council acknowledge receipt of verbal report provided by A/CAO.

**CARRIED 5-0**

b) Community Development and Planning Report

Council inquired re:

lot development in Callison. - CAO will look into..

New Hospital - is proceeding long with design, the subdivision notice should be posted soon

World Heritage – Report should be released soon, this is YG generated

It was noted that any decision regarding proceeding with world heritage should be done by plebiscite . An open house is expected in late March.

OCP review – there has been 50k allotted in the provisional budget and this is on the list for bylaw/policy review

**C10-09-12** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council acknowledge receipt of Community Development and Planning Report dated February 19, 2010 provided CDPO.

**CARRIED 5-0**

c) Recreation Department Report

Council expressed appreciation for the additional information provided. Upon request Council was advised that a committee is already in place for skate park planning. It was also noted that CDF application for Take Back the River has been successful

It was noted that there is a lack of summer programming for 1-5 year olds.

**C10-09-13** Moved by Councillor Doiron, Seconded by Councillor Potoroka that Council acknowledge receipt of Recreation Department Report dated February 19, 2010 provided by the Recreation Manager.

**CARRIED 5-0**

**C10-09-14** Moved by Councillor Doiron, Seconded by Councillor Potoroka that Council acknowledge receipt of memo dated February 23, 2010 re: Minto Playground. Council directs the area behind the pool be allocated for the development of a new children’s playground.

**CARRIED 5-0**

**BYLAWS**

a) Bylaw 09-24: Fee Schedule Bylaw Amendment No. 7

It was noted that not all requested changes have been made yet.

**C10-09-15** Moved by Councillor Doiron, Seconded by Councillor Potoroka that bylaw 09-24 being the Fee Schedule Amendment No. 7 be postponed until next Council Regular Meeting.

**CARRIED 5-0**

b) Bylaw 10-02; Repeal Bylaw 02-11 – Second Reading

**C10-09-16** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Bylaw 10-02 Being the Repeal Bylaw 02-11 be given **Second Reading**.  
**CARRIED 5-0**

c) Bylaw 10-03; Repeal Bylaw 15 – Second Reading

It was noted that that this is a nostalgic bylaw

**C10-09-17** Moved by Councillor Riemer, Seconded by Councillor Doiron that Bylaw 10-03 being the Repeal Bylaw 15 Bylaw be given **Second Reading**.  
**CARRIED 5-0**

**UNFINISHED BUSINESS**

a) District Heating

**C10-09-18** Moved by Councillor Riemer, Seconded by Councillor Johnson that Council move to the Committee of the Whole for the purpose of discussion re: District Heating.  
**CARRIED 5-0**

Pat Hogan was present to provide information on the proposed district-heating project to be incorporated at the WWTP. He provided an overview of the capital cost and the cost of heating options. There is potential for the sale of excess heat, creating a revenue stream. Pat noted that the proposal has been submitted to management board at 4.85m. Capital costs will not be an expense of CoD. There are potential for funding options as it is a “green “ project, burning locally produced fuel, creating employment, and avoiding 640tonnes of green house gases. Council inquired about the Corix report and the supplier of the proposed system, noting they are the same firm, Ventek. Pat advised that they had been involved with the Corix feasibility study and would be supplying the boiler, if the project goes ahead. He noted that Ventek is a well known and respected firm. Discussion continued with respect to chip quality and how the system would function with in-consistant heating requirements; peaking in winter/ spring and very low in summer; operator requirements, heat exchangers, Further discussion ensued regarding commissioning and responsibility for . Council was advised that the commissioning and turn over schedule will mirror the WWTP.

**C10-09-19** Moved by Councillor Johnson, Seconded by Councillor Riemer that Committee of the Whole revert to Council and proceed with the agenda.  
**CARRIED 5-0**

b) Eduction Options

Upon request A/CAO noted the most sensible location of the eduction station, being at the WWTP. Corix is approximately 60% on the design of the plant and will need to know asap. Council inquired how many customers within the municipality there are. Council requested further information on cost to the CoD.

c) Solid Waste Management Committee Recommendation

It was noted that funding for this has been approved through gas tax.

**C10-09-20** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council acknowledge receipt of information package provided by Solid Waste

Management Committee re: Residential and Commercial Compost and directs administration to proceed with recommendations as presented.

**CARRIED 5-0**

**NEW BUSINESS**

a) Slinky Mine Proposal

A/CAO noted that the submission is being prepared with input from CDPO in respect to OCP and Zoning, Fire Chief in respect to emergency services, health and safety, nuisance bylaw. It was noted that the zoning was put in place after the staking of the claims and therefore it is a non-conforming use. There are conflicting rights with the rights of the miner and the rights of the residents that must be considered. Council noted they appreciate the feed back from the community, it helps to guide the next steps.

**C10-09-21** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council directs CAO to develop a YESAA submission for the Slinky Mine Project Application.

**CARRIED 5-0**

**C10-09-22** Moved by Councillor Potoroka, Seconded by Councillor Doiron that Council should contact Yukon Government as soon as possible to resolve matters relating to the mineral claims and conflicting surface rights with the municipality.

**Amendment** Moved by Councillor Potoroka, Seconded by Councillor Johnson to postpone resolution until next scheduled Council Meeting

**CARRIED 5-0**

b) Date for Court Hearing

Council discussed the need to choose a date and was advised that the recommendation is for the August dates.

**C10-09-23** Moved by Riemer Johnson, Seconded by Councillor Potoroka that Council directs administration to advise legal counsel their preferred hearing dates, being Aug 10,11,12.

**CARRIED 5-0**

c) A/CAO Contract

**C10-09-24** Moved by Councillor Johnson, Seconded by Councillor Potoroka that council extend S. Widmeyer, A/CAO contract by 30 working days.

**CARRIED 5-0**

d) AYC Housekeeping

- Nomination for Employee of the Year

**C10-09-25** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council nominate Norm Carlson for the 2010 AYC Employee of the Year.

**CARRIED 5-0**

- Yukon Sustainable Community Award

**C10-09-26** Moved by Councillor Potoroka, Seconded by Councillor Riemer that the SWMC be nominated for the 2010 Yukon Sustainable Community Award.

**CARRIED 5-0**

- AYC Legacy Project

It was noted that with timing and amount of participants the Old Hillside Cemetery may not be a suitable project. A/CAO advised that administration is researching other options to bring to Council.

e) Albert Fuhre

Mr. Fuhre's passing was noted as well as that he is a former Mayor of Dawson (1970's).

**C10-09-27** Moved by Councillor Potoroka, Seconded by Councillor Riemer that Council direct CAO to send a sympathy letter to the family of former Mayor Albert Fuhre.

**CARRIED 5-0**

**CORRESPONDENCE**

Correspondence receiver re: Slinky Mine

**C10-09-28** Moved by Councillor Riemer, Seconded by Councillor Potoroka that Council acknowledge receipt of community correspondence re: Slinky Mine Proposal.

**CARRIED 5-0**

**INFORMATION**

a) First Flush Sampling Report

Upon request Council was advised that the units in which lead was detected have been contacted. A brief review of the reasoning for the study was provided.

**C10-09-29** Moved by Councillor Potoroka, Seconded by Councillor Riemer that Council acknowledges receipt of memo dated February 18, 2010 and "2009 First Flush Program Phase 3 Report" dated January 2010, prepared by AECOM, submitted for informational purposes.

**CARRIED 5-0**

b) Chamber of Commerce re: Voting Rights

**C10-09-30** Moved by Councillor Potoroka, Seconded by Councillor Doiron that Council acknowledge receipt of letter dated February 18, 2010 from Dawson city Chamber of Commerce and "Local Government Election Task Force, Corporate Vote Discussion Paper, BC dated January 2010 submitted by DCCC for informational purposes.

**CARRIED 5-0**

c) Build Canada Priority Listing

**C10-09-31** Moved by Councillor Johnson, Seconded by Councillor Riemer that Council acknowledge receipt of City of Dawson Build Canada Priorities listing for informational purposes.

**CARRIED 5-0**

**QUESTION PERIOD**

**C10-09-32** Moved by Councillor Potoroka, Seconded by Councillor Johnson that Council move to Committee of the Whole for the purpose of Question Period.

**CARRIED 5-0**

Helen Bowie inquired how many representatives will be in Dawson at the AYC AGM and was advised there will be representatives from all Yukon Communities. She inquired further with respect to the voting issue and how the CoD rep could speak to it effectively

if he does not personally support it. Ms. Bowie was advised that our rep will represent the position of Council, which is in support of the issue of a business owners right to vote, while residing outside of boundaries. He further advised that he will support the position of Council with conviction. Council thanked Ms. Bowie for the information provided this evening.

Christiane Robert with respect to Slinky Mine and how confusing the issue of processes is. The understanding Ms. Robert has is that once Mr. Carrey has his water licence he will come to the City for a permit under the Zoning Bylaw. Ms. Robert was advise of the process of devolution as related to the mining industry and noted the YG legislation is senior to Municipal legislation. The only place the municipality can step in is if it is an issue of life safety. It was further noted that case law with respect to municipality vs mining legislation has been unsuccessful and very costly. Ms. Robert noted that there are 2 separate sets of claims with 2 sets of issues

**C10-09-33** Moved by Councillor Johnson, Seconded by Councillor Riemer that Committee of the Whole reverts to Council and proceed with the agenda.

**CARRIED 5-0**

**C10-09-34** Moved by Councillor Riemer, Seconded by Councillor Johnson that Council Meeting C10-09 is extended for a period not to exceed 1 hour

**CARRIED 5-0**

**C10-09-35** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Council Move to Committee of the Whole for the purpose of discussion.

**CARRIED 5-0**

Christiane Robert continued noting that all are invited to attend their property to see how it would effect them

Glenda Bolt noted that she has just learned that there is another player involved to provide a link for the claims and grouping the claims together. Ms. Bolt inquired if managers would have input into the submission. This was confirmed that issues of roads, trails etc would be included. Ms. Bolt also inquired what the City's next step is? Would Slinky Mine have to come to the City for permits? What permits? City permits would come after Waterboard. Ms. Bolt was advised that we have limited ability to trump senior legislation. Ms. Bolt advised that there are 74 properties on the Dome each worth approx 200K and requests Council not to put citizens in this position, everyone – both miner and resident- feeling threatened, again.

Councillor Potoroka took the opportunity to read excerpts from the forthcoming submission to the gallery.

Somewhat open discussion ensued within the gallery with comments on how to move forward and follow up. Notation was made that YG legislation is antiquated, the issue on both sides represents life savings for the parties involved. Everyone; residents, constituents, miners, all feel threatened. Ms. Bolt implored Council to ensure an *excellent* submission is made by the CoD to YESAA.

Shirley Pennell Expressed her appreciation for the upcoming YESAA submission . She inquired when the boundaries expanded beyond the historic town-site which generated a review of various expansions and further expressed her dissatisfaction with the idea that

this is another level of government's problem. We must work collaboratively with YG, First Nations, other municipalities and the mining industry. It seems that a part of this issue is the miner was not consulted appropriately with respect to the proposed subdivision. A lawyer may be required to assist in resolving the issue and it may take up the money previously note, but the residents have there life savings invested in their properties. She notes the proposal is for 10years of mining, the citizens have a right within the constitution to have peace and serenity. This should have been dealt with in the 80's during boundary expansion.

Ms. Pennell was advised to the postponed resolution...to which a comment was made that all that needed to be added is the 4 levels of government and it could have been passed this evening.

Jim Taggart also expressed his appreciation for CoD preparing a submission to YESAA, and also his dissatisfaction with respect to the postponed resolution, urges council to bring this to a proposed Friday special meeting. He advised Council of a 1990 Land Use Plan that may provide information and guidance. Mr. Taggart inquired if each councillor would oppose the Slinky Mine....Mr. Taggart was advised that Council would speak as a whole and asking singularly is not appropriate.

Will Council oppose the application? Will Council consider expropriation through MA? Will Council support a move to take these issues through the court process? Council is working on a YESAA submission, we will be meeting on Friday be open to the public ? Mr. Taggart was informed that the meeting has not formally been called yet, but any meeting of Council is open to the public

Lindsay Brown stated that this is a difficult issue and is disappointed to hear so many reasons why we *can't* do something. He noted the town is growing, there are mines everywhere, this has to be fought for. He reviewed OCP, noting the town wants to be a centre for mining operations in the north, to do this you need to attract families, yet there is no housing, there is no property. There was review of Quartz claims, these are still viable and still permissible within the Townsite. If Council does not fight against this mine a door will open that will explode...

Bill Bowie You have an opportunity to be proactive....this block of claims has held the city hostage over development for 20 years

General discussion took place within the gallery noting that this is a Yukon wide issue , Whitehorse is dealing with the same issue. It needs to be not only Dawson, but a larger group of municipalities in order to be effective. Notation was made that the government purchased large numbers of claims for millions of dollars (Tr'ochek); collectively, we must get creative to solve this issue, it is stymieing the growth of our community.

Glenda Bolt inquire if this would be an issue that could be discussed at AYC and it was noted this would be appropriate.

**C10-09-36** Moved by Councillor Johnson, Seconded by Councillor Potoroka that Committee of the Whole reverts to Council and proceed with the agenda.

**CARRIED 5-0**

**ADJOURNMENT**

**C10-09-26** Moved by Councillor Potoroka Seconded by Councillor Johnson that Council Meeting C10-09 be adjourned at 10:36 PM with the next scheduled meeting being Wednesday March 10, 2010 at 7PM in the Council Chambers.

**CARRIED 5-0**

**THE MINUTES OF COUNCIL MEETING #C10-09 WERE APPROVED BY COUNCIL RESOLUTION #C10-12-04 AT COUNCIL MEETING #C10-12 March 10, 2010.**

Originals Signed by:

Peter Jenkins  
MAYOR

Scott Widmeyer  
A/CAO