

**IN THE MATTER OF A COMPLAINT** filed with the Regional Municipality of Wood Buffalo Composite Assessment Review Board (CARB) pursuant to Part 11 of the *Municipal Government Act*, being Chapter M-26 of the Amended Statutes of Alberta 2000 (Act).

**BETWEEN:**

Canadian Natural Resources Limited (CNRL) represented by Wilson Laycraft - Complainant

- a n d -

Regional Municipality of Wood Buffalo (RMWB) represented by Reynolds Mirth Richards & Farmer LLP - Respondent

**BEFORE:**

Members:

D. Marchand, Presiding Officer

E. McRae, Member

S. Odemuyiwa, Member

Board Counsel:

G. Stewart-Palmer, Barrister & Solicitor

Staff:

N. MacDonald, Assessment Review Board Clerk

A hearing was held on December 6 and 7, 2010, in Fort McMurray in the Province of Alberta to consider further preliminary issues related to complaints about the assessment of the following property tax roll number:

8992004910

Assessment \$249,499,140.00

RMWB file 10-001

**PART A: BACKGROUND AND DESCRIPTION OF PROPERTY UNDER COMPLAINT**

The roll number relates to a property assessment for building and structures, namely three camps at the Canadian Natural Resources site. The Complainant questions whether the assessment takes into account the shut-in state of two of these camps and the under-utilized nature of the third.

In addition, the Complainant questions the assignment of a non-residential property classification to this property.

**PART B: PROCEDURAL MATTERS**

During the September 2010 preliminary hearing, the parties advised CARB that they had reached a tentative settlement of the issues. CARB was advised that the parties would be sending written confirmation to CARB regarding the settlement.

By November 30, 2010 CARB had not received the confirmation of settlement. During the preliminary hearing held December 6 and 7, 2010, CARB requested an update of the status of the settlement. The parties reported to CARB in late December. As a result of the advice of the parties that a settlement had not been reached, the CARB scheduled a hearing of the merits of this matter for March 14 – 16, 2011 in Fort McMurray.

On March 1, 2011, the parties sent to the Board a joint recommendation to change the assessment of the above roll number from \$249,499,140.00 to \$243,012,920.00 as a result of the following reduction:

CAMP DESCRIPTION	CURRENT ASSESSMENT	RECOMMENDED ADJUSTMENT	RECOMMENDED ASSESSMENT
CAMP #1- CALLUMET RIVER LODGE	\$38,014,830	(\$ 1,024,880)	\$ 36,989,950
CAMP # 2 - MCKAY RIVER LODGE	\$ 36,734,040		\$ 36,734,040
CAMP #3 – CHELSEA RIVER LODGE	\$ 18,204,480	(\$5,461,340)	\$ 12,743,140

**ISSUE #1 – Recommendation for Settlement**

**Summary of Complainant's Position**

Counsel for CNRL has signed a joint recommendation recommending the settlement of the above appeal as set out in the table above.

**ISSUE #1 - Summary of Respondent's Position**

Counsel for the RMWB has also signed the joint recommendation recommending settlement of the appeal as set out in the table above.

**FINDING – ISSUE 1**

CARB accepts the joint recommendation for settlement on the understanding that it reflects the fair market values for the above three camps.

**REASONS – ISSUE 1**

The CARB notes that although this issue had been dispute between the parties, by virtue of discussions held from September 2010 through March 2011, the parties were able to reach a resolution regarding a change to the assessment roll. On the understanding that this reflects the fair market value of the building and structures, the CARB is prepared to accept the joint recommendation of the parties and thanks the parties for their work in reaching a resolution of this matter.

**DECISION - Roll # 8992004910 (work camps)**

The CARB directs that Roll # 8992004910 (work camps) be reduced from \$249,499,140 to \$243,012,290.

It is so ordered.

Dated at the Regional Municipality of Wood Buffalo in the Province of Alberta, this 15 day of March, 2011.

A handwritten signature in blue ink, appearing to read 'Elmer McRae', is written over a horizontal line.

Elmer McRae for D.H. Marchand, Presiding Officer

**APPENDIX "A"**

**APPENDIX "A"**

DOCUMENTS RECEIVED AND CONSIDERED BY THE CARB:

<b>NO.</b>	<b>ITEM</b>
1.	March 1, 2011 Joint Recommendation by the CARB

**APPENDIX "B"**

ORAL REPRESENTATIONS

<b>PERSON APPEARING*</b>	<b>CAPACITY</b>
1. G. Ludwig	
2. C. M. Zukiwski	

\* Oral representations not received. Recommendation received in writing only.

March 1, 2011

Complaint filed by Canadian Natural Resources Limited

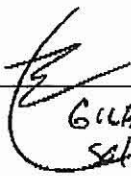
Roll # 8992004910 (work camps)

The parties recommend that the Composite Assessment Review Board of the Regional Municipality of Wood Buffalo change the assessment of the above roll number from \$249,499,140 to \$243,012,920 as a result of the following reduction.

CAMP DESCRIPTION	CURRENT ASSESSMENT	RECOMMENDED ADJUSTMENT	RECOMMENDED ASSESSMENT
CAMP #1 - CALLUMET RIVER LODGE	\$ 38,014,830	(\$ 1,024,880)	\$ 36,989,950
CAMP #2 - MCKAY RIVER LODGE	\$ 36,734,040	-	\$ 36,734,040
CAMP #3 - CHELSEA RIVER LODGE	\$ 18,204,480	(\$5,461,340)	\$ 12,743,140

All of which is respectfully submitted.

Canadian Natural Resource Limited

Per:   
GILBERT J. LIPMAN  
Solicitor for CNRL.

Regional Municipality of Wood Buffalo

Per:   
C. ZUKIWSKI  
RMRF LLP  
674238 SOLICITORS FOR  
REGIONAL MUNICIPALITY OF WOOD BUFFALO