

The Corporation of the Township of Perry

MINUTES **REGULAR MEETING** **Wednesday, May 20th, 2015** **7:00 p.m.**

Council Chambers
(1695 Emsdale Road Emsdale ON)

Any and All Minutes are to be considered Draft until approved by Council at a Regular Meeting of Council

In Attendance:

Council Members: Mayor Norm Hofstetter
Councillors: Les Rowley, Jim Cushman, Margaret Ann MacPhail,
Jeff Marshall

Municipal Staff: Beth Morton, Clerk-Administrator

Members of the Public: Sign-In Sheet on File

Mayor Norm Hofstetter called the meeting to order at 7:00 p.m.

Declaration(s) of Pecuniary Interest

I, Jim Cushman, declare that I have a pecuniary interest with regard to the following: Item 6 – Closed Session re: A. Miron Topsoil because I am in the same line of work, which will be discussed on the Agenda of May 20th, 2015 Council Meeting.

Delegation - Robin Wentzel of WEC Ltd.

Robin Wentzel provided Council with an update on the Brooks Falls Small Hydro Project. Robin advised that progress has been steady, but slow in some areas. The delay has been the lack of a Feed-in-Tariff (FIT) Agreement. A FIT Contract is needed to progress with environmental permits, provide engineering and to invest significantly more money into the project development. The FIT program is currently under review. The draft rules of the FIT program contains a number of changes, primarily on how priority points are awarded for ranking FIT applications and new pricing structure and tiered price bid-down. There are two categories that applications are grouped into: CCSA and non-CCSA. 2/3 of new contracts will go to CCSA and the other 1/3 to non-CCSA. To qualify for CCSA a project must be an Aboriginal, Community or Municipal participation project. Robin further explained the priority points to Council and how this impacts the proposed Brooks Falls small hydro project. It is essential that the project falls into the CCSA category, as that is where most contracts are offered. With the increased offer rate, it makes it possible to do Tier 3 price reduction. If the Township continues to support the project, the maximum priority points could most likely applied for. The final FIT 4 rules are expected to be out by mid July, therefore the application window will be open later this summer. It will be open for approximately 3 to 4 weeks, therefore it is important that all the forms and approval are ready prior to July.

Robin noted that with the project being reduced to a 500 kW project, it means that all work will be completed on municipal lands. A proposed layout of the work was provided to Council. With the smaller project, they have been able to do a design which incorporates a very substantial residual flow. It means that visitors during the summer will not notice a difference from other typical seasons. It also means that they are able to easily leave more than an adequate volume of water for aquatic and biological reasons in the bypass reach, while maintaining a good power generation capacity factor.

The smaller project will have economic benefits. The contract price for small waterpower projects increase, there are some reduced costs and potentially lower operating and maintenance costs, community project investors can expect a return of investment of around 11%, compared to the previous 9.4%, and because of the reduced initial costs, the \$100,000 that Council earmarked to potentially invest as equity could potentially be applied to the 15% equity stake. If this is done, it triggers a \$0.005/kWh price adder, equivalent to approximately \$15,000/year (average).

Robin then explained to Council that to be considered as a CCSA project, it would require 15% equity from the Township. He requested that Council consider investing approximately \$135,000. There is very limited risk to the Township because the Township is not exposed to the development risk going on now. The Township would provide the funds once construction was completed, therefore most of the risk is gone at that point. If Council is not in support of investing an additional \$35,000, Robin advised that WEC Ltd. would be willing to provide a loan to the Township for \$35,000 to ensure that the project had the 15% equity stake to apply under the CCSA project. Robin is requesting that Council consider this at their next Meeting of Council. He noted that he will not move forward without Township support and involvement.

In closing, Robin thanked Council for their time and appreciates their patience as it has been a very long process. He would like to attend the Fair again this year to educate the public on the project. He also noted that if the project moves forward, he would like to start an education program on the project.

Council advised Robin that they would consider this at their Regular Meeting of Council on June 3rd, 2015.

Resolution No. 2015-217

Moved by: Les Rowley

Seconded by: Jeff Marshall

Be it resolved that the Council of the Township of Perry accepts the Minutes of the following Meeting(s) as presented:

- 3.1 Regular Meeting of Council on Wednesday, May 6th, 2015; and
- 3.2 Public Meeting for Collin's Zoning By-law Amendment Application on Wednesday, May 6th, 2015

Carried.

Resolution No. 2015-218

Moved by: Margaret Ann MacPhail

Seconded by: Les Rowley

Be it resolved that the Council of the Township of Perry hereby declares the lands described as that part of the original shore road allowance in front of Lot 34, Concession 2, designated as Part 1, Plan 42R-20342, Township of Perry, District of Parry Sound to be surplus and that they be sold by direct sale to Diode de DaSilva and Odette Maria DaSilva, the owners of the adjacent lands for the sum of \$1,275.52, plus HST, an administration fee of \$250.00, advertising and legal costs.

Carried.

Resolution No. 2015-219

Moved by: Jeff Marshall

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2015 – 23, “Being a By-law to close and sell part of the Original Shore Road Allowance in front of Lot 34, Concession 2, Township of Perry” be given first and second reading.

Carried.

Resolution No. 2015-220

Moved by: Les Rowley

Seconded by: Jeff Marshall

Be it resolved that By-law No. 2015 – 23, “Being a By-law to close and sell part of the Original Shore Road Allowance in front of Lot 34, Concession 2, Township of Perry” be given third and final reading and enacted in open Council.

Carried.

Resolution No. 2015-221

Moved by: Jeff Marshall

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2015 – 24, “Being a By-law to authorize the execution of a Development Agreement between Lisa Ann Duffield and Ronald Ashram Godfrey and the Corporation of the Township of Perry with respect to Part of Lot 11, Concession 10, in the Township of Perry, designated as Parts 2 and 3 on Plan 42R-20356” be given first and second reading.

Carried.

Resolution No. 2015-222

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2015 – 24, “Being a By-law to authorize the execution of a Development Agreement between Lisa Ann Duffield and Ronald Ashram Godfrey and the Corporation of the Township of Perry with respect to Part of Lot 11, Concession 10, in the Township of Perry, designated as Parts 2 and 3 on Plan 42R-20356” be given third and final reading and enacted in open Council.

Carried.

Resolution No. 2015-223

Moved by: Les Rowley

Seconded by: Jim Cushman

Be it resolved that By-law No. 2015 – 25, “Being a By-law to authorize the Corporation of the Township of Perry to enter into a Site Plan Agreement with Robert Pilozzi on lands legally described as Lot 14 and Part of Lot 15, Concession 5, in the Township of Perry” be given first and second reading.

Carried.

Resolution No. 2015-224

Moved by: Jeff Marshall

Seconded by: Les Rowley

Be it resolved that By-law No. 2015 – 25, “Being a By-law to authorize the Corporation of the Township of Perry to enter into a Site Plan Agreement with Robert Pilozzi on lands legally described as Lot 14 and Part of Lot 15, Concession 5, in the Township of Perry” be given third and final reading and enacted in open Council.

Carried.

Resolution No. 2015-225

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2015 – 26, “Being a By-law to authorize the Corporation of the Township of Perry to enter into a Site Plan Agreement with Robert Thomson on lands legally described as Part of Lot 15, Concession 5, in the Township of Perry” be given first and second reading.

Carried.

Resolution No. 2015-226

Moved by: Jim Cushman

Seconded by: Jeff Marshall

Be it resolved that By-law No. 2015 – 26, “Being a By-law to authorize the Corporation of the Township of Perry to enter into a Site Plan Agreement with Robert Thomson on lands legally described as Part of Lot 15, Concession 5, in the Township of Perry ” be given third and final reading and enacted in open Council.

Carried.

Resolution No. 2015-227

Moved by: Les Rowley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry has received the May 2015 Health and Safety Update from Administration.

Carried.

Resolution No. 2015-228

Moved by: Jeff Marshall

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry approves the continued sale of cemetery plots at the prices established by St. Mark’s Cemetery Board in July 2011.

And further that Council directs staff to purchase and install signage at St. Mark's Cemetery indicating the change in ownership and contact information.

Carried.

Resolution No. 2015-229

Moved by: Jeff Marshall

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry approves the estimates included in the 2015 Budget, and directs the Treasurer/Tax Collector to prepare the Tax Rate By-law based on the total levy of \$2,505,741.

Carried.

Resolution No. 2015-230

Moved by: Les Rowley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry hereby supports the application made by Bob and Dave Williams to merge the waterfront lots legally described as Lots 4 and 5 on Registered Plan M-86, within the Township of Perry and hereby authorize the Clerk to initiate the process, pending receipt of a deposit in the amount of \$1,000, to be used towards all costs in regard to this process.

Carried.

Resolution No. 2015-231

Moved by: Jim Cushman

Seconded by: Les Rowley

Be it resolved that the Council of the Township of Perry agree in principle to work with the Town of Kearney, Township of McMurrich/Monteith, Township of Armour, Township of Ryerson and Village of Burk's Falls to establish a Committee in order to draft a Memorandum of Understanding for the development of a Fire location/services Study.

Carried.

Resolution No. 2015-232

Moved by: Jeff Marshall

Seconded by: Les Rowley

Whereas the Burk's Falls and District Food Bank provides a valuable service to the residents of the Township of Perry, Township of McMurrich/Monteith, Town of Kearney, Township of Ryerson, Municipality of Magnetawan, Township of Armour, and the Village of Burk's Falls; and

Whereas the Burk's Falls and District Food Bank has approached the municipalities it currently serves with a request to enter into a funding agreement to cover the costs of rent; and

Whereas the Council of the Township of Perry wishes to enter into a funding agreement to provide future stability for this valuable community organization;

Now therefore be it resolved that the Council of the Township of Perry hereby authorizes the Mayor and Clerk-Administrator to execute the funding agreement attached as 'Schedule A' to this resolution.

Carried.

Resolution No. 2015-233

Moved by: Margaret Ann MacPhail

Seconded by: Jeff Marshall

Be it resolved that the Council of the Township of Perry approve of an annual Maintenance Agreement with Murray Mechanical Systems Ltd. to provide monitoring and scheduled maintenance to the mechanical system at 1695 Emsdale Road at a cost of \$5,990 plus HST.

Carried.

Resolution No. 2015-234

Moved by: Les Rowley

Seconded by: Jeff Marshall

Be it resolved that the Council of the Township of Perry accept the offer from RTO 12 / Explorer's Edge to assume control and ownership of the AHIC website and social media pages; and

And further that Staff be authorized to carry out the transfer of all AHIC online properties from the Township of Perry to RTO 12 / Explorer's Edge.

Carried.

Resolution No. 2015-235

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry hereby receives Correspondence 8.1 to 8.8, as outlined in the Agenda of May 20th, 2015.

Carried.

Resolution No. 2015-236

Moved by: Jeff Marshall

Seconded by: Jim Cushman

In accordance with Section 239(2), (3) and (3.1) of the *Municipal Act 2001*, as amended, Council shall proceed into Closed Session in order at 8: 04 p.m. to address matters pertaining to: 2(b) personal matters about an identifiable individual – property standards; 2(d) labour relations or employee negotiations – Deputy Fire Chief position; and 2(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – OMB Matter (A. Miron Topsoil Ltd.).

Carried.

Resolution No. 2015-240

Moved by: Jeff Marshall

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry does hereby now adjourn from Closed Session at 8:45 p.m.

Carried.

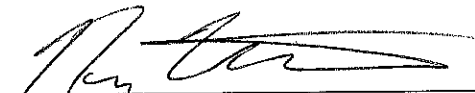
Report from Closed Session

The Clerk provided Council with an update on a property standards matter; on the A. Miron Topsoil Ltd. OMB Hearing; and made a recommendation to Council on the appointment of a


Deputy Fire Chief.

The meeting was adjourned at 8:50 p.m.

Dated this 3rd day of June, 2015.



Norm Hofstetter, *Mayor*



Beth Morton, *Clerk/Administrator*