



*The Corporation of the Township of Perry*

**MINUTES**

**REGULAR MEETING**

**Wednesday, October 19<sup>th</sup>, 2016**

**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: Margaret Ann MacPhail,  
Jim Cushman, Jeff Marshall and Les Rowley

**Municipal Staff:**

Beth Morton, Clerk-Administrator

Kim Seguin, Treasurer

**Members of the Public:**

See sign in sheet

**Declaration of Pecuniary Interest**

I, Jim Cushman, declare that I have a pecuniary interest with regard to the following: Item 4.1, Zoning By-law Amendment – West; and Item 9 – A. Miron Topsoil Ltd. that will be discussed on the agenda of the October 19, 2016 Council Meeting.

**Resolution No. 2016-357**

**Moved by: Les Rowley**

**Seconded by: Jeff Marshall**

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

3.1 Regular Meeting of Council on Wednesday, October 5<sup>th</sup>, 2016

**Carried**

**Resolution No. 2016-358**

**Moved by: Jeff Marshall**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** the Council of the Township of Perry has received the report from Township of Perry Planner Jim Dymont of MHBC Planning regarding the proposed Zoning By-law Amendment for lands legally described as Part 3 on Plan 42R-15010 and Lot 2 on Plan M77, in the Township of Perry (West).

**Carried**

**Resolution No. 2016-359**

**Moved by: Les Rowley**

**Seconded by: Jim Cushman**

***Be it resolved that*** the Council of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:03 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regard to a proposed Zoning By-law Amendment for lands legally described as Part Lot 1, Plan M77, designated as Part 3 on Plan 42R-15010 and Lot 2, Plan M77 in the Township of Perry (West).

**Carried**

**Resolution No. 2016-360**

**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 this Public Meeting at 7:47 p.m. in order to recommence the Regular Council Meeting of October 19<sup>th</sup>, 2016.

**Carried**

**Resolution No. 2016-361**

**Moved by: Jim Cushman**

**Seconded by: Les Rowley**

***Be it resolved that*** the Council of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:50 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regard to a proposed Zoning By-law Amendment for lands legally described as Part of Lot 8, Concession 13, in the Township of Perry (Mannen).

**Carried**

**Resolution No. 2016-362**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jeff Marshall**

***Be it resolved that*** the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:55 p.m. in order to recommence the Regular Council Meeting of October 19<sup>th</sup>, 2016.

**Carried**

**Resolution No. 2016-363**

**Moved by: Les Rowley**

**Seconded by: Jim Cushman**

***Be it resolved that*** the Council of the Township of Perry has received the October 19<sup>th</sup>, 2016 Health and Safety Update from Administration.

**Carried**

**Resolution No. 2016-364**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Les Rowley**

***Be it resolved that*** Council receive the application submitted by David and Lee Anne Beleskey for lands legally described as Lot 5, Registered Plan 42M667, Township of Perry, located at 96 Locke's Road and declare the application to be complete in accordance with the requirements of the Planning Act and hereby request the Clerk to schedule a Public Meeting at the next available opportunity.

**Carried**

**Resolution No. 2016-365**

**Moved by: Jim Cushman**

**Seconded by: Jeff Marshall**

**Be it resolved that** the Council of the Township of Perry approve the use of a Perry Township Cell Phone for the Community Development Officer (CDO) during the months of November and December; and

**That** the cell phone use be reviewed and considered for the CDO during the 2017 budget process with the 3 municipalities sharing the CDO.

**Carried**

**Resolution No. 2016-366**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Les Rowley**

**Be it resolved that** the Council of the Township of Perry receive the Report from the Clerk-Administrator and hereby direct her to advertise for a full-time CBO / By-law Enforcement Officer.

**Carried**

**Resolution No. 2016-367**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jim Cushman**

**Be it resolved that** the Council of the Township of Perry hereby receives the Report from the Treasurer pertaining to funding for the Brooks Falls Hydro Dam Project and hereby supports entering into a 51% partnership at a value of \$459,000, authorizing the \$30,000 refundable application fee to be advanced immediately and the balance of the funds to be drawn after award of the project.

<b>Recorded Vote:</b>	<b>Les Rowley</b>	Against
	Jim Cushman	Against
	Margaret Ann MacPhail	Against
	Jeff Marshall	Against
	Norm Hofstetter	Against

**Defeated**

**Resolution No. 2016-368**

**Moved by: Jeff Marshall**

**Seconded by: Les Rowley**

**Be it resolved that** the Council of the Township of Perry hereby receives the Report from the Treasurer pertaining to funding for the Brooks Falls Hydro Dam Project and hereby supports entering into a 15% partnership at a value of \$135,000, authorizing the \$30,000 refundable application fee to be advanced immediately and the balance of the funds to be drawn after award of the project.

<b>Recorded Vote:</b>	<b>Les Rowley</b>	Against
	Jim Cushman	Against
	Margaret Ann MacPhail	Against
	Jeff Marshall	Against
	Norm Hofstetter	Against

**Defeated**

**Resolution No. 2016-369**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jeff Marshall**

**Be it resolved that** the Council of the Township of Perry hereby receives the Report from the Treasurer pertaining to funding for the Brooks Falls Hydro Dam Project and hereby supports Brooks Community Power Ltd to submit an application to the FIT 5 program for the 500 kW small water power project.

**And that** Resolution Nos. 2012-443, 2012-466 and 2015-255 are hereby repealed;

**And further that** upon award of a FIT 5 Contract, the municipality will renegotiate the lease of the land.

<b>Recorded Vote:</b>	<b>Les Rowley</b>	For
	Jim Cushman	For
	Margaret Ann MacPhail	For
	Jeff Marshall	For
	Norm Hofstetter	For

**Carried**

**Resolution No. 2016-370**

**Moved by: Jeff Marshall**

**Seconded by: Les Rowley**

**Whereas** capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.

**And Whereas** Brookes Community Power Ltd (the "Applicant") proposes to construct and operate a 500 kW run-of-river small waterpower project (the "Project") on 52164-0012 (690 Deer Lake Road, Pcl 5147 S/S/, Lot 22, Con 13, Twp of Perry (the "Lands") in the Township of Perry under the Province's FIT Program;

**And Whereas** the Applicant has requested that Council of the Township of Perry indicate by resolution Council's support for the construction and operation of the Project on the Property.

**And Whereas** pursuant to the FIT Rules, Version 5.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

**Now therefore be it resolved that** the Council of the Township of Perry supports the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

<b>Recorded Vote:</b>	<b>Les Rowley</b>	For
	Jim Cushman	For
	Margaret Ann MacPhail	For
	Jeff Marshall	For
	Norm Hofstetter	For

**Carried**

**Resolution No. 2016-371**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jim Cushman**

**Whereas** the Council of the Township of Perry accepted the Expression of Interest submitted by Evans Bertrand Hill Wheeler for engineering assistance and consulting services to build a new fire hall at a projected cost of \$53,860.00 plus HST;

**And Whereas** at a Special Meeting of Council on Wednesday, September 28, 2016, Council directed that the project move forward as a combined Fire Hall and Community Centre;

**And Whereas** as a result of the change in the project, additional engineering and consulting services will be required;

**And Whereas** Evans Bertrand Hill Wheeler have provided the Township with quote for additional design fees necessary for the Fire Hall and Community Centre;

**Now therefore be it resolved that** the Council of the Township of Perry hereby authorizes a change order for the additional design fees submitted by Evans Bertrand Hill Wheeler in the amount of \$19,630 plus HST to include the Community Centre within the design.

**Carried**

**Resolution No. 2016-372**

**Moved by: Jeff Marshall**

**Seconded by: Les Rowley**

**Whereas** access to affordable and reliable broadband networks is an important part of everyday life and;

**Whereas** communities outside urban centres face challenges in accessing internet service levels comparable to those in cities due to factors such as remote location and challenging terrain and;

**Whereas** numerous Broadband projects were delaying in 2015 and then cancelled by FedNor in 2016 in favour of waiting for the national Connecting Canadians Broadband funding criteria to be announced and;

**Whereas** many of the cancelled Broadband projects already had committed NOHFC and Internet Service Provider partner funding and although backbone and

institutional connectivity is crucial for a modern digital economy, the last mile opportunity that existed in these projects that have been cancelled is equally as important and;

**Whereas** FedNor's mandate is to support regional collaboration that will enhance Community economic development, business growth, competitiveness and innovation and;

**Whereas** access to Broadband is key to economic, education, social and health development;

**Now Therefore Be it Resolved** that the Municipality of the Township of Perry requests that because FedNor has developed a strong network of Broadband advocates and local Northern Ontario intelligence, that the Minister of Innovation, Science and Economic Development reviews the decision that no longer permits FedNor to fund Broadband initiatives and that the Broadband projects that have been cancelled all across Northern Ontario, be reinstated and reviewed for potential funding.

**Carried**

**Resolution No. 2016-373**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jim Cushman**

**Be it resolved that** the Council of the Township of Perry hereby support the Council Resolution from the Town of Shelburne requesting the Province to review their policies regarding Autism Spectrum Disorder and make appropriate amendments to same.

**Carried**

**Resolution No. 2016-374**

**Moved by: Les Rowley**

**Seconded by: Jim Cushman**

**Be it resolved that** the Council of the Township of Perry authorizes the closure of the Transfer Station on the following statutory holidays in 2017:

Sunday January 01, 2017	New Year's Day
Monday February 20, 2017	Family Day
Friday April 14, 2017	Good Friday
Saturday July 01, 2017	Canada Day (new)
Monday December 25, 2017	Christmas
Tuesday December 26, 2017	Boxing Day

**Carried**

**Resolution No. 2016-375**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jeff Marshall**

**Be it resolved that** the Council of the Township of Perry authorizes the purchase of 2 large wreaths from the Kearney Branch of the Royal Canadian Legion, in the amount of \$60.00 each.

**And that** Norm Hofstetter will be laying the wreath at the Kearney Service on Saturday, November 5th, 2016; Margaret Ann MacPhail will be laying the wreath at the Evergreen Heights Education Centre Service on Friday, November 11th, 2016; and Jim Cushman will be laying the wreath at the Emsdale Cenotaph Service on Friday, November 11th, 2016.

**Carried**

**Resolution No. 2016-376**

**Moved by: Les Rowley**

**Seconded by: Jim Cushman**

**Be it resolved that** the Council of the Township of Perry hereby receives Correspondence Items 8.1 to 8.7 as outlined in the Agenda of October 19<sup>th</sup>, 2016.

**Carried**

**Resolution No. 2016-377**

**Moved by: Jeff Marshall**

**Seconded by: Margaret Ann MacPhail**

**Be it resolved that** in accordance with Section 239 of the *Municipal Act, 2001*, as amended, Council shall proceed into 'Closed Session' at 9:36 p.m. in order to address matters pertaining to Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. (A. Miron Topsoil Ltd. – Update to Council from Solicitor/Planner and another potential matter).

**Carried**

**Resolution No. 2016-377**

**Moved by: Jeff Marshall**

**Seconded by: Margaret Ann MacPhail**

**Be it resolved that** in accordance with Section 239 of the *Municipal Act, 2001*, as amended, Council shall proceed into 'Closed Session' at 9:36 p.m. in order to address matters pertaining to Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. (A. Miron Topsoil Ltd. – Update to Council from Solicitor/Planner and another potential matter).

**Carried**

**Resolution No. 2016-380**

**Moved by: Jeff Marshall**

**Seconded by: Les Rowley**

**Be it resolved that** the Council of the Township of Perry hereby now reconvenes the Regular Meeting of Council on Wednesday, October 19<sup>th</sup>, 2016 at 10:16 p.m.

**Carried**

The meeting adjourned at 10:17 p.m.

Dated this 2nd day of November, 2016.

\_\_\_\_\_  
Original Signed by Norm Hofstetter  
Norm Hofstetter, *Mayor*

\_\_\_\_\_  
Original Signed by Beth Morton  
Beth Morton, *Clerk-Administrator*