

**TOWNSHIP OF PELEE**  
**Regular Meeting of Council**  
**Monday, August 12, 2019**  
**Royal Canadian Legion at 7:00 p.m.**

- 1. Closed Session (Closed to Public; Beginning at 7:00 pm)**
  - a. *a proposed or pending acquisition or disposition of land by the municipality or local board;*
- 2. Confirmation of Previous Meeting Minutes (Open to Public; Beginning at 8:00 pm)**
  - a. Regular Meeting of Council, July 15, 2019.
- 3. Disclosure of Pecuniary Interest**
- 4. Delegations**
- 5. Reports**
  - Action Reports**
    - a. Drainage Superintendent-Big Marsh Drainage Scheme – Drain No. 2 and West Branch Drain No. 1 – Tender Award 2019-24-EC
    - b. CAO/Clerk-Small Business Lighting Program 2019-25-JH
    - c. Deputy Mayor Dawson-Transportation Committee Report, August 6, 2019 Meeting and Recommendation, July 7, 2019 Meeting
    - d. Councillor DeLellis-Tourism/Hunting & Fishing/Economic Development Committee Report, July 20, 2019 Meeting
    - e. CAO/Clerk-AMO Delegation Approvals (verbal)
  - Consent Reports**
    - f. Treasurer-Financial Summary and Revenue Report as at July 31, 2019 2019-26-MF
    - g. Treasurer-Disbursements as at August 7, 2019 in the amount of \$339,293.04
- 6. Recognitions**

**From Mayor Durocher**

  - a. **Michelle Feltz and Municipal Staff**-Job well done for managing successfully while Council sought new CAO/Clerk.
  - b. **Scudder Marina Management and Staff**-Commendation on new management, and facility cleanliness from LaSalle Mariners
- 7. Communications and Petitions**
  - a. **Township of Warwick and those in Support**-Safety of Ontario's Farm Families
  - b. **Town of Halton Hills**-Deposit/Return Program
  - c. **City of Stratford**-Opposition of Changes to the Planning Act
- 8. Scheduled Motions**

**Action Motions**

- a. Receive report 2019-24-EC, award tender to Rivard Excavating and Bulldozing Ltd in the amount of \$456,578.00, and authorize the Mayor and CAO/Clerk to enter into an agreement with Rivard Excavating and Bulldozing Ltd for the completion of the Big Marsh Drainage Scheme – Drain No. 2 and West Branch Drain No. 1.
- b. Agree to incur additional costs beyond regular incentives and for replacement fixtures at the Clinic and Public Work Building in the amount of \$5000.00 and further that these funds be paid for with grant monies from MMAH for efficiencies.
- c. Accept Transportation Committee Report for the August 6, 2019 Meeting.
- d. Agree to support Transportation Committee Recommendation that staff investigate the possibility of engaging Marion Smith, Manager of Chatham-Kent Municipal Airport to provide training to the Manager of Pelee Island Airport.
- e. Agree to support Transportation Committee Recommendation that staff investigate the possibility of having the Pelee Island Airport designated as a Remote Airport under the provincial Ministry of Transportation.
- f. Agree to support Transportation Committee Recommendation that Council of the Township of Pelee should follow up on media reports that “a spokesman for the MTO said ‘a full review will be carried out’ and will result in ‘new preventative maintenance protocols’ to reduce the likelihood of future similar disruptions.” The Township should send a letter to the Ministry of Transport requesting that it be advised of the recommendations that are made as a result of the review. The letter should also request that the review include an evaluation how ferry customers impacted by the disruption were apprised of the situation as it developed. Finally, the letter should request that the review cover the manner in which customers on vessels who are returned to the port of origin rather than their destination are to be treated by the service provider.
- g. Agree to support Transportation Committee Recommendation that a public information session be held to inform island residents of the emergency actions taken to protect roads from shoreline erosion, and provide information regarding recent studies that have been undertaken, the status of discussions with higher levels of government, current plans to protect shoreline roads, work undertaken to date, and of the funds available to protect our roads.
- h. Agree to support Transportation Committee Recommendation that the By-Law Enforcement Officer enforce By-Law 2011-29. With regard to parking along East Shore Road, the By-Law Enforcement Officer should issue the warning notices, followed by enforce the provisions of the By-Law 2011-29 against repeat offenders.

#### **Consent Motions**

- a. Township of Pelee consents to pass the following:
  - i. Financial Summary and Revenue Report as at July 31, 2019 2019-26-MF
  - ii. Disbursements as at August 7, 2019 in the amount of \$339,293.04

#### **9. Deferred Matters**

#### **10. Enquires**

#### **11. Emergent Matters**

#### **12. By-Laws**

- a. **By-Law 2019-32; Being a By-Law to Enter into an Agreement with IESO (Independent Electricity System Operator)**

b. **By-Law 2019-33; Being a By-Law to Confirm Proceedings**

**13. Adjournment**

**TOWNSHIP OF PELEE**  
**Regular Meeting of Council**  
**Monday, July 15, 2019**  
**Royal Canadian Legion at 7:00 pm**

Mayor: Ray Durocher  
Councillors: Dave DeLellis  
Dayne Malloch  
Sherri Smith Ouellette

Staff: John Maddox, CAO/Clerk  
Michelle Feltz, Treasurer/Deputy Clerk  
Stephanie Rodgers, Admin Asst

1. **Closed Session (Closed to Public; Beginning at 7:00 pm)**  
a. The following Resolution was PASSED:

Resolution 2019-136

Moved By: Dave DeLellis

Seconded By: Sherri Smith

“Be it Resolved that the Council of the Township of Pelee hereby agrees to move into a closed session regarding *personal matters about an identifiable individual, including municipal or local board employees [Sec. 239(2)(b)]* at 7:00 pm.”

CARRIED.

- b. The following Resolution was PASSED:

Resolution 2019-137

Moved By: Dave DeLellis

Seconded By: Sherri Smith

“Be it Resolved that the Council of the Township of Pelee hereby agrees to move out of a closed session regarding *personal matters about an identifiable individual, including municipal or local board employees [Sec. 239(2)(b)]* at 8:00 pm.”

CARRIED.

2. **Confirmation of Previous Meeting Minutes (Open to Public; Beginning at 8:00 pm)**  
a. Regular Meeting of Council, June 17, 2019.

Moved By: Dave DeLellis  
Seconded By: Dayne Malloch

**AGENDA**

3. **Disclosure of Pecuniary Interest**  
None.

DATE August 12, 2019

4. **Delegations**  
a. Mike Cowan BDO Auditor-2018 Audited Financial Statements

NO. 2(a)

5. **Reports**  
**Action Reports**

- a. Deputy Mayor Dawson-Library Report (Presented by SS)
- b. Mayor Durocher-Mayor's Lunch Report
- c. CAO/Clerk-Belfor Report

**Consent Reports**

- d. Treasurer-Strategic Asset Management Policy
- e. Deputy Mayor Dawson-Transportation Committee Report, July 7, 2019  
Recommendations not included, and will be presented at the August 12<sup>th</sup> meeting of Council.
- f. Treasurer-Disbursements
- g. Treasurer-Revenue Report Ending June 30, 2019
- h. ERCA-Source Protection Annual Progress Report
- i. ERCA-Source Protection Area 2018 Risk Management Services Annual Progress Report
- j. Sue Rice-Community SWOT Analysis, May 2019

Direction to administration to post online and to distribute hard copies in key locations after corrections are made.

**6. Recognitions**

**From Mayor Durocher**

- a. **Kathy Long and the Canada Day Committee**-Job well done for hosting an excellent Canada Day celebration and raising funds to adequately cover the event expenses.
- b. **Stephanie Rodgers**-Congratulation for successful completion of the Association of Municipal Managers, Clerks and Treasurers of Ontario, Municipal Administration Program Unit 4 with a final grade of 95%, and obtaining a Certificate in Municipal Administration with an overall average of 91%.

**7. Communications and Petitions**

- a. **Dave Van Kesteren, MP**-National Disaster Mitigation Program (NDMP)
- b. **Mike Brouwer, Ducks Unlimited**-Donation Request; 4 Pheasant Hunt Licences
- c. **Tim Rochette, Ontario Conservation Officers Association**-Donation Request; Financial and Merchandise Request
- d. **Paul Klein, Lake Erie Living Magazine**-Island Hot Spot
- e. **Mary Martin, President Lambton Wildlife Incorporated**-Donation to Campground
- f. **Township of Tyendinaga**-Request Support to Re-Establish combined OGRA and ROMA Conferences
- g. **Township of Warwick**-Request Support for Enforcement of Safety on Family Farms
- h. **City of St. Catherine's**-Request Support for Free Menstrual Products

- i. **City of Hamilton**-Request Support of Recommendation Regarding Public Health
- j. **Town of Georgina**-Request Support for a Deposit/Return Waste Program
- k. **Township of Armour**-Support for Opposition of Bill 115
- l. **Township of Huron-Kinloss**-Request Support to Restore Library Funding
- m. **Township of South Glengarry**-Request Support to Restore Library Funding

**8. Scheduled Motions**

**Action Motions**

- a. The following Resolution was PASSED:

Resolution 2019-138

Moved By: Dayne Malloch

Seconded By: Dave DeLellis

“Be it Resolved that the Council of the Township of Pelee hereby accepts the 2018 Audited Financial Statements as presented by BDO.”

CARRIED.

- b. The following Resolution was PASSED:

Resolution 2019-139

Moved By: Dave DeLellis

Seconded By: Sherri Smith

“Whereas the municipality of the Township of Pelee recently experienced severe shoreline erosion because of periods of high winds and significantly increased water levels that began on April 15, 2019 and has experienced incremental operating and capital costs, the council of The Corporation of the Township of Pelee hereby requests the Minister of Municipal Affairs and Housing to activate the Municipal Disaster Recovery Assistance program.

Further that Michelle Feltz, Treasurer is given delegated authority to verify and attest to the accuracy of the attached claim.”

CARRIED.

- c. The following Resolution was PASSED:

Resolution 2019-140

Moved By: Dayne Malloch

Seconded By: Sherri Smith

“Be it Resolved that the Council of the Township of Pelee hereby receives Deputy Mayor Dawson’s Library Report and supports the following recommendations:

- i. Enter into an early termination of lease agreement with an end date of August 31, 2019;
- ii. Notify Hydro One to close account; and,
- iii. Enter into an agreement with Great Essex County District School Board to provide Pelee Island Public School with water testing services for a fee, with terms agreeable to both parties.

CARRIED.

- d. The following Resolution was PASSED:

Resolution 2019-141

Moved By: Sherri Smith  
Seconded By: Dayne Malloch

“Be it Resolved that the Council of the Township of Pelee hereby Receive Mayor Durocher’s Report regarding the June 25<sup>th</sup>, 2019 Mayor’s Lunch.”  
CARRIED.

e. The following Resolution was PASSED:

Resolution 2019-142

Moved By: Sherri Smith  
Seconded By: Dayne Malloch

“Be it Resolved that the Council of the Township of Pelee hereby supports Mayor Durocher’s opposition to an appeal of the City of Windsor re-zoning, that attempts to block County Rd 42 as the location of the new hospital, and further to support of the Mayor’s requested to collaborate with City of Windsor and Essex County Mayors in requesting and attending a meeting with Premier Doug Ford in Toronto to discuss this matter.”  
CARRIED.

f. The following Resolution was WITHDRAWN:

Resolution 2019-143

“Be it Resolved that the Council of the Township of Pelee hereby Receive the Belfor Report.”

g. The following Resolution was PASSED:

Resolution 2019-144

Moved By: Dayne Malloch  
Seconded By: Sherri Smith

“Be it Resolved that the Council of the Township of Pelee hereby refers donation requests from Ducks Unlimited and Ontario Conservation Officers Association to the Tourism, Hunting & Fishing, and Economic Development Committee.”  
CARRIED.

#### **Consent Motions**

a. The following Resolution was PASSED:

Resolution 2019-145

Moved By: Dave DeLellis  
Seconded By: Sherri Smith

“Be it Resolved that the Council of the Township of Pelee hereby adopts the Strategic Asset Management Policy.”  
CARRIED.

b. The following Resolution was PASSED:

Resolution 2019-146

Moved By: Dave DeLellis  
Seconded By: Sherri Smith

“Be it Resolved that the Council of the Township of Pelee hereby consents to the following items:

- i. Transportation Committee Report, July 7, 2019;
- ii. Disbursements;
- iii. Revenue Report Ending June 30, 2019;
- iv. Source Protection Annual Progress Report; and,
- v. Source Protection Area 2018 Risk Management Services Annual Progress Report.”

CARRIED.

**9. Deferred Matters**

- a. Transportation Committee Recommendation-Parking Enforcement on East Shore Road

**10. Enquires**

- a. Councillor DeLellis to Council-Is there interest in moving forward with installation of a water system at Scudder Marina based on preliminary quote?
- b. Councillor Smith to Council- Does Council consent to changing meeting dates from October 21 to 28 and eliminate meeting on November 4 so as to accommodate a poll station at the Legion?

Council consents to changing the dates.

**11. Emergent Matters**

- a. The following Resolution was PASSED:

Resolution 2019-147

Moved By: Dayne Malloch  
Seconded By: Sherri Smith

“Be it Resolved that the Council of the Township of Pelee hereby directs the CAO/Clerk to exercise the opt-out option within the current lease agreement to withdraw from renewing the agreement due to the municipality’s financial inability to meet the expectations of OPP as per our received communications.”  
CARRIED.

- b. The following Resolution was PASSED:

Resolution 2019-148

Moved By: Dayne Malloch  
Seconded By: Sherri Smith

“Be it Resolved that the Council of the Township of Pelee hereby agrees to move forward with acquiring a firmer quote for installation of a water system and building at Scudder Marina.”  
CARRIED.

**12. By-Laws**

- a. The following Resolution was PASSED:

Resolution 2019-149

Moved By: Dave DeLellis  
Seconded By: Sherri Smith



“Be it Resolved that the Council of the Township of Pelee hereby adopts the third and final reading of By-Law 2019-21; Being a By-Law to provide for the Repair and Improvement of Big Marsh Drainage Scheme.”  
CARRIED.

b. The following Resolution was PASSED:

Resolution 2019-150

Moved By: Sherri Smith  
Seconded By: Dayne Malloch

“Be it Resolved that the Council of the Township of Pelee hereby adopts By-Law 2019-28; Being a By-Law to Enter into an Agreement with OCWA for Operator Support.”  
CARRIED.

c. The following Resolution was PASSED:

Resolution 2019-151

Moved By: Sherri Smith  
Seconded By: Dayne Malloch

“Be it Resolved that the Council of the Township of Pelee hereby adopts By-Law 2019-29; Being a By-Law to Enter into an Encroachment Agreement Terry Bergan.”  
CARRIED.

d. The following Resolution was PASSED:

Resolution 2019-152

Moved By: Sherri Smith  
Seconded By: Dayne Malloch

“Be it Resolved that the Council of the Township of Pelee hereby adopts By-Law 2019-30; Being a By-Law to Appoint a Chief Administrative Officer and Clerk of the Township of Pelee.”  
CARRIED.

e. The following Resolution was PASSED:

Resolution 2019-153

Moved By: Sherri Smith  
Seconded By: Dayne Malloch

“Be it Resolved that the Council of the Township of Pelee hereby adopts By-Law 2019-31; Being a By-Law to Confirm Proceedings.”  
CARRIED.

### 13. Adjournment

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Raymond Durocher, Mayor

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John Maddox, CAO/Clerk

DATE August 12, 2019

**Report No: 2019-24-EC**

**Date: August 8, 2019**

**Submitted By: Eric Chamberlain**

**Subject: Big Marsh Drainage Scheme – Drain No. 2 and West Branch Drain No. 1** 5(a)  
– Tender Award

**Attachments:** Letter of Recommendation – Rood Engineering Inc.

**Purpose (Information/Action):** To gain approval to award the tender for the Drain No. 2 and West Branch Drain No. 1 Project Rivard Excavating & Bulldozing Ltd.

**Overview**

The Township recently advertised online via Bids and Tenders on the Township’s website for the Big Marsh Drainage Scheme – Drain No. 2 and West Branch Drain No. 1 project.

On June 29, 2019, the Town advertised tenders for the Big Marsh Drainage Scheme – Drain No. 2 and West Branch Drain No. 1 Project on the Township’s Bids and Tenders site. Tenders closed for this project at 11:00 a.m. on Friday, July 19, 2019. The Township received 4 tender submissions and a public tender opening was held shortly after 12:00 p.m.

Administration completed a review of the tenders to ensure there were no mathematical errors or omissions. There were some minor discrepancies found in the item calculations of the tenders. The Rivard and Goodreau tenders prices as submitted were found to have excluded the subtotal for miscellaneous works in the subtotal for construction which will impact the HST calculation for Total Cost For Construction. The tender results are:

| <u>Bidder</u>                          | <u>Tender Amount (excluding HST)</u> |
|--|--------------------------------------|
| 1. Rivard Excavating & Bulldozing Ltd. | \$456,548.00                         |
| 2. Goodreau Excavating Ltd.            | \$556,123.01                         |
| 3. Nevan Construction Inc.             | \$620,000.00                         |
| 4. Total Source Contracting            | \$975,000.00                         |

The Rivard tender amounts to approximately 123.2% of the drainage report estimate for construction when the \$25,000.00 contingency item is included. If the contingency amount is not required for the construction works, the tender amount is approximate 116.5% of the drainage report estimate for construction. This is well below the 133% limit set out in the Drainage and Council may therefore proceed to award the work without further owner consultation.

**Financial Impacts**

Upon completion of the drainage work, the project cost will be assessed back to affected landowners as per the assessment schedule provided in the drainage report. The Township of Pelee will also be assessed for a portion of the project cost as per the schedule of assessment provided in the July 29, 1976 engineer’s report. The apportionment is as follows:

|                      |        |                 |
|----------------------|--------|-----------------|
| 1. Residents         | 87.56% | = \$ 428,738.59 |
| 2. Township of Pelee | 12.44% | = \$ 60,912.60  |

The following is an analysis of the financial issues affecting this project:

**a) Contractor's Quotation Submission**

Rivard Excavating and Bulldozing Ltd. \$ 456,548.00 (excluding HST)

**b) Engineering Costs**

The engineer's report prepared by Rood Engineering Inc. included a value of Engineering and Incidents of \$227,353.00.

**c) HST Considerations**

As a result of the implementation of the HST (13%), a portion of this tax being 1.76% will not be refundable to the Township. Accordingly, the approximate amount of \$12,037.19 must be added to the final project cost.

**d) SCF Funding and OMAFRA Grants**

The Township was successful in obtaining grant funding under the Small Communities Funding. This project has obtained funding for \$226,944.00. The SCF Funding will be applied to overall cost of the project. In addition to the SCF Funding, Administration will apply for Ontario Ministry of Agriculture, Food and Rural Affairs grant under the Agricultural Drainage Infrastructure Program. All properties identified as on the assessment schedule under item 5. Privately Owned – Agricultural Lands (grantable) may be eligible for 1/3 grant. Based on the Total Project Cost, the ADIP grant will be approximately \$101,825.25.

**e) Total Project Cost to Town**

Considering all of the above, the total project cost is as follows:

|   |                      |
|---|----------------------|
| Contractor's Quotation Submission         | \$ 456,578.00        |
| Engineering Costs                         | \$ 227,353.00        |
| Allowances for Damages                    | \$ 20,627.00         |
| Non-Refundable HST                        | <u>\$ 12,037.19</u>  |
| <br>                                      |                      |
| TOTAL PROJECT COST – NOT INCLUDING GRANTS | \$ 716,595.19        |
| SMALL COMMUNITIES FUNDS                   | <u>\$ 226,944.00</u> |
|   | \$ 489,651.19        |

Therefore, the final cost to be assessed to lands and roads for the Big Marsh Drainage Scheme – Drain No. 2 and West Branch Drain No. 1 is approximately \$489,651.19.

**Recommendations**

It is recommended that:

1. The report from the Drainage Superintendent dated August 8, 2019 regarding Big Marsh Drainage Scheme – Drain No. 2 and West Branch Drain No. 1 Tender Award **BE RECEIVED**;
2. The Big Marsh Drainage Scheme – Drain No. 2 and West Branch Drain No. 1 Tender **BE AWARDED** to Rivard Excavating and Bulldozing Ltd. in the amount of \$456,578.00 excluding HST; and
3. The Mayor and Clerk **BE AUTHORIZED** to execute an agreement with Rivard Excavating and Bulldozing Ltd. for the completion of the Big Marsh Drainage Scheme – Drain No. 2 and West Branch Drain No. 1.

## VIA email

July 23rd, 2019

Corporation of the Township of Pelee  
Attn: Eric Chamberlain  
Drainage Superintendent  
1045 West Shore Road  
Pelee Island, Ontario  
NOR 1M0

Dear Eric:

**BIG MARSH DRAIN  
West Branch Dr. No. 1 and Drain No. 2  
Project No. REI2016D017  
Township of Pelee, County of Essex**

Tenders for the above noted project closed on Friday July 19th and were opened shortly afterwards. The documents were emailed to our office and reviewed. Four (4) Tenders were received for this project and these may be summarized as follows:

| <u>ITEM<br/>No.</u> | <u>CONTRACTOR</u>                   | <u>TENDER AMOUNT<br/>(excl. H.S.T.)</u> | <u>UNDERTAKING<br/>TO BOND</u> |
|---------------------|-------------------------------------|---|--------------------------------|
| 1.                  | Rivard Excavating & Bulldozing Ltd. | \$456,548.00                            | Yes                            |
| 2.                  | Goodreau Excavating Ltd.            | \$556,123.01                            | Yes                            |
| 3.                  | Nevan Construction Inc.             | \$620,000.00                            | Yes                            |
| 4.                  | Total Source Contracting            | \$975,000.00                            | Yes                            |

All of the Contractors have provided confirmation that they can provide bonding for the project. The three lowest tenders were reviewed in detail. Some small discrepancies were found in the item calculations of the tenders. The Rivard and Goodreau tender prices as submitted were found to have excluded the subtotal for miscellaneous works in their subtotal for construction and the subsequent calculations for H.S.T. and Total For Construction. The corrected total pricing excluding H.S.T. has been shown in the table above with Rivard remaining the lowest tender price received.

The Rivard tender amounts to approximately 123.2% of the drainage report estimate for construction when the \$25,000.00 contingency item is included. If the contingency amount is not required for the construction works, the tender amounts to approximately 116.5% of the drainage report estimate for construction. This is well below the 133% limit set out in the Drainage Act and Council may therefore proceed to award the work without further owner consultation.

The item costs for lowest to highest are distributed between all 3 of the lowest bidders. Some of the high item prices for Goodreau and Nevan are substantially higher than the next lowest price. The subtotal prices for the first 2 components and miscellaneous items of the work are fairly close between all 3 low bidders. The Rivard subtotal price for the third component of the works is slightly lower than the Goodreau price and much lower than the Nevan price. Overall the Rivard tender appears to be generally fair and balanced with the other tenders having odd exceptions.

Based on all of the above, we would recommend that the Township enter into an Agreement with Rivard Excavating & Bulldozing Ltd. in the amount of \$515,899.24. This amount includes \$59,351.24 Harmonized Sales Tax (H.S.T.). This Tenderer for the project has indicated a relatively short start up time so we expect that construction for this project should be able to commence as soon as a Contract has been completed and the Contractor can schedule its forces and equipment to come to the Island by ferry. Upon receipt of further instructions from the Township, we will prepare the Agreement form for the construction of the works and arrange for the Contractor and the Township to sign them based on the Contractor selected by the Township.

We trust that the above is sufficient for your purposes. Should there be any questions regarding same, please do not hesitate to contact us.

We respectfully remain,

Yours very truly,

***Rood Engineering Inc.***



Gerard Rood, P.Eng.

GR/

**Report to Council**

**AGENDA**

**Report No:** 2019-25-JH

**Date:** August 12, 2019

**Submitted By:** Janice Hensel, CAO & Clerk

**Subject:** Small Business Lighting Program

**Attachments:** Energy Audit Summary & Work Orders

**Purpose (Information/Action):** Action

DATE August 12, 2019

NO. 5(6)

**Purpose:**

1. To provide Council with:
  - i. a summary of the Small Business Lighting Program as offered by IESO (Independent Energy System Operator);
  - ii. a summary of energy audit for municipal facilities;
2. To request Council:
  - i. Approve additional costs for amounts above incentive program in the amount of \$ 2,977.55 AND for replacement fixtures at the Clinic and the Public Works and Fire Hall in the amount of \$ 2022.45 that are in excess of standard incentives;
  - ii. Approve the use of grant funds received for the purpose of efficiency to pay for additional costs in the amount of \$ 5,000.00;
  - iii. Consider enacting a by-law to authorize the Mayor and CAO-Clerk to enter into an agreement to participate in the Small Business Lighting Incentive Program;

**SUMMARY OF ENERGY AUDIT: SEE SCHEDULE 'A' ATTACHED**

**BACKGROUND:**

The Independent Electricity System Operator (IESO) works at the heart of Ontario's power system. The IESO delivers key services across the electricity sector including: managing the power system in real-time, planning for the province's future energy needs, enabling conservation and designing a more efficient electricity marketplace to support sector evolution.

The Small Business Lighting Program provides a maximum incentive of \$2,000.00 per building to assist with the retrofitting and replacement of lighting fixtures to ensure energy efficient lighting and reduce energy costs for small business in the long-term.

Over the past weeks, with the assistance of Nick Goulden, John Clark, IESO has undertaken an energy audit of all municipal facilities.

If Council agrees to participate in the program the projected annual savings in electrical costs are \$ 5,504.72. An average reduction of 59% over all departments.

**Recommendations:**

1. Enter into an Agreement with IESO to participate in the Small Business Lighting Program;
2. Pass a resolution to incur additional costs beyond regular incentives AND for replacement fixtures at the Clinic and Public Works Building in the Amount of \$ 5,000.00 and FURTHER that these funds be paid for with grant monies received from MMAH for efficiencies.

Respectfully Submitted:

Janice Hensel

Chief Administrative Officer - Clerk



**SMALL BUSINESS LIGHTING PROGRAM**

**PROJECT NO: 732620**

| LOCATION              | ADDRESS               | INCENTIVE AMOUNT<br>INCLUDES HST | ADDITIONAL COSTS ABOVE INCENTIVE PROGRAM<br>INCLUDES HST | ADDITIONAL FIXTURE COSTS<br>INCLUDES HST | CURRENT ANNUAL BILLING<br>BASED ON 2018 USAGE | PROJECTED ANNUAL BILLING<br>FOR 2019 | SAVINGS(\$)       | SAVINGS (%)     |
|-----------------------|-----------------------|----------------------------------|--|--|---|--------------------------------------|-------------------|-----------------|
| MUNICIPAL OFFICE      | 1045 WEST SHORE ROAD  | \$1,562.79                       | \$0.00   | \$0.00                                   | \$1,257.46                                    | \$424.57                             | \$832.89          | 66.240%         |
| CLINIC                | 1047 WEST SHORE ROAD  | \$2,248.14                       | \$672.35   | \$427.65                                 | \$2,113.41                                    | \$865.91                             | \$1,247.50        | 59.030%         |
| WEST PUMP             | 611 WEST SHORE ROAD   | \$1,774.10                       | \$0.00   | \$0.00                                   | \$309.25                                      | \$146.76                             | \$162.49          | 52.540%         |
| PUMP HOUSE            | 370 NORTH SHORE ROAD  | \$2,076.38                       | \$0.00   | \$0.00                                   | \$463.88                                      | \$220.15                             | \$243.73          | 52.540%         |
| MARINA (OFFICE)       | 361 NORTH SHORE ROAD  | \$692.69                         | \$0.00   | \$0.00                                   | \$466.50                                      | \$171.92                             | \$294.58          | 63.150%         |
| EAST PARK CAMPGROUND  | 1362 EAST SHORE ROAD  | \$1,055.42                       | \$0.00   | \$0.00                                   | \$652.06                                      | \$259.98                             | \$392.07          | 60.130%         |
| PHEASANT FARM         | 1246 CENTRE DYKE ROAD | \$556.63                         | \$0.00   | \$0.00                                   | \$263.65                                      | \$124.75                             | \$138.90          | 52.680%         |
| AIRPORT               | 772 CENTRE DYKE ROAD  | \$1,477.48                       | \$0.00   | \$0.00                                   | \$518.52                                      | \$193.42                             | \$325.50          | 62.730%         |
| PUBLIC WORKS BUILDING | 1027 CENTRE DYKE ROAD | \$2,175.25                       | \$2,305.20   | \$1,594.80                               | \$2,890.22                                    | \$1,023.16                           | \$1,867.06        | 64.600%         |
| <b>TOTALS:</b>        |                       | <b>\$13,618.88</b>               | <b>\$2,977.55</b>  | <b>\$2,022.45</b>                        | <b>\$8,935.35</b>                             | <b>\$3,430.62</b>                    | <b>\$5,504.72</b> | <b>533.640%</b> |

**TOTAL ADDITIONAL COSTS: \$5,000.00**

\*Billing figures and savings are based on kWh usage and do not include delivery charges, etc.

**TOWNSHIP OF PELEE**  
**Transportation Committee**  
**COMMITTEE REPORT**  
**Sunday, August 6, 2019**  
**Royal Canadian Legion at 3:30 pm**

**AGENDA**

DATE August 12, 2019

Committee Chair: David Dawson

NO. 5(c)

Other Committee Members:

|               | <u>In</u>                |                          |                         |
|---------------|--------------------------|--------------------------|-------------------------|
|               | <u>Attendance</u>        | <u>Regrets</u>           |                         |
| Leib Lurie    | <input type="checkbox"/> | <input type="checkbox"/> | (attended by telephone) |
| Gordon Pow    | <input type="checkbox"/> | <input type="checkbox"/> |                         |
| Sondi Ryersee | <input type="checkbox"/> | <input type="checkbox"/> |                         |

**Meeting Notes:**

**Part I – Pecuniary Interests**

- Nothing to declare.

**Part II – Consent Items**

- Notes from July 7, 2019 Meeting – no comments or corrections.
- Status of Recommendations – D. Dawson reported that the recommendations from the last meeting had not been presented to Council due to a staff error. The recommendations will be presented to Council at an upcoming meeting.
- Report on Intersections – S. Ryersee reported that the Council-approved recommendation (Recommendation 19-002) to trim foliage back at intersections had not yet been implemented. **Several intersections still present a safety hazard.** Township staff need to prioritize the most serious concerns and trim back aggressively.
- Report on Low Speed Vehicles – D. Dawson advised current status and discussion ensued. This is a challenging issue of lower priority; no recommendations at this time.
- Report on Airport Classification – D. Dawson advised current status. See Scheduled Items, below.

**Part III – Scheduled Items**

- Pelee Islander II scheduled maintenance (August 26 - September 6) – discussed; no recommendations.
- Ferry Service Disruption on Canada Day Weekend – the Committee reviewed Recommendation 19-008 and affirmed it. D. Dawson will present to Council at its next meeting.
- Airport Staff Training – the Committee discussed a proposal from Marion Smith, Manager of Chatham-Kent Municipal Airport, to provide training for Pelee’s airport manager. The Committee agreed to make a **recommendation** to Council in this regard. Discussion moved to

a suggestion from Marion Smith that Pelee might investigate a remote airport designation under the Ontario Ministry of Transportation such as is available to northern remote communities. It was agreed to make a **recommendation** on this issue as well.

#### □ **Part IV – Items for Direction**

- None.

#### **Part V – Deferred Matters / Additional Business**

- Discussion regarding the possibility of a revised ferry schedule to accommodate the annual half-marathon run next spring. No recommendation.
- Discussion regarding the pet area on Pelee Islander II. A recent communication from MTO advises that this work should be completed before the end of August.
- Discussion of the Pelee Islander II's inability to adhere to schedule. MTO reports that the service provider maintains that there have been no recent reported deviations. While this does not match the experience of Island residents, it was agreed that there is apparently little that can be done to correct the situation. No recommendation.
- Discussion of the passenger ramp on the Pelee Islander I being unacceptably steep. MTO reports that passenger ramps have been constructed for all ferry ports to allow for improved passenger disembarkation. Several Committee members stated that they had noted a significant improvement.
- Discussion regarding damage to Parsons Road between Henderson Road and Centre Dyke Road. This discussion expanded to tar-and-chip surfacing in general and the fact that no amount is budgeted for resurfacing of Island roads. Issue **deferred**.
- Discussion of an MTO communication regarding a propane supplier requesting (and obtaining) an "emergency" propane ferry sailing. MTO asks that a minimum of one week's notice be provided for dangerous goods sailings. D. Dawson asked the Township's CAO, Janice Hensel, (who was present at the meeting) to contact Richard VandenBoorn of MTO to discuss how best to address this situation.
- Discussion regarding the appointment of another member to the Transportation Committee. D. Dawson asked the CAO to have her staff place an advertisement for another Committee member.
- Discussion regarding the lack of a taxi service on Pelee Island. Issue **deferred**.

#### **Part VI – Closed Meeting**

- N/A

#### **Part VII – Adjournment**

- Meeting terminated
- **Next meeting: August 28, 2019 at 3:30 pm.**

**\*\* Please see recommendations on the pages following \*\***

**TOWNSHIP OF PELEE  
Transportation Committee**

**RECOMMENDATIONS  
From Meeting of August 6, 2019**

**Recommendation 19-010 – Training for Airport Manager**

The Council of the Township of Pelee should have staff investigate the possibility of engaging Marion Smith, Manager of Chatham-Kent Municipal Airport, to provide training to the Manager of the Pelee Island Airport.

**Discussion**

Marion Smith has been corresponding with David Dawson on a number of airport-related issues. In one email she remarked that, “As for training, I would be willing to spend a day or two with your current manager. Cost would be expenses plus \$500 per day.” Ms Smith has been very helpful to the Transportation Committee. Pelee’s current airport manager has not had training for the position and has expressed interest in receiving training. Township staff should follow up on this matter.

**TOWNSHIP OF PELEE  
Transportation Committee**

**RECOMMENDATIONS  
From Meeting of August 6, 2019**

**Recommendation 19-011 – Remote Airport Classification**

The Council of the Township of Pelee should have staff investigate the possibility of having the Pelee Island Airport designated as a Remote Airport under the provincial Ministry of Transportation.

**Discussion**

Marion Smith, Manager of Chatham-Kent Municipal Airport, stated in an email to David Dawson, “I still feel that the best opportunity for Pelee Island Airport would be as a remote Airport under the Ministry of Transportation, similar to the Remote Northern Airports.” While there is no certainty that such a designation could be obtained, the situation on Pelee Island, especially during the winter months, bears many similarities to northern communities. The possibility should be investigated.

**TOWNSHIP OF PELEE**  
**Transportation Committee**

**RECOMMENDATIONS**  
**From Meeting of July 7, 2019**

**Recommendation 19-008 - Disruption of Ferry Service**

The Council of the Township of Pelee should follow up on media reports that “a spokesman for the MTO said ‘a full review will be carried out’ and will result in ‘new preventative maintenance protocols’ to reduce the likelihood of future similar disruptions.” The Township should send a letter to the Ministry of Transport requesting that it be advised of the recommendations that are made as a result of the review. The letter should also request that the review include an evaluation how ferry customers impacted by the disruption were apprised of the situation as it developed. Finally, the letter should request that the review cover the manner in which customers on vessels who are returned to the port of origin rather than their destination are to be treated by the service provider.

**Discussion**

The disruption of ferry service on the Canada Day long weekend was widely reported in the media and has undoubtedly caused harm to Pelee Island’s tourism business in addition to inconveniencing Island residents and visitors who attempted to use the service on the weekend. The MTO has properly committed to a full review of this incident. The Township has a legitimate interest in the recommendations that fall out of this process.

Also important to our community is that the review be broad enough to include the manner in which the service provider communicated with customers impacted by the disruption. Passengers on the stricken vessels had the right to be advised promptly of the situation, with best estimates as to how their travel plans would be affected. They should also have been updated as the situation developed. Customers of the ferry service awaiting vessels should also have been kept up-to-date on how their travel plans might be impacted. There do not appear to be protocols in place to advise customers when disruptions occur.

Finally, the review should look into the manner in which the ferry service treats passengers who are stranded on a stricken vessel. In this instance, passengers who spent hours on the Jiimaan and who were then returned to Leamington were then forced to wait while the Pelee Islander II proceeded from sea trials to Pelee Island, picked up mainland-bound customers, and returned to Leamington. The review should consider the duty of the service provider to prioritize the needs of those customers who have been most impacted by such an incident. It might also consider whether compensation in the form of one or two free ferry trips (which have negligible incremental cost to the service provider) would be appropriate.

**TOWNSHIP OF PELEE**  
**Transportation Committee**  
  
**RECOMMENDATIONS**  
**From Meeting of July 7, 2019**

**Recommendation 19-009 - Shore Erosion Threatening the Island's Roads**

The Township of Pelee should hold public information sessions to inform Island residents of the emergency actions being taken to protect Island roads from shoreline erosion. These information sessions should provide information regarding recent studies that have been undertaken, the status of discussions with higher levels of government, current plans to protect Island roads adjacent to Lake Erie, work undertaken to date, and of the funds available to protect our roads.

**Discussion**

All Island residents and cottagers are aware that high water levels have resulted in rapid shoreline erosion that now threatens Pelee's roads. However, very little information has been shared with the community regarding the plans and actions of the Township to protect the roads. Given the gravity of the situation and the costs involved, it is important that the members of our community be brought up to speed on the details of the effort now underway to preserve the Island's road system. This information can best be communicated by holding one or more public information sessions. These information sessions should be advertised in advance in print and through social media. Summary information should be distributed in advance to make the public aware of the magnitude of the challenge facing Pelee Island.

**TOWNSHIP OF PELEE  
Transportation Committee**

**RECOMMENDATIONS  
From Meeting of July 7, 2019**

**Recommendation 19-007 - Enforcement of Parking By-Law**

The Council of the Township of Pelee should have staff enforce the existing parking by-law. With regard to parking along East Shore Road, Township staff should be instructed to issue the warning notices described in Recommendation 19-004 and to enforce the provisions of the by-law against repeat offenders.

**Discussion**

East Shore Road is a narrow road with a sharp drop-off to a canal on the west side. Parking on the road surface creates an unacceptable hazard for other vehicles using East Shore Road. This is a safety issue and not merely a nuisance issue. There is no excuse for ignoring the unsafe situation caused by drivers who obstruct traffic by parking on the road surface of East Shore Road.



**Report to Council**

**Report No:** 2019-26-MF

**Date:** August 12, 2019

**Submitted By:** Michelle Feltz, Treasurer

**Subject:** Financial Summary and Revenue Report as at July 31, 2019

**Attachments:** None

**Purpose (Information/Action):** Information

**Purpose:**

To provide Council a financial summary and revenue report for the period ending July 31, 2019:

**Bank Balance and Interest**

|                              | as at July 31, 2018 | as at July 31, 2019 |
|------------------------------|---------------------|---------------------|
| General bank account balance | \$0.00              | \$421,427.83        |
| Operating loan               | \$87,951.87         | \$0.00              |
| Interest revenue             | \$0.11              | \$1,111.48          |
| Temporary borrowing costs    | \$3,032.79          | \$0.00              |

**Current Loan Balances**

| Loan   | Interest Rate | Monthly Payments  | Annual Payments    | Balance at July 31, 2019 | Maturity Date |
|--|---------------|-------------------|--------------------|--------------------------|---------------|
| Commercial Term Loan - Grader and Capital Projects   | 4%            | \$2,219.06        | \$26,628.72        | \$226,555.35             | Dec-19        |
| Commercial Term Loan - Marina Docks                  | 3%            | \$1,965.69        | \$23,588.28        | \$220,297.09             | Jul-20        |
| Commercial Term Loan - Water Treatment Plant Upgrade | 3%            | \$1,381.16        | \$16,573.92        | \$160,055.95             | Dec-20        |
| <b>Total Loans at July 31, 2019</b>                  |               | <b>\$5,565.91</b> | <b>\$66,790.92</b> | <b>\$606,908.39</b>      |               |

**AGENDA**

DATE August 12, 2019

NO. 5 (F)

## Revenue Report

| CAMPGROUND  |                  |                                  |                                  |                    |              |                                |
|-------------|------------------|----------------------------------|----------------------------------|--------------------|--------------|--------------------------------|
| Account     | Description      | 2018 Revenue as at July 31, 2018 | 2019 Revenue as at July 31, 2019 | Variance 2018-2019 | 2019 Budget  | 2019 Budget to Actual Variance |
| 15-610-5815 | Campground Fees  | \$ 14,237.86                     | \$ 11,750.61                     | \$ (2,487.25)      | \$ 27,500.00 | \$ (15,749.39)                 |
| 15-610-5817 | Concession Sales | \$ 13,574.06                     | \$ 13,177.19                     | \$ (396.87)        | \$ 24,000.00 | \$ (10,822.81)                 |
| Totals      |                  | \$ 27,811.92                     | \$ 24,927.80                     | \$ (2,884.12)      | \$ 51,500.00 | \$ (26,572.20)                 |

| MARINA      |                   |                                  |                                  |                    |               |                                |
|-------------|-------------------|----------------------------------|----------------------------------|--------------------|---------------|--------------------------------|
| Account     | Description       | 2018 Revenue as at July 31, 2018 | 2019 Revenue as at July 31, 2019 | Variance 2018-2019 | 2019 Budget   | 2019 Budget to Actual Variance |
| 15-600-5812 | Seasonal Dockage  | \$ 55,873.82                     | \$ 62,556.25                     | \$ 6,682.43        | \$ 58,000.00  | \$ 4,556.25                    |
| 15-600-5813 | Transient Dockage | \$ 42,341.56                     | \$ 44,947.90                     | \$ 2,606.34        | \$ 80,000.00  | \$ (35,052.10)                 |
| 15-600-5814 | Concession Sales  | \$ 20,624.02                     | \$ 15,788.51                     | \$ (4,835.51)      | \$ 37,500.00  | \$ (21,711.49)                 |
| 15-600-5816 | Fuel Sales        | \$ 13,557.48                     | \$ 9,073.73                      | \$ (4,483.75)      | \$ 27,000.00  | \$ (17,926.27)                 |
| Totals      |                   | \$ 132,396.88                    | \$ 132,366.39                    | \$ (30.49)         | \$ 202,500.00 | \$ (70,133.61)                 |

| PHEASANT FARM |                         |                                  |                                  |                    |               |                                |
|---------------|-------------------------|----------------------------------|----------------------------------|--------------------|---------------|--------------------------------|
| Account       | Description             | 2018 Revenue as at July 31, 2018 | 2019 Revenue as at July 31, 2019 | Variance 2018-2019 | 2019 Budget   | 2019 Budget to Actual Variance |
| 15-620-5820   | Fall Hunt Licensing     | \$ 100,883.36                    | \$ 87,763.56                     | \$ (13,119.80)     | \$ 221,500.00 | \$ (133,736.44)                |
| 15-620-5821   | Winter Hunt Licensing   | \$ 2,504.00                      | \$ 3,069.00                      | \$ 565.00          | \$ 3,070.00   | \$ (1.00)                      |
| 15-620-5822   | Rabbit Hunt Licensing   | \$ 175.00                        | \$ 442.50                        | \$ 267.50          | \$ 180.00     | \$ 262.50                      |
| 15-620-5824   | Clean Up Hunt Licensing | \$ 300.00                        | \$ 1,872.00                      | \$ 1,572.00        | \$ 20,000.00  | \$ (18,128.00)                 |
| Totals        |                         | \$ 103,862.36                    | \$ 93,147.06                     | \$ (10,715.30)     | \$ 244,750.00 | \$ (151,602.94)                |

| TRANSFER STATION |                        |                                  |                                  |                    |              |                                |
|------------------|------------------------|----------------------------------|----------------------------------|--------------------|--------------|--------------------------------|
| Account          | Description            | 2018 Revenue as at July 31, 2018 | 2019 Revenue as at July 31, 2019 | Variance 2018-2019 | 2019 Budget  | 2019 Budget to Actual Variance |
| 15-400-5815      | Mulch Revenue          | \$ 200.00                        | \$ 306.00                        | \$ 106.00          | \$ 350.00    | \$ (44.00)                     |
| 15-400-5817      | Metal Disposal Fees    | \$ 1,230.00                      | \$ 1,715.44                      | \$ 485.44          | \$ 1,800.00  | \$ (84.56)                     |
| 15-400-5818      | Bag Tag Sales          | \$ 13,912.00                     | \$ 13,273.00                     | \$ (639.00)        | \$ 30,000.00 | \$ (16,727.00)                 |
| 15-400-5819      | Metal Fees on Deposits | \$ -                             | \$ -                             | \$ -               | \$ 1,200.00  | \$ (1,200.00)                  |
| 15-400-5820      | Blue/Red/Composter Box | \$ 40.71                         | \$ 111.16                        | \$ 70.45           | \$ 50.00     | \$ 61.16                       |
| 15-400-7022      | Bulk Load Fees         | \$ 4,528.00                      | \$ 4,852.00                      | \$ 324.00          | \$ 10,000.00 | \$ (5,148.00)                  |
| Totals           |                        | \$ 19,910.71                     | \$ 20,257.60                     | \$ 346.89          | \$ 43,400.00 | \$ (23,142.40)                 |

| West Shore Water |                                    |                                  |                                  |                    |              |                                |
|------------------|------------------------------------|----------------------------------|----------------------------------|--------------------|--------------|--------------------------------|
| Account          | Description                        | 2018 Revenue as at July 31, 2018 | 2019 Revenue as at July 31, 2019 | Variance 2018-2019 | 2019 Budget  | 2019 Budget to Actual Variance |
| 15-410-5801      | User Charges                       | \$ 7,490.97                      | \$ 7,180.40                      | \$ (310.57)        | \$ 17,000.00 | \$ (9,819.60)                  |
| 15-410-5802      | Bulk Station User Charges/Delivery | \$ 7,210.64                      | \$ 6,069.16                      | \$ (1,141.48)      | \$ 14,000.00 | \$ (7,930.84)                  |
| 15-410-5803      | Water Bottle Station               | \$ 2,984.10                      | \$ 2,944.80                      | \$ (39.30)         | \$ 6,000.00  | \$ (3,055.20)                  |
| Totals           |                                    | \$ 17,685.71                     | \$ 16,194.36                     | \$ (1,491.35)      | \$ 37,000.00 | \$ (20,805.64)                 |

| East Shore Water |              |                                  |                                  |                    |             |                                |
|------------------|--------------|----------------------------------|----------------------------------|--------------------|-------------|--------------------------------|
| Account          | Description  | 2018 Revenue as at July 31, 2018 | 2019 Revenue as at July 31, 2019 | Variance 2018-2019 | 2019 Budget | 2019 Budget to Actual Variance |
| 15-410-5801      | User Charges | \$ 3,900.00                      | \$ 3,591.57                      | \$ (308.43)        | \$ 7,500.00 | \$ (3,908.43)                  |
| Totals           |              | \$ 3,900.00                      | \$ 3,591.57                      | \$ (308.43)        | \$ 7,500.00 | \$ (3,908.43)                  |

**Considerations:**

The following revenue variances are affected by the timing of the issuing of invoices to account customers:

Transfer Station: Bag Tag Sales, Bulk Load Fees

West Shore Water: User Charges, Bulk Station User Charges/Delivery

East Shore Water: User Charges

**Recommendations:**

1. Accept the report as information.

# AGENDA

Report Date  
8/07/2019 3:31 PM

Township of Pelee  
**List of Accounts for Approval**  
As of 8/07/2019  
Batch: 2019-00050 to 2019-00061

Page 1

DATE August 12, 2019  
Payment Amount

| Payment # | Date | Vendor Name | Reference | Payment Amount |
|-----------|------|-------------|-----------|----------------|
|-----------|------|-------------|-----------|----------------|

**Bank Code: General - General Bank Account**

Computer Cheques:

NO. 5(g)

|      |           |                                |                          |           |
|------|-----------|--------------------------------|--------------------------|-----------|
| 3998 | 7/12/2019 | Datafix                        | Voterview                | 423.75    |
| 3999 | 7/12/2019 | H.R. Desa Enterprises Ltd.     | Bait                     | 56.50     |
| 4000 | 7/12/2019 | Hydro One Networks Inc.        | Airport                  | 339.54    |
| 4001 | 7/12/2019 | Munisoft                       | Webinar                  | 123.17    |
| 4002 | 7/12/2019 | Pelee Island Co-Op             | Fuel                     | 33,574.45 |
| 4003 | 7/18/2019 | BDO Canada LLP                 | Annual Audit             | 5,028.50  |
| 4004 | 7/18/2019 | Voided by the print process    |                          | 0.00      |
| 4005 | 7/18/2019 | Bell Canada                    | Office                   | 1,636.61  |
| 4006 | 7/18/2019 | Bell Canada,                   | Watt Line                | 14.78     |
| 4007 | 7/18/2019 | Bell Mobility                  | Mobility-see list        | 843.77    |
| 4008 | 7/18/2019 | Cindy Osadzuk                  | Supplies & Materials     | 389.16    |
| 4009 | 7/18/2019 | D & T Auto Parts               | Concessions              | 498.90    |
| 4010 | 7/18/2019 | Doreen Feltz                   | Cleaning Supplies        | 31.58     |
| 4011 | 7/18/2019 | Economy Rental Centre          | Straight Shaft Trimmer   | 542.34    |
| 4012 | 7/18/2019 | Essex Region Conservation Auth | 3rd Quarter Levy         | 2,351.50  |
| 4013 | 7/18/2019 | Essex, County of               | 3rd Quarter EMS Service  | 15,911.00 |
| 4014 | 7/18/2019 | Grand & Toy                    | Magnetic Caddy           | 6.15      |
| 4015 | 7/18/2019 | H Hooper Woodworks             | Labour                   | 593.25    |
| 4016 | 7/18/2019 | H.R. Desa Enterprises Ltd.     | Bait                     | 169.50    |
| 4017 | 7/18/2019 | Home Building Centre,          | Supplies                 | 466.20    |
| 4018 | 7/18/2019 | Voided by the print process    |                          | 0.00      |
| 4019 | 7/18/2019 | Hydro One Networks Inc.        | CM                       | 5,504.91  |
| 4020 | 7/18/2019 | Johnson Net and Twine          | Farm-Building & Lot      | 633.93    |
| 4021 | 7/18/2019 | Leamington Sanitation          | Campground Septic Pumped | 1,356.00  |
| 4022 | 7/18/2019 | Maddox, John                   | CAO Expenses             | 60.00     |
| 4023 | 7/18/2019 | Midge Kristinovich             | CAO Accommodations       | 500.00    |
| 4024 | 7/18/2019 | Mincity Designs                | Clothing Concessions     | 3,888.79  |
| 4025 | 7/18/2019 | MWH Petroleum Equip            | Gas Pump Reset           | 1,132.67  |
| 4026 | 7/18/2019 | Voided by the print process    |                          | 0.00      |
| 4027 | 7/18/2019 | Pelee Ice                      | Ice                      | 1,782.50  |
| 4028 | 7/18/2019 | Pelee Motors                   | F150 Maintenance/Repair  | 742.43    |
| 4029 | 7/18/2019 | Pitney Works                   | Reset Meter              | 1,196.52  |
| 4030 | 7/18/2019 | Ralph Gerber                   | 2200 x 6 1/2 week poult  | 12,320.00 |
| 4031 | 7/18/2019 | Receiver General               | Source Deductions        | 17,483.80 |
| 4032 | 7/18/2019 | Rona Cashway                   | Umbrella & Base          | 212.17    |
| 4033 | 7/18/2019 | Royal Game Birds               | 2000 x 6 week old poult  | 22,200.00 |
| 4034 | 7/18/2019 | Southwestern Sales Corporation | OPSS Granular            | 237.46    |
| 4035 | 7/18/2019 | Stonehill B and B              | E. Chamberlain           | 90.40     |
| 4036 | 7/18/2019 | Tender Canada                  | Concessions              | 283.27    |
| 4037 | 7/18/2019 | Terry Hamill                   | Mileage and Phone        | 426.72    |
| 4038 | 7/18/2019 | Subscription Cancelled         |                          | 0.00      |
| 4039 | 7/18/2019 | Xerox Canada Ltd.              | Copier 5945              | 151.58    |
| 4040 | 7/18/2019 | Windsor Disposal Services Ltd. | Disposal/Rental Fees     | 9,527.15  |
| 4041 | 7/30/2019 | Bell Mobility                  | WSW Internet             | 5.68      |
| 4042 | 7/30/2019 | Caduceon Enterprises Inc.,     | Microcystin              | 152.55    |
| 4043 | 7/30/2019 | Chapman Signs                  | Bumper Stickers          | 517.54    |

Township of Pelee  
List of Accounts for Approval  
As of 8/07/2019  
Batch: 2019-00050 to 2019-00061

| Payment # | Date      | Vendor Name                    | Reference                      | Payment Amount |
|-----------|-----------|--------------------------------|--------------------------------|----------------|
| 4044      | 7/30/2019 | Home Building Centre,          | Paper Towels                   | 501.72         |
| 4045      | 7/30/2019 | LSI Supply Ltd.,               | hydraulic hose-side mower      | 101.46         |
| 4046      | 7/30/2019 | Mark Carter                    | Hunt Refund                    | 202.45         |
| 4047      | 7/30/2019 | McTague Law Firm               | HR Enquiry                     | 2,321.02       |
| 4048      | 7/30/2019 | Mincity Designs                | Clothing Concessions           | 760.06         |
| 4049      | 7/30/2019 | Owen Sound Transportation      | freight                        | 3,393.63       |
| 4050      | 7/30/2019 | Voided by the print process    |                                | 0.00           |
| 4051      | 7/30/2019 | Pelee Ice                      | Ice                            | 1,202.50       |
| 4052      | 7/30/2019 | Pelee Quarries                 | Emergency Shoreline Repair     | 73,289.70      |
| 4053      | 7/30/2019 | Public Sector Digest Inc.      | AMP Review and Update          | 1,130.00       |
| 4054      | 7/30/2019 | R & R Electrical Services      | Electrical Repair              | 71.39          |
| 4055      | 7/30/2019 | Roger Foster                   | By-Law Mileage                 | 291.74         |
| 4056      | 7/30/2019 | Rona Cashway                   | Door                           | 254.42         |
| 4057      | 7/30/2019 | Southwestern Sales Corporation | OPSS Granular A                | 224.76         |
| 4058      | 7/30/2019 | Taylor, Vanessa                | Concession-food                | 94.53          |
| 4059      | 7/30/2019 | Total Source Contracting       | Emergency Shoreline Repair     | 33,674.00      |
| 4060      | 7/30/2019 | Town of Amherstburg            | Drainage Sup Services          | 10,936.54      |
| 4061      | 8/06/2019 | Petty Cash                     | US to Chanadian for Petty Cash | 150.00         |
| 4062      | 8/06/2019 | Bell Canada Public Access      | Payphone-Airport               | 56.50          |
| 4063      | 8/06/2019 | Caduceon Enterprises Inc.,     | School TC/EC MOE Reporting     | 521.35         |
| 4064      | 8/06/2019 | Cindy Osadzuk                  | Concession Items               | 133.45         |
| 4065      | 8/06/2019 | Delage Landen Financial Serv.  | Copier Lease                   | 62.90          |
| 4066      | 8/06/2019 | Douglas Eglin                  | Hunt Refund                    | 270.30         |
| 4067      | 8/06/2019 | Dowler-Karn                    | Propane Delivery               | 745.39         |
| 4068      | 8/06/2019 | Gabriele Home Furnishings      | Main St Re Flower Group        | 1,240.74       |
| 4069      | 8/06/2019 | Grand & Toy                    | Black Ink                      | 345.08         |
| 4070      | 8/06/2019 | H.R. Desa Enterprises Ltd.     | Bait                           | 84.75          |
| 4071      | 8/06/2019 | JBj Trucking                   | Water Sample Delivery          | 49.04          |
| 4072      | 8/06/2019 | Leamington Sanitation          | Septic Pumped                  | 226.00         |
| 4073      | 8/06/2019 | Maddox, John                   | CAO Expenses                   | 584.97         |
| 4074      | 8/06/2019 | Mincity Designs                | Clothing Concessions           | 1,757.72       |
| 4075      | 8/06/2019 | Ministry of Finance            | EHT July 2019                  | 1,189.20       |
| 4076      | 8/06/2019 | Nick Goulden                   | Socket Set                     | 50.84          |
| 4077      | 8/06/2019 | Pelee Ice                      | Ice                            | 480.00         |
| 4078      | 8/06/2019 | Pelee Island Co-Op             | Pheasant Farm                  | 4,526.64       |
| 4079      | 8/06/2019 | Plant Products                 | Sodium Hypochlorite            | 261.64         |
| 4080      | 8/06/2019 | Pollard Distribution Inc.      | Dust Suppressant               | 18,603.28      |
| 4081      | 8/06/2019 | Ralph Gerber                   | 2200 x 7 week poults           | 12,320.00      |
| 4082      | 8/06/2019 | VOID - holding                 |                                | 0.00           |
| 4083      | 8/06/2019 | Rona Cashway                   | primer/tape/plunger/brush      | 103.61         |
| 4084      | 8/06/2019 | Royal Game Birds               | 2000 x 6 week old poults       | 11,100.00      |
| 4085      | 8/06/2019 | Tender Canada                  | Concessions                    | 491.41         |
| 4086      | 8/06/2019 | Terry Hamill                   | Mileage/Travel/Phone           | 143.80         |
| 4087      | 8/06/2019 | World Famous Sales of Canada   | Concessions                    | 643.54         |
| 4088      | 8/06/2019 | WT Infrastructure Solutions    | Marina Water Assessment        | 847.50         |
| 4089      | 8/06/2019 | Xerox Canada Ltd.              | Copier 5945                    | 112.82         |
| 4090      | 8/06/2019 | Zelinka Priamo Ltd.            | Planner Fees                   | 375.73         |

Other:

Report Date  
8/07/2019 3:31 PM

Township of Pelee  
**List of Accounts for Approval**  
As of 8/07/2019  
Batch: 2019-00050 to 2019-00061

| Payment #          | Date      | Vendor Name         | Reference           | Payment Amount |
|--------------------|-----------|---------------------|---------------------|----------------|
| 201915-Man         | 7/30/2019 | OMERS               | Monthly Remittances | 5,030.06       |
| 2019016-Man        | 6/25/2019 | Green Shield Canada | Benefits            | 4,928.14       |
| Total for General: |           |                     |                     | 339,293.04     |

Certified Correct This August 7, 2019

\_\_\_\_\_  
Mayor, Raymond Durocher

\_\_\_\_\_  
Treasurer



# TOWNSHIP OF WARWICK

"A Community in Action"

6332 Nauvoo Road, R.R. #8, Watford, ON N0M 2S0

Township Office: (519) 849-3926 / 1-877-849-3926  
Watford Arena: (519) 876-2808  
Website: [www.warwicktownship.ca](http://www.warwicktownship.ca)

Works Department: (519) 849-3923  
Fax: (519) 849-6136  
E-mail: [info@warwicktownship.ca](mailto:info@warwicktownship.ca)

June 26, 2019

## AGENDA

The Honourable Doug Downey, Attorney General of Ontario  
Ministry of the Attorney General  
720 Bay Street  
11<sup>th</sup> Floor  
Toronto, ON M7A 2S9

DATE August 12, 2019

Dear Honourable Sir:

NO. 7(d)

**Re: Resolution Regarding Enforcement for Safety on Family Farms**

Please be advised that Warwick Township Council adopted the following resolution at their regular meeting on June 17, 2019:

***WHEREAS agriculture is the second largest industry in Ontario, contributing \$13.7 billion annually to Ontario's GDP and is essential for putting food on the tables of millions of people here and around the world;***

***AND WHEREAS in recent months there has been a steady increase in harassment of farmers and livestock transporters by activists opposed to animal agriculture and the consumption of animals;***

***AND WHEREAS the protests have become blatantly illegal in nature with extremist groups trespassing onto private property, unlawfully entering into buildings and removing animals without fear of prosecution and even promoting and publishing their crimes on social media;***

***AND WHEREAS maintaining proper biosecurity is essential to ensure the health and well-being of the animals cared for on these agricultural operations;***

***AND WHEREAS the recent attacks on farmers homes and businesses have resulted in no criminal charges laid, leaving farmers feeling unprotected by the Ontario legal system and afraid for the welfare of themselves, their families, their employees and the animals they care for;***

***NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Warwick requests that Hon. Doug Downey work with his fellow MPP's and agricultural leaders to find a better way forward to ensure stronger enforcement of existing laws - or new legislation - to ensure the safety of Ontario's farm families, employees and animals;***

**AND BE IT FURTHER RESOLVED THAT this motion be circulated to Hon. Doug Downey, Ministry of the Attorney General, Hon. Doug Ford, Premier of Ontario, Hon. Sylvia Jones, Solicitor General and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs and all Municipalities in the Province of Ontario, AMO, and ROMA.**

**- Carried.**

Yours truly,



Amanda Gubbels  
Administrator/Clerk  
Township of Warwick

cc: The Honourable Doug Ford, Premier of Ontario  
The Honourable Sylvia Jones, Solicitor General  
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
All Ontario Municipalities  
Association of Municipalities of Ontario (AMO)  
Rural Ontario Municipal Association (ROMA)



The Council of the Village of Oil Springs passed this motion during its regular meeting of July 9, 2019:

MOTION No. 11

Moved by Councillor McFadden

Seconded by Councillor Wagner

**THAT** the Council of the Village of Oil Springs support Council for the Corporation of the Township of Warwick in requesting that the Hon. Doug Downey work with his fellow MPP's and agricultural leaders to find a better way forward to ensure stronger enforcement of existing laws - or new legislation - to ensure the safety of Ontario's farm families, employees and animals for the very reasons cited in the Warwick Motion adopted at its Regular Meeting of June 17, 2019; and

**THAT** this motion be circulated to Hon. Doug Downey, Ministry of the Attorney General; Hon. Doug Ford, Premier of Ontario; Hon. Sylvia Jones, Solicitor General; and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs; and all Municipalities in the Province of Ontario, AMO, and ROMA.

CARRIED

Sincerely,

*Erkki Pohjolainen*

Clerk-Treasurer

Village of Oil Springs

4591 Oil Springs Line, Box 22

Oil Springs, ON N0N 1P0

Phone: 519-834-2939

Fax: 519-834-2333

[www.oilsprings.ca](http://www.oilsprings.ca)





The Honourable Doug Downey, Attorney General of Ontario  
Ministry of the Attorney General  
720 Bay Street  
11th Floor  
Toronto, ON M7A 2S9

Dear Honourable Sir:

July 15<sup>th</sup> 2019

**Re: Resolution Regarding Enforcement for Safety on Family Farms**

Please be advised that on July 10<sup>th</sup> the Town of Plympton-Wyoming Council passed the following motion to support Warwick Township Council's motion (attached) that was passed on June 17<sup>th</sup> 2019.

***Motion #13*** – *Moved by Bob Woolvett, Seconded by Tim Wilkins that Council support the motion provided by the Township of Warwick with regards to Enforcement for Safety on Family Farms.*

***Motion Carried.***

If you have any questions regarding the above motion, please do not hesitate to contact me at the number above or by email at [ekwarciak@plympton-wyoming.ca](mailto:ekwarciak@plympton-wyoming.ca).

Sincerely,

Erin Kwarcia  
Clerk

Town of Plympton-Wyoming

Cc: Amanda Gubbels, Administrator/Clerk – Township of Warwick  
The Honourable Doug Ford, Premier of Ontario  
The Honourable Sylvia Jones, Solicitor General  
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
All Ontario Municipalities  
Association of Municipalities of Ontario (AMO)  
Rural Ontario Municipal Association (ROMA)

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The Corporation of the Town of Plympton-Wyoming  
P.O Box 250, 546 Niagara Street, Wyoming Ontario N0N 1T0  
Tel: 519-845-3939 Ontario Toll Free: -877-313-3939  
[www.plympton-wyoming.com](http://www.plympton-wyoming.com)



RESOLUTION NO.: 2019- 86

DATE: July 17, 2019

CARRIED: ✓

DEFEATED:       

**MOVED BY:**



**DIVISION LIST**

**FOR**

**AGAINST**

Councillor Constable

      

      

Councillor Dixon

      

      

Councillor Gregory

      

      

Councillor Ryman

      

      

Mayor Robinson

      

      

**SECONDED BY:**



**THAT** the Council for the Corporation of the Municipality of McDougall supports the attached resolution of the Township of Warwick regarding enforcement for safety on family farms.

  
**MAYOR**



# TOWNSHIP OF WARWICK

"A Community in Action"

6332 Nauvoo Road, R.R. #8, Watford, ON N0M 2S0

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E-mail: [info@warwicktownship.ca](mailto:info@warwicktownship.ca)

June 26, 2019

The Honourable Doug Downey, Attorney General of Ontario  
Ministry of the Attorney General  
720 Bay Street  
11<sup>th</sup> Floor  
Toronto, ON M7A 2S9

Dear Honourable Sir:

**Re: Resolution Regarding Enforcement for Safety on Family Farms**

Please be advised that Warwick Township Council adopted the following resolution at their regular meeting on June 17, 2019:

***WHEREAS agriculture is the second largest industry in Ontario, contributing \$13.7 billion annually to Ontario's GDP and is essential for putting food on the tables of millions of people here and around the world;***

***AND WHEREAS in recent months there has been a steady increase in harassment of farmers and livestock transporters by activists opposed to animal agriculture and the consumption of animals;***

***AND WHEREAS the protests have become blatantly illegal in nature with extremist groups trespassing onto private property, unlawfully entering into buildings and removing animals without fear of prosecution and even promoting and publishing their crimes on social media;***

***AND WHEREAS maintaining proper biosecurity is essential to ensure the health and well-being of the animals cared for on these agricultural operations;***

***AND WHEREAS the recent attacks on farmers homes and businesses have resulted in no criminal charges laid, leaving farmers feeling unprotected by the Ontario legal system and afraid for the welfare of themselves, their families, their employees and the animals they care for;***

***NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Warwick requests that Hon. Doug Downey work with his fellow MPP's and agricultural leaders to find a better way forward to ensure stronger enforcement of existing laws - or new legislation - to ensure the safety of Ontario's farm families, employees and animals;***

**AND BE IT FURTHER RESOLVED THAT this motion be circulated to Hon. Doug Downey, Ministry of the Attorney General, Hon. Doug Ford, Premier of Ontario, Hon. Sylvia Jones, Solicitor General and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs and all Municipalities in the Province of Ontario, AMO, and ROMA.**

**- Carried.**

Yours truly,



Amanda Gubbels  
Administrator/Clerk  
Township of Warwick

cc: The Honourable Doug Ford, Premier of Ontario  
The Honourable Sylvia Jones, Solicitor General  
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
All Ontario Municipalities  
Association of Municipalities of Ontario (AMO)  
Rural Ontario Municipal Association (ROMA)



**CORPORATION OF THE MUNICIPALITY OF SOUTH HURON**

322 Main Street South P.O. Box 759

Exeter Ontario

NOM 1S6

Phone: 519-235-0310 Fax: 519-235-3304

Toll Free: 1-877-204-0747

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July 25, 2019

The Honourable Doug Downey, Attorney General of Ontario  
Ministry of the Attorney General  
720 Bay Street  
11<sup>th</sup> Floor  
Toronto, ON M7A 2S9

Dear Honourable Sir:

The following resolution was passed by the Council of the Corporation of the Municipality of South Huron at the Regular Council meeting on July 15, 2019;

Motion: 382-2019  
Moved: J. Dietrich  
Seconded: T. Oke

That South Huron Council support the Township of Warwick resolution regarding Enforcement for Safety on Family Farms as follows:

Whereas agriculture is the second largest industry in Ontario, contributing \$13.7 billion annually to Ontario's GDP and is essential for putting food on the tables of millions of people here and around the world; and

Whereas in recent months there has been a steady increase in harassment of farmers and livestock transporters by activists opposed to animal agriculture and the consumption of animals; and

Whereas the protests have become blatantly illegal in nature with extremist groups trespassing onto private property, unlawfully entering into buildings and removing animals without fear of prosecution and even promoting and publishing their crimes on social media; and

Where maintaining proper biosecurity is essential to ensure the health and well-being of the animals cared for on these agricultural operations; and

Whereas the recent attacks on farmers homes and businesses have resulted in no criminal charges laid, leaving farmers feeling unprotected by the Ontario legal system and afraid for the welfare of themselves, their families, their employees and the animals they care for;

Now therefore be it resolved that the Council for the Corporation of the Municipality of South Huron requests that Hon. Doug Downey work with his fellow MPP's and agricultural leaders to find a better way forward to ensure stronger enforcement of existing laws - or new legislation- to ensure the safety of Ontario's farm families, employees and animals; and

Be it further resolved that this motion be circulated to Hon. Doug Downey, Ministry of the Attorney General, Hon. Doug Ford, Premier of Ontario, Hon. Sylvia Jones, Solicitor General and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs and all municipalities in the Province of Ontario, AMO and ROMA.

Disposition: Carried

Yours truly,



Rebekah Msuya-Collison  
Director of Legislative Services/Clerk  
Municipality of South Huron

CC. The Honourable Doug Ford, Premier of Ontario  
The Honourable Sylvia Jones, Solicitor General  
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
All Ontario Municipalities  
Association of Municipalities of Ontario (AMO)  
Rural Ontario Municipal Association (ROMA)



THE CORPORATION  
OF  
THE TOWN OF HALTON HILLS

2019-0141

Moved by: Clark Somerville Date: July 8, 2019  
Councillor Clark Somerville

Seconded by: James F. Fogal Resolution No.: \_\_\_\_\_

WHEREAS the Province of Ontario, through the Ministry of the Environment, Conservation and Parks, has posted a discussion paper entitled "Reducing Litter and Waste in our Communities";

AN WHEREAS producer responsibility has not been adequately addressed by the Province of Ontario;

AND WHEREAS a successful deposit/return program for single use plastic, aluminum and metal drink containers has been in existence in other Provinces in Canada including Newfoundland, Nova Scotia and British Columbia;

AND WHEREAS these successful program have eliminated many of these containers from the natural environment;

THEREFORE BE IT RESOLVED that the Council of the Town of Halton Hills call upon the Province of Ontario, through the discussion paper entitled "Reducing Litter and Waste in our Communities", to review and implement a deposit/return program for all single use plastic, aluminum and metal drink containers;

AND FURTHER THAT that the Province of Ontario review current producer requirements and look for extended producer responsibility for all packaging;

AND FURTHER THAT a copy of this motion be sent to the Premier of Ontario; the Minister of the Environment, Conservation and Parks; the Minister of Municipal Affairs; the Association of Municipalities of Ontario; the Region of Halton; and all municipalities in the Province of Ontario.

**AGENDA**

Rick Bonnette  
Mayor Rick Bonnette

DATE August 12, 2019

NO. 7(b)





**THE CORPORATION OF THE CITY OF STRATFORD**

**Resolution: Opposition to Changes in 2019 Provincial Budget and Planning Act**

**WHEREAS** on April 11, 2019, the Provincial government tabled a new budget, some of which represents a significant shift in priorities, with direct implications to the City of Stratford and municipalities across Ontario;

**AND WHEREAS** this shift in priorities will put disproportionate pressure on municipal governments to either fully fund Provincially discontinued programs or partially supplement programs and services at current service levels;

**AND WHEREAS** the City of Stratford recognizes that the Government of Ontario announced in May 2019 that it will reverse mid-year cuts to critical services of public health, childcare and ambulance services and requests an opportunity to work collaboratively to find solutions that will work for all partners and protect services prior to drafting 2020 budgets;

**AND WHEREAS** previous legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support as all parties recognized that local governments should have the authority to uphold their provincially approved Official Plans and community driven planning;

**AND WHEREAS** in the spirit of working together for the benefit of all Ontario residents, Stratford City Council opposes the upcoming changes to the Planning Act as municipalities were not consulted and afforded an opportunity to provide feedback;

**AND REQUESTS** a meeting with MPP Pettapiece, the Minister of Municipal Affairs and other related ministries on the effects of downloading onto municipal governments;

AND THAT this resolution be forwarded to all municipalities in Ontario and to AMO.

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The Corporation of the City of Stratford, P.O. Box 818, Stratford ON N5A 6W1  
Attention: City Clerk, 519-271-0250 ext 235, [clerks@stratford.ca](mailto:clerks@stratford.ca)

**AGENDA**

DATE August 12, 2019

NO. 7(c)

THE CORPORATION OF THE TOWNSHIP OF PELEE  
BY-LAW 2019-32

“Small Business Lighting Program”

(August 12, 2019)

Being a By-law to enter into an Agreement with the IESO (Independent Electricity System Operator) to participate in the Small Business Lighting Program.

---

**WHEREAS** pursuant to Section 9 of the *Municipal Act, 2001*, S.O. 2001, c 25, a Council may enter into Agreements;

**AND FURTHER** that the Municipal Council for the Township of Pelee deems it expedient to enter into an agreement with the IESO (Independent Electricity System Operator) to participate in the Small Business Lighting Program;

**THEREFORE** the Council of the Corporation of the Township of Pelee enacts as follows:

1. That authority is hereby granted to the Mayor and Chief Administrator Officer – Clerk to enter into an agreement with the IESO (Independent Electricity System Operator) to participate in the Small Business Lighting Program.
2. That the agreement attached as Schedule ‘A’ forms part of this by-law.
3. That any and all actions taken and required to be taken by the Mayor and Chief Administrative Officer -Clerk on behalf of the Corporation of the Township of Pelee to complete this matter including the execution of the Agreement and any other associated documentation are hereby authorized; confirmed and ratified.
4. That this by-law shall come into force and take effect immediately upon the approval of Township Council.

By-law enacted this 12<sup>th</sup> day of August, 2019.

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Raymond Durocher  
Mayor

**AGENDA**

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Janice Hensel  
Chief Administrative Officer &  
Clerk

DATE August 12, 2019

NO. 12(a)

## **SMALL BUSINESS LIGHTING PROGRAM**

### **PARTICIPANT AGREEMENT**

**References to "you" or "your" in this Agreement are references to the Participant.**

This participant agreement between you and the IESO (this "**Agreement**") governs your participation in the small business lighting program (the "**SBL Program**"). The SBL Program is offered and funded by the Independent Electricity System Operator ("**IESO**"). By signing and submitting this Agreement, you confirm your consent to, and agree to comply with and be bound by the terms of this Agreement.

All capitalized terms not defined herein will have the meaning given in the SBL Program requirements in force at the time you sign this Agreement (the "**Program Requirements**").

If the IESO accepts this Agreement, you are eligible to receive a lighting assessment at no charge and the installation of Eligible Measures listed in the Eligible Measures List with a Direct Install Eligible Cost Payment less than or equal to \$2,000 (the "**Threshold**"). Where the Participant wants to install Eligible Measures in excess of the Threshold, the Participant shall be eligible to receive the installation of Eligible Measures within the Threshold and the Standard Incentive Payment for Eligible Measures in excess of the Threshold, but will be responsible for the purchase and installation of Eligible Measures over the Threshold.

In consideration of the installation of the Eligible Measures and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, you agree to the following terms and conditions:

1. You represent and warrant that (a) you have all required rights and authority to participate in the SBL Program, allow for the installation of the Eligible Measures and to carry out all other obligations in this Agreement; (b) you meet all Participant Eligibility Criteria as outlined in the Program Requirements; and (c) you have not received, are not already receiving or will not receive any financial incentives generally funded by energy ratepayers or taxpayers in the Province of Ontario, or any rebates from manufacturers or wholesalers or other supply chain participants for the Eligible Measures to be installed pursuant to the SBL Program.
2. The IESO may subcontract any of its responsibilities under this agreement to a third party contractor.
3. The IESO reserves the right to determine eligibility for your participation in the SBL Program.
4. The IESO may refuse to provide and install the Eligible Measures at any time and for any reason, including due to conditions in the Facility that would prevent energy efficient products or devices from resulting in electricity savings, failure to meet the eligibility criteria of the SBL Program, safety conditions or lack of funds.
5. The Participant agrees to provide the IESO, or its subcontractor, access to the Facility to install the Eligible Measures and all Eligible Measures shall be installed prior to December 31, 2021.
6. The Participant shall not remove the Eligible Measures before the expected service life unless the equipment fails.
7. The Participant authorizes the IESO or its subcontractor to install the Eligible Measures at the Facility and to remove and dispose of the existing equipment that has been replaced.
8. The Participant represents and warrants that it signed the Work Order and this Agreement prior to the IESO or its subcontractor commencing the installation of the Eligible Measures.
9. The Participant has reviewed the Work Order and confirms that all information is true, complete and accurate. In particular, the Participant confirms that the equipment listed under "Existing Equipment" accurately describes the

Participant's current equipment to be replaced, and "Eligible Measure" accurately describes the new energy efficient equipment to be installed.

10. The Participant agrees not to move, remove, tamper with, disable or damage the Eligible Measures. Failure to comply with this obligation will be at your sole risk for any and all damages that may result.
11. All Eligible Measures have a 1-year parts and labour warranty period from the date of installation of the Eligible Measure. The Participant agrees that all parts and labour warranty claims made within the year following the date of installation shall be made by the Participant directly to the IESO's subcontractor. Additional manufacturer warranties may be available beyond the 1-year parts and labour warranty period, and any such warranty claims shall be made by the Participant directly to the product manufacturer.
12. The Participant agrees to allow the IESO or their respective representative access to the Facility for the purpose of conducting evaluation, measurement and verification activities.
13. Environmental Attributes.
  - (a) All right, title and interest in and to all benefits or entitlements associated with decreased environmental impacts now or in the future, direct or indirect, arising as a result of, relating to or in connection with the electricity savings for which an incentive has been paid, and the right to quantify and register these, including any energy efficiency certificate, renewable energy certificate, credit, reduction right, offset, allocated pollution right, emission, reduction allowance (collectively, the "Electricity Savings Environmental Attributes") will be allocated on a proportionate basis, with the IESO owning an amount equal to the total quantity of Electricity Savings Environmental Attributes multiplied by the Environmental Attribute Funding Percentage (the result being the "IESO Environmental Attributes") and the Participant owning the remaining quantity of Electricity Savings Environmental Attributes (the "Participant Environmental Attributes"), where Environmental Attribute Funding Percentage means, in respect of an Eligible Measure purchase and installed, the total incentive amount paid to the Participant and funded by the IESO in respect of the Measure, divided by the total amount of actual costs incurred by the Participant that meet the eligibility requirements for such costs set out under these terms and conditions, multiplied by 100, and expressed as a percentage.
  - (b) The Participant shall notify the IESO in writing prior to assigning, transferring, encumbering, submitting for compliance purposes, trading or otherwise using (collectively, "realizing") any of the Participant Environmental Attributes, with such notice to include: (i) the quantity of Participant Environmental Attributes to which the Participant believes it is entitled; (ii) the quantity of Electricity Savings Environmental Attributes and the Environmental Attributes Funding Percentage used to determine the quantity of Participant Environmental Attributes; and (iii) supporting calculations and data used to determine the total quantity of Electricity Savings Environmental Attributes and the Environmental Attribute Funding Percentage.
  - (c) The Participant agrees that all right, title and interest in and to all benefits or entitlements associated with the IESO Environmental Attributes are hereby transferred and assigned by the Participant to, or to the extent transfer or assignment is not permitted, held in trust for, the IESO and its successors and assigns.
  - (d) The IESO will be entitled unilaterally and without consent deal with such IESO Environmental Attributes in any manner it determines. You acknowledge that the IESO will contact the Participant prior to realizing on any IESO Environmental Attributes.
  - (e) The Participant agrees that it will, from time to time, upon written direction of the IESO, take all such actions and do all such things necessary to:
    - (i) effect the transfer and assignment to, or holding in trust for, the IESO all rights, title and interest in all IESO Environmental Attributes; and
    - (ii) certify, obtain, qualify and register with the relevant authorities or agencies IESO Environmental Attributes that are created and allocated or credited pursuant to applicable laws and regulations from time to time for the purpose of transferring such IESO Environmental Attributes to the IESO.

The Participant will be entitled to reimbursement by the IESO of the cost of complying with such a direction provided that the IESO, acting reasonably, has approved such cost of compliance in writing prior to the cost being incurred and provided that such reimbursement will be limited to: (x) the total amount of such cost of compliance that have been approved in advanced by the IESO, multiplied by (y) the applicable Environmental Attributes Funding Percentage.

14. You acknowledge and agree that: (i) you have independently assessed the risk of participating in the SBL Program; (ii) the IESO makes no representation or warranty, and assumes no liability with respect to quality, safety, performance, or other aspect of any design, system or appliance installed pursuant to this Agreement and expressly disclaims any such representation, warranty or liability; (iii) the energy cost savings and other benefits described in connection with the SBL Program are based on estimates, and actual results may differ; and (iv) the Eligible Measures are intended for use only as directed and improper use may result in injury or damage.
15. You agree to participate in any survey, studies, audits, evaluations or verifications conducted by the IESO or its agents or service providers (the "Program Operators") in connection with the SBL Program including for the purposes of the proper administration, monitoring and verification of this Agreement or evaluation of the SBL Program, and will provide to them reasonable access to the Participant records and facilities for such purpose. You acknowledge that you will allow inspections to be conducted in the Facility by the Program Operator if you are selected by IESO or its subcontractors for a quality assurance and quality control review.
16. You hereby: (a) consent to the collection, use, disclosure and other handling of any information provided by you to the Program Operators, including but not limited to, records showing historical energy use and consumption, Facility name, address and phone number and electricity account number, (collectively, the "Participant Information") by the Program Operators for purposes relating to the operation, administration or assessment of the SBL Program, and in connection with any reporting activities relating to the SBL Program, which such use will include, without limitation: (i) sharing of Participant Information among the Program Operators; (ii) use by the Program Operators of the Participant Information provided by the Facility to conduct, analyze and report on the results of the SBL Program and to conduct surveys and modify the SBL Program based on such surveys; and (iii) disclosure to the Ontario Energy Board, the IESO, the Ontario Ministry of Energy or the Ontario Environmental Commissioner and/or their respective successors; (b) acknowledge that the Participant Information may be accessible to third parties under the *Freedom of Information and Protection of Privacy Act* (Ontario); (c) consent that in connection with surveys, studies and audits, the Program Operators may contact you directly including by email and other electronic communications. Pursuant to Canada's anti-spam legislation (hereinafter "CASL"), the IESO is hereby requesting your Express Consent (as that term is defined in CASL and its associated regulations) to contact you at the electronic address provided in this Agreement for the purposes of Program administration and for collecting market research data related to the Program. If you wish the IESO to communicate with you by email in connection with future conservation programs customer satisfaction surveys and other related purposes, you can register for the business newsletter by clicking here <https://saveonenergy.ca/For-Business-and-Industry>. You may withdraw your consent at any time. You may also reach the IESO at 120 Adelaide Street West, Suite 1600, Toronto, ON, M5H 1T1; [www.ieso.ca](http://www.ieso.ca); [www.saveonenergy.ca](http://www.saveonenergy.ca); or 905 403-6900.
17. The IESO is committed to protecting the personal information in its custody or control in accordance with applicable privacy laws. The Participant may access the IESO's privacy policy at <http://www.ieso.ca/Privacy>.
18. If the Participant is an owner or operator of a Facility which permits tenants to occupy rental units subject to the *Residential Tenancies Act, 2006* (Ontario) (the "RTA"), the Participant shall not use the Standard Incentive or the Eligible Measures provided under the SBL Program as a basis for applying to the Board (as defined in the RTA) for an increase in the annual rent amounts paid by such tenants above the annual rent-increase guideline permitted under the RTA.
19. The IESO will not be liable for any direct, indirect, special or consequential damages, costs or losses arising from the installation or use of the Eligible Measures, whether in accordance with the manufacturer's instructions or otherwise, or from any actions, negligence or misconduct by the IESO's subcontractor.
20. Except as otherwise provided, this Agreement constitutes the entire agreement between you and the IESO in connection with its subject matter and supersedes all prior representations, communications and understandings,

whether oral, written, express or implied, concerning the subject matter of this Agreement. The terms and conditions of this Agreement are subject to change at any time. This Agreement will be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein. The invalidity, unenforceability or illegality of any provision in this Agreement will not, to the extent permitted by applicable laws, affect the validity, enforceability or legality of any other provision of this Agreement which will remain in full force and effect.

21. This Agreement will enure to the benefit of and be binding upon the Participant and each of its respective successors and assigns. The Participant may not assign this Agreement without the written consent of the IESO.
22. This Agreement may be executed and delivered by electronic execution and the IESO may rely upon all such signatures as though such signatures were original signatures.

I, the Participant, certify that I understand and agree to the terms and conditions of this Agreement and that I have the authority to bind the Participant.

Participant Email Address: \_\_\_\_\_

Participant/Legal Company Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

THE CORPORATION OF THE TOWNSHIP OF  
PELEE

BY-LAW: 2019-33

"CONFIRMATION OF PROCEEDINGS"

(August 12, 2019)

A by-law to confirm the proceedings of Council

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**WHEREAS** the *Municipal Act 2001*, as amended, states that the powers of a municipal corporation are to be exercised by by-law;

**AND WHEREAS** the Council of The Corporation of the Township of Pelee wishes to confirm the proceedings and business conducted by Council;

**NOW THEREFORE** the Council of The Corporation of the Township of Pelee does hereby enact as follows:

1. That the action of the Council at its Council meeting held on the 12<sup>th</sup> day of August, 2019 in respect to each motion, resolution and other action passed and taken by Council is hereby adopted, ratified and confirmed; save and except resolutions resulting from closed meetings.
2. That the Mayor and the proper Officers are hereby authorized and directed to execute all documents as may be necessary and the Clerk is authorized and directed to affix the Corporate Seal to all such documents.
3. That this by-law shall be cited as the "Confirmation of Proceedings By-law" (August 12, 2019)
4. That this by-law shall come into force and take effect on the date of passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 12th day of August, 2019.**

**AGENDA**

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**MAYOR, Raymond Durocher**

DATE August 12, 2019

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**CAO/Clerk, Janice Hensel**

NO. 12(b)