

**THE CORPORATION OF THE TOWNSHIP OF CHAPPLE
COUNCIL MEETING
February 22, 2016**

The special meeting of the Municipal Council of the Corporation of the Township of Chapple was held on Monday, February 22, 2016 at 10:00 a.m. in the Municipal Office, Barwick Ontario.

PRESENT: Reeve Peter Van Heyst, Councillors: Ken Wilson, Ted Zimmerman, James Gibson, and Rilla Race, Public Works Superintendent/Randy Both, CAO/Clerk Treasurer Peggy Johnson and Wes Derksen/Legal Counsel.

ALSO IN ATTENDANCE:

Delmar Curtis, Robert Gibson and Robin LeBlanc.

New Gold: Stacey Jack, Darcy Cowan, Grant Goddard and Raivo Ukkivvi/Legal Counsel.

Reeve Peter Van Heyst welcomed everyone and declared the meeting open for the transaction of business.

DECLARATIONS: None.

1. Moved by: Rilla Race – Ted Zimmerman

That the agenda for the special meeting of February 22, 2016 be here-by approved.

Carried.

DELEGATIONS:

10:15 a.m. Robin LeBlanc

Robin LeBlanc requested time on the agenda for discussion with regards to access to portion of property described as TAIT, N ½ SEC 31, PCLS 17112 & 17117 located south of the Pine River Road. It was noted that the municipality had just received Notice of Assumption for the new Hwy 600. The Ministry of Transportation will now be responsible for the issuance of an entrance permit. New Gold has a water pipeline located to the west side of Hwy 600 that Leblanc will need access over. Darcy Cowan/New Gold will meet with Leblanc on February 25, 2016 to resolve this issue.

RESOLUTIONS:

Discussion was held with regards to the Site Plan Agreement. New Gold will be required to provide a letter indicating that there are no material changes to Plans/Drawings in order for the agreement to be a Final Agreement instead of an Interim Agreement.

Wes Derksen provided an explanation for the public in attendance as to the purpose of a Site Plan Agreement.

Delmar Curtis questioned what would be required if the mine were to expand. He was advised that if the plan were to change, New Gold would
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have to go through the entire process again. Grant Goddard confirmed that New Gold is confined to the existing Environmental Assessment.

The following amendments to the Site Plan Agreement were agreed upon:

- 1) the addition of the word ", in addition includes" between the words "...external to the lands, and " and" without limitation" in the second sentence of para 3(b), p2; and
- 2) the amendment of the second para of 14(e), p 19 to read (commencing in the second sentence)" to the Municipality of the East Access Road that such road is capable" instead of"...to the Municipality of Korpi Road and East Access Road that such roads..."

2. Moved by: James Gibson – Ted Zimmerman

That Bylaw 1579, being a bylaw for the Corporation of the Township of Chapple authorizing the Reeve and CAO/Clerk Treasurer to enter into a Site Plan Agreement with New Gold subject to entering into an agreement satisfactory to the municipality, among other things, compensation being paid to the municipality by New Gold for certain highways and the receipt of confirmation from New Gold regarding proposed development/development, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Carried.

With the proposed compensation agreement just being received and Council not having the opportunity to review, it was agreed that the item would be tabled until Monday, February 29, 2016.

3. Moved by: Ken Wilson – James Gibson

That Bylaw 1580, being a bylaw for the Corporation of the Township of Chapple authorizing the Reeve and CAO/Clerk Treasurer to enter into a compensation agreement with New Gold Inc., be read a first, second and third time and finally passed this 22nd day of February, 2016.

Tabled.

4. Moved by: Rilla Race – Ted Zimmerman

That Bylaw 1581, being a bylaw for the Corporation of the Township of Chapple authorizing the Reeve and CAO/Clerk Treasurer to enter into a Tripartite Agreement with The Corporation of the Township of Morley and New Gold Inc. subject to the entering into an agreement with the municipality as to, among other things, compensation being paid to the municipality by New Gold for certain highways and the receipt of compensation from New Gold regarding proposed development/development, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Carried.

5. Moved by: Ted Zimmerman – James Gibson

That Bylaw 1582, being a bylaw for the Corporation of the Township of Chapple declaring and confirming certain highways or portions of highways exempt and/or dispensing with the requirements of Bylaw 1573 and Bylaw 1576, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Carried.

6. Moved by: Ken Wilson – Rilla Race

That Bylaw 1583, being a bylaw for the Corporation of the Township of Chapple to provide for the stopping up and closing of certain highways or portions of highways and to authorize the sale thereof subject to the conditions contained in the draft bylaw, be read a first, second and third time and finally passed this 22nd day of February, 2016

Carried.

7. Moved by: James Gibson – Ken Wilson

That Bylaw 1584, being a bylaw for the Corporation of the Township of Chapple declaring and confirming certain highways or portions of highways or portions of highways exempt and/or dispensing with the requirements of Bylaw 1573 and Bylaw 1576, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Carried.

8. Moved by: Ken Wilson – Rilla Race

That Bylaw 1585, being a bylaw for the Corporation of the Township of Chapple to provide for the stopping up and closing of certain highways or portions of highways and to authorize the sale thereof subject to the conditons contained in the draft bylaw, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Carried.

9. Moved by: James Gibson – Ted Zimmerman

That Bylaw 1586, being a Bylaw for the Corporation of the Township of Chapple dispensing with the requirements of Bylaw 1576 in respect of permanently removing or restricting the common law right of passage by the public on or over a certain highway and the common law right of access to such highway by an owner of land abutting such highway and others, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Carried.

10. Moved by: Ted Zimmerman – Ken Wilson

That Bylaw 1587, being a Bylaw for the Corporation of the Township of Chapple to provide for permanently restricting the common law right of passage by the public on or over a highway and the common law right of access to such highway by an owner of land abutting such highway and others, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Carried.

It was agreed that Bylaws 1588, 1589, 1590 and 1591 will also be tabled to a special meeting of Council on Monday, February 29, 2016. To date, the municipality still requires confirmation of Schedules from New Gold for the bylaws.

11. Moved by: Ken Wilson – Rilla Race

That Bylaw 1588, being a Bylaw for the Corporation of the Township of Chapple dispensing with the requirements of Bylaw 1573 and Bylaw 1576 in respect of amendment to Bylaw 1480, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Tabled.

12. Moved by: James Gibson – Ted Zimmerman

That Bylaw 1589, being a Bylaw for the Corporation of the Township of Chapple to amend Bylaw 1480, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Tabled.

13. Moved by: Rilla Race – James Gibson

That Bylaw 1590, being a Bylaw for the Corporation of the Township of Chapple dispensing with the requirements of Bylaw 1573 and Bylaw 1576 in respect of amendment to Bylaw 1481, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Tabled.

14. Moved by: Rilla Race – Ted Zimmerman

That Bylaw 1591, being a Bylaw for the Corporation of the Township of Chapple to amend Bylaw 1481, be read a first, second and third time and finally passed this 22nd day of February, 2016.

Tabled.

15. Moved by: Rilla Race – Ted Zimmerman

That Bylaw 1580, Bylaw 1588, Bylaw 1589, Bylaw 1590 and Bylaw 1591 be tabled to a special meeting of Council to be held Monday, February 29, 2016 at 10:00 a.m. at the Chapple Municipal Office.

Carried.

In conclusion, those in attendance were asked if there were any other concerns with regards to the agenda items.

Robert Gibson expressed displeasure with New Gold going to his son's home and doing an assessment of value. Mr. Goddard apologized for there being any misunderstandings. Properties had been selected randomly for value assessments for comparison purposes.

16. Moved by: Rilla Race – James Gibson

BE IT RESOLVED that the **Municipal Council of The Corporation of the Township of Chapple hereby agree to go in-camera at 11:00 a.m. as authorized**

under Section 239 of the *Municipal Act, 2001* for the following purpose:

- Security of property;
- Personal matters regarding an identifiable individual, including employees;
- Proposed or pending acquisitions or disposition of real property;
- Labour relations and employee negotiations;
- Litigation or potential litigation, including matter before administrative tribunals affecting the municipality or local board; -
- ✓ Advice subject to a solicitor-client privilege, including communications necessary for that purpose;
- Any matter with respect to which a council, local board or committee or other body may hold a closed meeting under any other statute;
*Consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*.*

Carried.

As per discussion and direction in-camera, legal counsel will make revisions to the proposed Compensation Agreement.

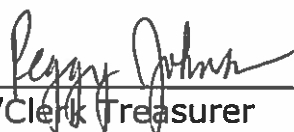
17. Moved by: Ken Wilson – James Gibson

That we adjourn at 12:30 p.m. to meet again February 29, 2016 at 9:00 a.m. for a special public meeting of Council at the Chapple Municipal Office.

Carried.



Reeve



CAO/Clerk Treasurer