

**IN THE MATTER OF an application by wpd White Pines Wind Incorporated for an order pursuant to Section 92 of the Ontario Energy Board Act, 1988 granting leave to construct transmission facilities to connect a wind generation project to the Ontario transmission system in Prince Edward County
EB-2013-0339**

AFFIDAVIT OF ROBERT MCAULEY

1. I am the Commissioner of Engineering, Development & Works for the County of Prince Edward (the "County"). My CV is attached as Exhibit # 1.
2. In my capacity as Commissioner I have responsibility for the County's internal review of those aspects of the Wpd White Pines Wind Incorporated [herein referred to as "the Applicant"] wind energy proposal that impact on my areas of responsibility, namely roads, planning, heritage and construction. This includes both the above noted Applicant's Ontario Energy Board Leave to Construct application [herein referred to as "the Application"] and its Renewable Energy Approval application [herein referred to as "the REA"]. I also am a member of the County's green energy review team. As such I have knowledge of the matters herein deposed.
3. The County is the road authority for all municipal roads within the County's geographic boundary, including municipal roads upon which the majority of the proposed transmission lines are to be located.
4. The Applicant states in *Exhibit F, Tab 1, Schedule 1, Page 2 of the Application* that it is "*negotiating with the municipality for a lease or license agreement charting the terms under which the municipality will permit the construction*

and operation of the portions of the transmission line that will be located within the municipal road allowance." This is an incorrect and misleading statement. The only meeting between the Applicant and the County regarding the transmission line took place on March 15, 2013, approximately 14 months ago, attended by myself, Jo-Anne Egan (our Manager of Planning) and the Applicant's representative Paul Doel. At the meeting the County specifically requested more detailed information before having another meeting as the only information that was provided was preliminary in nature and subject to change by the Applicant. At the scale that was provided it was difficult, if not impossible, for the County to review the drawings with any precision and provide any meaningful comments. It was evident to me, as the Commissioner having responsibility for the County's road network, that there was little point in having a further meeting until more meaningful and detailed information was provided. The requested additional information has not yet been presented to the County notwithstanding the passage of approximately 14 months and the filing of the Application.

5. The County became aware of the filing of the Application to the Ontario Energy Board [the "OEB"] in the fall of 2013 and contacted the Applicant (Exhibit # 2). Mr. Doel responded (Exhibit # 3) by confirming the Application had been filed and also that the route the County had previously seen at our March meeting had changed. The Applicant has not offered any additional or revised information, as previously requested, except to refer to the Application documentation. No meetings or discussions related to the Application, design, terms of road use or agreements have been held between the Applicant and the County since March 2013.
6. It is not possible for the County to offer proper comments or have a meaningful discussion in the absence of pertinent information. As a result, only very general comments have been provided to the Applicant and the OEB by the County. In my opinion the County is left in the position of being unable to provide meaningful input to the OEB or consider approving/agreeing to the

use of municipal roads due to the failure of the Applicant to provide sufficient information.

7. The Applicant has not provided or offered to the County, as an owner of land affected by the Applicant's proposed route, any form of agreement, including any "road use agreement" as referenced in the Applicant's response to our Interrogatory. Nor have there been any meaningful discussions to date to suggest what the terms of such an agreement might contain.
8. The County has entered into various Road Use Agreements with solar green energy proponents, as required by their respective Renewable Energy Approvals. This demonstrates that the County has the capacity and ability to reach agreement with willing applicants for green energy projects. In many of the Applicant's responses to our Interrogatories the Applicant indicates that concerns we raised respecting the transmission line can/will be addressed in the REA review process. However the County does not control the REA process, and therefore has no assurances that requiring a "road use agreement" with the County or addressing the County's concerns respecting the transmission line will be a condition of the Applicant's REA, or that the Applicant will agree to such conditions being imposed upon it by the Ministry of the Environment. In my opinion the County is exposed to a situation that amounts to "double jeopardy" should the OEB not impose conditions upon any approval of the Application.
9. The County has reservations in allowing the County's bridges to be used to "hang" the transmission cables. Our concerns include, but are not limited to, effects on the bridge's structural integrity, damage to the bridge over time, premature wear, relocation/replacement hurdles/costs caused by the presence of third party infrastructure, risks associated with high voltage transmission cables on a public bridge and the potential for vandalism. These risks potentially bring negative financial impacts upon the County which have not been examined, detailed or considered by the Applicant. Consequently we requested that the Applicant provide a full structural, future life cycle and

future maintenance cost impacts analysis of the bridges along the intended transmission and collector lines route and examples of where electrical safety authorities have permitted such installation in other jurisdictions. In reply to our Interrogatories the Applicant responded "This matter is outside the scope of the Board's jurisdiction under section 96 of the Act. However, wpd is willing to discuss this issue as part of the negotiations surrounding the terms of the road use agreement." The absence of this important information seriously disadvantages and prejudices the County in providing important information to the OEB as it relates to the issue of costs and the interests of its ratepayers [i.e. consumers] with respect to **prices** and the **reliability and quality** of electrical service as required by Section 96 (2) of the Ontario Energy Act [emphasis added].

10. Likewise, the County has concerns in allowing the County's roads to be used for the transmission and collector cables. Underground installation is proposed, yet that does not negate negative impacts on road infrastructure such as structural integrity, damage from the road crossings over time, premature aging and relocation/replacement hurdles/costs caused by the presence of third party infrastructure within the County's roads without County approval. These risks potentially bring negative financial impacts upon the County which have not been examined, detailed or considered by the Applicant. Consequently we requested that the Applicant provide a full structural, future life cycle and future maintenance cost impacts analysis of the roads proposed to be used for the transmission and collector lines. In reply to our Interrogatories the Applicant responded "wpd would be pleased to discuss this matter with the Municipality as part of the negotiations surrounding the terms of the road use agreement." The County has no information or certainty that its road assets or the County's financial position will not be negatively affected by the Applicant's proposal. The absence of this important information seriously disadvantages and prejudices the County in providing important information to the OEB as it relates to the issue of costs and the interests of its ratepayers [i.e. consumers] with respect to **prices** and the

reliability and quality of electrical service as required by Section 96 (2) of the Ontario Energy Act [emphasis added].

11. The County has strong reservations in using “forced roads”, such as Maypul Layn Road. Forced roads are roads that have NOT been laid out in accordance with surveys and thus have uncertain, irregular and varying widths, resulting in unconfirmed municipal ownership and boundaries. In 2009, County Council adopted Resolution 2009-475, attached hereto as Exhibit # 4, which was provided to the Applicant. While referring to a different project nonetheless the County has stated it does not support the use of Maypul Layn Road as a hydro transmission line corridor. In its response to Interrogatories, the Applicant indicates that it would be pleased to discuss this matter with the County in a subsequent meeting. This demonstrates that the Applicant cannot be certain that it has acquired agreements with all affected landowners with respect to its proposed transmission route as there can be no certainty with respect to the limits of the private property and the municipal property. In my opinion, this is compelling evidence that the Applicant has not completed the required due diligence to assure the OEB or the County that it has the legal authority to place the transmission line within these forced roads as proposed.
12. The County has raised the concern that, given the particular geology in Prince Edward County including the prevalence of limestone bedrock, other utility providers have been unable to bury transmission infrastructure underground in areas, which has resulted in requests being made of the County after the initial approvals have been provided for utilities to be placed on new poles above ground or along new routes. In the response to Interrogatories, the Applicant responded that if any portion of the transmission line cannot be buried underground, the Applicant will undertake a full investigation including **modifications to the Application** [emphasis added]. In my opinion, this demonstrates that the Applicant has not completed its due diligence in submitting the Application to the OEB for approval and indicates potential for a fundamental flaw in the Application. In my opinion, the Application is premature.

13. In Exhibit E, *Tab 2, Table 3* the Applicant has neglected to acknowledge that municipal permits and approvals are required for: (i) vehicles transporting heavy or oversize loads on County roads: (ii) for new or upgraded roads to service the Applicant's project and (iii) for upgrading a seasonal road suitable for year round access/use. In reply to our Interrogatory requesting if the Applicant is prepared to consent to the foregoing being made a condition of any approval by the OEB in these proceedings the Applicant stated that the OEB does not have jurisdiction to impose conditions relating to obtaining municipal permits and approvals for OEB approved work.

14. In summary, the Applicant has failed to offer the County any agreement nor is there any reasonable expectation that it can or will be able to offer to the County [as an owner of land affected by the approved route] an agreement that properly addresses the legitimate and fundamental concerns and issues noted in this my Affidavit.

15. It is my opinion that the Application is lacking in sufficient detail, is incomplete and/or premature and should not be approved by the OEB.

SWORN BEFORE ME at the Town
of Picton, in the County of Prince Edward
this 26th day of May, 2014

)
)
)


Robert McAuley



A COMMISSIONER, ETC.

Laura Cunliffe
Deputy Clerk
The Corporation of the County of Prince Edward

EXHIBIT 1
McAULEY AFF.
Kennedy
May 26/14

Prince Edward County

CV - Robert A. McAuley P.Eng, C.B.C.O Commissioner of Engineering, Development & Works

Laura Cunliffe
Deputy Clerk
The Corporation of the County of Prince Edward

A Senior Municipal Official with experience in the fields of municipal administration, engineering, public works, water/wastewater, development engineering, planning, building code and by-law enforcement.

RELEVANT WORK EXPERIENCE

2009 – Present - Commissioner of Engineering, Development & Works (Formerly Commissioner of Public Works)

As a member of the Senior Management Team responsible for all aspects of the day-to-day management and operations of the County's Engineering, Development & Works Department. This Department consists of:

Roads Operations Division

- Transportation administration & management
- Road, bridges and stormwater system maintenance
- Roadway winter control
- Transportation traffic management
- Fleet management, acquisition, distribution and maintenance
- Aggregate pit management
- Specialized Transit services
- Solid waste, recycling and organic waste collection and disposal
- Landfill and transfer station operation
- Compliance monitoring and audits
- Building management
- Parks and playing field management
- Marina and boat launches operations
- Cemetery management

Engineering Division

- Review and approval of planning and development applications
- Subdivision & site plan engineering review, approval and delivery
- Development design and construction
- Capital design, tender and construction
- Undertake, review and comment on technical reports and studies
- Undertake Master Plan Studies and Environmental Assessments
- Development Chargers, Connection Charges and various other development by-laws
- Providing technical expertise to Council, proponents and the public

Planning Services Division

- All Planning Act functions (e.g. Official Plan, Zoning By-law, development approvals, consents, minor variances, long range planning)
- Prepare new/updated Official Plan, Secondary Plans and Zoning By-laws
- Various planning studies (heritage, affordability, environment)
- Various planning related by-laws and agreements
- Plan of Subdivision approval and delivery
- Site plan approval and delivery

Building Services Division

- Building Code administration (e.g. permits, enforcement, plans review, inspections)
- Municipal by-law enforcement (e.g. parking enforcement, animal control, general by-law enforcement, ticket issuance, complaint investigation, prosecution)

Water and Wastewater Operations Division

- Operate six public water systems and two wastewater systems
- Systems management and maintenance
- Infrastructure rehabilitation and expansion
- Compliance monitoring and audits

General Functions

- provide leadership, mentoring, advice and direction to Directors, Managers and staff
- coordinate and lead through integrated business management and planning
- set performance objectives and direct unit planning
- compliance to legislation and corporate policies
- manage a staff of over 130 full and part time personnel (both union and non-union)
- ensures staff training to meet the needs of the Department, legislation and policies
- formulate, recommend and administer policies, procedures and guidelines
- prepare, coordinate and administer departmental budgets
- negotiate, prepare and administer legal agreements, tenders, proposal calls, contracts, etc.
- review, approve and prepare staff reports
- attend at Council/Committee meetings
- provide professional advice to Council
- represent the County in negotiations, committees, mediations, court actions, Boards and Tribunals
- provide testimony to the Ontario Municipal Board as an expert witness
- contribute to the strategic direction, planning and management of the County
- championing the County's mission and values
- act under the direction of the Chief Administrative Officer
- act as the Chief Administrative Officer as assigned (Acting CAO Program)

2004 - 2009 **Director of Planning and Development**, *Town of Innisfil*, Innisfil, Ontario

The Town of Innisfil is a municipality of 32,000 undergoing significant change due to increased growth pressure. As a member of the Town's Senior Management Team I was responsible for the day to day operations and general management of the Planning & Development Department. This Department consisted of the Planning Services, Building Services, Engineering Services and Municipal Law Divisions. Key responsibilities included:

- Town's Planning Act functions
- Town's development engineering functions
- Town's capital engineering and construction functions
- Municipal by-law enforcement
- Building Code administration
- providing leadership, advice, business planning assistance and direction to departmental Managers staff (both union and non-union) and peers
- preparation and administration of department's capital and operating budgets
- prepare staff reports
- attendance at Council/Committee/Public meetings
- provide advice to Council
- participate in ADHOC and advisory committees
- represent the Town in negotiations, court actions, Boards and Tribunals
- act on behalf of the Chief Administrative Officer as required

2002 - 2004 **Manager, Municipal Studies**, *Watson Associates*, Mississauga, Ontario

Watson and Associates are recognized leaders in the field of municipal finance and economics. As a member of their primary consulting team I provided various functions to our municipal clients across Ontario including financial analysis, development charges reports, financial impact analysis, fee studies and rate studies. I also reviewed work provided by others on behalf of our clients.

My direct clients included large municipalities such as the City of Ottawa, the City of Toronto and the Region of Niagara, medium sized municipalities such as the Town of Collingwood, the Town of Quinte West, the City of Belleville and many smaller municipalities in Ontario.

While at this firm I was also indirectly involved in a reorganization review of the City of Niagara Falls Building Department.

1989 - 2002 **Various Positions**, *Town of New Tecumseth*, Alliston, Ontario

The Town of New Tecumseth is a municipality of 30,000 also undergoing significant change due to increased growth pressure. While working for the Town of New Tecumseth I held various positions of increasing responsibility. This Town was amalgamated twice during my tenure, allowing me to fully experience the intricacies of service delivery restructuring and delivery change. My various positions included;

- Manager of Building and Development
- Development Supervisor
- Supervisor of Engineering Services / Zoning Administrator
- Supervisor of Engineering Services
- Chief Building Official / Zoning Administrator.

In these various positions I was responsible for all development matters including, Building Code administration, site and subdivision development, planning administration, infrastructure construction & expansion, special capital works projects and preparation of various development related agreements. As well I was responsible for hiring and supervising staff, operating, capital and development budgets, administrative functions for my department.

1985 - 1989 **General Manager**, *Epworth Manufacturing Corp.*, Weston, Ontario
Contracted to start-up and manage a heavy vehicle parts remanufacturing facility for private investors. Responsible for all company matters. Assisted in the acquisition of a competitor company and successfully coordinated the merger with this company and the restructuring of the newly formed company.

1983 - 1985 **Manager of Engineering**, *Echlin Canada Inc.*, Weston, Ontario
Responsible for the product and industrial engineering departments for this international company located in Canada. Responsible for the introduction of robotics production techniques within the plant. Member of the Technical and Quality Teams. Provided technical expertise and expert testimony to Governments.

1981 - 1983 **Chief Engineer**, *Krohnert Manufacturing Ltd.*, Milton, Ontario
Responsible for the creation and supervision of the Engineering and Quality Control departments for this large truck-trailer manufacturer. Supervised the plant facilities expansion program which doubled the plant size and production capacity. Obtained plant certification to ASME standards for pressure vessels construction.

1979 - 1981 **Chief Project Engineer**, *Microfloc Canada Ltd.*, Milton, Ontario
Responsible for the design, project construction and commissioning of water and wastewater treatment plants in Canada for this international company.

FORMAL EDUCATION

Bachelor of Science in Engineering (Water Resources Specialty), University of Guelph

Registered Professional Engineer (Ontario)

Certified Building Code Official (Ontario)

Management Courses:

- Municipal Administration & Finance
- Managing Multiple Priorities
- Municipal Performance Management
- Time Management
- Project Management
- Supervisory Skills
- Strategic Planning
- Conflict Resolution
- Dealing with Difficult People
- Respectful Workplace

Engineering Courses:

- Sewer & Watermain Construction Inspection
- Watermain Design
- Advanced On-Site Sewage Treatment
- Urban Storm Drainage Design
- Municipal Class Environmental Assessments
- Sanitary Sewer Design
- Neo-Traditional Subdivision Design

Building Code Courses:

- Ontario Building Code Parts 3 ,7,8, 9 & 11
- Ontario Plumbing Inspection
- On-Site Sewage System Design
- On-Site Sewage System Construction Supervision
- Legal Processes & Responsibilities

EXPERIENCE

Ontario Municipal Board Experience:

- Have managed, defended and attended numerous Ontario Municipal Board hearings involving municipal engineering, roads, development engineering, building code and by-law enforcement related matters.
- Have been qualified by the OMB as an expert in municipal engineering, roads, development engineering, building code and by-law enforcement related matters.

Building Code, Planning, Engineering Review and Development Administration

- Responsibility for all aspects of the implementation of the Building Code Act including building inspections, permit processing, plans review and code enforcement.
- Appointed as a Chief Building Official and building inspector.
- Responsibility for the processing of all types of development applications

including site plans, plans of subdivision and condominium, Official Plans and amendments, Zoning by-laws and amendments, committee of adjustment.

- Responsible for site inspections, detailed engineering, preparation of draft plan conditions, negotiation of approvals, preparation of planning documents, review of detailed subdivision and house plans, conducting site inspections, review of detailed engineering reports and providing recommendations to Council.
- Responsible for the negotiation, preparation, administration and enforcement of site plan, development and subdivision agreements.
- Provide technical assistance to committees, Council, staff and other departments as required.
- Prepare other legal agreements, By-laws and reports as directed for Council.
- Assist in carrying out a variety of planning studies, official plan amendments, rezoning, development proposals, computer applications and the dissemination of planning information.
- Have represented the municipality in various mediations, negotiations and hearings.

Design, Construction & Project Management

- Responsibility for the design, construction and project supervision of various municipal capital works.
- Responsibility for the design, construction and project supervision of subdivisions.
- Responsibility for the design, construction and project supervision of large and small water and wastewater treatment plants in Canada.
- Responsibility for the construction and project supervision of building expansions.
- Responsibility for the introduction and project supervision of computerized robotic parts manufacturing.

Administrative, Financial and Human Resources,

- Prepare and administer budgets.
- Supervise various sizes of staff (union and non-union), prepared staff job descriptions, hired staff, performed employee reviews.
- Hire and supervise outside consultants for capital projects and studies.
- Prepare and administer capital project budgets, studies and capital tenders.
- Administered accounts receivables, capital budgets, development invoicing.
- Conduct Development Charges studies, prepare reports and By-laws including review and approval of calculations and fee collection.
- Prepare and review development related financial impact studies.
- Prepare municipal capital levy reports.
- Prepare municipal fees and water and sewer rate studies.
- Obtained compliances through both negotiated and court processes.
- Member of Senior Management team.

- Provide advice to Councils and others on engineering and development related matters.

PROFESSIONAL AFFILIATIONS

- Professional Engineers of Ontario
- Ontario Building Officials Association
- Municipal Engineers Association (Ontario)
- Ontario On-Site Wastewater Association
- University of Guelph Alumni Association

EXHIBIT 2
MCAULEY AFF.
L. Cunliffe
May 26/14

Robert McAuley

From: Robert McAuley
Sent: November-12-13 12:06 PM
To: 'Joshua Vaidhyan'; Jo-Anne Egan
Cc: Paul Deol
Subject: RE: Meeting regarding White Pines Project_wpd Canada

Laura Cunliffe
Deputy Clerk
The Corporation of the County of Prince Edward

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Joshua/Paul, it's been a while since we last spoke. I have a couple of times I need an update on, and a request.

I understand that your heritage assessment report was updated, the Ministry provided comments in October, and that they are now satisfied with the report. Is this accurate? Can we get a copy of the updated report you submitted along with the MTCC comments?

I also understand you have filed to the OEB for your "leave to construct" permit for the lines. Is this correct? We had expressed concerns with your proposed routing using Maypul Layn, which we had expressly prohibited, which I do not believe WPD has resolved. What routing did WPD file on?

An update would be most helpful. Thanks.

Regards.

Robert McAuley, P.Eng C.B.C.O.
Commissioner of Engineering, Development and Works
County of Prince Edward

From: Joshua Vaidhyan [<mailto:joshua@wpd-canada.ca>]
Sent: May-16-13 4:28 PM
To: Robert McAuley; Jo-Anne Egan
Cc: Paul Deol
Subject: Meeting regarding White Pines Project_wpd Canada

Hi Robert,
Hi Jo-Anne,

Hope you are keeping well. Myself and Paul were hoping to schedule another meeting with you hopefully around the end of the month. The meeting will mainly be to present the cable route as well as begin discussions regarding a Road-use agreement. Based on our current availability, May 27, 28, 29 would work well for us. Please let me know if any of those days work for you.

Regards,



wpd Canada
2233 Argentia Road, Suite 102
Mississauga, ON L5N 2X7

T 905-813-8400 ext. 156
1-888-712-2401 ext. 156

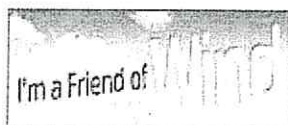
F 905-813-7487

joshua@wpd-canada.ca

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Laura Cunliffe
May 26/14
Laura Cunliffe
Deputy Clerk
The Corporation of the County of Prince Edward

Robert McAuley

From: Paul Deol <paul@wpd-canada.ca>
Sent: November-13-13 10:45 AM
To: Robert McAuley; Joshua Vaidhyan; Jo-Anne Egan
Subject: RE: Meeting regarding White Pines Project_wpd Canada

Hi Robert,

It has been a while, I hope all is well with you. With respect to the line routing, we have had it revised since our last meeting, and you are correct, we have also filed for our OEB Leave to Construct. I apologize if this is the first you're hearing of it, however I have left you some voicemail messages over the past few months to discuss this matter as well. Please note that our plan is still clearly to work with you until we find a line design that works for everybody. However, on our end, we must respect that the OEB process does take some time, and in order to preserve our timelines, we have submitted the application. Again, as mentioned in my voicemails, we would still like to continue to meet with you to finalize the design as best we can, and we can keep the OEB updated on our progress. Would you be available to have another meeting to discuss the updated routing around the last week of November, or first week of December?

With respect to the heritage report, unfortunately it is not really something that I'm in the loop on, however I will follow up to see if I can get any updates for you.

Thank you,

Paul Deol
Project Engineer

From: Robert McAuley [<mailto:rmcauley@pecounty.on.ca>]
Sent: Tuesday, November 12, 2013 12:06 PM
To: Joshua Vaidhyan; Jo-Anne Egan
Cc: Paul Deol
Subject: RE: Meeting regarding White Pines Project_wpd Canada
Importance: High

Joshua/Paul, it's been a while since we last spoke. I have a couple of times I need an update on, and a request.

I understand that your heritage assessment report was updated, the Ministry provided comments in October, and that they are now satisfied with the report. Is this accurate? Can we get a copy of the updated report you submitted along with the MTCC comments?

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An update would be most helpful. Thanks.

Regards.

Robert McAuley, P.Eng C.B.C.O.
Commissioner of Engineering, Development and Works
County of Prince Edward

From: Joshua Vaidhyan [<mailto:joshua@wpd-canada.ca>]
Sent: May-16-13 4:28 PM
To: Robert McAuley; Jo-Anne Egan
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Subject: Meeting regarding White Pines Project_wpd Canada

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Hi Jo-Anne,

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Regards,

Joshua Vaidhyan
Site Engineer, wind Projects



wpd Canada
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Mississauga, ON L5N 2X7

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EXHIBIT 4
McAULEY AFF.
L. Cunliffe
May 26/14
Laura Cunliffe
Deputy Clerk
The Corporation of the County of Prince Edward

Motion 2009-473

Moved by Councillor Burris
Seconded by Councillor Thompson

THAT the Council Minutes and closed session from the meeting held on October 27, 2009 at 6:45 p.m. be adopted as circulated.

CARRIED

8. Deputations – Listed

- 8.1 Michelle Gilboord, as listed on the agenda, has withdrawn her request.
- 8.2 Liz Driver provided a Powerpoint presentation regarding Gilead Power Corporation, Ostrander Point Wind Energy Park, proposed Maypul Layn Alternate Transmission Route as set out in Committee of the Whole motion CW-436-2009 as contained in the minutes of October 29, 2009. Ms. Driver provided copies of her presentation.

Councillor Thompson left the meeting at this time.

Councillor MacDonald declared a pecuniary interest at this time.

Motion 2009-474

Moved by Councillor Alyea
Seconded by Councillor Parks

THAT the deputation of Liz Driver regarding Gilead Power Corporation, Ostrander Point Wind Energy Park, Proposed Maypul Layn Alternate Transmission Route Motion CW-436-2009 from the Committee of the Whole meeting held October 29, 2009 be received.

CARRIED

Council agreed to bring forward motion CW-436-2009 as contained in the minutes of the Committee of the Whole held on October 29, 2009 at this time.

A recommended amendment to motion CW-436-2009 by the Commissioner of Planning was circulated at the meeting, providing clarification on the transmission route.

Motion 2009-475

Moved by Councillor Gale
Seconded by Councillor Alyea

THAT the following motion (CW-436-2009) of the Committee of the Whole from the meeting held on October 29, 2009 at 1:00 p.m. be approved:

THAT the report of the Commissioner of Planning and the Acting Commissioner of Public Works dated October 29, 2009 regarding a proposed Maypul Layn alternate transmission route for the Gilead Ostrander Point Wind Energy Park be received; and

THAT Gilead Power Corporation be advised that the Municipality agrees 'in principle' with the proposed Maypul Layn alternate transmission route, subject to a road use agreement satisfactory to the Municipality.

Prior to voting on Motion 2009-475 the following amending motion was put forward:

Amending Motion 2009-476

Moved by Councillor Alyea

Seconded by Councillor Bailey

THAT motion CW-436-2009 of the Committee of the Whole from the meeting held on October 29, 2009 at 1:00 p.m. be amended by deleting and replacing the last paragraph to read as follows:

"THAT Gilead Power Corporation be advised that the Municipality agrees 'in principle' with the proposed Maypul Layn alternate transmission route, that utilizes an unopened road allowance that runs along the boundary between South Marysburgh and Athol Wards as well as a small distance on another unopened road allowance that extends east and connects with Bond Road, subject to a road use agreement satisfactory to the Municipality."

CARRIED

A vote was then taken on Motion 2009-475 as Amended.

"THAT the following motion (CW-436-2009) of the Committee of the Whole from the meeting held on October 29, 2009 at 1:00 p.m. be approved:

THAT the report of the Commissioner of Planning and the Acting Commissioner of Public Works dated October 29, 2009 regarding a proposed Maypul Layn alternate transmission route for the Gilead Ostrander Point Wind Energy Park be received; and

THAT Gilead Power Corporation be advised that the Municipality agrees 'in principle' with the proposed Maypul Layn alternate transmission route, that utilizes an unopened road allowance that runs along the boundary between South Marysburgh and Athol Wards as well as a small distance on another unopened road allowance that extends east and connects with Bond Road, subject to a road use agreement satisfactory to the Municipality."

CARRIED

Councillor Thompson returned to the meeting at this time.