The Special Meeting of Council was held on Thursday, March 3rd, 2016 at 7:00 pm in the Council Chambers.

Present: Mayor Mapes, Deputy Mayor Jungkind, Councillors McKay, Candow, Anderson, Dohey, Jameson, Maher & Coakwell

Staff: Stacey Barnes – Executive Assistant & Ian Frankton – Director of Recreation & Community Services,

Public: Ron Courtoreille, Mytle Graham, Anne Peters, Ross Stanley, Joe Melanson, Pam Coulter, Amanda Coleman, Cindy Lau-a, Jun Lau-a, Arwin Dembowski, Ford Belanger, Emanuel DaRosa, Louise Schumann, Doris Demarcke, Paul Bickford, Bradley and Jordan Hordal, Jane Groenewegen, Richard Lafferty

1. CALL TO ORDER:

This Meeting was called to order at 7:00pm with Mayor Mapes presiding.

2. ADOPTION OF AGENDA

#16-076

MOVED BY: CLLR ANDERSON
SECONDED BY: CLLR CANDOW

CARRIED

Amended to delete #4 IN CAMERA

3. DECLARATION OF INTEREST

There are no Declarations of Interest for the Special Meeting of Council, Thursday, March 3rd, 2016.

4. POWER RFP AWARD

Whereas Northland Utilities (NWT) Limited ("NUL") is the existing franchise holder for the supply and distribution of electrical power in the Town of Hay River (the "Town") pursuant to a Franchise Agreement between NUL and the Town effective November 30, 2006 (the "Existing Franchise Agreement") that was subsequently renewed by the Council of the Town by way of By-law No. 2242/GEN/11;

Whereas the term of the Franchise Agreement is due to expire on November 30, 2016 unless a further extension is approved by Council for the Town;

Whereas NUL is the current owner of the distribution and transmission facilities used to provide and distribute electric energy within the Town (the "Facilities");

Whereas the Town issued a Request for Proposals on or about May 28, 2015 for proposals in respect to a franchise for the supply and distribution of electric energy to the Town of Hay River (the "Request for Proposals");

Whereas the Closing Date for the Request for Proposals was July 24, 2015 at 12:00 noon Mountain Standard Time and, prior to the Closing Date, the Town received and considered proposals from interested parties;

Whereas representatives from each of the interested parties have been afforded the opportunity to attend before Town Council and speak to their respective proposals;

And Whereas the proposal submitted by Northwest Territories Power Corporation ("NTPC") has been determined to provide the best opportunity for the Town to reduce electricity rates for ratepayers within the Town;

#16-077 **MOVED BY: DEPUTY MAYOR JUNGKIND**
SECONDED BY: CLLR CANDOW

CARRIED

Now therefore be it resolved as follows:

1. Council for the Town hereby authorizes the Mayor and/or Town Administration to enter in to an agreement in the form of a binding Letter of Intent, in the form provided to the Town by NTPC, whereby, *inter alia*:

    a. The Town and NTPC will enter into a franchise agreement for the supply and distribution of electric energy to the Town effective after November 30, 2016;

    b. NTPC will purchase the Facilities from the Town at the same cost paid by the Town in acquiring the Facilities from NUL; and

    c. Any agreement will be subject to regulatory approval of a rate structure for the distribution of electrical energy that is acceptable to both NTPC and the Town; and

2. Council for the Town hereby authorizes the Mayor and/or Town Administration to provide NUL with notice as required by the Existing Franchise Agreement that the Town intends to purchase the Facilities from NUL on agreed terms or, failing agreement, on terms determined by an arbitrator as set out in Section 15 of the Existing Franchise Agreement and section 91 of the *Cities, Towns and Villages Act.*

3. Council for the Town hereby authorizes the Mayor and/or Town Administration to proceed with all necessary steps to initiate a purchase of the Facilities by the Town from NUL as set out in the Existing Franchise Agreement and the *Cities, Towns and Villages Act* and to obtain all necessary regulatory approval of the purchase and sale

of the Facilities from the NWT Public Utilities Board and the Minister pursuant to the *Cities, Towns and Villages Act.*

4. Council for the Town hereby authorizes the Mayor and/or Town Administration to retain the services of technical or legal advisors as necessary for the purposes of carrying out negotiation with NTPC and obtaining all necessary approvals.

Let it be noted that Councillor Anderson was opposed.

5. ADJOURNMENT
#16-078

MOVED BY: CLLR CANDOW

CARRIED

That the Special meeting of Council be adjourned at 7:05pm.

Certified Correct as Recorded on the 3rd day of March, 2016.

These minutes were accepted by motion # 16-088.

Mayor

Senior Administrative Officer