

| Type of Decision                              |                        |                  |  |    |                 |                        |      |  |        |
|---|------------------------|------------------|--|----|-----------------|------------------------|------|--|--------|
| Meeting Date                                  | Friday, April 26, 2013 |                  |  |    | Report Date     | Wednesday, April-24-13 |      |  |        |
| Decision Required                             | X                      | Yes              |  | No | Priority        | X                      | High |  | Low    |
| Direction                                     | x                      | Information Only |  |    | Type of Meeting | X                      | Open |  | Closed |
| REPORT TITLE                                  |                        |                  |  |    |                 |                        |      |  |        |
| Bell Tower Disposal Site Report #26/04/13/120 |                        |                  |  |    |                 |                        |      |  |        |

Subject: Information concerning the placement of a Bell cell tower on property owned by the Municipality surrounding the closed disposal site in Deux Rivieres.

**RECOMMENDATION:** That Council consider authorizing the location of the tower on Municipal property in Deux Rivieres and agreeing to enter into a lease agreement with Bell realizing that we do not as yet have confirmation from MOE.

**WHEREAS** the municipality owns a parcel of land comprising of 5 parts and 16 hectares surrounding the now closed Deux Rivieres Disposal Site;

**AND WHEREAS** Bell has contacted the Municipality for permission to lease a section of land to erect a cell tower and time is of the essence;

**AND WHEREAS** an amendment to our Certificate is required from MOE reflecting this additional use which will take some time;

**THEREFORE BE IT RESOLVED THAT** that the Council of the United Townships of Head, Clara & Maria does hereby agree to enter into the lease with Bell while the amendment is being processed through MOE and authorizes execution of the lease agreement effective immediately.

**BACKGROUND/EXECUTIVE SUMMARY:** Self-explanatory. The challenge is that Bell wishes to begin work as soon as possible or they will have to locate another site. The Ministry of the Environment requires an amendment to our certificate which will take some months. (Has not been filed yet.)

Based on the situation it is staff recommendation to agree to enter into the lease and proceed with the amendment at the same time as it appears that the amendment is simply formality ensuring that Bell and MOE is completely aware of our situation. There are no reasons for not receiving the amendment.

Issues for consideration: closed site, over 16 hectares of area surrounding the existing site; availability for tower location on the north end of Part 1 of the property significantly removed from the landfill located on Part 4 and 5. Please see attached maps.

Options/Discussion: Proceed or not. Not proceeding at this time will likely result in the contract being lost. Proceeding and not receiving approval for amendment could have serious repercussions, although not likely.

It would be staff recommendation to fully explain the process and situation to Bell and MOE and determine if Bell is willing to enter into a lease agreement knowing our situation removing liability from that perspective from Council.

Financial Considerations/Budget Impact: Loss of \$8,000 per year revenue for the indefinite future. Possible MOE fines.

Policy Impact: No existing policy.

Other's consulted: Emily Tieu, MOE who has expressed that an amendment is still required even though the separation is significant and the site is closed.

Jan McNab who has expressed that Bell requires confirmation as soon as possible.

Resources:

Approved and Recommended by the Clerk

Melinda Reith,  
Municipal Clerk

*Melinda Reith*