

COUNTY OF BRANT COUNCIL MINUTES**SPECIAL MEETING RE: FORTISONTARIO PROPOSAL**

Fire Administration Building
61 Dundas Street East, Paris
Tuesday, October 23, 2008
7:00 p.m.

- Present:** Mayor Eddy, Councillors Wheat, Schmitt, Simons, Haggart, Powell, Atfield, Chambers, Coleman and Gatward.
- Regrets:** Councillor Hodge.
- Others:** Andrew Wright, Solicitor; Randy Wilson and Bruce Noble, Brant County Power; Craig Clarke, Solicitor for Brant County Power.
- Staff:** Fiebig, Glassford, Johnston, Bell and Carman.

Mayor Eddy in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the Brant County Council agenda and addendum for the October 23, 2008 meeting be approved as distributed.

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Councillors Mark Littell and Greg Martin, City of Brantford**

Councillor Mark Littell advised that Brantford City Council approved a resolution on October 21 requesting that the County of Brant not give Fortis a right of first refusal as part of the proposed proposal with FortisOntario and Brant County Power. Since the tax holiday has been extended to October 2009, there is no urgency to approve the proposal with FortisOntario. Councillor Littell noted that the City of Brantford is willing to work with County Council to further consider a merger between Brant County Power and Brantford Power for the benefit of both municipalities.

In response to questions, Councillor Littell advised that he, Councillor Martin and appropriate City staff would comprise the City's Negotiating Committee for shareholder to shareholder negotiations with the County. Since the City is unaware of the details of the Fortis proposal, it is difficult for them to know how the sale to FortisOntario would affect merger talks.

Ella Haley

Ella Haley noted her concern that with the number of issues facing the County, the public is not aware of the FortisOntario proposal to purchase a 10% share of Brant County Power. She is worried about the privatization of a public asset, and requested that the process

be slowed down to allow more public input and a referendum on the matter. Ms. Haley advised that she placed an advertisement in the Brantford Expositor about this meeting, as part of a broader "Save Brant County" campaign.

Sieg Holle, Brant Taxpayers' Coalition

Sieg Holle, on behalf of the Brant Taxpayers' Coalition, noted their concern with the lack of transparency in the proposal to sell a 10% share of Brant County Power to FortisOntario. Since the tax deadline has been extended until October 2009, the County should give proper consideration to the offers received from three other abutting entities – Cambridge/North Dumfries, Brantford Power and Horizon Utilities. The current proposal with FortisOntario is indecent and controversial because of the way the sale of a public entity is being pushed through with undue haste. Mr. Holle noted that he had made a proposal earlier this year to have a consultant fully review and analyze of all the options for Brant County Power. He provided information on a rate comparison and cost comparison between Fortis companies, Brant County Power, Brantford Power, Cambridge/North Dumfries and Horizon Utilities. He is concerned that the sale to FortisOntario will result in higher operating costs and higher rates and that Fortis will have the right of first refusal on the future sale of other shares of Brant County Power. Mr. Holle requested that Council hire a professional consultant to complete an objective comparison of all the potential merger options as follows:

- review the rate and financial implications of all the potential merger partners
- proper assessment of rate impacts of each option
- full comparison of value to customers and shareholders

All of this information should be made available to the public to allow for their input in consideration of the options.

CORRESPONDENCE

1. Stephen Frederick – concerns about purchase of a 10% share of Brant County Power by FortisOntario Inc.
2. Janet Shantz – objection to privatizing Brant County Power.
3. Dave Thomson – suggesting that more time is needed for decision to be made, and public information session is required.

Moved by – Councillor Schmitt
Seconded by – Councillor Powell

That the correspondence from Stephen Frederick, Janet Shantz and Dave Thomson regarding the sale of a 10% share of Brant County Power to FortisOntario be received.

. Carried

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Moved by – Councillor Wheat
Seconded by – Councillor Gatward

That the letter from Brantford City Council objecting to the 10% sale of shares of Brant County Power Inc. to FortisOntario Inc. be received and referred to the In Camera session for consideration.

. Carried

In Camera at 7:55 p.m. with County Solicitor Andrew Wright and representatives and legal counsel for Brant County Power in attendance to discuss matters of solicitor/client privilege, on motion of Councillors Coleman and Gatward.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated October 23, 2008.

Open Session at 10:05 p.m., on motion of Councillor Powell and Wheat.

BRANT COUNTY POWER/FORTISONTARIO PROPOSAL

Moved by – Councillor Haggart
Seconded by – Councillor Atfield

That Brant County Council, after due diligence and discussion, discontinue negotiations immediately with FortisOntario Inc. for the purchase of a 10% share of Brant County Power Inc.

. Carried

NEXT MEETING

The meeting adjourned at 10:10 p.m. to meet again on Tuesday, November 4, 2008 at 7:00 p.m. in the Council Chambers, Paris.

Mayor

Date Minutes Approved

Clerk