

**MUNICIPALITY OF PORT HOPE
RESOLUTION**

Date: October 29, 2002

NO. 269/2002

MOVED BY: _____

SECONDED BY: _____

BE IT RESOLVED THAT Schedule 8, Township of Hope Fund, in the Agreement with Her Majesty The Queen In Right Of Canada as represented by the Minister of Natural Resources dated March 29, 2001, be amended, as attached hereto, to provide that the Council can appoint an Investment Counsellor subject to the Investment Policy of the Municipality.

Rick Austin

Mayor Rick Austin

SCHEDULE 8

TOWNSHIP OF HOPE FUND

1. Canada will pay to the Trustee ("Trustee") **or the Investment Counsellor** appointed by Hope Township Council, a grant in the amount of Ten Million (\$10,000,000.00) Dollars (hereinafter referred to as the "Opening Capital" or the "Fund" which, subject to the following provisions, shall be held in trust **or as per the Investment Policy of the Municipality** for the inclusive benefit of the ratepayers from time to time of the area that comprises the geographic area of Hope Township as of the date of October 6, 2000.
2. **If an Investment Counsellor has been appointed the terms of that Contract and the Municipality's Investment Policy shall apply. If a Trustee has been appointed,** the principal of the Fund shall be invested by the Trustee in any investment permitted by law that the Trustee in its discretion considers likely will produce an increase in the net value of the Fund comprising a blend of capital appreciation and income of at least ten (10%) per cent in each calendar year ("Growth").
3. After first deducting and appropriating to the Trustee's use from the income earned from the investment of the Fund the amount required to indemnify the Trustee against the Trustee's reasonable costs incurred in administering and investing the Fund, the Trustee shall apply an amount equal to up to eight (8%) per cent of the Fund in the previous calendar year to defray the lower tier municipal taxes or levies which otherwise would be payable by the ratepayers of aforesaid geographic area of Hope Township provided that the opening capital of the Fund shall not be encroached upon by the Trustee.
4. If any portion of the growth in the Fund in any calendar year is not required to be expended to discharge the aforesaid lower tier municipal taxes or levies, the portion shall be invested as aforesaid, and the other provisions of this Schedule shall apply with all necessary changes being considered to have been made in order to give effect to the intent of sections 2 and 3 above. Provided that the Trustee **or Investment Counsellor** shall not pay out any amount to defray lower tier municipal taxes or levies that will reduce the net value of the Fund below the amount of Ten Million (\$10,000,000.00) Dollars.

5. The Trustee **or Investment Counsellor** appointed by Hope Township Council to administer the Fund in accordance with the above section, shall have at least fifty (50) times the amount of the Fund under administration during the period of which he will act as Trustee **or Investment Counsellor** of the Fund.
6. Hope Township Council from time to time may terminate the appointment of the Trustee **or Investment Counsellor**, on terms considered to be appropriate by the Council in its discretion and thereupon shall appoint another Trustee **or Investment Counsellor** who is qualified as aforesaid to act as Trustee **or Investment Counsellor** of the Fund during the period of the appointment. The Trustee **or Investment Counsellor** so appointed from time to time shall be deemed to be the Trustee **or Investment Counsellor** for the purposes of this Agreement. Except in appointing and terminating the Trustee **or Investment Counsellor** of the Fund from time to time, Hope Township Council shall have no authority over the investment decisions made by the Trustee.
7. For greater clarity, "lower tier municipal taxes or levies", etc. – *No changes in the paragraph.*
8. The Trustee, **if appointed, or the Municipality**, shall pay Canada an amount equal to the opening capital of the Fund etc. – *No other changes in the paragraph.*
9. If a licence to, etc. - *No changes in the paragraph.*