

The Corporation of the Town of Minto
By-law Number 2016-61

to Authorize the Mayor and CAO Clerk
to execute an extension to the Retainer Agreement between
the Corporation of the Town of Minto
and Duncan, Linton LLP

WHEREAS Section 9 of the Municipal Act, S.O. 2001, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 5 (3) of the Municipal Act, S.O. 2001, as amended, provides that municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the Corporation of the Town of Minto wishes to sign a five year extension to the retainer agreement for the legal services of Duncan, Linton LLP;

AND WHEREAS Duncan, Linton LLP is in the business of providing professional legal opinions;

NOW THEREFORE the Council of the Corporation of the Town of Minto enacts as follows:

1. That the Mayor and C.A.O Clerk be authorized to execute a five year extension to the original Retainer Agreement attached to By-law 2012-38, between The Corporation of the Town of Minto and Duncan, Linton LLP., (formally White. Duncan Linton LLP) subject to the following changes:
 - a) That name "White," is removed from the name of the firm as party to the agreement.
 - b) That reference to "WDL" throughout the agreement is changed to "DL"
 - c) That the following be added to the first WHEREAS
"3. The Parties agree to a five year extension to this agreement commencing on May 13, 2017."
 - d) That Part 3 of the agreement is amended as follows:
 - i) deleting the words "William H. White - Designated Counsel"
 - ii) adding the words "- Designated Counsel" after the name "Patrick Kraemer"
 - iii) adding the names "Thomas E. Sanderson" and "Jeramie J.A. Gallichan".
 - e) That the hourly rate in Schedule B for all lawyers for category 1 work be changed from "\$225 an hour" to "\$235 an hour"
 - f) That the following rates for Category Two work be added to the end of Schedule B:

"Years of Experience of Lawyer Performing Services	Proposed Hourly Rate
Up to 5 years	\$235
6-12 years	\$285
13-20 years	\$310
Over 20 years	\$335"
2. That this By-law shall come into force and effect on the date of its passing thereof.

Read a first, second, third time and passed in open Council this 19th day of July, 2016.

George A. Bridge, Mayor

Bill White C.A.O. Clerk