

**THE CORPORATION OF THE MUNICIPALITY OF WEST GREY**

**BY-LAW NUMBER 63 - 2009**

**BEING,** A by-law to approve and authorize the execution of a Memorandum of Understanding Agreement between the Municipality of West Grey and the Interforest Looking Forward Adjustment Committee, regarding the use of the premises of the Municipality at 610 Alfred Street, in Ayton, as the Normanby Looking Forward Action Centre;

**WHEREAS,** the Council of the Municipality of West Grey deems it expedient to enter into an Memorandum of Understanding Agreement with the Interforest Looking Forward Adjustment Committee;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST GREY ENACTS AS FOLLOW:**

1. That the Memorandum of Understanding Agreement between the Municipality of West Grey and the Interforest Looking Forward Adjustment Committee, attached hereto as Schedule "A" is hereby approved.
2. That the Mayor and CAO/Clerk are hereby authorized to sign and seal the said Agreement.
3. That the Agreement, attached as Schedule "A", hereto forms part of this by-law.

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Read a first and second time, this 5<sup>th</sup> day of August, 2009.

Read a third time and finally passed, this 5<sup>th</sup> day of August, 2009.

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Kevin Eccles, Mayor

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Christine Robinson, CAO/Clerk

SCHEDULE "A" TO BY-LAW NUMBER 63-2009

MEMORANDUM OF UNDERSTANDING

BETWEEN

CORPORATION OF THE MUNICIPALITY OF WEST GREY

AND

INTERFOREST LOOKING FORWARD ADJUSTMENT COMMITTEE

FOR

USE OF SPACE AT

THE NORMANBY CENTRE

610 ALFRED STREET, AYTON, ONTARIO N0G 1C0

Terms of Reference

This agreement is entered into this 30<sup>th</sup> day of July by and between the Corporation of the Municipality of West Grey in the County of Grey, hereafter referred to as the Municipality of West Grey and Interforest Looking Forward Adjustment Committee, hereafter referred to as Looking Forward.

Whereas Looking Forward is seeking space to conduct employment training and services for their clients and is agreeing to conduct this work at the Normanby Centre.

Whereas Looking Forward agrees to offer regular hours within the business schedule of the Municipality of West Grey with respect to Statutory Holidays and hours of operation.

Whereas the Municipality of West Grey agrees to make available to Looking Forward the space in the Normanby Centre in Ayton (large open space, three offices, back storage room, kitchen area, washrooms, parking area and lawn space).

Therefore, the Municipality of West Grey and Looking Forward agree to the following:

General Operating Principles

1. This agreement is for the term of the agreement with the Ministry of Training, Colleges and Universities which concludes on June 24, 2010, at this time. This memorandum of understanding may serve as the framework for the ongoing relationship between the Municipality of West Grey and Looking Forward beyond that date.
2. The Municipality of West Grey agrees to provide the space at the Normandy Action Centre in Ayton, Ontario at no cost for rent to Looking Forward.
3. The Municipality of West Grey will allow Looking Forward the use of the four tables and 30 chairs that are currently housed in the Normanby Centre for the duration of this agreement. The fire equipment in the storage room will be removed from the space allocated to Looking Forward before the agreement begins.
4. Looking Forward agrees that they will be responsible for all additional costs associated with use of the space at the Normanby Centre including, but not limited to: telephone, wireless Internet services, utilities, cleaning, snow removal, lawn care, and furniture, equipment and supplies. Looking Forward will be responsible for, and at their cost, arranging for pumping out the septic tank in November 2009 and May 2010, or as needed, until June 24, 2010.

5. The Municipality of West Grey will invoice Looking Forward on a monthly basis for any utilities, snow removal or lawn services that have been used by the Normandy Looking Forward Action Centre provided by the Municipality.
6. Looking Forward will ensure that all modifications to the facility will be approved by the Municipality of West Grey and will be paid for by Looking Forward.
7. This agreement will take effect on August 6, 2009 and can be modified at any time by mutual consent of the partners.
8. Should a request to terminate this agreement be made for all or part of the agreed space as outlined above, 30 days written notice prior to the effective date shall be provided by the party wishing to terminate or modify the contract.
9. The Municipality of West Grey will provide liability insurance as per the requirements of the agreement with the Ministry of Training, Colleges and Universities. Such insurance will include commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury and property damage to an inclusive limit of not less than \$2,000,000 per occurrence. The insurance agrees to indemnify and hold harmless Her Majesty the Queen in right of Ontario, her Ministers, directors, officers, agents, appointees and employees (“Indemnified Parties”) from and against all liability, loss, costs, damages and expenses. Insurers will have a secure A.M. Best rating of B+ or greater. The Municipality of West Grey will provide Looking Ahead and the MTCU with valid Certificates of Insurance referencing this memorandum and confirming the insurance requirements as required by the MTCU. (See attachment from Ministry agreement Section 8: 1 – 5). As tenant, Looking Forward shall ensure it has adequate liability insurance and provide proof of same to the Municipality of West Grey.
10. Looking Forward will be responsible for all insurance for the contents of the space used at the Normanby Centre.

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| SIGNED, SEALED | ) | THE CORPORATION OF THE MUNICIPALITY |
|                | ) | OF WEST GREY                        |
| AND DELIVERED  | ) | Per: _____                          |
|                | ) | Kevin Eccles, Mayor                 |
|                | ) | Per: _____                          |
|                | ) | Christine Robinson, CAO/Clerk       |
|                | ) | INTERFOREST LOOKING FORWARD         |
|                | ) | ADJUSTMENT COMMITTEE                |
|                | ) | Per: _____                          |
|                | ) | Mary Jo Dick-Westerby               |
|                | ) |                                     |
|                | ) |                                     |