

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the regular municipal council meeting held on Tuesday, May 12, 2009 at 8:00 p.m. at the Pontiac community centre situated at 2024 route 148, Pontiac, those who were present :

Edward McCann, mayor, Dr Jean Amyotte acting mayor, and councillors: Lawrence Tracey, Jim Coyle, Garry Dagenais and Raymond Gougeon.

EXCUSED ABSENCE: councillors Harold McKenny and Brian Middlemiss.

Equally present were the director general and a few ratepayers.

The meeting began at 8:00 p.m.

FLOOR OPEN TO PUBLIC

- | | |
|---------------------|---|
| Leonard Lloyd | - Condition of Stanton road
- Garbage (shingles) on private property |
| David Birt | - Cleaning of the sector chemin du Cerfeuil. File existing over several years. Council must act. |
| Jean-Claude Carisse | - Results – municipal clean-up day
- Error – open house day – May 23 rd instead of May 24 th
- Septic waste
- Incinerator |
| Guyline La Salle | - The Recreation and community action committee's participation in the bulletin – 95% volunteer
- Remove the Recreation committee's name from the bulletin |
| Guy Bilodeau | - Disagrees with the bulletin being published in the Pontiac Journal |

09-05-162

ADOPTION OF THE AGENDA

- 1. Opening of the meeting**
- 2. Floor open to public**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of previous meetings**
 - 4.1 Minutes of the special meetings of April 7 and April 21, 2009 and that of the regular meeting of April 14, 2009
- 5. Administration**
 - 5.1 List of invoices to pay
 - 5.2 List of fixed expenses
 - 5.3 List of incurred expenses for the month of May
 - 5.4 Budgetary transfers
 - 5.5 Adjudication on the issuance of bonds
 - 5.6 Resolution for the concordance of financing
- 6. Public security**
- 7. Public works**
 - 7.1 Lease agreement – scale on Wolf Lake road
 - 7.2 Purchase of machinery

- 7.3 Mandate for expertise – asphalt project
- 8. Public hygiene**
 - 8.1 Wastewater pump-out station – camper-trailers
 - 8.2 Selection committee – drinking water
- 9. Urban renewal and zoning**
 - 9.1 23 chemin du Cerfeuil – *Nuisance – run-down building*
 - 9.2 By-law 06-09 - forming an Urban Planning Advisory Committee
 - 9.3 Request to the C.P.T.A.Q. - Shawn Kluge – 1544, chemin Proven
- 10. Recreation and culture**
 - 10.1 United Church – *150th anniversary*
- 11. Miscellaneous**
 - 11.1
- 12. Various reports and correspondence**
 - 12.1 Tabling of various municipal reports: a) animals ;
- 13. Tabling of the registre of correspondence**
 - 13.1 Register of the correspondence received in April
- 14. Question period**
- 15. Closing of meeting**

It is

Moved by Dr. Jean Amyotte
 Seconded by Jim Coyle

AND RESOLVED to adopt the agenda with the following modifications:

Withdrawal: 10.1 United Church – *150th anniversary*

Carried

09-05-163

ADOPTION OF THE MINUTES OF THE SPECIAL COUNCIL MEETINGS HELD ON APRIL 7 AND 21, 2009 AND THAT OF THE REGULAR MEETING HELD ON APRIL 14, 2009

Moved by Jim Coyle
 Seconded by Garry Dagenais

AND RESOLVED to adopt the minutes of the special council meetings held on April 7 and 21, 2009 and that of the regular meeting held on April 14, 2009, as written and distributed.

Carried

09-05-164

LIST OF INVOICES TO PAY

Moved by Garry Dagenais
 Seconded by Jim Coyle

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to \$21 985,93 (see appendix in file no.102-102) for the period ending April 30, 2009 and to debit budget posts related to the expenses mentioned on said list.

Carried

09-05-165

LIST OF FIXED EXPENSES

Moved by Lawrence Tracey
 Seconded by Dr. Jean Amyotte

AND RESOLVED THAT this Council approves the list of expenses from the history of cheques which includes:

- fixed expenses;
- payments via Internet;
- the true amount of invoices paid following approval by incurring expenses or by resolution;

all for a total of **\$331,612.05** (see appendix) for the period ending April 30, 2009 and to debit related budget accounts for the expenses mentioned on said list.

Carried

09-05-166

LIST OF INCURRED EXPENSES FOR THE PERIOD OF APRIL

Moved by Jim Coyle
Seconded by Dr. Jean Amyotte

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in annex A (see file 102-102), for a total amount of **\$48,084.63** taxes included.

Carried

09-05-167

BUDGETARY TRANSFERS ON APRIL 30, 2009

It is

Moved by Garry Dagenais
Seconded by Lawrence Tracey

AND RESOLVED THAT the municipality carry out the budgetary transfers as described on the attached list in the amount of \$42,257.00.

Jim Coyle votes against the motion.

Carried

09-05-168

ADJUDICATION ON THE ISSUANCE OF BONDS

WHEREAS the Municipality of Pontiac in the MRC des Collines-de-l'Outaouais intends to issue a series of bonds, which are issued by maturity date, in virtue of by-laws no.: 06-10, 06-13, 06-14 and 12-07;

WHEREAS to that respect, the municipality requested tenders for the sale of bonds for the sum of \$2,539,000 dated May 27, 2009 by way of the electronic system of financial information

WHEREAS following this request, the municipality has received the following detailed tenders:

1 - VALEURS MOBILIÈRES DESJARDINS INC.

\$93,000	1,25000 %	2010
\$97,000	1,65000 %	2011
\$102,000	2,25000 %	2012
\$106,000	2,75000 %	2013
\$2,141,000	3,15000 %	2014

Price : 98,26300

Real cost : 3,48095%

2 - FINANCIÈRE BANQUE NATIONALE INC.

\$93,000	1,25000 %	2010
\$97,000	1,60000 %	2011
\$102,000	2,30000 %	2012
\$106,000	2,75000 %	2013
\$2,141,000	3,20000 %	2014

Price : 98,43300

Real cost : 3,48669%

WHEREAS the above offer received from Valeurs Mobilières Desjardins Inc. was considered the lowest one;

It is

Moved by Raymond Gougeon
Seconded by Garry Dagenais

AND RESOLVED THAT the issue of bonds in the amount of \$ 2,539,000 dated May 27, 2009 be awarded to Valeurs Mobilières Desjardins Inc.

THAT a request be made to those mentioned above to give the Canadian Depository for Securities inc. (CDS) the mandate of registering the issue of account.

THAT the mayor, Mr. Edward McCann and the director general Mr. Sylvain Bertrand are hereby authorized to sign the bonds covered by the present issue, which is set by maturity date.

WHEREAS CDS will act in the name of its members as the officer in the book based system, the bondholder and the disbursing officer in charge of the transactions to be done for its members, council hereby authorizes CDS to act as the authenticating fiscal agent, as described in the agreement signed between the Ministry of Municipal Affairs and CDS;

WHEREAS CDS will proceed with the transfer of funds in accordance with the legal requirements of the bond, to that effect, council hereby authorizes the director general to sign the documents required by the Canadian financial system entitled "authorization for the pre-authorized debit plan intended for businesses".

Carried

09-05-169

RESOLUTION FOR THE CONCORDANCE OF FINANCING

WHEREAS the Municipality of Pontiac intends to issue a series of bonds, for the sum of \$2,539,000, in virtue of the following borrowing by-law(s) and for the sums specified with regard to each one of them:

By-law(s) no.	06-10	\$2,156,800
	12-07	\$261,088
	06-13	\$48,388
	06-14	\$72,724

WHEREAS for the purpose of the said issuance, it is necessary to modify the by-law(s) in virtue of which these bonds are issued;

CONSEQUENTLY, it is

Moved by Raymond Gougeon
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT the borrowing by-law(s) previously mentioned is (are) amended, if necessary, in order that it (they) is (are) in compliance with what is stipulated below, and that is, pertaining to the amount of bonds specified previously in regards to the said by-law(s) included in the issuance of \$2,539,000;

THAT these bonds, which are by maturity date, will be dated March 27, 2009;

THAT these bonds will be registered and deposited in the name of the Canadian Depository for Securities Ltd. (CDS);

THAT CDS will act in the name of its members as the officer in the book based system, the bondholder and the disbursing officer in charge of the transactions to be done for its members, for the payment of the principal and the interests, in an account in the following financial establishment: Caisse Populaire Desjardins Masham-Luskville

THAT the interests will be payable semi-annually on November 27th and May 27th of each year;

THAT the bonds will not be redeemable by anticipation; however, they may be redeemable with the holders' consent in accordance with the *Act respecting municipal debts and loans* (L.R.Q., chapter D-7, article 17);

THAT the bonds will be signed by the mayor and the director general. The municipality, as permitted by law, has given CDS the mandate to act as the authenticating fiscal agent and the bonds will come into effect only once they have been authenticated.

Carried

08-05-170

LEASE AGREEMENT – SCALE

It is

Moved by Dr. Jean Amyotte
Seconded by Jim Coyle

AND RESOLVED THAT the municipality agrees to correct article 2 of the lease agreement for the scale which was reached with Mr. Gerry McKenny, to read as follows:

« Mr. Gerald McKenny will keep the building used to shelter the scale in good order for the duration of the present agreement ».

Carried

09-05-171

PURCHASE OF MACHINERY

WHEREAS the necessity of purchasing machinery for the maintenance of municipal roads;

WHEREAS recommendations from the study committee created for this purpose;

WHEREAS invitations to tender and requests for prices to that effect;

It is

Moved by Jim Coyle
Seconded by Dr. Jean Amyotte

AND RESOLVED the municipality proceed with the purchase of the following machinery:

Case Maxxum tractor model 110	\$79,220	
MASCHIO tractor adaptable mower	\$8,800	(Ellard Kennedy)

This machinery will be financed through the working capital, reimbursable on a 5-year basis and with the proceeds from the sale of the surplus machinery.

Lawrence Tracey votes against the motion.

Carried

09-05-172

MANDATE FOR EXPERTISE – ASPHALT PROJECT

It is

Moved by Garry Dagenais
Seconded by Jim Coyle

AND RESOLVED THAT the municipality hire the firm of experts “Construction et expertise PG” for the asphalt project which is in litigation, as submitted. The director general is hereby authorized to sign all pertinent documents.

Carried

I, the undersigned, Sylvain Bertrand, hereby certify that there are sufficient funds available to pay for the expertise.

*Sylvain Bertrand
Directeur général*

09-05-173

WASTEWATER PUMP-OUT STATION – CAMPER-TRAILERS

It is

Moved by Garry Dagenais
Seconded by Jim Coyle

AND RESOLVED THAT the municipality grant a \$3,000 budget for the installation of a pump-out station at the sewage pumping station on Clarendon St. in Quyon #02-70-190-970.

Carried

09-05-174

SELECTION COMMITTEE – DRINKING WATER

It is

Moved by Jim Coyle
Seconded by Garry Dagenais

AND RESOLVED THAT the municipality hereby appoint Mr. Sylvain Bertrand, director general, Mrs. Gail Vaillancourt, director of Technical Services and Mr. Marc Drouin, engineer to sit on the selection committee for offers received from professional engineering services for the setting of standards of the drinking water treatment plant in the village of Quyon.

Carried

09-05-175

CONTENTIOUS FILES AND OFFENCES

WHEREAS certain people are in breach of regulations, and after having received notices for such offences by the Municipality, still fail to comply;

WHEREAS a judgment has been rendered in these files;

WHEREAS Council acknowledges that there is an offence;

It is

Moved by Dr. Jean Amyotte
Seconded by Jim Coyle

AND RESOLVED THAT the Municipality of Pontiac authorizes the director of the town planning department Mrs. Isabelle Côté, to transmit the following files to the municipality's legal advisors to begin procedures:

2338-44-726223, chemin du Cerfeuil
2338-44-688729, chemin du Cerfeuil
2338-54-444110, chemin du Gingembre
2338-53-297721, chemin du Gingembre
2338-44-445336, chemin du Gingembre

Carried

09-05-176

BY-LAW NO. 06-09 FORMING THE URBAN PLANNING ADVISORY COMMITTEE

WHEREAS in virtue of article 146 of the "Act respecting land use, planning and development" (R.S.Q., c. A-19.1), the municipal council may form an advisory committee for urban planning;

WHEREAS councils deems it to be in the municipality's interest to form an urban planning advisory committee in order to associate a representation of taxpayers to the wording of policies pertaining to urban planning, development, zoning, subdivisions, construction, heritage and culture;

WHEREAS a notice of motion was given for this present by-law at a meeting held on April 14th 2009;

CONSEQUENTLY, it is

Moved by Dr. Jean Amyotte
Seconded by Raymond Gougeon

AND RESOLVED that Council decrees and rules on the by-law as follows:

By-law no. 06-09 to form an urban

Planning advisory committee

1. Title of by-law

The actual by-law no. 06-09 is entitled: By-law forming the Municipality of Pontiac's urban planning advisory committee.

2. Name of committee

The urban planning advisory committee of the Municipality of Pontiac is therefore legally formed in term urban planning.

This urban planning advisory committee will be referred as the committee, in this document.

3. Replacement of by-laws

Any provision of the by-law and its amendments that form an urban planning advisory committee, as well as any of the Municipality of Pontiac's resolutions that are incompatible with the provisions of this by-law are replaced, for all legal purposes.

4. Coming into force

The present by-law will come into force according to the provisions of the "Act respecting land use, planning and development" (R.S.Q., c. A-19.1)

5. Affected territory

The present by-law applies to the territory throughout, under the jurisdiction of the Municipality of Pontiac.

6. Validity

Council decrees the adoption of the present by-law as a whole, as well as article by article.

7. Setting up

The committee consists of the following:

- A group of seven (7) people selected among the residents of the municipality; (preferably one representing each district);
and
- A maximum of three (3) members of the municipal Council.
 - Starting November 2009, when a position of a resident becomes vacant, for any reason whatsoever, the maximum of resident members will drop to six, this number representing the quantity of electoral districts.

8. Rights and duties of the committee

8.1 The committee must assist the municipal council on the follow-up of its urban planning policy;

8.2 The committee is in charge of studying, researching, and submitting any recommendations on all questions pertaining to urban planning, zoning, advertisement signs, site plan, and architectural integration, pathways of integrated development plan, minor derogations, subdivisions and construction, that council will submit;

- 8.3 The committee must give an opinion on any demand for minor derogation, any site plan, and architectural integration and any overall plan in accordance with the planning by-law.
- 8.4 The committee must report any observations and recommendations to the municipal council, in view of the development and the most rational use of the municipality's territory;
- 8.5 The committee is in charge of studying project by-laws and report to council;
- 8.6 The committee is in charge of studying the content of urban planning and by-laws, while considering the municipal needs, the evolution, the development plans of the MRC and also to suggest any modification and its consequences or additional projects if need be;
- 8.7 The recommendations, studies and opinions of the committee are given to the Municipal council as minutes, bearing the signatures of the president and secretary of the committee;

9. Members

The committee members are appointed by resolution adopted by the municipal council.

The duration of the committee member's mandate is two (2) years, it is renewable and revocable at all times by council resolution.

A member of the municipal council who sits on the committee is no longer a committee member if and when he no longer is a council member.

The mandate of a committee member ends, if he fails to assist to three (3) consecutive regular meetings, without reason.

10. Replacement of members

At all times, the municipal council may, by resolution, replace a committee member; the new member's mandate is for the remainder of the first member's mandate.

11. Contact

The officer in charge of the urban department must attend the committee meetings and participate in their activities, but do not have the right to vote.

A non-member secretary must also attend the committee meetings and participate in their activities, but do not have the right to vote.

Anyone designated by council resolution may also assist to the committee meetings and participate in their activities, but do not have the right to vote.

A member of the municipal council other than those mentioned may attend any committee meeting. He does not have the right to vote.

12. Special meetings

Only the president may ask the secretary to convene a special committee meeting. In the case of the absence or impossibility of the president to do so, the vice-president may ask to convene a special meeting of the committee.

13. Quorum and the right to vote

Six (6) committee members, of which at least one is a council member, constitutes quorum; each committee member has one vote;

- Starting November 2009, when a position of a resident becomes vacant, a minimum of five (5) members, which at least one must be a council member, will constitute the quorum.

Committee decisions are made on a majority vote;

If quorum is not met thirty (30) minutes after the time set for the meeting, the meeting is then cancelled.

14. Interest

Any committee member must, within thirty days of his nomination, give to the council a written declaration stating the existence of personal interests that he or his/her spouse might have in the municipality of Pontiac. This declaration must be updated each year.

A committee member cannot take part in deliberations to which he has personal interest in and has to leave the negotiation table.

15. Ethic

A committee member cannot put himself in a situation where his or his/her spouse's personal interest could influence his mandate, nor receive or seek any moneys, profits or advantages which could influence his judgment or in exchange to take a stand on any question submitted to the committee.

16. Internal management

The provisions concerning internal management are:

- 1) By resolution, the municipal council designates a president and a vice-president who must be the councillors responsible for the urban department;

The president and vice-president may be replaced at all times, in the same manner;

- 2) The duration of the new president's mandate is for the remainder of the first president's mandate;
- 3) In the absence of the president or in the case he is unable to fulfill his duties, the vice-president leads the committee's deliberations;
- 4) In the case where the president or the vice-president are both absent or unable to fulfill their duties, the committee members chose someone among them to preside the meeting;

17. Non-observance of the rules of internal management

Council may put an end to any of the members mandate or any of the committee's contact person who refuses to act or does not respect the rules of internal management.

18. Budget

Council may vote by resolution and put sums of money at the urban planning advisory committee's disposal that is needed to accomplish their duties.

The urban planning advisory committee's fiscal year corresponds to the calendar year.

On October 15 of each year, the urban planning advisory committee submits to the council an appropriate budget which is necessary for the performance of its duties during the subsequent year; afterwards, the committee may submit partial budgets to council if needed. Expenses are not accepted without having had council's approval beforehand.

The committee members who do not sit on the municipal council are not paid, except if the municipal council decides otherwise.

A committee member will be reimburse any expenditure authorized by the council.

19. Minutes

The secretary keeps the committee's minutes and official documents.

He must submit the minutes and all other official document to council after each meeting.

The municipality remains the owner of the said minutes and of all official documents of the urban planning committee.

20. Archives

A copy of the rules of internal management adopted by the committee, the minutes of committee meetings and the documents that have been submitted to the committee must be given to the municipality's secretary-treasurer, to be included in the municipality's archives.

21. Powers

The committee may:

- 1) establish study groups consisting of its own members, or of a few of them;
- 2) by council resolution, consult a town planning consultant or any other expert;
- 3) by council resolution, may request any report or study deemed necessary;
- 4) set rules for internal management, which must be approved by council before coming into force. Council reserves the right to modify these rules by resolution to be sent to the committee's president.

COMING INTO FORCE

The present by-law will come into force in accordance with the law.

Carried

09-05-177

REQUEST TO THE C.P.T.A.Q – Shawn Kluke – 1544, ch. Proven

WHEREAS the request remains an authorization for a usage other than agricultural purpose on part of lot 15A, range 5, Township of Onslow which as a surface area of 4.26 4180 hectares, in order to build a single family dwelling;

WHEREAS the request is in conformity with the zoning by-law 177-01;

WHEREAS the inventory of residential lot is limited;

CONSEQUENTLY, it is

Motioned by Garry Dagenais
Seconded by Lawrence Tracey

AND RESOLVED that council supports the applicant's request remaining an authorization for a usage other than agricultural on part of lot 15A, range 5, Township of Onslow which as a surface area of 4.26 4180 hectares, in order to build a single family dwelling.

Carried

VARIOUS REPORTS AND CORRESPONDENCE

- Tabling of various municipal reports: a) animals ; b)

TABLING OF DOCUMENTS

- Registre of the correspondence received in April 2009.

QUESTION PERIOD

09-05-178

ADJOURNMENT OF THE MEETING

It is

Moved by Jim Coyle
Seconded by Dr. Jean Amyotte

AND RESOLVED to close the meeting at
agenda.

p.m., having gone through the

Carried

MAYOR

DIRECTOR GENERAL