

**PROVINCE OF QUEBEC  
MUNICIPALITY OF PONTIAC**

MINUTES of the municipal council's special meeting held on Thursday, December 18, 2008 at 8:00 p.m. at the Luskville community centre, situated at 2024 route 148, Pontiac.  
Those who were present :

Edward McCann, mayor, acting mayor Dr. Jean Amyotte and councillors, Lawrence Tracey, Harold McKenny, Jim Coyle, Garry Dagenais, and Brian Middlemiss.

ABSENCE MOTIVÉE: Raymond Gougeon, councillor.

ALSO PRESENT : the director general.

The meeting began at 8:00 p.m.

**08-12-434**

**ADOPTION OF THE AGENDA**

1. Adoption of the agenda
2. Adoption of by-law no. 17-08 regarding the adoption of the 2009 budget and the levying of taxes and compensations for services in 2009
3. Three-year budget
4. Firefighters' collective labour agreement
5. By-law regarding tolerance roads
6. Adjournment of the sitting

It is

Moved by Dr. Jean Amyotte

Seconded by Lawrence Tracey

AND RESOLVED to adopt the agenda as prepared and read.

Carried

**08-12-435**

**ADOPTION OF BY-LAW No 16-08 REGARDING THE ADOPTION OF THE 2009 BUDGET AND THE LEVYING OF TAXES AND COMPENSATIONS FOR SERVICES IN 2009**

WHEREAS at the special meeting of the municipal council held November 13, 2008, a notice of motion was duly given by the mayor Mr. Edward McCann that at a subsequent meeting he would present a by-law regarding the adoption of the 2009 budget and the levying of taxes and compensations for services in 2009.

CONSEQUENTLY, it is

Moved by Edward McCann

Seconded by Dr. Jean Amyotte

AND RESOLVED THAT this Council adopts by-law no. 16-08 regarding the adoption of the 2008 budget and the levying of taxes and compensations for services in 2009 as follows:

**BY-LAW No 17-08**

**ADOPTION OF BY-LAW NO. 17-08 – ADOPTION OF THE 2009 BUDGET AND THE LEVYING OF TAXES AND COMPENSATIONS FOR SERVICES IN THE YEAR 2009**

WHEREAS a notice of motion of this by-law was given at a special council meeting on November 13, 2008 by the mayor, Mr. Edward McCann;

CONSEQUENTLY, it is

Moved by Edward McCann  
 Seconded by Dr. Jean Amyotte

AND RESOLVED THAT the present proposed by-law be adopted and that it be ruled and decreed as follows :

**ARTICLE 1** Adopt the municipal budget for the year 2009 as follows:

Revenus of :	\$5,329,464.00
Appropriation of the surplus :	<u>418,726.00</u>
	<b>\$5,748,190.00</b>
Charges	\$5,612,717.00
Capital dividend/loans	38,538.00
Investment spending	50,000.00
Reimbursement of working capital	46,935.00
Depreciation of fixed assets	<u>278,073.00</u>
Total charges with depreciation	<b>\$6,026,263.00</b>
Reconciliation for fiscal purposes - depreciation	<u>- \$278,073.00</u>
Total charges	<b>\$5,748,190.00</b>

**ARTICLE 2** For the implementation of this budget, the general land taxes, taxes for investments, loans and others, service and compensation taxes will be levied according to the following chart :

<b><i>GENERAL TAX</i></b>	2009	Rate per \$100
<b>Non-residential property</b>		<b>.7136</b>
<b>6 apartments or more</b>		<b>.7136</b>
<b>Vacant lot</b>		<b>.7136</b>
<b>Residual property</b>		<b>.7136</b>
<b>Agricultural</b>		<b>.7136</b>
<b>Industrial</b>		<b>.7136</b>
<b>Loan tax lagoon 25%</b>		<b>.001</b>
<b>Loan tax Freightliner-fire dept</b>		<b>.0015</b>
<b>Loan #111 grader</b>		<b>.0053</b>
<b>Loan for paving tax (interests)</b>		<b>.0051</b>
<b>Total</b>		<b>.0129</b>
<b>Properties for which compensation can be obtained will be invoiced at the rate of:</b>		<b>.7136</b>
<b>Compensation for loans</b>		<b>.0129</b>

## SUMMARY OF SERVICE TAXES FOR 2009

<b>WATER</b>	<b>Rates 2009</b>
<i>residential water</i>	190.05
<i>water small business</i>	217.04
<i>water large business</i>	322.82
<b>SEWERS</b>	<b>COST PER USER</b>
<i>Sewers (313-17-4=288)</i>	188.59
<i>Sewers - small business</i>	215.65
<i>Sewers - large business</i>	320.80
<b>Sub-total</b>	
	<b>RATE</b>
ASSESSMENT	
LOAN REIMBURSEMENT LAGOON 75%	.0608
LOAN REIMBURSEMENT – ASPHALT (DAVIS AND SOULIÈRES)	0
LOAN REIMBURSEMENT – ASPHALT (LAVIGNE)	0
<b>RESIDUAL MATERIALS</b>	
<i>residential garbage</i>	164.79
<i>residential-business garbage</i>	183.52
<i>garbage - small business</i>	192.31
<i>garbage - big business</i>	232.74
<b><i>verification septic installations per property except Quyon sector that has sewers</i></b>	<b>\$6.14</b>

### METHOD OF PAYMENT

**ARTICLE 3** Method of payment of taxes and compensations provided in the present by-law are as follows :

- 1) all tax or compensation invoices to which the total does not exceed \$300.00, **the invoice must be paid in one instalment on March 1<sup>st</sup>, 2009**
- 2) all tax or compensation invoices to which the total is or exceeds \$300.00, **the debtor has the right to pay the invoice in one or three instalments as follows :**

Three equal instalments :

- The first instalment must be paid **by March 1<sup>st</sup>, 2009**
- The second instalment must be paid **by April 30<sup>th</sup>, 2009**
- The third instalment must be paid **by September 30<sup>th</sup>, 2009**

**ARTICLE 4** Taxes and compensations are payable at the director general's office situated at 2024 Route 148, Pontiac.

**INTEREST RATES**

**ARTICLE 5** All accounts due to the municipality bear interest at a rate of THIRTEEN PERCENT (13%) per annum from the due date, rate they must pay. However, only outstanding amounts are due for payment and bear interest.

**ARTICLE 6** In accordance with article 250.1 of the Act Representing Municipal Taxation, this Council decrees the application of a penalty on outstanding tax invoices not exceeding .5% of the outstanding principal for every whole month following the expiry up to 5% per annum.

**CHEQUES WITH NON SUFFICIENT FUNDS**

**ARTICLE 7** When a cheque is remitted to the Municipality and payment is refused by the banking institution, administration fees of TWENTY DOLLARS (\$20.00) will be claimed from the drawer in addition to the interest due.

**COMING INTO FORCE**

**ARTICLE 8** The present by-law will come into force on the day of its' publication, in accordance with the law.

A vote is requested and registered as follows:

<u>FOR</u>	<u>AGAINST</u>
Edward McCann	Brian Middlemiss
Dr. Jean Amyotte	Harold McKenny
Lawrence Tracey	Jim Coyle
Garry Dagenais	

Carried on a divided vote

**08-12-436**

**ADOPTION OF THE FIXED ASSETS TRIENNIAL PROGRAM FOR 2008, 2010 AND 2011**

WHEREAS by virtue of article 953.1 of the Municipal Code the municipal council must adopt the program regarding fixed assets for the Municipality for three subsequent years;

WHEREAS this Council believes it opportune to adopt the program regarding fixed assets for the Municipality of Pontiac for 2009, 2010 and 2011;

CONSEQUENTLY, it is

Moved by            Jim Coyle  
Seconded by        Dr. Jean Amyotte

AND RESOLVED THAT, for these motives, this Council adopts the program of expenses for fixed assets for the Municipality of Pontiac for 2009, 2010 and 2011, all as described in the report which is part of the present.

Brian Middlemiss ad Harold McKenny vote against the motion.

Carried

**08-12-437**

**COLLECTIVE LABOUR AGREEMENT – FIREFIGHTERS**

It is

Moved by Dr. Jean Amyotte  
Seconded by Jim Coyle

AND RESOLVED to adopt the collective agreement (working contract) between the Municipality and the Pontiac Firefighters' Association.

Brian Middlemiss does not vote on this item.

Carried

**08-12-438**

**BY-LAW 16-08 MODIFYING BY-LAW 06-04 - TOLERANCE ROADS**

WHEREAS on the Municipality of Pontiac' territory, certain lots or rights of way occupied as roads, are such, simply by tolerance of the owner or the occupant;

WHEREAS the majority of ratepayers on certain roads who are interested, have submitted a request that the municipality take charge of the maintenance of said road as per article 70 of "Act on municipal competences";

WHEREAS this Council deems it appropriate to follow up on the ratepayers' request;

WHEREAS a motion of the present by-law was given at a previous council meeting held on December 9, 2008;

WHEREAS article 6, paragraph 4 of the Municipal Code allows a municipality to contract out, within its' field of competence;

It is

Moved by Jim Coyle  
Seconded by Garry Dagenais

AND RESOLVED that this Council adopt the present by-law which orders and decrees the following:

**ARTICLE 1**

The preamble and appendix « A » (name of associations and plans revised in 2008) are an integral part of the present by-law.

**ARTICLE 2**

The council orders, according to article 70 of the "Act on municipal competences" that, upon request from the majority of the ratepayers interested, the maintenance of the roads, named tolerance roads, as listed and marked in red, by sector, in Appendix « A », attached and being an integral part of the present by-law.

**ARTICLE 3**

According to article 6, paragraph 4 of the Municipal Code, the municipality awards the winter and summer maintenance of the said roads to the various associations of the sectors concerned which consists of snow removal and sanding roads in winter, and in the summer, consists of laying gravel, levelling, spreading calcium and cleaning ditches, if needed, and to keep the said roads in a satisfactory condition so as to allow free

circulation to emergency vehicles, snow ploughs, municipal service vehicles, among others.

#### **ARTICLE 4**

Each association, in 2009, will be eligible for the sums described in the attached chart (Appendix B).

#### **ARTICLE 5**

Each sector will receive the sums established in article 4 as follows:

- 50% payable between January 15<sup>th</sup> and 30<sup>th</sup> of the current year;
- 50% payable before December 15<sup>th</sup> of the current year upon reception of supporting documents and a final expense report if necessary.

#### **ARTICLE 6**

For the road maintenance, mentioned in article 3, each sector's association mentioned in article 4 could benefit from additional sums from the special projects budget.

#### **ARTICLE 7**

The F.R.A.P.P. « Fédération représentant les associations des propriétaires de Pontiac » « *Federation Representing the Pontiac Owners Association* » will be the only organization representing the associations with the Municipality, as listed in appendix A 2008. These associations must be registered as active members within the F.R.A.P.P. and the cost of registration will be \$50.00 maximum which will be deducted from the administration fees of each association.

#### **ARTICLE 8**

Each project will be submitted to a committee consisting of three members of the executive of F.R.A.P.P. and three councillors. This committee will exercise the power of recommendation.

#### **ARTICLE 9**

Each association will receive the additional sum(s) established in article 6, after having submitted the special project in full. The established sum is at the discretion of the municipality. The project submitted should consist of:

- the selected contractor's complete study of the project;
- the costs involved;
- the (approximate) date(s) of work

#### **ARTICLE 10**

The municipality reserves the right to refuse the request if the number of property owners involved, mentioned in article 4, does not justify the required maintenance. The notion of « tolerance road » must be applied word for word.

#### **ARTICLE 11**

The present by-law comes into effect according to law.

Brian Middlemiss and Harold McKenny vote against the motion.

Carried on a divided vote

#### **QUESTION PERIOD**

**08-12-439**

**ADJOURNMENT OF THE MEETING**

It is

Moved by            Jim Coyle  
Seconded by        Harold McKenny

AND RESOLVED to close the meeting at 9:20 p.m., having gone through the agenda.

Carried

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MAYOR

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DIRECTOR GENERAL