



No de résolution  
ou annotation

**CANADA  
PROVINCE OF QUEBEC  
MRC DU HAUT ST-FRANÇOIS  
MUNICIPALITY OF BURY**

**A REGULAR MEETING – CLOSED SESSION** of the Municipal Council of Bury was held on **Tuesday, April 6, 2021, at 7:30 p.m.** by videoconference. Presents were Councillors Jean Bergeron, Marilyn Matheson, Sabrina Patry-McComb, Alain Villemure, Delmar Fisher, Corey Strapps all members of said Council having been duly convened and forming quorum, under the chairmanship of the Mayor, Mr. Walter Dougherty, and according to the provisions of the Municipal Code.

The director general and secretary-treasurer, Mrs. Claudia Latulippe and the assistant secretary-treasurer, Mrs. Louise Brière, are present.

**1. Opening of the regular meeting**

Quorum verification and words of welcome, it is 8:08 pm.

**2. Adoption of the Agenda**

IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Corey Strapps,

AND CARRIED to adopt the agenda for the regular meeting of April 6, 2021, adding point 8.16.

**AGENDA**

1. Opening of the meeting
2. Adoption of the agenda of the April 6, 2021, meeting
3. Adoption of the French minutes of the regular meeting of March 1<sup>st</sup>, 2021 .
4. 1<sup>st</sup> public question period (general questions)
5. Filing of the monthly correspondence
6. Mayor's report
7. Reports of the Committees
  - 7.1 Administration
  - 7.2 Public Safety
  - 7.3 Public Works
  - 7.4 Town Planning and Environment
  - 7.5 Leisure, sport, and culture
8. New Business
  - 8.1 List of monthly bills
  - 8.2 Cancellation of a residual balance
  - 8.3 Membership in the FQM - 2021
  - 8.4 Renewal of Somum Solutions service offer
  - 8.5 Surface water drainage servitude – 781 McIver Street
  - 8.6 Adjustments – details of previous purchases
  - 8.7 Purchase of 911 landmarks
  - 8.8 Purchase of a UHF dual mode radiocommunication system for the fire department and public works
  - 8.9 Local Road assistance program – Recovery and Acceleration component
  - 8.10 2021 Contract for the brush cutting
  - 8.11 2021 Contract for the mowing along the roadside
  - 8.12 Purchase of granular material - 2021 season

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- 8.13 Support for the CPTAQ authorization request, from the Bora Boréal, for the construction of an integrated tourist complex
- 8.14 Nomination of representatives for the HSF Leisure Committee for the year 2021
- 8.15 Purchase of a bunker suit for the Bury fire department
- 8.16 Mandate to Cain Lamarre – James Cork
- 9. Legislation
  - 9.1 Notice of motion and presentation of bylaw number 424-2021 «Bylaw on waste management repealing Bylaws number 424-2020»
  - 9.2 Notice of motion and presentation of bylaw number 438-2021 «Bylaw on waste management repealing Bylaws number 424-2020»
- 10. 2<sup>nd</sup> question period (items on the agenda)  
Closed session.
- 11. Adjournment of the meeting

Next regular meeting – Closed session

Monday, May 3, 2021, at 7:30 p.m. by videoconference, in accordance with government requirements.

**ADOPTED UNANIMOUSLY**

- 3. Adoption of the French minutes of the regular meeting of March 1<sup>st</sup>, 2021.**

IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Corey Strapps,

AND CARRIED that French minutes of the regular meeting of March 1<sup>st</sup>, 2021, be adopted as filed.

**ADOPTED UNANIMOUSLY**

**4. 1<sup>st</sup> public question period (general questions)**

The municipality receives written questions as permitted by order 2020-049 of the Minister of Health and Social Services dated July 4, 2020. A written response will be sent to applicants.

**5. Filing of the monthly correspondence**

The director general and secretary-treasurer mentioned that the correspondence was deposited to the council.

**6. Mayor's report**

The Mayor reported on his local & regional (MRC) activities.

**7. Reports of the committees**

- 7.1 Administration**
- 7.2 Public Safety**
- 7.3 Public Works**
- 7.4 Town Planning and Environment**
- 7.5 Leisure, sport and culture**

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## 8. New business

### 8.1 List of monthly bills

WHEREAS THE Director General must, in virtue of bylaw 403-2008 regarding the delegation of powers and rules for the control and following-up of budget expenses, prepare and periodically present to Council at a regular meeting, a report detailing the expenses authorized.

THEREFORE,  
IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Corey Strapps,

AND CARRIED THAT the Municipal Council accepts the inclusion of the authorized expenses with the list of accounts payable and payment of the corresponding bills totalling \$ 197 538.09.

THAT the report be filed under number 03-2021 and be considered an integral part of the present minutes.

**ADOPTED UNANIMOUSLY**

2021-04-043

### 8.2 Cancellation of a residual balance

WHEREAS the Municipality of Bury has fully achieved the object of the bylaw number 434-2018 at a lower cost than initially planned;

WHEREAS the actual cost of the work is \$411 500;

WHEREAS the permanent financing of this sum has been made;

WHEREAS there is an uncontracted balance of \$677 500, of the loan approved by the Minister of Municipal Affairs, Regions and Land Occupancy which cannot be used for other purposes;

WHEREAS it is necessary to modify the loan bylaw number 434-2018 to reduce the amount of the expense and the loan;

THEREFORE,  
IT IS PROPOSED BY Councillor Corey Strapps,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED THAT the amount of the expense and the loan of the bylaw number 434-2018 be reduced from \$1 089 000, to \$411 500;

THAT a certified copy of this resolution be sent to the Minister of Municipal Affairs, Regions and Land Occupancy.

**ADOPTED UNANIMOUSLY**

2021-04-044

### 8.3 Membership in the FQM - 2021

IT IS PROPOSED BY Councillor Delmar Fisher,  
SECONDED BY Councillor Marilyn Matheson,

AND CARRIED TO authorize the cost of membership to the "Fédération québécoise des municipalités (FQM)" for the year 2021 in the amount of \$1 521.90, plus taxes.

**ADOPTED UNANIMOUSLY**



2021-04-045

#### **8.4 Renewal of Somum Solutions service offer**

WHEREAS THE Municipality must update its emergency measures plan due to new requirements from the Ministry of Civil Security;

WHEREAS the Municipality has received a service offer from Somum Solutions for the renewal of the mass communication system;

WHEREAS this mass communication system will allow the immediate dispatch to the population of alerts in the event of a major disaster in addition to notices relating to the interventions on municipal networks as well as notices of public interest;

THEREFORE,  
IT IS PROPOSED BY Councillor Jean Bergeron,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED to accept the proposal from Somum Solutions for the renewal of the mass communication system in the amount of \$2 853, plus taxes, for the year 2021.

**ADOPTED UNANIMOUSLY**

2021-04-046

#### **8.5 Surface water drainage servitude – 781 McIver Street**

WHEREAS the municipality proceeded to replace municipal services on part of McIver Street;

WHEREAS surface water accumulated on the road in front of 771 and 781 McIver Street during the thaw and heavy rains due to the topography of the land in this area;

WHEREAS the corrective measures to manage this water were carried out under the supervision of the firm Les Services Exp Inc;

WHEREAS the Municipality of Bury and Mr. Noël Richard signed an agreement on October 25, 2018;

WHEREAS the Municipality of Bury will pay compensation of \$2 500, to Mr. Noël Richard in the form of a credit applying to the balance owed on his property and which will take into account the interest accrued since October 25, 2018;

WHEREAS the Municipality of Bury will assume the notary fees related to the servitude;

THEREFORE,  
IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Corey Strapps,

AND CARRIED to authorize the mayor and the director general and secretary-treasurer to sign the documents prepared by Me Patrick Guilbeault, notary for the establishment of the servitude granted to the municipality of Bury on the land belonging to Mr. Noël Richard (lot number 4 773 142).

**ADOPTED UNANIMOUSLY**



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**8.6 Adjustments – details of previous purchases**

WHEREAS the assignment of multiple purchases was not specified in the following resolutions:

- 2020-11-163 – Diesel generator – Drinking water pumping station
- 2020-12-200 – Award of the contract for the purchase of street lights
- 2020-12-201 – Contract for the installation of street lights

THEREFORE,  
IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED to assign these expenses to the working capital for the next ten years, starting in 2022.

**ADOPTED UNANIMOUSLY**

2021-04-048

**8.7 Purchase of 911 landmarks**

WHEREAS THE municipal council is of the opinion that it is necessary to require the uniform installation of civic numbers on all buildings located on the territory of the Municipality in order to ensure the rapid identification of said buildings by the emergency services and public utility;

WHEREAS bids were requested from four (4) companies for the purchase of the said landmarks;

THEREFORE,  
IT IS PROPOSED BY Councillor Jean Bergeron,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED THAT the Municipal Council accepts the bid from the company Spectralite/SignOplus, for the purchase of the 911 landmarks, in the amount of \$15 337.50, plus taxes;

THAT the amount of \$12 000, be taken from the municipal budget and that the excess amount be taken from the working capital.

**ADOPTED UNANIMOUSLY**

2021-04-049

**8.8 Purchase of a UHF dual mode radiocommunication system for the fire department and public works**

IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED TO authorize the purchase of the following radiocommunications equipment and the installation at the new site (326, route 214) of the new communications tower for the Fire Department and public works for a total cost of \$31 131.50, plus taxes;

<u>Description</u>	<u>Total</u>
1 UHF dual-mode system on DMR protocol	\$8 545
8 Motorola XPR-2500 UHF Mobile @ \$ 945	\$ 7 560
10 Motorola XPR-3500E UHF Handheld \$895	\$8 950
10 Impress XPR-7550 Battery @ \$149	\$1 490
10 Speaker Mic XPR-6500 @ \$150	\$1 500
1 Tactical replacement cable for tch	\$99
5 Impress 2450 MAH battery @ \$149	\$745
System and vehicle installation (7)	\$2 242,50



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THAT the payment be affected to the working capital over a period of 10 years starting in 2022.

**ADOPTED UNANIMOUSLY**

**8.9 Local Road assistance program – Recovery and Acceleration component**

2021-04-050

WHEREAS THE Municipality of Bury has taken note of the terms of the application of the Recovery and Acceleration component of the Local Road Assistance Program (PAVL);

WHEREAS the interventions referred to in the financial assistance request concerning level 1 and/or 2 local roads and, where applicable, those aimed at the Recovery component are provided for in the five-year/three-year planning of the intervention plan having obtained a favourable opinion from the Ministry of Transport;

WHEREAS only work carried out after the date appearing on the announcement letter is eligible for financial assistance;

WHEREAS the Municipality of Bury is committed to obtaining the necessary funding for the realization of the entire project, including the part of the Ministry;

WHEREAS the Municipality of Bury chooses to establish the financial assistance calculation source according to the following option:

- The detailed estimate of the cost of the work;
- The range of services detailing the costs (over-the-counter)
- The tender form of the selected contractor (call for tenders)

THEREFORE,  
IT IS PROPOSED BY Councillor Delmar Fisher,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED THAT the Municipal Council of Bury authorizes the presentation of a request for the financial assistance for eligible work, confirms its commitment to have the work carried out in accordance with the terms of application in force and recognizes that in the event of non-compliance of these, the financial assistance will be terminated.

**ADOPTED UNANIMOUSLY**

**8.10 2021 Contract for the brush cutting**

2021-04-051

IT IS PROPOSED BY Councillor Delmar Fisher,  
SECONDED BY Councillor Sabrina Patry-McComb,

AND CARRIED TO authorize the brush cutting along the roadside for an amount of \$18 000, taxes included, as previously budgeted;

To retain the services of « Transporteurs Sherbrooke Unifié inc. » including machinery at a cost of \$155/hour, plus taxes.

**ADOPTED UNANIMOUSLY**

**8.11 2021 Contract for the mowing along the roadside**

2021-04-052

IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Corey Strapps,



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AND CARRIED TO retain the services of «François Duquette » including his machinery at a cost of \$50/bilateral kilometre, plus taxes and transport.

**ADOPTED UNANIMOUSLY**

2021-04-053

**8.12 Purchase of granular material - 2021 season**

WHEREAS the municipality requested bids from three gravel pit owners for the supply of 0 ¾ MG 20B, winter sand, 0 - 2 1/2" and 2 1/2" gravel to gravel the municipal roads and shoulders;

WHEREAS the maximal quantities established take into consideration the closest distances from the gravel pits to the municipal roads;

THEREFORE,  
IT IS PROPOSED BY Councillor Delmar Fisher,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED to authorize the purchase of granular material from the two suppliers below for the reloading of the roads as provided for in the budget. Prices include the royalty and the loading, plus tax:

Quantity	Transport et Excavation Stéphane Nadeau	Transport et Excavation Jocelyn Ménard	Excavation Lyndon Betts
2 000 MT	\$ 9.75 Metric ton	\$8.95 Metric ton	\$10.75 Metric ton
5 000 MT	\$9.75 Metric ton	\$8.95 Metric ton	\$10.75 Metric ton
0- 2 1/2 "	\$10.00 Metric ton (Batly Pit)	\$9.95 Metric ton	\$13.23 Metric ton
MG -56	\$ 10.00 Metric ton (Batly Pit)		\$16.95 Metric ton
Rocks (1" – 3")	\$11.00 Metric ton (Batly Pit)		
MG -20B	\$13.00 Metric ton (Pit ABC)		
MG-56	\$14.00 Metric ton (Pit ABC)		
Stone 1" – 3"	\$11.00 Metric ton		
Winter sand 3000 MT	\$7.25 Metric ton	\$6.40 Metric ton	\$8.50 Metric ton

**ADOPTED UNANIMOUSLY**

2021-04-054

**8.13 Support for the CPTAQ authorization request, from the Bora Boréal, for the construction of an integrated tourist complex**

WHEREAS the company Bora Boréal (8362831 Canada inc.) Files an authorization request for purposes other than agriculture on lot 4 772 922 of the Quebec cadastre in order to create an integrated tourist complex;



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WHEREAS Bora Boréal made an offer to purchase the property conditional on favourable support for the municipality's project as well as a favourable decision from the Commission for the Protection of the Agricultural Territory of Quebec (CPTAQ);

WHEREAS the filing of the authorization request with the CPTAQ requires a recommendation from the municipality based on the criteria of Article 62 of the Act respecting the protection of land and agricultural activities and the provisions of the zoning bylaw;

WHEREAS the total area of the lot covered by the request is 20.81 ha;

WHEREAS the latter is located in the western portion of the municipality, on route 255 entirely located in a permanent agricultural zone and within the "rural" designation as identified in the urban plan;

WHEREAS the site targeted by the request, falls within a predominantly agroforestry sector composed mainly of rocky, sandy, gravelly soils of classes 5 and 7 affected by drainage constraints and the presence of wetlands;

WHEREAS the site targeted by the request is located within zone RUR-43 in the zoning bylaw;

WHEREAS this unique innovative and recreational tourism project will ultimately consist of twelve four-season cabins floating on the water, service buildings, hiking trails, a garden, greenhouses, an orchard (1000 fruit trees in the long term). and a hen house for laying red hens (investment of \$152 500);

WHEREAS the project will allow the practice of activities such as kayaking, fishing, paddle boarding, pick-your-own, skating, snowshoeing, swimming and walking;

WHEREAS the project aims to enhance nature through the creation of exceptional stays while ensuring harmonious cohabitation with permanent residents and surrounding agriculture;

WHEREAS the project will be designed with the greatest respect for the environment, using the main principles of ecological housing (solar energy and ecological toilet);

WHEREAS the promoters have the experience necessary for the success of such a project since they have built a first site in *Sainte-Brigitte-de-Laval* in operation since summer 2020;

WHEREAS all of the essential criteria for this project are found on the property concerned, namely the presence of a water of sufficient size, a wooded area and buildings that can be used for operations;

WHEREAS integrated tourist complexes are authorized in zone RUR-43;

WHEREAS an integrated tourist complex is defined as being the outdoor centres or any group of buildings offering one or more services, including accommodation, catering, rental of leisure equipment, or any other related service;

WHEREAS the property has already been used for several years for purposes other than agricultural, namely for rental accommodation and receptions;





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Minutes of the council of the Municipality of Bury

WHEREAS route 255 borrowed by *Chemin des Cantons* is one of the most important tourist routes in the Eastern Townships and is identified as a "panoramic corridor" in the urban plan;

WHEREAS the project is located in a territory of historical interest identified in the urban plan as the Brookbury agricultural landscape group;

WHEREAS the Municipality wishes to identify these territories of local and regional interest, but does not intend to retain, within its planning regulations, protective measures other than those contained in the complementary document to the development plan, revised layout of the MRC;

WHEREAS the promoters are sensitive to the preservation of the patrimony; one of these having carried out the patrimonial renovation of a presbytery originally built in 1908 to make it his residence;

WHEREAS the main residence renovation project provides for the removal of vinyl, replacement by exterior wood cladding, for greater respect for the patrimonial aspects of the building;

WHEREAS the renovation project also provides for the repair and structural reinforcement of damaged farm buildings (cladding, beams and columns);

WHEREAS the repair of the premises will require an investment of \$500 000;

WHEREAS the project will result in investments of approximately \$4 million;

WHEREAS the estimate made from the results obtained in *Sainte-Brigitte-de-Laval*, provides that from 2022, more than 1 500 stays per year for a total of 6 000 visitors to Bury;

WHEREAS by considering an average consumption of \$50 per visitor, per stay in the locality, we can estimate economic benefits of \$300 000 for nearby merchants;

WHEREAS the project provides for involvement in the local business community by promoting local actors and developing partnerships with various entrepreneurs (photographer, caterers, home chefs, sales of fruit tree crops for the transformation into derived products, etc.);

WHEREAS the project would have a significant effect on the economic development of the municipality;

WHEREAS the concerned lot is contiguous to a de-structured islet with fragmentation;

WHEREAS according to the data collected at the existing *Sainte-Brigitte-de-Laval* project, the average water used (per chalet, toilet block, etc.) is 200L per day rented per chalet;

WHEREAS this information suggests that there will be no significant impact on the preservation for agriculture of water and soil resources in the municipality and in the region;

WHEREAS there is only one breeding building within a radius of 1 km from the property concerned;

WHEREAS this breeding building is located on lot 4 772 974 and has 20 laying hens or 0.2 animal unit;



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WHEREAS the largely insufficient number of animal units means that the odour management parameters in an agricultural environment do not apply and that consequently, no separation distance is applicable;

WHEREAS an integrated tourist complex is considered a protected building and, therefore, imposes a separating distance on the surrounding livestock buildings. The concerned lot is located outside the protection zone imposed by the urban perimeter;

WHEREAS the Municipality still wishes to ensure the possibility of using the surrounding farm buildings for agricultural breeding purposes in the future;

WHEREAS in the event of a positive response from the Commission, the Municipality undertakes, with the approval of the MRC, to specifically remove this integrated tourist complex from the definition of protected buildings;

WHEREAS the removal of this integrated tourist complex from the definition of protected immovable will have the effect of preserving only the separating distances already applicable to the existing residence and to neighbouring residences;

WHEREAS these calculations allow us to affirm that the existing and future livestock buildings will not be constrained by the authorization request, as will the possibilities of agricultural use of neighbouring lots;

WHEREAS the request can hardly be applied to other locations both in green zone and white zone on the territory of the municipality considering the need for a private lake with a minimum dimension of 4 ha with a perimeter of at least 900 m for the installation of floating chalets;

WHEREAS the project will not affect the homogeneity of the sector since it does not involve the fragmentation of properties;

THEREFORE,  
IT IS PROPOSED BY Councillor Delmar Fisher,  
SECONDED BY Councillor Jean Bergeron;

AND CARRIED to support the request for authorization from the CPTAQ for the company Bora Boréal on Lot 4 772 922, from the Quebec cadastre in order to create an integrated tourist complex.

THAT this request meets the criteria of article 62 of the Law on the protection of land and agricultural activities as well as the provisions of the urban plan and the zoning bylaw of the municipality of Bury. To this end, the municipality supports Bora Boréal's request.

**ADOPTED UNANIMOUSLY**

**8.14 Nomination of representatives for the HSF Leisure Committee for the year 2021**

2021-04-055

IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Jean Bergeron,

AND CARRIED TO appoint councillor Sabrina Patry-McComb as the delegate for the Council to represent the municipality of Bury in the Leisure Committee of the Haut-Saint-François MRC. A volunteer will be appointed at a future session.

**ADOPTED UNANIMOUSLY**



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### 8.15 Purchase of a bunker suit for the Bury fire department

WHEREAS to meet the requirements of the fire risk cover plan, 1 bunker suit from the Bury fire department must be replaced;

THEREFORE,

IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Sabrina Patry-McComb,

AND CARRIED to authorize the purchase of 1 bunker suit for the fire department and to affect the expense to the working capital at a rate of \$1 748.04, net taxes, over a period of 5 years, beginning in 2022.

**ADOPTED UNANIMOUSLY**

2021-04-057

### 8.16 Mandate to Cain Lamarre – James Cork

WHEREAS for several years, James Cork has used a blog to post comments on the municipality, elected officials and employees;

WHEREAS James Cork can, as a citizen, express his opinions;

WHEREAS, however, the Municipality considers that James Cork should not express himself in a disrespectful, degrading or slanderous manner;

WHEREAS the Municipality does not accept that James Cork attacks municipal employees and elected officials the way he regularly does on his blog;

WHEREAS James Cork has on more than one occasion been called upon to remove degrading, deceptive, slanderous and defamatory material from his blog and to stop publicly attacking municipal employees;

WHEREAS James Cork has been advised by formal notice that in the event that he does not comply with the requests of the Municipality, legal proceedings will be initiated;

WHEREAS James Cork has not complied with the formal notice sent to him;

THEREFORE,

IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Jean Bergeron,

AND CARRIED that the Municipal Council mandates its attorneys and lawyers Cain Lamarre to undertake, on behalf of the municipality, the appropriate remedies, including damages, against James Cork following his refusal to comply with the formal notice of September 3, 2020.

**ADOPTED UNANIMOUSLY**

## 9. Legislation

### 9.1 Notice of motion and presentation of bylaw number 424-2021 «Bylaw on waste management repealing Bylaws number 424-2020»

Councillor Alain Villemure gives notice of motion and present bylaw number 424-2021 «Bylaw on waste management repealing Bylaw number 424-2020» will be deposited with exemption of reading for adoption at a future meeting.



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**9.2 Notice of motion and presentation of bylaw number 438-2021  
«Bylaw governing the numbering of buildings»**

Councillor Jean Bergeron gives notice of motion and present bylaw number 438-2021 «Bylaw governing the numbering of buildings» will be deposited with exemption of reading for adoption at a future meeting.

**10. Adjournment of the meeting;**

**2021-04-058**

IT IS PROPOSED BY Councillor Marilyn Matheson that the assembly be adjourned; it is 9:23 p.m.

**Next regular meeting will be held on Monday, May 3, 2021, at 7:30 p.m.  
by videoconference.**

**Certificate of sufficient funds:**

I, the undersigned, Louise Brière, assistant secretary-treasurer, certify, by the present, that funds are available for the amounts to be paid in the following resolutions: 2021-04-043, 2021-04-044, 2021-04-045, 2021-04-046, 2021-04-048, 2021-04-049, 2021-04-051, 2021-04-052, 2021-04-053 et 2021-04-056.

Signed this April 7, 2021

Louise Brière  
Assistant secretary-treasurer

Walter Dougherty  
Mayor