



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 **Monday, June 7, 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. Louise Brière, is present.

1. Opening of the regular meeting

Quorum verification and words of welcome, it is 8:02 pm.

2. Adoption of the Agenda

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

AND CARRIED to adopt the agenda for the regular meeting of June 7, 2021 and to add points 8.11 and 8.12.

AGENDA

1. Opening of the meeting
2. Adoption of the agenda of the June 7, 2021, meeting
3. Adoption of the French minutes of the regular meeting of May 3, 2021.
4. 1st 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 Hiring for summer jobs- 2021 season
 - 8.3 Voting by mail for non-residents
 - 8.4 Voting by mail for electors aged 70 and older
 - 8.5 Bilingual Status - article 29.1
 - 8.6 Resignation of a firefighter
 - 8.7 Contract renewal – airborne survey using drone technology
 - 8.8 Purchase of a trench box
 - 8.9 Contract for Memorial Park lighting
 - 8.10 Annual renewal with Chemin des Cantons
 - 8.11 Purchase of a cube truck – fire department
 - 8.12 Loan for the purchase of a cube truck – fire department
9. Legislation
 - 9.1 Adoption of bylaw 436-2021 "Bylaw concerning contract management modifying bylaw number 436-1-2020"

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Minutes of the council of the Municipality of Bury

9.2 Motion and presentation of bylaw number 435-2021, "Bylaw concerning the control and responsible custody of animals repealing bylaw number 435-2019 - Bylaw on animals"

10. 2nd question period (items on the agenda)

Closed session.

11. Adjournment of the meeting

Next regular meeting – Closed session – Depending of the zone

Monday, July 5, 2021, at 7:30 p.m. by videoconference, in accordance with government requirements.

ADOPTED UNANIMOUSLY

3. Adoption of the French minutes of the ordinary meeting of May 3, 2021.

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

AND CARRIED that French minutes of the regular meeting of May 3, 2021, be adopted as filed.

ADOPTED UNANIMOUSLY

4. 1st 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

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.

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

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 \$157062.59.

THAT the report be filed under number 05-2021 and be considered an integral part of the present minutes.

ADOPTED UNANIMOUSLY

2021-06-084

8.2 Hiring for summer jobs- 2021 season.

WHEREAS the municipality of Bury offers students the opportunity to get a summer job.

WHEREAS the Municipality offers students positions as a park attendant, public works worker, day camp coordinator, day camp monitor as well as a day camp assistant monitor.

WHEREAS the Municipality has received a grant under the Canada Summer Employment program.

CONSEQUENTLY
IT IS PROPOSED BY Councillor Sabrina Patry-McComb,
SUPPORTED BY Councillor Alain Villemure,

AND CARRIED TO hire one (1) student for the maintenance of the park, one (1) student as the day labourer for public works, one (1) student as day camp coordinator, one (1) student as day camp monitor and two (2) students as day camp assistant monitor, for the 2021 season.

ADOPTED UNANIMOUSLY

2021-06-085

8.3 Voting by mail for non-residents

WHEREAS according to article 582.1 of the Act respecting elections and referendums in municipalities, the Minister may, by regulation, determine the manner in which a person entered as an elector or a qualified voter on the list of electors or referendum list in a capacity other than that of a domiciled person may exercise the right to vote by mail.

WHEREAS according to article 659.4 of the Act respecting elections and referendums in municipalities, a resolution of the municipality must be passed not later than July 1st, of the calendar year in which a general election is to be held or, in the case of a by-election, not later than the fifteenth day after the day on which the council is informed of the polling date. In the case of a referendum poll, the resolution must be made during the sitting of the council during which the polling date is to be set. The same rules apply to a resolution passed to annul a previous resolution.

THEREFORE,
IT IS PROPOSED BY Councillor Alain Villemure,
SECONDED BY Councillor Sabrina Patry-McComb,

AND CARRIED to use voting by mail for any person entered on the electoral list or referendum as an elector or person qualified to vote in a capacity other than that of a person domiciled in any poll.

ADOPTED UNANIMOUSLY



8.4 Voting by mail for electors aged 70 and older

WHEREAS the municipal general election will be held on November 7, 2021, in the context of the COVID-19 pandemic.

WHEREAS the Electoral director-general has enacted, in accordance with section 3 of the Act to facilitate the conduct of the municipal general election of November 7, 2021, in the context of the COVID-19 pandemic (LQ2021, c.8), the Bylaw amending certain provisions in municipal matters in order to facilitate the conduct of the municipal general election of November 7, 2021, in the context of the COVID-19 pandemic ((2021) 153GOQII, 2111B), which entered in force on May 15, 2021, and amends, in particular, certain provisions of the Act respecting elections and referendums in municipalities (CQLR, c. E-2.2) and the Bylaw respecting voting by mail (CQLR, c. E-2.2, r. 3) (hereafter: the Regulations of the Chief electoral officer).

WHEREAS under the second paragraph of article 659.4 of the Act respecting elections and referendums in municipalities, as amended by article 40 of the Regulation of the Chief electoral officer, the municipality may adopt a resolution to allow any person who is registered as a voter on his or her electoral list and who is 70 years of age or over on the day fixed for the poll to exercise their right to vote by mail, if such a person so requests.

WHEREAS the legal and regulatory framework for administering this voting method is now set and in force.

WHEREAS under the third and fourth paragraphs of article 659.4 of the Act respecting elections and referendums in municipalities, as amended by article 40 of the Regulation of the Chief electoral officer, a resolution must be taken no later than July 1, 2021, and an authenticated copy thereof must be sent, as soon as possible after its adoption, to the Minister of Municipal Affairs and Housing and to the Chief Electoral Officer.

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

AND CARRIED TO allow any person who is registered as a voter on the electoral list and who is 70 years of age or over on the day fixed for the poll to be able to vote by mail for the general election of November 7, 2021, and for any restarting which could result from it, if they so request.

AND send to the Minister of Municipal Affairs and Housing and to the Chief Electoral Officer an authenticated copy of the present resolution.

ADOPTED UNANIMOUSLY

8.5 Bilingual Status - article 29.1

HEREAS the Charter of the French Language ("Charter") was adopted by the National Assembly of Quebec in 1977, and more than 80 municipalities in the province of Quebec have been recognized as having "bilingual status" under the provisions of section 29.1 of the Charter,

WHEREAS the initial provisions of the Charter allowed municipalities where the majority of residents spoke a language other than French to be officially recognized under section 29.1,

WHEREAS the Municipality of Bury is recognized as having bilingual status under section 29.1 of the 1977 Charter and wishes to retain this "bilingual status",

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WHEREAS currently, the Charter does not allow recognition of “bilingual status” under section 29.1 to be withdrawn from a municipality or a borough, unless the municipality or borough concerned requests it,

WHEREAS the National Assembly of Quebec adopted law 170 which imposed forced mergers on municipalities in 2000, and at the same time adopted law 171 which considerably modified the recognition criteria prescribed by article 29.1 of the Charter, either from the majority of residents of a municipality or a borough speaking a language other than French to a majority of residents of English mother tongue,

WHEREAS the revised criteria under the law 171 were imposed without prior consultation with the municipalities recognized under section 29.1, according to the narrowest and most inaccurate definition of English-speaking communities within said municipalities or said boroughs,

WHEREAS the Charter of the French language grants municipalities with bilingual status the task of determining whether they want to abandon this status and this has never been done, and in 2013, when the *Parti Québécois* sought to revise the rules to withdraw this power to the municipalities, the *Coalition Avenir Québec* and the Liberal Party of Quebec have clearly indicated that it is up to the municipalities and not the Government of Quebec to determine whether this statute should one day be abandoned,

WHEREAS the Municipality of Bury is concerned about the recent comments of the Minister responsible for the French language of Quebec, who has stated that he is considering changes to the Charter of the French language related to the bilingual status of municipalities, which could put endangering the bilingual status of municipalities like the municipality of Bury,

THEREFORE,

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

AND CARRIED THAT the municipality of Bury declares that it wishes to retain its bilingual status recognition that was given under Section 29.1 of the Charter now and in the future as guaranteed when the status was granted with the adoption of the Charter in 1977,

THAT the residents and council of the municipality of Bury view the recognition of our municipality under Section 29.1 as fundamental to the character of the municipality and as a testament of the historical presence of both the English and French-speaking communities in the municipality”,

THAT the municipality of Bury will vigorously oppose any modifications to Section 29 of the Charter and demands that the Quebec National Assembly continue to recognize the acquired rights of all municipalities and boroughs that currently possess such status and refrain from adopting any legislation that allows Section 29.1 recognition of bilingual status to be removed from a municipality or borough except at the initiative of and express request of said municipalities or borough”,

THAT the municipality of Bury asks the director general to send a copy of this resolution to all Members of Quebec’s national assembly, to all officially recognized bilingual municipalities as per article 29.1 of the chart, to the local federal parliament member, to the Commissioner of Official Languages of Canada, the Union of Quebec Municipalities, the *Fédération Québécoise des municipalités* and the Federation of Canadian Municipalities.

ADOPTED UNANIMOUSLY



2021-06-088

8.6 Resignation of a firefighter

WHEREAS Mr. Marcel Dougherty has resigned as a firefighter on May 27, 2021,

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

AND CARRIED TO accept Mr. Dougherty's resignation as a firefighter as of this day,

TO thank Mr. Dougherty for the years of services to our community in the line of duty as a member of the fire department,

To inform the Bury Firefighters' union of this resignation.

ADOPTED UNANIMOUSLY

2021-06-089

8.7 Contract renewal – airborne survey using drone technology

WHEREAS article 10.3 of bylaw 405-2020 concerning the constitution of a local fund reserved for the repair and maintenance of certain public roads allows the municipality to carry out verifications as per the provisions of the said bylaw;

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

AND CARRIED TO accept the bid presented by *Drone Experts* in the amount of \$6 195, plus taxes per overflight for all five (5) gravel pits/quarries, for a total of five (5) flights over five (5) years;

THAT the necessary sums be taken from the quarries and sand pits reserved funds.

ADOPTED UNANIMOUSLY

2021-06-090

8.8 Purchase of a trench box

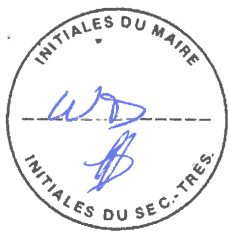
WHEREAS THE purchase of a trench box is mandatory in order to comply with the CNESST and to ensure the safety of employees when digging a trench is necessary to carry out certain work;

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

AND CARRIED TO authorize the purchase of a trench box from Battlefield Equipment at the price of 9 594.01\$ plus taxes;

TO Allocate the expenditure to the working fund, spread over a period of 5 years, starting in 2022.

ADOPTED UNANIMOUSLY



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8.9 Contract for Memorial Park lighting

WHEREAS THE fire in the canteen at the Memorial Park on May 31, 2020, destroyed the electrical installation used to supply electricity to a section of Memorial Park;

WHEREAS a temporary repair was made and must now be permanently corrected;

THEREFORE,
IT IS PROPOSED BY Councillor Alain Villemure,
SECONDED BY Councillor Sabrina Patry-McComb,

AND CARRIED TO authorize *CJS Électrique* to proceed with the electrical installation at Memorial Park, in the amount of \$4 500, plus taxes.

ADOPTED UNANIMOUSLY

2021-06-092

8.10 Annual renewal with Chemin des Cantons

WHEREAS the sign posted touristic route, the *Chemin des Cantons*, wishes to renew its five-year agreement with the various municipalities and MRCs concerned;

WHEREAS the *Chemin des Cantons* route crosses our territory;

WHEREAS the Municipality of Bury has been committed over the past five years to supporting the *Chemin des Cantons* in its establishment, signage, coordination, and promotion;

WHEREAS the impact and customer satisfaction study report filed by the *Corporation du Chemin des Cantons* are conclusive;

WHEREAS major promotional and visibility efforts have been made to promote the *Chemin des Cantons* over its 430 km.

WHEREAS the *Chemin des Cantons* is a regional tourism product highlighting the historic built and natural heritage of the Eastern Townships;

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

AND CARRIED TO contribute financially to the development and sustainability of the *Chemin des Cantons* for an annual financial contribution of \$890 from the 2022 fiscal year until the 2027 fiscal year, upon presentation of invoices.

ADOPTED UNANIMOUSLY

2021-06-093

8.11 Purchase of a cube truck – fire department

WHEREAS the purchase of a cube truck for the fire department is necessary to replace the GMC1987 cube truck;

WHEREAS a mutual agreement was agreed between the parties;

WHEREAS a request for financing will be made to the *Caisse Desjardins du Haut Saint-François*, having its head office at 46, rue de l'Hôtel-de-Ville, East Angus (Québec);



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

AND CARRIED TO authorize the purchase of a cube truck from *Magtrucks*,
in the amount of \$ 78 312.96, in US dollars, including fees, plus the then-
current exchange rate and plus tax;

That a deposit of \$ 2 000 in US dollars is required to secure the purchase;

THAT the expense is conditional on funding.

ADOPTED UNANIMOUSLY

8.12 Loan for the purchase of a cube truck – fire department

2021-06-094

WHEREAS the purchase of a cube truck for the fire department is necessary
to replace the GMC 1987 cube truck;

WHEREAS a request for financing must be made to pay in full, the purchase
to the supplier;

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

AND CARRIED to authorize a loan of \$ 78 312.96, in US dollars, including
fees, plus the exchange rate in effect and plus tax;

THAT this amount be calculated at the rate in effect at the time of the
transaction with the Caisse Desjardins du Haut Saint-François, having its
head office at 46, rue de l'Hôtel-de-Ville, East Angus (Québec);

ADOPTED UNANIMOUSLY

9. Legislation

**9.1 Adoption of bylaw number 436-2021 «Bylaw regarding contract
management modifying bylaw 436-1-2020»**

2021-06-095

WHEREAS the municipality has adopted the bylaw concerning contract
management number 436-1-2020;

WHEREAS the Act establishing a new development regime in flood-prone
areas of lakes and watercourses, temporarily granting municipalities powers
to meet certain needs, and amending various provisions (LQ 2021, chapter
7) was sanctioned on March 25, 2021;

WHEREAS in the context of the COVID-19 pandemic, article 124 of this law
provides that for a period of three (3) years, from June 25, 2021, the
municipalities will have to take measures to promote Quebec companies for
any contract that involves an expenditure below the threshold decreed for
the expenditure of a contract that can only be awarded after a public
tender request;

Whereas a notice of motion for this bylaw was given at the council meeting
of May 3, 2021, and a draft bylaw was tabled at this same meeting;



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

AND CARRIED that this bylaw number 436-2021 "bylaw concerning contract management modifying bylaw number 436-1-2020" that it be ruled and ordered:

THAT the preamble is an integral part of this bylaw.

ADOPTED UNANIMOUSLY

9.2 Motion and presentation of bylaw number 435-2021, "Bylaw concerning the control and responsible custody of animals repealing bylaw number 435-2019 - Bylaw on animals"

Councillor Marilyn Matheson gives notice of motion and presents draft bylaw number 435-2021, "Bylaw concerning the control and responsible custody of animals repealing bylaw number 435-2019 - Bylaw on animals" will be filed with dispensation from reading for adoption at a future session.

10. Adjournment of the meeting

2021-06-096

IT IS PROPOSED BY Councillor Marilyn Matheson that the assembly be adjourned; it is 9:08 p.m.

Next regular meeting will be held on Monday, July 5, 2021, at 7:30 p.m. by videoconference.

Certificate of sufficient funds:

I, the undersigned, Louise Brière, director general and secretary-treasurer, certify, by the present, that funds are available for the amounts to be paid in the following resolutions: 2021-06-083, 2021-06-089, 2021-06-091

Signed this June 8, 2021

Louise Brière
Director general and secretary-treasurer

Walter Dougherty
Mayor