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

**AN EXTRAORDINARY MEETING** of the Municipal Council of Bury was held on Monday October 2<sup>nd</sup>, 2017 at 7:30 pm at the Municipal office in Bury, located at 569, Main Street, Bury, Quebec. Present were Councillors Daniel Fréchette, Marilyn Matheson, Delmar Fisher and Alain Villemure, 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.

Councillor Martin Jones is absent.

The Director General and Secretary-Treasurer, Mrs. Karen Blouin, is present.

**AGENDA**

1. Opening of the special meeting
2. List of monthly bills
3. Authorization to pay the monthly bills
4. Deposit of the comparative reports
5. Membership for the ADMQ / FQM group insurance plan
6. Soil samples- pipe replacement project at McIver Street
7. Refinancing of the Western Star Truck Rental Contract
8. Extension of the Golf Concession Agreement
9. Authorization to call for tenders for professional services
10. Request to CPTAQ for lot 4 772 918
11. Notice of motion and presentation of Bylaw 405-2017 modifying Bylaw no. 405-2009 concerning the establishment of a local fund for the repair and maintenance of certain public roads
12. Adoption of Bylaw no. 429-2017 Concerning payable remuneration for municipal elections and referendums - Repealing Bylaw No. 429-2016
13. Adoption of Draft Bylaw 338-2017 modifying Bylaw number 338-2008 for the town planning»
14. Adoption of Draft Concordance Bylaw 339-2017 modifying Zoning Bylaw 339-2008
15. Adoption of Draft Optional Bylaw 339-1-2017 modifying Zoning Bylaw 339-2008
16. Adoption of draft bylaw number 340-2017 modifying Allotment bylaw number 340-2008
17. Adoption of Draft Bylaw number 343-2017 modifying bylaw number 343-2015 relating to Permits and Certificates
18. Adoption of the construction draft Bylaw number 341-2017 repealing bylaw number 341-01
20. Question period
21. Adjournment

1. Opening of the regular meeting

Quorum verification and words of welcome, it is 7:30 pm.



## 2 List of monthly bills

CONSIDERING THAT the Director General must, in virtue of By-Law 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 Daniel Fréchette,  
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 \$ 306 542.05.

THAT the report be filed under number 09-2017 and be considered an integral part of the present minutes.

**ADOPTED UNANIMOUSLY**

## 3. Authorization to pay the monthly bills

WHEREAS the council will not be able to accept the list of accounts from October 1<sup>st</sup> to November 20<sup>th</sup>, and that certain expenses already authorized by the council or decreed by the Director General within her delegation of spending must be paid during this period.

THEREFORE,  
IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Daniel Fréchette,

AND CARRIED TO authorize the Director General to make the payments and to issue the checks necessary for the payments of any necessary expenses provided for in the budget and resulting from the authorization of the council or her delegation to spend for the proper functioning of the municipality.

TO include the list of payments made in the list of monthly bills at the first public meeting of the Council on November 20<sup>th</sup>, 2017.

**ADOPTED UNANIMOUSLY**

## 4. Deposit of the comparative reports

Town Council notes the filing of the comparative income and expense statements as at September 30, 2017

## 5. Membership for the ADMQ / FQM group insurance plan

WHEREAS the «Fédération québécoise des municipalités (FQM)» has called for tenders and, as a result of this process, is a "taker" of a group insurance contract with «La Capitale», which is addressed to the employees of municipalities, MRC and municipal organization;

CONSIDERING THAT both the Municipal Code and the Cities and Towns Act allow a municipality to accede to such a contract;

CONSIDERING THAT the FQM has forwarded to the municipality the costs of the premium that will be applicable for the year 2018 and that consequently the Municipality of Bury wishes to join and that it undertakes to respect the terms and conditions ;



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CONSIDERING THAT the date of coming into force of the contract is January 1<sup>st</sup> 2018;

THEREFORE,  
IT IS PROPOSED BY Councillor Alain Villemure,  
SECONDED BY Councillor Daniel Fréchette,

AND CARRIED THAT the Municipality of Bury adhere to the group insurance policy taken out by the FQM for the period beginning on January 1<sup>st</sup>, 2018 and that it then undertakes to give it one year's notice before leaving this grouping ;

THAT the Municipality authorizes the FQM and its agents FQM Assurance and AON Hewitt to have access to its group insurance file with the insurer in compliance with the rules of protection of personal information;

THAT the Municipality grant to the FQM, and its designated agents (currently FQM Assurance and Aon Hewitt), the mandate to act as a consultant and exclusive broker in group insurance and that they are the only persons authorized to represent the insurer with the designated insurer in connection with the group insurance plan;

THAT this resolution does not limit the right of the FQM to revoke its designated agents and to substitute another one;

THAT this resolution is immediate and revokes any other mandate previously granted, without further notice.

**ADOPTED UNANIMOUSLY**

2017-10-137

**6. Soil samples- pipe replacement project at McIver Street**

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

AND CARRIED TO authorize a maximum budget of \$ 10,000 for the necessary soil surveys this fall as part of the McIver Street Drinking Water Pipeline Replacement Project.

**ADOPTED UNANIMOUSLY**

2017-10-138

**7. Refinancing of the Western Star Truck Rental Contract**

WHEREAS, the lease agreement with HSBC, expires on November 15, 2017, and we have an option to purchase for \$103,872.32, plus tax,

WHEREAS it is the intention of the Municipality to renew the contract and to amortize the residual value of \$103,872.30 plus tax over 5 years with an option of \$1.00,

WHEREAS the renewal conditions offered by HSBC Bank are not acceptable because they are too expensive,

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

AND CARRIED to go to tender for the full amount of \$103,872.30 to obtain the best possible conditions on the market and to renew the contract with another lender on the basis of an additional 60 months with a purchase option of \$1.00.



THAT the Director General is mandated to make the necessary arrangements to carry out this renewal project successfully.

**ADOPTED UNANIMOUSLY**

**8. Extension of the Golf Concession Agreement**

2017-10-139

IT IS PROPOSED BY Councillor Daniel Fréchette,  
SECONDED BY Councillor Alain Villemure,

AND RESOLVED TO amend section 0.01.05 of the Golf Concession Agreement to extend the summer period to October 29th.

TO replace Article 9.03 Release of Premises with the following text:

At the end of the agreement, the dealer undertakes to release the premises of all his property and to remove all equipment, supplies and furnishings belonging to him within five (5) days following the negotiation period, if the parties do not agree on a new agreement.

**ADOPTED UNANIMOUSLY**

**9. Authorization to call for tenders for professional services**

2017-10-140

IT IS PROPOSED BY Councillor Daniel Fréchette,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED TO authorize the Director General to proceed with a call for tenders from engineering firms for the site supervision services and for the plans and specifications for the project to replace drinking water and wastewater pipes on McIver Street as part of the Gas Tax Program and the Quebec Contribution (TECQ) 2014-2018.

**ADOPTED UNANIMOUSLY**

**10. Request to CPTAQ for lot 4 772 918**

2017-10-141

WHEREAS Mrs. Josy Belzyl (representative for: Transport et Excavation Stéphane Nadeau inc.) wishes to file with the Quebec Agricultural Protection Commission (CPTAQ) an application for authorization to permit the use for another purpose than agriculture and opening of a quarry of a 1.4 hectares on part of lot 4 772 918;

WHEREAS the Commission to preserve agricultural land in Quebec, to consider an application requesting the opinion by resolution of municipalities;

WHEREAS the lots 4 772 918 affected by the application are located in Zone number RUR-43 of zoning bylaw number 339-2008;

WHEREAS the renewal project for a use other than agriculture (opening of a quarry) does not contravene with the municipal bylaws in force;

WHEREAS lot 4 772 918 has already been authorized for purposes other than agriculture (sand and gravel pit) in the decision CPTAQ 354518;

WHEREAS the Municipality of Bury must justify its recommendation in accordance with the criteria set out in section 62 of the Act, respecting the preservation of agricultural land and agricultural activities;

The decision criteria provided under section 62 of the Act:



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1. The agricultural potential of the lot and surrounding lots; one (1) residence with woodlands. Agriculture in the sector is on a small scale;
2. Possibilities of use for agricultural purposes: This property is located in a partly wooded lot. A sand and gravel pit already installed on the lot, a nearby residence, the grounds of the demand are insufficient for a viable exploitation of agriculture;
3. The consequences of an authorization on existing agricultural activities and on the development of these agricultural activities: The proposed activity, namely the extension of authorization for non-agricultural use (quarry) brings no additional disadvantage in the area and the sector.
4. The constraints and effects resulting from the application of laws and bylaws, in particular in regard to the environment. The subject land is already non-agricultural use and the new use requested does not cause any disadvantage for the environment.
5. The availability of alternative locations to eliminate or reduce constraints on agriculture, particularly where the demand is for a lot within a census agglomeration or a census metropolitan area, as defined by Statistics Canada:

N / A, the lot is not located in a census agglomeration.

6. The homogeneity of the community and the farm: the homogeneity of the community and the farm remain unchanged.
7. The effect on agriculture of the water and soil resources in the municipality and in the region: use for purposes other than agriculture (sand and gravel pit) does not change the land. The effect on the preservation of water and soil resources for agriculture remains unchanged.
8. Land that is sufficiently large enough to be used for agriculture: Targeted property is not viable for intensive farming.
9. The effect on the economic development of the region: No change.
10. Socio-economic conditions necessary for the viability of a community where the low density of occupation justifies it.

N/A

11. Conformity of the application with the provisions of the zoning bylaw and, where applicable, interim control measures: The recommended use is (quarry) authorized in the RUR-43 zone according to zoning bylaw number 339-2008 currently in force.
12. If the request is for the introduction of a new usage, for purposes other than agriculture, the recommendation must also include an indication of the availability of suitable space available elsewhere in the municipality and outside the agricultural zone.

The existence of suitable space available elsewhere in the municipality and outside the agricultural zone is not possible.



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THEREFORE,  
IT IS PROPOSED BY Councillor Daniel Fréchette,  
SECONDED BY Councillor Marilyn Matheson,

AND CARRIED TO support the application for authorization submitted by Mrs. Josy Belzyl (representative for: Transport et Excavation Stéphane Nadeau inc.) to the Commission for the Protection of the Agricultural Land of Quebec while allowing existing owners the proposed extension of the authorization for non-farm use (opening of a quarry of 1.4 ha) of lot 4 772 918, since this project does not contravene the municipal bylaws in force;

THAT a copy of this resolution be forwarded to the owners concerned and to the Commission for the Protection of Agricultural Land in Québec.

**ADOPTED UNANIMOUSLY**

**11. Notice of motion and presentation of Bylaw 405-2017 modifying Bylaw no. 405-2009 concerning the establishment of a local fund for the repair and maintenance of certain public roads**

Councillor Alain Villemure gives notice of motion to bylaw 405-2017 modifying bylaw no. 405-2009 concerning the establishment of a local fund for the repair and maintenance of certain public roads and that the bylaw will be filed with dispensation from reading for adoption at a future meeting

**12. Adoption of Bylaw no. 429-2017 Concerning payable remuneration for municipal elections and referendums - Repealing Bylaw No. 429-2016**

2017-10-142

WHEREAS section 580 of the Law respecting elections and referendums in municipalities enacts that the Ministry of Municipal Affairs and Regions establish by regulation a tariff of remuneration or allowances for expenses that may be received for their functions by the electoral staff and others;

WHEREAS the amounts fixed by the Ministry in the bylaw respecting rates of remuneration payable during municipal elections and referendums have been modified;

WHEREAS under section 88 of the Law respecting elections and referendums in municipalities, the council members of the municipality may establish a tariff for remuneration or allowances;

WHEREAS Council members deem it appropriate to modify the bylaw concerning the rate of remuneration payable during an election in order to establish a rate equivalent to the one modified by the Ministry of Municipal Affairs and Regions and published in the Official Gazette on September 19, 2017;

WHEREAS notice of motion was duly given at the regular meeting of September 11, 2017;

THEREFORE,  
IT IS PROPOSED BY Councillor Marilyn Matheson,  
SECONDED BY Councillor Daniel Fréchette,

AND CARRIED THAT the bylaw entitled "bylaw 429-2017 remuneration payable in municipal elections and referendums repealing bylaw 429-2016" be and is adopted in accordance with the law.

**ADOPTED UNANIMOUSLY**



2017-10-143

**13. Adoption of Draft Bylaw 338-2017 modifying Bylaw number 338-2008 for the town planning**

IT IS PROPOSED BY Councillor Daniel Fréchette,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED THAT the municipal Council proceed with the adoption of the following bylaw:

Bylaw 338-2017 modifying Bylaw number for the town planning

**ADOPTED UNANIMOUSLY**

2017-10-144

**14. Adoption of Draft Concordance Bylaw 339-2017 modifying Zoning Bylaw 339-2008**

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

AND CARRIED THAT the municipal Council proceed with the adoption of the following bylaw:

Concordance Bylaw 339-2017 modifying Zoning Bylaw 339-2008

**ADOPTED UNANIMOUSLY**

2017-10-145

**15. Adoption of Draft Optional Bylaw 339-1-2017 modifying Zoning Bylaw 339-2008**

IT IS PROPOSED BY Councillor Daniel Fréchette,  
SECONDED BY Councillor Alain Villemure,

AND CARRIED THAT the municipal Council proceed with the adoption of the following bylaw:

Optional Bylaw 339-1-2017 modifying Zoning Bylaw 339-2008

**ADOPTED UNANIMOUSLY**

2017-10-146

**16. Adoption of draft bylaw number 340-2017 modifying Allotment bylaw number 340-2008**

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

AND CARRIED THAT the municipal Council proceed with the adoption of the following bylaw:

Bylaw number 340-2017 modifying Allotment bylaw number 340-2008

**ADOPTED UNANIMOUSLY**

2017-10-147

**17. Adoption of Draft Bylaw number 343-2017 modifying bylaw number 343-2015 relating to Permits and Certificates**

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

AND CARRIED THAT the municipal Council proceed with the adoption of the following bylaw:



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Bylaw number 343-2017 modifying bylaw number 343-2015 relating to Permits and Certificates

**ADOPTED UNANIMOUSLY**

**18. Adoption of the construction draft Bylaw number 341-2017 repealing bylaw number 341-01**

**2017-10-148**

IT IS PROPOSED BY Councillor Daniel Fréchette,  
SECONDED BY Councillor Delmar Fisher,

AND CARRIED THAT the municipal Council proceed with the adoption of the following bylaw:

Construction draft Bylaw number 341-2017 repealing bylaw number 341-01

**ADOPTED UNANIMOUSLY**

**19. Public question period**

None

**20. Adjournment of the meeting;**

**2017-10-149**

IT IS PROPOSED BY Councillor Marilyn Matheson that the assembly be adjourned; it is 8:00 p.m.

Signed this October 3<sup>rd</sup>, 2017

Karen Blouin,  
Director General and Secretary-Treasurer

Walter Dougherty  
Mayor