



No de résolution
ou annotation

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

A REGULAR MEETING of the Municipal Council of Bury was held on **Monday, July 3, 2018 at 7:30 pm** at the Bury Armoury Community Center. Presents were Councillors Daniel Fréchette, 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. Karen Blouin, is present.

1. Opening of the regular meeting

Quorum verification and words of welcome, it is 7:35 pm.

2. Adoption of the Agenda

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

AND CARRIED to adopt the agenda for the regular meeting of July 3, 2018 and adding point 8.10.

The agenda is presented as follows:

AGENDA

1. Opening of the meeting
2. Adoption of the agenda of the July 3, 2018 meeting
3. Adoption of the minutes of the ordinary meetings of June 4, 2018 and the extraordinary meeting of June 4, 2018
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 Resolution retroactive in relation to the financial exercise ending December 31, 2017
 - 8.3 Depositing of the 2017 financial report
 - 8.4 Authorisation to sign the concierge contract
 - 8.5 Nomination of an Officer for the Bury Fire Department
 - 8.6 Request for a minor exemption for 1095, Route 214 lot 4773 629
 - 8.7 CPTAQ – Municipality's recommendation on an application to exclude from the permanent agricultural zone lot 4 772 850 filed by the MRC

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- 8.8 Update of the rental agreement policy for the CCMM
- 8.9 Modification of the list of recognized organisations
- 8.10 Abandonment of employment

9. Legislation

- 9.1 Notice of Motion for Draft By-Law 432-2018 entitled «By- Law for conditional uses»
- 9.2 Adoption of the first draft of By-Law 432-2018 entitled «By-Law for conditional uses»
- 9.3 Adoption of By-Law number 411-2018 adopting the Code of ethics and conduct of elected officials of the Municipality of Bury and repealing By-Laws 411-2014 and 411-2016

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

- 11. Other issues and new business
- 12. Information from Council members
- 13. Adjournment of the meeting

Next regular meeting

Monday, August 6th, 2018 at 7:30 p.m. at the Armoury Community Centre at 563 Main Street in Bury.

ADOPTED UNANIMOUSLY

3. Adoption of the minutes of the ordinary meetings of June 4, 2018 and the extraordinary meeting of June 4, 2018.

2018-07-095

IT IS PROPOSED BY Councillor Marilyn Matheson,
SECONDED BY Councillor Daniel Frechette,

AND CARRIED that the French Minutes of the ordinary meetings of June 4, 2018 and the extraordinary meeting of June 4, 2018, adopted as filed.

ADOPTED UNANIMOUSLY

4. 1st public question period (general questions)

Questions were asked:

- Diversion in the procedure for giving out of the documents before the meeting
- Is the concessionaire allowed to sell water from the Municipal water system
- The golf as a commercial entity free of taxes?
- Salary for the Firefighters for inspecting sites requesting fire permits?
- Who pays for the requests of the Bury Athletic Association?
- Who owns the fences used during the Canada Day Celebration?
- The salaries attributed to the section park of the budget?

5. Filing of the monthly correspondence

The Director General mentions certain subjects from the correspondence which had been deposited at the work meeting.

6. Mayor's report on the financial situation of the Municipality

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



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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

2018-07-096

CONSIDERING THAT 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 Daniel Fréchette,
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 \$ 174 628.37.

THAT the report be filed under number 05-2018 and be considered an integral part of the present minutes.

ADOPTED UNANIMOUSLY

8.2 Retroactive Resolution related to the fiscal year that ended December 31 2017

2018-07-097

WHEREAS the Municipality must complete the regulation entries of the financial report for the fiscal year ending December 31, 2017;

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

AND CARRIED THAT the retroactive modifications and corrections for 2017 be adopted.

- Acquisition of culverts for a total of 6 463.20\$
- Method of refinancing the lease to buy the Western Star 2013(resolution 2017-10-138) . The contract was given to the Royal Bank of Canada for 60 months with option to buy for 1.00\$ at the interest rate of 3.899%.
- Allotting of 50 000\$ of the non allocated accumulated surplus to create an Economic Development Fund in an allocated accumulated surplus account.
- Paying off of the acquisitions made with the working fund will be over a period of 10 years (Resolution 2017-06-078 and 2017-07-099)
- Correction of the amount paid by the non-allocated accumulated surplus for the loader JCB 2008 (resolution 2017-09-125) 16 286.74\$ instead of 26 873.50\$

ADOPTED UNANIMOUSLY



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8.3 Filing of the 2017 financial report

WHEREAS according to the requirements of the Act, a financial report must be prepared annually and sent to the Ministry of Municipal Affairs and Land Occupancy;

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

AND CARRIE that the Municipal Council accepts the 2017 financial report as prepared by the accounting firm Deloitte S.E.N.C.R.L/s.r.l. and authorizes its deposit to the Ministry of Municipal Affairs and Land Occupancy.

ADOPTED UNANIMOUSLY

8.3 Authorization to sign –Concierge Contract ort

WHEREAS the Municipality intends to award the concierge contract, for the municipal offices, the library as well as the Armoury Community Centre
WHEREAS the Municipality has issued a call for tenders in the municipality via the Bury Image, the municipal website as well as regular places of posting.

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

AND CARRIED TO authorize the Director General, Mrs. Karen Blouin, to sign the concierge contract.

ADOPTED UNANIMOUSLY

8.5 Nomination of an officer in the Bury Fire Department

WHEREAS the municipality must proceed with the appointment of an officer in the fire department following the resignation of the former officer;

WHEREAS the Fire Safety Committee has submitted its recommendation to the Council for the appointment of Mr. Justin Fleury;

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

AND CARRIED to nominate Mr. Justin Fleury as an officer of the fire department

ADOPTED UNANIMOUSLY

8.6 Request for a minor exemption at 1095, Route 214, Lot 4 773 629

WHEREAS an request for a minor exemption to 1095 Route 214 has been filed with the Municipality of Bury;

WHEREAS after moving the building the rights are lost in relation to the setback in Area A-37; which is 30 meters from the entrance of the 214 road, then the building will be 18 meters in the front setback.;

2018-07-099

2018-07-100

2018-07-101



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WHEREAS the requests consists in reducing the setback from 30 meter to 18 meters for lot 4 773 629;

WHEREAS the Town Planning Advisory Committee (CCU) with the objective of deciding on projects related to urban planning, has taken recognition of this request :

WHEREAS after posting the public notice in accordance with the Act, all interested persons were invited to be heard at this meeting

THEREFORE

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

AND CARRIED TO grant this request for the minor exemption as recommended by the Town Planning Advisory Committee.

ADOPTED UNANIMOUSLY

8.7 Tabled

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8.8 Update of the rental agreement policy for the CCMM

2018-07-102

WHEREAS it is time to update the rental agreement policy documents for the Community Centre

THEREFORE

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

AND CARRIED to approve the new rental agreement policy for the rooms at the Community Centre.

ADOPTED UNANIMOUSLY

8.9 Modification of the list of recognized organisation

2018-07-103

WHEREAS it is necessary to amend the list of recognized organisations by adding the *Paroisse St-Francois de Laval – Secteur Bury* (SFL-Secteur Bury)

THEREFORE

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

AND CARRIED to approve the addition of the *Paroisse St-Francois de Laval – Secteur Bury* (SFL-Secteur Bury), to the list of non-profit organizations of the municipality.

ADOPTED UNANIMOUSLY

8.10 Abandonment of Employment

2018-07-104

WHEREAS Shawn Lowe had a note for medical leave to May 15 and he did not present himself to work after this date;



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WHEREAS June 7, 2018 a letter was sent to Mr. Lowe in which he was informed that the Municipality considered that he had abandoned his employment;

WHEREAS on June 11, 2018 a grievance was filed by which the Union contests what it considers a disguised firing`

WHEREAS June 12, 2018 the Director General advised the Union by Email that there was not a disguised firing;

WHEREAS in the June 12, 2018 Email the Union was asked to advise the Director General if Shawn Lowe wished to return to work;

WHEREAS the Union never responded to the June 12, 2018 Email;

WHEREAS on June 27, 2018 the Municipality presented a medical note dated June 26, 2018;

WHEREAS the medical note of June 26 gave no valid motive justifying the absence of Shawn Lowe from work;

THEREFORE

IT IS PROPOSED BY Councillor Alain Villemure

SECONDED BY Councillor Delmar Fisher

AND CARRIED the Council accepts that Mr. Shawn Lowe abandoned his employment as of May 15, 2018.

ADOPTED UNANIMOUSLY

9. Legislation

9.1 Notice of motion for draft bylaw 432-2018 entitled« Bylaw on Conditional Uses»

Councillor Daniel Fréchette gives notice of motion for draft bylaw number 432-2018 entitled «Bylaw on Conditional Uses» will be deposited for adoption with renouncing of reading at a future meeting

9.2 Adoption of the first draft Bylaw 432-2018 entitled «Bylaw on Conditional Uses»

WHEREAS there is in force on the territory of the Municipality of Bury a Zoning Bylaw which divides the territory into zones;

WHEREAS the Zoning Bylaw prohibits or authorizes the constructions and uses in each of these zones;

WHEREAS articles 145.31 to 145.35 of the Act Respecting Land Use Planning (RLRQ.c A-19.1) allows the Municipality to adopt a Bylaw on Conditional Uses;

WHEREAS the usefulness of a Bylaw on Conditional Uses resides in its flexibility in comparison to the traditional Zoning Bylaw;

WHEREAS this type of Bylaw with discretionary character can allow under conditions of the Municipal Council and following an evaluation procedure, the set up or exercise within a zone determined by the Zoning Bylaw a use

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deemed compatible, but initially not authorized within said zone and this without it being necessary to modify the bylaw each time;

WHEREAS the Municipal Council of Bury judges it appropriate to adopt a bylaw on conditional uses;

WHEREAS the municipality has a Town Planning Advisory Committee duly formed under article 146 of the Act on Land Use Planning (RLRQ.c A-19.1) a prior condition to adopting a bylaw on set up plans and architectural integration;

WHEREAS a notice of motion was duly given during the present meeting;

WHEREAS the municipality is controlled by the Act on Land Use Planning (RLRQ.c A-19.1) and the present bylaw is adopted conforming to the clauses of this law.

THEREFORE

IT IS PROPOSED by Councillor Daniel Frechette

SECONDED by Councillor Corey Strapps

AND CARRIED that the first draft of Bylaw 432-2918 entitled « Bylaw on Conditional Uses» is adopted.

THAT the members of Council present declare having read the Bylaw and renounce its reading.

ADOPTED UNANIMOUSLY

9.3 Adoption of bylaw 411-2018 adopting the code of ethics and conduct of elected officials of the Municipality of Bury and repealing bylaws 411-2014 and 411-2016

2018-07-106

WHEREAS the government of Quebec adopted the Act on ethics and conduct in municipal matters which came into force December 2, 2010. This Act imposes on all municipalities to adopt by bylaw a code of ethics and conduct for elected municipal officials;

WHEREAS notice of motion was given at the same time as Councillor Daniel Frechette presented the bylaw during the regular meeting of June 4, 2018;

THEREFORE,

IT IS PROPOSED BY Councillor Daniel Frechette,

SECONDED BY Councillor Alain Villemure,

AND CARRIED THAT the Bylaw carrying the number 411-2018 adopting a code of ethics and conduct for the elected officials of the Municipality of Bury and repealing bylaws 411-2014 and 411-2016 be adopted.

THAT Council present declare that they have read the bylaw and renounce its reading.

THAT the preamble is an integral part of the present bylaw.

ADOPTED UNANIMOUSLY

10. 2nd public question period (Items on the agenda)

Questions were asked:

- Items on the monthly bills list: # 40, #45, #53,



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- 8.5 who is on the committee
- 9.1& 9.2 are there other steps to come
- Mayor's Report-details regarding the materials baled
- Obligatory payment for the person who verifies the drinking water

11. Other issues and new items

None

12. Information from Council members

None

13. Adjournment of the meeting;

2018-07-107

IT IS PROPOSED BY Councillor Marilyn Matheson that the assembly be adjourned; it is 8:30 p.m.

Next regular meeting will be held on Monday, August 6, 2018, at 7:30 p.m. at the Armoury Community Center situated at 563 Main Street.

Certificate of sufficient funds:

I, the undersigned, Karen Blouin, Director General and Secretary-Treasurer, certify, by the present, that funds are available for the amounts to be paid in the following resolutions: 2018-07-096

Signed this July 4, 2018

Karen Blouin, Director General and Secretary-Treasurer

Walter Dougherty
Mayor