

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the regular municipal council meeting held on Tuesday, December 13, 2011 at 8:00 p.m. at the Luskville Community centre, situated at 2024, route 148, Pontiac. Those who were present :

Edward McCann, mayor, Dr. Jean Amyotte, pro-mayor and councillors, Roger Larose, Inès Pontiroli and Brian Middlemiss.

EXCUSED ABSENCE: Lynne Beaton, councillor.

Also present the director general and several ratepayers.

The meeting began at 8:05 p.m.

QUESTION PERIOD

- | | |
|----------------------|---|
| Tyler Lamont | - Speed limit – River road
- Location of group postal boxes
- Code of ethics
- Invoice \$165.53 |
| Joan Belsher | - Changes to the nuisance by-law
- Handed a letter concerning a request that the proposed changes be sent the committee |
| Robert Belsher | - Handed a letter concerning his file – nuisances |
| Kelvin Prosyk | - Work – Braun road and Canadian Nature Conservation |
| Denis Dubé | - Aquaduct – Quyon river
- Sidewalks – Egan street
- Web site
- Emergency measures
- Projection of the minutes
- Proposed tax increase
- Employee lunch |
| Anne Brûlé | - Handed a letter on behalf of the Committee for a positive change |
| James Riordan | - Results of the survey – Braun road |
| Madeleine Carpentier | - Complaint – culverts at 196 and 1988 route 148 |
| Dave Birt | - Election date – ward 3 |
| Suzanne Birt | - Polluting - neighbouring property |

11-12-935

ADOPTION OF THE AGENDA

- 1. Opening of the meeting**
- 2. Floor open to public**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of previous meetings**
 - 4.1 Minutes of the regular meeting held on November 8th and that of the special meetings on November 15th, 22nd and the 29th, 2011

- 5. Administration**
 - 5.1 Budgetary transfers
 - 5.2 List of invoices to pay
 - 5.3 List of fixed expenses
 - 5.4 List of incurred expenses for the month of December
 - 5.5 By-law # 09-11 – code of ethics and professional conduct on a municipal level
 - 5.6 Notice of motion – by-law on the adoption of the 2012 budget
 - 5.7 Office hours – Christmas holidays
 - 5.8 Calendar of the municipal council meetings
 - 5.9 Reserved funds in the budget for parks and playgrounds
 - 5.10 Replacement – secretary 2 - urban department
- 6. Sécurité publique – Public security**
 - 6.1 Appointment of a Lieutenant – day shift – West sector
 - 6.2 Appointment of a Lieutenant – day shift – East sector
 - 6.3 Appointment of a Lieutenant – in a « replacement » capacity
 - 6.4 Agreement with the city of Gatineau – establishing a mutual aid plan
 - 6.5 Hiring – Stéphane Tremblay as volunteer firefighter
- 7. Travaux publics – Public works**
 - 7.1 Notice of motion – borrowing by-law – paving Braun road
 - 7.2 Notice of motion – borrowing by-law – paving Lusk project
- 8. Hygiène du milieu – Public hygiene**
 - 8.1
- 9. Urbanisme et zonage – Urban renewal and zoning**
 - 9.1 Subdivision – 1486, route 148 – François Vachon
 - 9.2 Violation – nuisances – 84, chemin Frazer
 - 9.3 Violation – 113, chemin Bord-de-l'eau
 - 9.4 Request to the C.P.T.A.Q. – 3156, route 148 – Yvon Chartrand
- 10. Loisirs et culture – Recreation and culture**
 - 10.1 Ice production and maintenance of the skating rink at 3206 route 148
- 11. Divers – Miscellaneous**
 - 11.1 Contrat - SPCA
- 12. Various reports and correspondence**
 - 12.1 Tabling of various municipal reports: a) animals; b) Realization of an operational scenario of the adapted public transportation; c) Follow-up report – inspection contingency plan – Louis Latrémouille file;
- 13. Tabling of the registre of correspondence**
 - 13.1 Register of the correspondence received in November 2011
- 14. Période de questions – Question period**
- 15. Levée de la séance – Closing of meeting**

It is

Moved by Dr. Jean Amyotte
 Seconded by Inès Pontiroli

AND RESOLVED to adopt the agenda with the following modifications :

Additions :

- 5.11 Litigation with the NCC – Curley Lake road
- 9.6 Subdivision - 572, chemin Lac-Beauclair
- 9.7 Violation - 110, chemin Cochrane

Carried

11-12-936

ADOPTION OF THE MINUTES OF THE REGULAR MEETING HELD ON NOVEMBER 8TH AND THAT OF THE SPECIAL MEETINGS HELD ON NOVEMBER 15TH, THE 22ND AND THE 29TH, 2011

Moved by Inès Pontiroli
 Seconded by Dr. Jean Amyotte

AND RESOLVED to adopt the minutes of the regular meeting held on November 8th 2011 and that of the special meetings held on November 15th, the 22nd and the 29th 2011.

Carried

11-12-937

BUDGETARY TRANSFERS (November 2011)

It is

Moved by Brian Middlemiss
Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality carry out the budgetary transfers as described on the attached list in the amount of \$ **47,899.00**.

Carried

11-12-938

LIST OF INVOICES TO PAY

Moved by Inès Pontiroli
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to **\$207,712.68** (see appendix in file no.102-102) for the period ending November 30, 2011 and to debit budget posts related to the expenses mentioned on said list.

Carried

11-12-939

LIST OF FIXED EXPENSES

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT this Council approves the list of expenses from the history of cheques which includes:

- fixed expenses;
- payments via Internet;
- the true amount of invoices paid following approval by incurring expenses or by resolution;

all for a total of \$ **236,388.02** (see appendix) for the period ending December 1, 2011 and to debit related budget accounts for the expenses mentioned on said list.

Carried

11-12-940

LIST OF INCURRED EXPENSES FOR THE MONTH OF DECEMBER 2011

Moved by Roger Larose
Seconded by Inès Pontiroli

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in appendix A (see file 102-102), for a total amount of \$ **2,343.38** taxes included.

Carried

11-12-941

BY-LAW NUMBER 09-11 - TO ENACT THE SANDARDS THAT ARE APPLICABLE TO THE MEMBERS OF THE PONTIAC MUNICIPAL COUNCIL – CODE OF ETHICS AND PROFESSIONAL CONDUCT ON A MUNICIPAL LEVEL

WHEREAS on June 10, 2010, the Quebec government introduced a draft of bill 109 concerning the *Act with respect to ethics and professional conduct on a municipal level* submitted by Mr. Laurent Lessard, Minister of Municipal Affairs, which was adopted on November 30, 2010 and sanctioned on December 2, 2010 ;

WHEREAS the *Act with respect to ethics and professional conduct on a municipal level* among others, creates an obligation for local municipalities to adopt a code of ethics and professional conduct that is applicable to elected representatives, which shall be revised following each general election;

WHEREAS the said Act foresees that the rules stated in the code of ethics and professional conduct for elected representatives notably must affect conflicts of interest, favouritism, malpractice, breach of trust or other misconduct, donations and other advantages, the use of the municipality's resources as well as in the aftermath of the mandate;

WHEREAS this council deems it necessary and of public interest to conform to the Ministry of Municipal Affairs demands;

WHEREAS a notice of motion was given at a regular Council meeting held on October 11, 2011 to the effect that the present by-law would be submitted for approval;

FOR THIS REASON, it is

Moved by Inès Pontiroli
Seconded by Roger Larose

AND RESOLVED THAT it is ordered and ruled on by the Council of the Municipality of Pontiac, and the said municipal Council orders and rules the following by the present by-law :

ARTICLE 1 – PREAMBLE

The preamble is an integral part of the present by-law.

ARTICLE 2 – OBJECT – GENERAL PRINCIPLE

2.1 The object of the present by-law is to set a code of ethics and professional conduct for the Council members of the Municipality of Pontiac, notably by subscribing to values based on the integrity, the honour related to the duties of a member of a municipal Council, caution in the pursuit of public interest, respect, loyalty, equity, honesty, objectivity, impartiality, and sound management in a perspective of public interest to govern the Municipality of Pontiac.

2.2 The members of the municipal Council must hold office and organize their personal affairs so as to preserve and maintain public trust with integrity, objectivity and impartiality in the Municipality of Pontiac's decisions. Furthermore, the members of municipal Council must act with integrity, objectivity and impartiality but must also preserve appearances and promote transparency by adopting a behaviour that will preserve and maintain public confidence with integrity, objectivity and impartiality of the municipal corporation.

ARTICLE 3 – RANGE OF APPLICATION

Unless otherwise specified, the present by-law applies to all Council members of the Municipality of Pontiac.

ARTICLE 4 – DEFINITIONS

For interpretation purposes of the present by-law, unless the context specifies otherwise, the words and expressions mean the following, without limitation:

- 4.1 **Advantages :** Any gift, donation, favour, reward, service, commission, pay, retribution, indemnity, compensation, benefit, profit, advance, loan, discount or anything else of the same nature that is useful or profitable, or any promise of such advantages.
- 4.2 **Code of ethics :** In an extensive way, the code of ethics is first and foremost an educational tool, a group of rules of conduct, a code of honour, which could lead to the imposition of a sanction of the law, foreseen in articles 31 and 32, section III, of the *Act with respect to ethics and professional conduct on a municipal level*, and have consequences of a political nature for whomever does not comply to its precept.
- 4.3 **Committee :** A committee consisting of the Municipality of Pontiac municipal Council, as constituted by municipal by-law and in virtue of article 82 of the Municipal Code.
- 4.4 **Council :** The municipal Council of the Municipality of Pontiac.
- 4.5 **Professional conduct :** The Professional conduct concerns rules of conduct which are expected under the sense of duty and responsibility and results from values and ethical principles.
- It exercises a regulation in view of directing the conduct and aims at codifying that which is banned and what is permitted. Its application is often quasi-judicial and founded on judicial principles. Its principles have a binding power.
- 4.6 **Employee** Any officer or salaried personnel in the employ of the Municipality.
- 4.7 **Binded organization :** Society, company, cooperative, association or corporation which has a business relation, or other, with a Council member of the Municipality of Pontiac.
- 4.8 **Ethics :** The sense of ethics is a concept which attempts to guide a person in a choice of behaviour to be adopted when faced with a given situation. It's a group of regulations which outlines the human conduct, its application is founded on a subject's self-discipline.
- It is good practice to use one's judgement on the basics of values, standards and issues at hand in order to direct self conduct and make well informed decisions in a given situation. For practical purposes, it refers to a group of values, rules and judgements which will direct an individual's and a group's behaviour.

It should not be seen as a control system, but rather as the exercise which is responsible for the use of judgement and discretion in difficult situations.

4.9 Honour associated with the duties of a member of the municipal Council :

Every member of the municipal Council protects the honour associated to their duties, which presupposes the constant practical use of values : integrity, prudence, respect, loyalty and equity.

4.10 Integrity :

The members of the municipal Council shall promote honesty, strictness and justice.

4.11 Personal interest:

Interest shown by the person concerned, be it a direct or indirect interest, financial or not, real, apparent or a potential interest. It is distinct, without necessarily being exclusive of that of the public in general, or may be perceived as such by a reasonably informed person. Excluded from this notion, is the case where personal interest consists of payment, allocations, reimbursement of expenses, of fringe benefits, or other conditions related to the duties of the person concerned, within the Municipality or a municipal organization.

4.12 Interest of close relations :

Interest from the spouse of the person concerned, from his/her children, from people in his/her ascending line or interest from a public corporation, a company, a coop or association with whom he/she has any business relations. It may be of direct or indirect interest, financial or not, real, apparent or a potential interest. It is distinct, without necessarily being exclusive of that of the public in general, or may be perceived as such by a reasonably informed person.

4.13 Loyalty towards the Municipality :

The members of the municipal Council shall seek the interest of the Municipality of Pontiac.

4.14 Member :

A committee member, be it a municipal Council member or not.

4.15 Member of the immediate family :

The spouse, in the sense of the *Act respecting labour standards*, as well as people in his/her ascending line, brothers or sisters and their spouses or a binding entity.

4.16 Member of Council :

The mayor and councillors forming the members of Council of the Municipality of Pontiac.

4.17 Municipality :

The Municipality of Pontiac.

4.18 Municipal Organization :

1. An organization which the government declares as being an authorized or a municipal agent ;
2. an organization whose council consists in majority of council members of a municipality ;
3. an organization whose budget is adopted by the municipality or whose funding is assured for more than half its worth by the municipality ;

4. a council, a commission or a committee formed by the municipality, which is in charge of examining and studying a question that is submitted by council ;
5. a business, corporation, company or association in which a person is designated or recommended by the municipality, in order to represent its interests.

4.19 Resource person: Person appointed by the municipal Council to participate in the activities of the Planning advisory committee, or other committees, but who is not a member and has no right to vote. The resource person is subjected to the same duties and responsibilities of a member, but may have a contract with the Municipality. The fact that a resource person is an employee of the Municipality or that he/she has a professional mandate as a consultant for the Municipality, is not reputed as being a conflict of interest. Holding an interest, in the sense of article 305 of the *Act respecting elections and referendums in municipalities* is not the intent of the present document.

4.20 Prudence in pursuit of public interest : The members of the municipal Council assume their responsibilities in view of the mission of public interest, that is incumbent upon them to do. In accomplishing this mission, they shall act with professionalism as well as vigilance and discretion.

4.21 Searching for equity : The members of the municipal Council shall treat everyone with justice and, as far as possible, by interpreting the laws and regulations, in accordance to their ethics.

4.22 Respect towards other members, the employees of the Municipality and all citizens : The members promote respect in the aspect of human relations. He/she has the right to this and acts with respect towards all people that they deal with, in the scope of their employment.

ARTICLE 5 – CONFLICT OF INTEREST

5.1 For the purpose of the present document, a conflict of interest exists when a personal interest may potentially, or apparently, prevent a member of Council to act objectively, in his/her executive capacity and in the sole interest of the Municipality of Pontiac.

5.2 The members of the municipal Council must perform their duties in the interest of the public and take all necessary measures to value the public's interest. To that effect, and without limiting its range, he/she must pay particular attention to each file submitted to committees or others, so as to evaluate their merit, keeping in mind the advantages and inconveniences and the impact on the community as a whole.

5.3 The members of the municipal Council must faithfully assume their duties in conformity with the applicable legislations, including the current municipal by-laws. He/she subscribes to and accepts the principles of a sound municipal administration and must fulfill his/her duties and responsibilities with integrity, dignity and impartiality.

- 5.4 The members of the municipal Council must not place themselves in a situation where their personal interest, or that of a member of their immediate family could influence them in their executive capacity.
- 5.5 The members of the municipal Council must refrain from soliciting or possessing for themselves, for a close relative or a corporation in which he/she has a personal interest, a contract with the Municipality.
- 5.6 In order to prevent any real or potential situation of conflict of interest, none of the members of the municipal Council may directly or indirectly participate in any invitation to tender, and cannot have a direct or indirect interest in a contract with the municipality or a municipal organization, with the exclusion of the exceptions foreseen in articles 305 of the *Act respecting elections and referendums in municipalities* (L.R.Q. c. E-2.2 and 269 of the Quebec municipal code L.R.Q. c. - 27.1).
- 5.7 None of the members of the municipal Council may solicit, accept, or receive, any payment, profit or advantage whatsoever, other than those provided for by Law, in exchange for a statement regarding a by-law, a resolution or any question submitted or that shall be submitted to the municipal Council or to any of their committees.
- 5.8 Any member of Council, upon their election or during their mandate or employment, who is placed in a situation where there is a conflict of interest, following the implementation of a law, a marriage, common-law marriage or the acceptance of a donation or legacy, must put an end to the situation as soon as possible following the election or the occurrence of an event that will generate the conflict of interest.
- 5.9 The members of Council must make it publicly known on their annual declaration of financial interests, the facts and situations that are directly or indirectly susceptible to create a conflict with the public's interest, or their duties and personal interests or that of their immediate family's, in a way that the citizens may establish that he/she is acting within their duties with integrity, impartiality and objectivity or, where appropriate, to observe that he/she is derogating to the correct way of acting by keeping the said declaration to date, as soon as he/she is aware of any fact or situation of this nature, by submitting an amended declaration to the Secretary-treasurer or Director general.

5.10 **Communication**

- (i) The members of Council will transmit the Council's decisions with precision and in an adequate fashion even if he/she is in disagreement with a majority decision.
- (ii) The members must respect the Council's decision-making process.
- (iii) The members must lead and transmit Council's business in an open and public fashion so that interveners may understand the process, logic and justification used to draw conclusions and make decisions.
- (iv) The municipal Council will regularly take advantage of official or unofficial occasions to obtain the tax payers' ideas as part of the decision-making process regarding questions that have major repercussions on the community.
- (v) The members of Council will show respect during discussions concerning their peers, the personnel, the municipality and all of the Council's decisions.
- (vi) The members of Council will refrain from giving comments that could denigrate their peers or the personnel's professional competence or credibility.

ARTICLE 6 – GIFTS – DONATIONS

- 6.1 The members of the municipal Council must refuse all gifts, offers of hospitality or other advantages, whatever its value may be, that would risk having an influence on their judgement or their duties, or that may give rise to the perception of a such risk.
- 6.2 Notwithstanding article 6.1, a member of the municipal Council may receive certain advantages when these advantages:
- a) are conform with the rules of courtesy, of protocol, hospitality or usage ;
 - b) are not from an anonymous source ;
 - c) do not represent a sum of money, an action, an obligation, a commercial paper or any financial title ;
 - d) are not of a nature that would leave any doubt on their integrity, their independence, or their impartiality, that of the Municipality or a municipal organization.
- 6.3 Any donation, act of hospitality or any other advantage received by a member of the municipal Council and that which is not purely of a private nature or aimed at what is applicable to article 6.1, if its value is greater than \$200, the said member of Council must make a written declaration within 30 days of its reception and submit it to the Secretary-treasurer and Director general of the Municipality of Pontiac. This declaration must include an adequate description of the donation, of the act of hospitality or the advantage received, and specify the name of the donor as well as the date and the circumstances of its reception. The Secretary-treasurer and Director general keeps a public register of these declarations.
- 6.4 The present rule does not apply:
- a) When the act of hospitality or the advantage comes from a government or a municipality, from a government or municipal agency or any of their official representatives ;
 - b) If the member of the municipal Council hands over the said advantage that was received, to the Municipality ;
 - c) If it consists of a meal enjoyed in the presence of the person who has offered it and is less than \$200.
- 6.5 When a member of the municipal Council directly or indirectly receives an act of hospitality or another advantage as part of a training activity or professional development, in accordance with article 6.2, he/she must inform the Director general. The declaration of the member of the municipal Council must be the object of a description by the Director general specifying the circumstances. The present article does not apply to an act of hospitality or any other advantage when the member of the municipal Council has received them in his/her executive capacity, on behalf of a representative or a government agency, or a professional association to which he/she is a member of.
- 6.6 Each donor receives a copy of the present by-law regarding ethics, so that he/she knows that the gift or donation cannot be accepted. Professionals and businesses who do business with the Municipality will receive a copy of the present by-law.

ARTICLE 7 – DUTY OF DISCRETION

- 7.1 The members of the municipal Council may not use information which he/she receives in their executive capacity and which is not generally passed on to the public, to their personal advantage or benefit.
- 7.2 The members of the municipal Council may not transmit to a third party, information which he/she receives in their executive capacity and which is not generally passed on to the public.

- 7.3 The members of the municipal Council may not transmit to a third party, information which is nominative in the sense of the *Act with respect to access to public organization documents and on the protection of personal information*. The Director general is the person responsible, designated in virtue of the said Act, and exclusively possesses the delegated authority to decide on the nominative nature of the information.
- 7.4 The members of the municipal Council, with the exception of the mayor, may not transmit information that is not nominative and is not generally passed on to or known by the public, without the municipal Council's authorization.
- 7.5 In order to protect the secret with respect to information of a confidential nature, the members of Council must :
- a) refrain from using such information at the Municipality's prejudice or in view of directly or indirectly obtaining an advantage for him/herself or for others ;
 - b) take the necessary measures to ensure that his/her colleagues and entourage do not use or relay such information that has come to their knowledge in their executive capacity,

ARTICLE 8 – USE OF MUNICIPAL RESOURCES – NAME – ARMORIES OR LOGO

- 8.1 The members of the municipal Council must refrain from using or allowing the use of municipal resources, goods or services for other purposes than those intended, or those of municipal organizations, or to use the authority in their executive capacity for their personal interest or that of a member of their immediate family.
- 8.2 Despite article 8.1, a taxpayer may use certain of the Municipality's goods or services for personal purposes, if it is a service that is offered on a general basis by the Municipality or a municipal organization.
- 8.3 The members of the municipal Council must refrain from using the municipality's name or logo when concluding contracts and agreements in a personal capacity with a third party, so that the other party is not led to believe that the contract or agreement was concluded with the Municipality or that the Municipality becomes surety for them or is implicated in any way whatsoever.
- 8.4 The members of the municipal Council must refrain from using municipal letterhead for their personal activities.
- 8.5 The members of the municipal Council who has or acquires interest in a company or business, must avoid using their position at the Municipality for publicity purposes or promotional support to the business in question.

ARTICLE 9 – BUSINESS WITH THE MUNICIPALITY

The members of the municipal Council must refrain from directly or indirectly having an interest in a contract with the Municipality or a municipal organization, subject to the exceptions provided by the Law.

ARTICLE 10 – RESPECT FOR THE DECISION-MAKING PROCESS – EMPLOYEE RELATIONS – HIRING PROCESS

- 10.1 The members of the municipal Council must respect the legislative and administrative prescription governing the Municipality's and municipal organizations' decision-making process.
- 10.2 The members of the municipal Council must maintain respectful relations with other members of the municipal Council, with the employees and the citizens of the Municipality of Pontiac.

10.3 The members of the municipal Council must refrain from participating or influencing anyone when hiring, supervising, promoting or evaluating an employee's performance when the employee is a member of his/her immediate family or a person to which he/she legally or personally is indebted to.

10.4 The members of the municipal Council must disclose all family ties or social affiliation via a candidates possessions, that may affect his/her creditibility and must withdraw from any selection committee.

ARTICLE 11 – PARTICIPATION IN TRAINING SESSIONS – DECLARATION OF OATH OF THE ELECTED REPRESENTATIVE

11.1 The members of the municipal Council shall participate, within four (4) months of assuming his/her duties, to a training session on ethics and professional conduct that is specially created for the municipal sector and to additional information sessions offered periodically for the duration of the mandate.

11.2 The members of the municipal Council must take the oath, according the the *Act respecting elections and referendums in municipalities*, in keeping with the rules of the Code of ethics and professional conduct.

ARTICLE 12 – PROCESS OF APPLICATION AND CONTROL - SANCTIONS

12.1 Any person who has reasonable motive to believe that a member of the municipal Council has committed a violation of a rule provided for in the code of ethics and professional conduct, which can be applicable to him/her, may contact the Ministry of Municipal Affairs within three years following the end of this member's mandate, in accordance with articles 20 to 30 of the *Act respecting ethics and professional conduct* on a municipal level.

12.2 In order for any complaint, with respect to the present by-law to be complete, it must be written, witnessed on oath, justifiable and accompanied by any supporting document, if necessary.

12.3 According to articles 7 and 31 of the *Act respecting ethics and professional conduct* on a municipal level : A breach of the *Code of ethics and professional conduct* by a member of Council of the Municipality of Pontiac may lead to the imposition of the following sanctions :

1. A reprimand.
2. Handing over to the Municipality, within 30 days of the Quebec Municipal Commission's decision :
 - a) The donation received as a hospitality of advantage, or their value ;
 - b) Any profit taken for the breach of a rule, stated in the municipal Code.
3. The reimbursement of any payment, allocation or other sums received as a member of the municipal Council, of a committee or a commission of the Municipality or an organization, for the duration that the breach of a rule, provided for in the municipal Code, existed.
4. The suspension of the member of Council for no more than 90 days, which cannot have effect past the last date of his/her mandate.

12.4 When a member of the municipal Council is suspended, he/she may not attend any council meeting, committee or Municipal commission or, in his/her capacity as member of the Municipality of Pontiac Council, of another organization, and may not receive neither payment, allocation or any other sum from the Municipality or a such organization.

ARTICLE 13 – POST-MANDATE

13.1 The members of the municipal Council who ceased to perform his/her duties must act in such a way as to avoid drawing unfair advantage of his/her previous duties.

13.2 The members of the municipal Council shall refrain from disclosing confidential information that is not available to the public, obtained in the scope of their employment.

13.3 The members of the municipal Council must refrain from disclosing confidential information that he/she obtains, or to use it to his/her advantage or someone else's ; such information that is not available to the public, obtained while in their executive capacity.

ARTICLE 14 – REVISION OF THE LISTED RULES – CODE OF ETHICS AND PROFESSIONAL CONDUCT

The members of the municipal Council agree to revise and adopt, at the beginning of each new four (4) year mandate, the rules governing the code of ethics and professional conduct in order to reiterate their commitment regarding respect and promoting the rules therein and that it reflects the evolution of local concerns as well as the elected representatives' leanings and priorities.

ARTICLE 15 – DECLARATORY PROVISIONS

The masculin and the singular are used in the present by-law without discrimination in order to reduce the size of the document, and includes the feminine and the plural.

ARTICLE 16 – COMING INTO EFFECT

16.1 The present by-law will come into effect after the accomplishment of formalities enacted by Law.

A vote is requested and registered as follows :

FOR

Inès Pontiroli
Roger Larose
Brian Middlemiss

AGAINST

Dr. Jean Amyotte

Carried on a divided vote

NOTICE OF MOTION

Notice of motion is hereby given the mayor, Edward McCann that at a subsequent council meeting he intends to present a by-law concerning the adoption of the 2012 budget.

11-12-942

CLOSING THE OFFICE – CHRISTMAS HOLIDAYS

It is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality close the administrative offices from December 26th 2011 until January 4, 2012 inclusively

Carried

11-12-943

CALENDAR OF THE MUNICIPAL COUNCIL MEETINGS

WHEREAS article 148 of the Quebec Municipal Code (or 319 of the *Act respecting towns and cities*) provides that council must establish, before the beginning of each calendar year, the calendar of the regular meetings for the next year, setting the date and time at which they shall begin;

CONSEQUENTLY, it is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT the calendar herein be adopted as the regular municipal council meetings for 2012, to be held on Tuesdays, beginning at 8:00 p.m.:

January 17	May 8	September 11
February 14	June 12	October 9
March 13	July 10	November 13
April 9	August 14	December 11

IT IS FURTHER RESOLVED to hold the meetings of May in Breckenridge and that of August in Quyon.

Adoptée

11-12-944

RESERVED FUNDS IN THE BUDGET FOR PARKS AND PLAYGROUNDS

WHEREAS in the 2011 budget, the sum of \$30,000.00 was reserved for the development of two (2) parks;

WHEREAS the development of one of these parks could not be realized;

CONSEQUENTLY, it is

Moved by Inès Pontiroli
Seconded by Brian Middlemiss

AND RESOLVED THAT the sum of \$15,000.00 of the operating budget be returned to the reserved fund for parks and playgrounds.

Carried

11-12-945

REPLACEMENT – SECRETARY 2 – URBAN DEPARTMENT

It is

Moved by Dr. Jean Amyotte
Seconded by Brian Middlemiss

AND RESOLVED THAT the director general is hereby authorized to replace, on an interim basis, the secretary 2 position in the urban department, which was left vacant for sick leave reasons.

Carried

11-12-946

**LITIGATION WITH THE NATIONAL CAPITAL COMMISSION
CONCERNING CURLEY LAKE ROAD**

WHEREAS the municipality is the proprietor of Curley Lake road;

WHEREAS the municipality has the competence of the public works department with respect to public roads, to which management does not come within the competency of the Quebec or Canadian government, nor from any of their ministries or organizations;

WHEREAS on September 13, 2011, this council adopted resolution number 11-09-865 by which was resolved that the Municipality of Pontiac notify the NCC of its intention to authorize the use of Curley Lake road to the Pontiac Snowmobilers Association, as permitted by law, for the snowmobile trails linking Pontiac to La Pêche and to also notify the NCC that it is not to dismantle the existing bridge on Curley Lake road, when moving the run-down buildings at Lac La Pêche;

WHEREAS council adopted by-law number 08-11 on October 18, 2011 to allow snowmobiles to use certain municipal roads, as permitted by paragraph 14 in article 625 of the Road safety Act, among others, on Curley Lake road;

WHEREAS the letter dated November 29, 2011 from the NCC informing the Municipality of Pontiac of their claim of owning the right of way on Curley Lake road;

WHEREAS in that letter dated November 29, 2011, the NCC writes that, from this date and until December 5, 2011, they will begin steps in order to prohibit, as of this winter, the use of snowmobiles on Curley Lake road;

WHEREAS the position taken by the NCC, which differs from this council's position where ownership of Curley Lake road is concerned and the Municipality of Pontiac's jurisdiction over this road;

WHEREAS, as already mentioned, that Curley Lake road is a municipal road which was never closed nor abolished and that it is under the Municipality of Pontiac's jurisdiction;

It is

Moved by Edward McCann
Seconded by Roger Larose

AND RESOLVED to notify the NCC to stop any action, punishable by law, which will limit or prevent the public's use, be it on foot, by vehicle or any other method, of Curley Lake road;

IT IS ALSO HEREBY RESOLVED THAT instructions be given to employees of the Municipality to remove all signs, structures or piece of work installed within the right of way of Curley Lake road, intended to prevent the public's use of Curley Lake road;

IT IS FURTHER HEREBY RESOLVED THAT a mandate is given to the firm RPGL barristers, if necessary, to begin any judicial proceedings against the NCC in order to prevent them from blocking or to limit the free-flow of traffic on Curley Lake road, including snowmobiles.

Carried

11-12-947

APPOINTMENT – LIEUTENANT ON PROBATION - DAY SHIFT – WEST SECTOR

WHEREAS exams given for the position of lieutenant;

WHEREAS the results obtained;

WHEREAS Mr. Mario Allen's recommendation;

It is

Moved by Roger Larose
Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality hereby appoint Mr. Pierre-Louis Chatrand as lieutenant on probation for the Pontiac fire department, on the day shift in the East sector of the municipality.

Carried

11-12-948

APPOINTMENT – LIEUTENANT ON PROBATION - DAY SHIFT – EAST SECTOR

WHEREAS exams given for the position of lieutenant;

WHEREAS the results obtained;

WHEREAS Mr. Mario Allen's recommendation;

It is

Moved by Inès Pontiroli
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT the municipality hereby appoint Mr. Kevin Mansey as lieutenant on probation for the Pontiac fire department, on the day shift in the East sector of the municipality.

Carried

11-12-949

APPOINTMENT OF A SUBSTITUTE LIEUTENANT

WHEREAS exams given for the position of lieutenant;

WHEREAS the results obtained;

WHEREAS Mr. Mario Allen's recommendation;

It is

Moved by Inès Pontiroli
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT the municipality hereby appoint Ms. Cheryl Hardwick as « substitute » lieutenant on probation for the Pontiac fire department.

Carried

11-12-950

AGREEMENT WITH THE CITY OF GATINEAU – ESTABLISHING A MUTUAL AID PLAN

It is

Moved by Inès Pontiroli
Seconded by Dr. Jean Amyotte

AND RESOLVED to amend resolution no. 11-11-912, by including the safety boat in the equipment used, to item 9 of the agreement.

Carried

Councillor Brian Middlemiss steps out at 8:30 p.m., declaring a possible conflict of interest.

11-12-951

HIRING – STÉPHANE TREMBLAY AS VOLUNTEER FIREFIGHTER

It is

Moved by Roger Larose
Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality hire Mr. Stéphane Tremblay as volunteer firefighter under probation for the Pontiac fire department, after having received the letter from Mr. Tremblay, as agreed.

Carried

Councillor Brian Middlemiss returns to the table at 8:33 p.m.

NOTICE OF MOTION

Notice of motion is hereby given by councillor Brian Middlemiss that at a subsequent council meeting he intends to present a borrowing by-law concerning asphaltting Braun road.

NOTICE OF MOTION

Notice of motion is hereby given by councillor Brian Middlemiss that at a subsequent council meeting he intends to present a borrowing by-law concerning asphaltting Lusk project.

11-12-952

SUBDIVISION – 1486, route 148 – François Vachon

WHEREAS the applicant wishes to subdivide lots 2 684 304 and 2 684 305;

WHEREAS the request is in conformity with the zoning by-law 177-01;

WHEREAS that the request is in conformity with the subdivision by-law 178-01;

CONSEQUENTLY, it is

Moved by Dr. Jean Amyotte
Seconded by Brian Middlemiss

AND RESOLVED that council supports the applicant's request as shown on the subdivision project plan prepared by land surveyor André Durocher, under his minutes 19 775, dated August 17th, 2011.

Carried

11-12-953

VIOLATION – Nuisances – 84 Frazer

WHEREAS nuisances by-law 04-07;

WHEREAS historic of the file :

August 25 th 2010	- 1 st violation notice
September 9 th 2010	- 2 nd violation notice
November 1 st 2010	- 3 rd violation notice
November 12 th 2010	- Last notice
November 23 rd 2010	- Violation report

WHEREAS the owner has pleaded guilty;

WHEREAS judgment no. 11-01177-3 of the Municipal Court giving the owner 30 days after notification to clean the property and authorizing the Municipality to do so if the owner does not comply;

WHEREAS the situation is now worse than before judgment was rendered;

WHEREAS this Council acknowledges that there is a violation;

CONSEQUENTLY, it is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT this Council authorizes the Director of the urban department, Mrs Isabelle Côté, to transmit a copy of the judgment and a request to clean the property to Paradis, Montpetit, Beauchamp, bailiffs.

Councillor Roger Larose votes against the resolution because the by-law pertaining to nuisances has not yet been modified.

Carried on a divided vote

11-12-954

VIOLATION – 113 Bord-De-L'Eau

WHEREAS the historic of the file :

June 8 th 2004	- Registered letter for wastewater treatment;
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- July 7th 2004 - Letter by bailiffs for wastewater treatment;
- August 24th 2004 - Registered letter for wastewater treatment;
- September 29th 2004 - Registered letter for wastewater treatment;
- November 1st 2004 - Letter by bailiffs for wastewater treatment;
- May 29th 2007 - 1st notice for work without permit;
- June 14th 2007 - 2nd notice for work without permit;
- June 26th 2007 - Permit for work already in progress;
- September 17th 2009 - 1st notice for expired permit and unfinished work;
- November 12th 2009 - 2nd notice for expired permit and unfinished work;
- November 26th 2009 - 3rd notice for expired permit and unfinished work;
- December 1st 2009 - Letter- file transferred to the Court;
- September 21st 2010 - No change- New notice for unfinished work;
- October 6th 2010 - Registered letter for unfinished work;
- October 13th 2011 - Registered letter for unfinished work and expired permit.

WHEREAS regulation respecting waste water disposal systems for isolated dwellings;

WHEREAS article 2 of the zoning by-law 177-01 on special dispositions applicables in zone 15;

WHEREAS to this day the owner has not complied, despite precise instructions on permit 2010-00588;

WHEREAS Council acknowledges that there are violations;

CONSEQUENTLY, it is

Moved by Inès Pontiroli
 Seconded by Dr. Jean Amyotte

AND RESOLVED that this Council authorize the Director of the urban department, Mrs. Isabelle Côté, to transfer the file of 113 Bord-de-l'Eau to our legal advisors for procedures.

Councillor Roger Larose votes against the resolution because the by-law pertaining to nuisances has not yet been modified.

Carried on a divided vote

11-12-955

REQUEST TO THE C.P.T.A.Q – 3156, route 148 – Yvon Chartrand

WHEREAS the request pertains to an authorization for a usage other than agricultural, that is, the subdivision and alienation of part of lot 2 682 904,

WHEREAS regulation on the evacuation and treatment of wastewater of isolated residences;

WHEREAS this parcel of land will be attached to lot 2 682 902;

WHEREAS natural restrictions affecting these lots;

CONSEQUENTLY, it is

Moved by Roger Larose
 Seconded by Brian Middlemiss

AND RESOLVED THAT this council supports the applicant's request for an authorization to use part lot 2 682 904 for other than agricultural purposes, being the subdivision and alienation of the said lot.

Carried

11-12-956

SUBDIVISION – 572, chemin Lac-Beauclair – Allan Richard Dee

WHEREAS the applicant wishes to subdivide part of lot 26A, range 13, Township of Onslow in order to create lot 26A-3, rang 13, Township of Onslow;

WHEREAS the request is in conformity with the zoning by-law 177-01;

WHEREAS the request is in conformity with the subdivision by-law 178-01;

CONSEQUENTLY, it is

Motioned by Roger Larose
Seconded by Brian Middlemiss

AND RESOLVED THAT council supports the applicant's request as shown in the plan prepared by land surveyor Richard Fortin, under his minutes 8915, dated November 25th, 2011.

Carried

11-12-957

VIOLATION – 110 Cochrane

WHEREAS nuisances by-law 04-07;

WHEREAS the historic of the file :

- November 18th, 2008 - 1st notice - nuisances
- March 31st, 2009 - Follow-up letter
- May 4th, 2009 - 2nd notice for nuisances
- May 14th, 2009 - 3rd notice for nuisances
- May 22nd, 2009 - Meeting on location with owner, explanatory letter and new delay granted
- July 17th, 2009 - Letter – requesting a meeting
- April 14th, 2010 - Nuisances and construction without permit - meeting on location with owner. 30-day delay granted for cleaning up and getting a permit (shed)
- June 9th, 2010 - Letter for inspection
- July 21st, 2010 - Notice – violation report
- July 28th, 2011 - Nuisances and other construction work without permit (fence)
- December 5th, 2011 - Last inspection

WHEREAS judgment of the Municipal Court finding the defendant guilty, fining her \$250.00, plus fees and ordering the clean-up of her property within 30 days following the notification of the judgment;

WHEREAS the said judgment authorizes the applicant to proceed with the clean-up of the property after this delay;

WHEREAS, to this day, the owners have not complied;

CONSEQUENTLY, it is

Moved by Inès Pontiroli
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT the Municipality of Pontiac authorize the Director of the urban department, Mrs. Isabelle Côté, to request bailiff services for cleaning up the property.

Councillor Roger Larose votes against the resolution because the by-law pertaining to nuisances has not yet been modified.

Carried on a divided vote

11-12-958

ICE PRODUCTION AND MAINTENANCE OF SKATING RINK – LUSKVILLE PARK

It is

Moved by Brian Middlemiss
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT the municipality pay the sum of \$5,100.00 to Mr. Mr. Brent Mainville for the ice production and maintenance of the Luskville park skating rink located at 3206 route 148, for the 2011-2012 season.

Carried

11-12-959

CONTRACT AGREEMENT WITH THE S.P.C.A.

WHEREAS the contract agreement with the S.P.C.A. ends on December 31, 2011;

It is

Moved by Inès Pontiroli
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT the contract agreement with the S.P.C.A. be renewed for a three-year term under the existing conditions and that the mayor and the director general are hereby authorized to sign the said agreement.

Carried

VARIOUS REPORTS AND CORRESPONDENCE

- Tabling of various municipal reports: a) animals;

TABLING OF DOCUMENTS

- Register of the correspondence received in November 2011.

FLOOR OPEN TO PUBLIC

- Denis Dubé
- Contrats according to the mayor's report du maire to the lawyer, Sylvie Pichette and RPGL barristers
 - Three-year budget
 - Requests a copy of the 2010 budget and financial report
 - Code of procedures to be reviewed

Nancy Maxsom

- Employees lunch

11-12-960

ADJOURNMENT OF THE MEETING

It is

Moved by Edward McCann

Seconded by Dr. Jean Amyotte

AND RESOLVED to close the meeting at 9:45 p.m., having gone through the agenda.

Carried

MAYOR

DIRECTOR GENERAL

« I, mayor Edward McCann, hereby certify that the signature on the present minutes is equivalent to the my signature on each and every resolution herein, as specified in article 142 (2) of the Municipal Code».