

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the special Municipal Council meeting held on Tuesday, February 19, 2019 at 7:30 p.m. at the Luskville Community Centre, located at 2024 route 148, Pontiac. Those who were present:

Mrs. Joanne Labadie, Mayor, Councillors Mrs. Isabelle Patry, Mrs. Susan McKay, Mr. Scott McDonald, Mrs. Nancy Draper-Maxsom and Mr. Thomas Howard.

Also present: Mrs. Charlotte Laforest, Acting Director General, as well as a few ratepayers.

Excused absence: Mrs. Leslie-Anne Barber, Pro-Mayor

Mrs. Joanne Labadie, President of the meeting, notes that there is quorum and declares the meeting open. The meeting began at 7:30 p.m.

FLOOR TO THE PUBLIC AND QUESTION PERIOD

The chart with questions and answers is now listed at the end of the minutes.

19-02-3659

ADOPTION OF THE AGENDA

- 1. Opening of the meeting**
- 2. Floor open to public and questions**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of previous meetings**
 - 4.1 Minutes of the regular meeting held on January 15, 2019, and of the special meetings of January 8 and 21, 2019
- 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 February
 - 5.5 Report regarding the delegation of authorized expenditures
 - 5.6 Resolution to accept employee #02-0079's resignation
 - 5.7 Refreshments offered to the public at regular meetings
- 6. Public security**
 - 6.1 Deer problem on Hwy 148
- 7. Public works**
 - 7.1 Notice of motion – Borrowing by-law regarding the acquisition of a 10 wheel truck
 - 7.2 By-law no.02-19 decreeing a loan and expense for the purchase of one (10 wheel) truck for the Municipality of Pontiac
 - 7.3 Purchase of a truck for the Public Works Department
 - 7.4 Purchase – Replacement of vehicle #109 (truck) for the Public Works Department
 - 7.5 Affected surplus to Public Works
 - 7.6 Notice of motion – Borrowing by-law to decree capital expenditures and a loan of \$2 000 000,00
 - 7.7 Borrowing by-law 03-19 decreeing capital expenditures and a loan of \$2 000 000,00
- 8. Public hygiene**
- 9. Urban renewal and zoning**
 - 9.1 Call for tenders – Request to the CPTAQ for exclusion from the agricultural zone
 - 9.2 Professional call for tenders – Traffic and security study – Project for fire station in Luskville sector
 - 9.3 Request for authorization from the CPTAQ to use lot 2 683 921, de La Montagne road for purposes other than agricultural
- 10. Recreation and culture**
- 11. Miscellaneous**

- 12. Various reports and correspondence**
 - 12.1 Tabling of various municipal reports:
 - a) SPCA - animals
- 13. Tabling of the register of correspondence**
 - 13.1 Register of the correspondence received in January 2019
- 14. Public question period**
- 15. Closing of meeting**

It is

Moved by: Susan McKay
Seconded by: Isabelle Patry

AND RESOLVED to adopt the agenda as prepared.

Carried

19-02-3660

ADOPTION OF THE MINUTES OF THE REGULAR MEETING HELD ON JANUARY 15 AND OF THE SPECIAL MEETINGS OF JANUARY 8 AND 21, 2019

It is

Moved by: Scott McDonald
Seconded by: Isabelle Patry

AND RESOLVED TO adopt the minutes of the regular meeting held on January 15, 2019, and of the special meetings of January 8 and 21, 2019.

Carried

19-02-3661

LIST OF INVOICES TO PAY

It is

Moved by: Susan McKay
Seconded by: Thomas Howard

AND RESOLVED THAT this council authorizes the payment of invoices amounting to \$ **71,063.05** (see appendix) for the period ending on January 31, 2019, and to debit budget posts related to the expenses mentioned on the said list.

Carried

19-02-3662

LIST OF FIXED AND PREAPPROVED EXPENSES

It is

Moved by: Susan McKay
Seconded by: Isabelle Patry

AND RESOLVED THAT this council approves the list of disbursements and withdrawals done from December 23, 2018 to January, 29 2019, all for a total amount of **\$798,657.64** (see appendix).

Carried

19-02-3663

LIST OF INCURRED EXPENSES FOR THE MONTH OF FEBRUARY 2019

It is

Moved by: Isabelle Patry
Seconded by: Thomas Howard

AND RESOLVED to accept the incurring expenses shown in the appendix, for a total amount of **\$67,935.28** taxes included.

Carried

The Acting Director General tables the report regarding the delegation of authorized expenditures from December 23, 2018 to January 29, 2019

19-02-3664

RESOLUTION TO ACCEPT THE RESIGNATION OF AN EMPLOYEE

WHEREAS employee #02-0079 verbally informed the previous Director General and Mayor of her resignation as of January 4th 2019.

It is

Moved by: Susan McKay
Seconded by: Scott McDonad

AND RESOLVED THAT Council accepts the verbal resignation of employee #02-0079.

Carried

19-02-3665

REFRESHMENTS OFFERED TO THE PUBLIC AT REGULAR MEETINGS

WHEREAS THE Municipal Council greets the public at the regular meetings;

WHEREAS THE Municipal Council appreciates the public's presence and is concerned with offering a warm greeting;

WHEREAS THE MAMH has confirmed the legality of affected funds for this type of activity provided that the amount is reasonable;

It is

Moved by: Scott McDonald
Seconded by: Isabelle Patry

AND RESOLVED THAT Council approves a monthly expense of 50.00\$ (fifty dollars) maximum for refreshments such as water, soft drinks and cookies or biscuits to the public attending regular meetings.

Carried

19-02-3666

DEER PROBLEM ON HWY 148

WHEREAS A natural passageway for deer exists on certain roads in our Municipality;

WHEREAS A passageway of approximately 12 km on Hwy 148 where a high number of deer cross the road and cause vehicle accidents;

WHEREAS Council is concerned with the protection of its citizens and visitors;

It is

Moved by: Nancy Draper-Maxsom
Seconded by: Thomas Howard

IT IS PROPOSED TO work in collaboration with our partners such as the Ministry of Transport Quebec, the Ministry of Forest, Wildlife and Parks, the UPA (Union des Producteurs Agricoles), the Quebec Department of Agriculture, Fisheries and Food and the

National Capital Commission for the purpose of reducing the number and severity of incidents on this provincial highway.

Carried

NOTICE OF MOTION

I, the undersigned, **Scott McDonald**, Councillor of the electoral district number **4**, in the Municipality of Pontiac, give notice that I am presenting a borrowing by-law regarding the acquisition of a 10 wheel truck equipped with a quick attach system.

The reading of the by-law is not necessary since the request for waiving the reading is done at the same time as the notice of motion and that a copy of the by-law has been immediately given to all present Council members and to the others two juridical days before the meeting at which it will be carried and if, during this meeting, all present members of the Municipal Council declare having read it and waive its reading (art. 445 C.M.)

TABLING OF BY-LAW No. 02-19

BYLAW No. 02-19 WHICH DECREES A LOAN AND EXPENSE FOR THE PURCHASE OF A 10-WHEELTRUCK FOR THE MUNICIPALITY OF PONTIAC

WHEREAS the notice of motion of the present bylaw has been duly given during a regular Council meeting held on (February 19, 2019);

CONSEQUENTLY, it is

Moved by:
Seconded by:

AND RESOLVED to adopt the bylaw as follows:

“BYLAW No. 02-19 WHICH DECREES A LOAN AND EXPENSE FOR THE PURCHASE OF ONE 10-WHEEL TRUCK FOR THE MUNICIPALITY OF PONTIAC”

ARTICLE 1 : Council is authorized to purchase one (1) 10 wheel truck for the municipality of Pontiac.

ARTICLE 2 : Council is authorized to spend a sum not exceeding \$250,000, including net taxes, for the purpose of the present bylaw, this sum includes the expenses, provincial taxes and contingencies.

ARTICLE 3 : Council is hereby authorized to borrow a sum not exceeding \$250,000, including net taxes, on a 10-year period for the purpose of paying the expenses provided under the present bylaw.

ARTICLE 4 : To provide for committed expenses pertaining to interests and the reimbursement of the capital of annual payments, each year, during the term of the loan on all the taxable real properties, a special tax will be imposed and collected at a sufficient rate according to the value of each taxable real property in the municipality, as it appears on the municipality’s current assessment role.

ARTICLE 5 : If the amount of an appropriation authorized by the present bylaw is higher than the amount spent in relation to this approval, the Council is authorized to use the excess to pay any other expense decreed by the present bylaw and to which the appropriation would prove to be insufficient.

ARTICLE 6: The present bylaw will come into force in accordance with the Law.

19-02-3667

PURCHASE OF A TRUCK FOR THE PUBLIC WORKS DEPARTMENT

WHEREAS a large part of the fleet of vehicles in the Public Works Department is old and incurs high maintenance costs;

WHEREAS the Municipality has been renting a truck on an annual basis in order to supply a functional vehicle to the Head of division in the Public Works Department to perform his daily tasks;

WHEREAS the Director of the Infrastructures and Public Works Department recommends purchasing the said vehicle instead of renting a vehicle on an annual basis;

WHEREAS the purchase option represents an advantageous solution, in order to respond in a sustainable way to the needs of the public works;

It is

Moved by : Susan McKay

Seconded by : Isabelle Patry

AND RESOLVED THAT Municipal Council authorizes a maximum expenditure of \$25, 000.00 (net cost) for the purchase of a used truck to be used by the Head of Division in the Public Works Department.

IT IS ALSO RESOLVED to authorize the Director of the Infrastructures and Public Works Department to proceed with the purchase of such a vehicle.

FINALLY, IT IS RESOLVED THAT this expenditure be allocated to the working capital (budgetary item 59-151-00-000), repayable over 5 years, beginning in 2020.

Carried

19-02-3668

PURCHASE – REPLACEMENT OF VEHICLE #109 (TRUCK) FOR THE PUBLIC WORKS DEPARTMENT

WHEREAS a large part of the fleet of vehicles in the Public Works Department is old and therefore maintenance costs are very high;

WHEREAS the maintenance costs for the municipality's fleet of vehicles are high because of the advanced average age of the vehicles, despite a stricter preventive maintenance than before and despite the impact on the overall loss of time associated with the repairs and managing the said repairs;

WHEREAS it is advantageous for the municipality to proceed with renewing its fleet, in order to reduce maintenance costs, therefore reducing associated costs related to the managing these frequent repairs;

WHEREAS the Director of Infrastructures and Public Works Department recommends the purchase of a used truck (newer model) in order to start a fleet renewal program;

WHEREAS the purchase option represents an advantageous solution, to respond in a sustainable way to the needs of the public works;

It is

Moved by : Susan McKay

Seconded by : Isabelle Patry

AND RESOLVED THAT the Municipal Council authorize a maximum expenditure of \$25, 000.00 (net cost) for the purchase of a used truck for the Public Works employees' use.

IT IS ALSO RESOLVED to authorize and appoint the Director of Infrastructures and Public Works Department to proceed with the purchase of such a vehicle.

FINALLY, IT IS RESOLVED THAT this expenditure be allocated to the working capital (budgetary item 59-151-00-000), repayable over 5 years, beginning in 2019.

19-02-3669**AFFECTED SURPLUS TO PUBLIC WORKS****WHEREAS** motions 16-08-2871, 16-11-2971 and 17-03-3045 aimed at road repairs;**WHEREAS** not all the work was not completed in 2018;**WHEREAS** work will continue in 2019;

It is

Moved by: Isabelle Patry

Seconded by: Susan McKay

AND RESOLVED THAT Council reserves the unspent amount of \$136,387.24 in the affected surplus at the end of the year 2018 for public works.

Carried

NOTICE OF MOTIONI, the undersigned, **Isabelle Patry**, Councillor of the electoral district number **5**, in the Municipality of Pontiac, give notice that I am presenting a borrowing bylaw to decree capital expenditures and a loan of \$2,000,000.00.

The reading of the by-law is not necessary since the request for waiving the reading is done at the same time as the notice of motion and that a copy of the bylaw has been immediately given to all present Council members and to the others two juridical days before the meeting at which it will be carried and if, during this meeting, all present members of the Municipal Council declare having read it and waive its reading (art. 445 C.M.)

TABLING OF BYLAW No. 03-19**BORROWING BYLAW 03-19 DECREERING CAPITAL EXPENDITURES AND A LOAN OF \$ 2, 000,000.00****WHEREAS** the Municipality of Pontiac wishes to take advantage of the power provided at the second paragraph of the second subparagraph of article 1063 of the Quebec Municipal Code;**WHEREAS** the notice of motion of the present bylaw was duly given at the regular Council meeting of February 19, 2019;

It is

Moved by:

Seconded by:

AND RESOLVED THAT the Council decrees the following :**ARTICLE 1.** The Council is authorized to do the following capital expenditures for an amount of \$ 2, 000,000.00, broken down as follows:

Description	20 Years	Total
Public Works	\$2, 000, 000.00	
Total	\$2, 000, 000.00	

ARTICLE 2. In order to pay the expenses provided for in the present bylaw, the Council is therefore authorized to borrow an amount of \$ 2,000,000.00 over a 20 year-period.

ARTICLE 3. To provide for the expenses committed in relation with the interests and to repay the capital of the annual terms of the loan, with the present bylaw, it is imposed and will be levied on an annual basis, during the term of the loan, on all taxable properties on the Municipality's territory, a special tax at a sufficient rate according to their value as shown on the assessment role in effect each year.

ARTICLE 4. If it happens that the amount of an allocation authorized by the present bylaw is higher than the amount actually spent in relation to this allocation, the Council is authorized to use the surplus to pay any other expenditure decreed by the present bylaw and for which the allocation would prove to be insufficient.

ARTICLE 5. The Council will attribute to the loan reduction decreed in the present bylaw any contribution or subsidy that could be paid for part or all of the expenditure decreed by the present bylaw.

The Council will also attribute to the payment, in part or in total of the debt servicing, any grant payable over several years. The reimbursement term corresponding to the amount of the loan will be automatically adjusted at the time determined for the payment of the loan.

ARTICLE 6. The present bylaw will come into force according to the Law.

19-02-3670

CALL FOR TENDERS – REQUEST TO THE CPTAQ FOR EXCLUSION FROM THE AGRICULTURAL ZONE

WHEREAS lots 2 683 104, 2 683 105, 2 683 108, 2 683 109 and 2 683 106 are partially in the permanent agricultural zone;

WHEREAS that non-agricultural buildings and usages are in the green portions of these lots;

WHEREAS there is a citizen's request to regularize the situation;

WHEREAS only one collective request to the CPTAQ can be made to regularize the situation;

WHEREAS this request must be made by the municipality;

WHEREAS a collective request is complex and requires resources.

It is

Moved by: Thomas Howard

Seconded by: Isabelle Patry

AND RESOLVED to authorize the Director of the Urban Planning Services to launch a call for tender on invitation for the services of a firm specialized in the subject and to sign for and in the name of the municipality, all documents giving effect to the present resolution.

Carried

19-02-3671

PROFESSIONAL SERVICE OFFER – TRAFFIC AND SECURITY STUDY – PROJECT FOR FIRE STATION IN THE LUSKVILLE SECTOR

WHEREAS the municipality plans to build a fire station at 2024, Hwy 148;

WHEREAS the fire station must have its own driveway entrance to Hwy 148;

WHEREAS the Quebec Ministry of Transport requested a traffic and security study to authorize such access to the provincial highway;

WHEREAS we have sought tenders from engineering firms specialized in that field;

WHEREAS we have received two tenders on invitation:

WSP Canada Inc.: \$11,200 plus taxes
CIMA⁺ : \$9,900 plus taxes;

WHEREAS Cima+ is the lowest compliant tenderer and it can complete the mandate in 4 weeks instead of 8 weeks for WSP Canada Inc.;

It is

Moved by: Scott McDonald
Seconded by: Susan McKay

AND RESOLVED THAT the Council grants the contract for the traffic and security study to Cima+ for the total amount of \$9,900 plus taxes;

IT IS ALSO RESOLVED THAT the Director General and Secretary-treasurer or her replacement, be hereby authorized to sign for, and in the name of the Municipality, all documents giving effect to the present resolution;

Carried

19-02-3672

REQUEST FOR AUTHORIZATION FROM THE CPTAQ TO USE LOT 2 683 921, DE LA MONTAGE ROAD FOR PURPOSES OTHER THAN AGRICULTURAL

WHEREAS the submitted application is part of a citizen's approach to the CPTAQ for the authorization to use lot 2 683 921, de la Montage Road for purposes other than agricultural usage, that of a residence for the farm manager inside the existing stable that is located in the agricultural zone decreed in the Quebec Act Respecting the Preservation of Agricultural Land and Agricultural Activities (L.R.Q, c. P-41.1);

WHEREAS the application for authorization consists of authorizing the usage of the lot for purposes other than agricultural, that is a residential usage on lot 2 683 921;

WHEREAS according to section 58.2 of the Act respecting the preservation of agricultural land and agricultural activities, the present notice transmitted by the municipality to the CPTAQ is motivated, while taking into account the criteria set out in section 62 of the ARPALAA;

WHEREAS according to the soil classification of Canada's land inventory, the soil on the lot in question is of class 2 with the cumulative effect of several minor disadvantages;

WHEREAS the authorization that can be granted may cause certain consequences on the potential of the neighbouring lots to be used for agricultural purposes;

WHEREAS the application for authorization is not incompatible with agricultural operations in this area and does not create any constraints related to the enforcement of laws and bylaws aimed at reducing the inconveniences associated with odours inherent to agricultural activities, because the area is minimally exploited and that there is already a strong housing density;

WHEREAS the application for authorization is not incompatible with agricultural operations in this area and does not create any constraints related to the enforcement of laws and bylaws with respect to the environment and especially for animal production establishments. The closest active agricultural buildings seem to be at a distance of more than 500 metres;

WHEREAS this application for authorization is for a complementary use to the agricultural usage;

WHEREAS the usage is granted in virtue to the zoning bylaw of the Municipality of Pontiac

WHEREAS pursuant to a refusal by the CPTAQ, the CPTAQ will have to issue an order for cessation of residential use following the notice dated December 18, 2018, file 385254.

It is

Moved by: Isabelle Patry
Seconded by: Scott McDonald

AND RESOLVED that Council supports the citizen's application to the CPTAQ in order to receive the authorization to use of part of the stable for purposes other than agricultural on lot 2 683 921.

Carried

PUBLIC QUESTION PERIOD

1- Melvin Maxsom	Mr. Maxsom mentions that he received his tax invoice. He put down his comments in a letter addressed to the municipal councillors. Mayor Labadie thanks him for his letter and assures him that it will be taken into consideration.
2- Siri Ingebrigtsen	Mrs. Ingebrigtsen talks about the tax increase. She asks why there was no consultation and why is it that only businesses received the increase. She expresses the fact that we should not compare ourselves with other municipalities. Mayor Labadie explains that the decisions were quite hard to make. For a number of years, the businesses were taxed at a minimal commercial rate. According to Law, businesses can be taxed 4.4 times the basic rate. Despite the increase, businesses still profit from a preferential rate considering that they do not have a commercial operation tax.
3- Kevin Brady	Mr. Brady questions the commercial tax increase. He asks Council if the decision was intentional . He mentions that businesses should not have supplementary taxes. Mayor Labadie once more explains that the businesses have profited from a basic tax and not a commercial tax for a number of years. This has put a larger burden on the residents therefore it was time to bring back to order the commercial taxation. She reiterates that the merchants still profit from a much lower tax than what the Law permits.
4- Marc Papillon	Mr. Papillon agrees that this year was difficult for the budget. He asks how Council intends to pay for all the projects which appear in the three-year plan. Mayor Labadie explains that the three-year plan is a series of project proposals that enumerates the needs of the Municipality. Each expense has to be brought to Council for approval and the choice of the project will be made according to the needs. It would be impossible to accomplish every project.
5- Sue Lamont	Mrs. Lamont asks if the door to door collection would be repealed. Mayor Labadie specifies that the decision for the door to door pick up was already taken and the Public Works sector is working on a call for tenders. The municipalities are working in concert with the MRC to obtain the best rates. Once the prices have been determined, the citizens will be consulted.
6- Melvin Maxsom	Mr. Maxsom refers to item 9.1 on the agenda where the Municipality endorses a request to the CPTAQ made for four residences. He wishes to know if the cost of this request will be absorbed by the citizens. Mayor Labadie gives the floor to the Acting Director General. Mrs. Laforest explains that when a collective request is made at the CPTAQ, the Municipality must

	<p>endorse the request. The costs are always the citizen's responsibility. Having read the question after the fact, Mrs. Laforest offers the following in addition: Requests to the CPTAQ for an exclusion from the green zone cannot be made by an individual; it remains the Municipality's responsibility to do so. (The Municipality would like to see all of the existing lots that are currently in a commercial zone, be in the white zone. This change would make it easier to modify commercial activities, since an authorization from the CPTAQ would no longer be needed). Hence, the cost of the application to the CPTAQ in question would be absorbed by the Municipality since it is the Municipality who is actually making the request in order to facilitate possible future expansion in that commercial sector.</p>
7- Siri Ingebrigsten	<p>Mrs. Ingebrigsten asks which members of Council have businesses. Two Councillors admit being owners of a business. Mrs. Ingebrigsten asks if members of Council own a farm. Mayor Labadie says that her husband and her own a farm. Mayor Labadie explains that the commercial taxation applies only to the portion of the property that is commercial land.</p>
8- Madeleine Hager	<p>Mrs. Hager refers to item 7.7 on the agenda and asks why the Municipality wants to borrow \$2, 000, 000.00. Mayor Labadie explains that this loan is mostly to continue work on the infrastructures. The most part of the loan is aimed at the resurfacing de la Montagne road. Mrs. Hager asks will de la Montagne road be completed. Mayor Labadie reiterates that we are still waiting for the environmental tests and that as soon as the approval is given the work will begin..</p>
9- Jason Jones	<p>Mr. Jones deplores the fact that the tax increase has affected only the merchants. He explains that it is hard for small businesses to survive. Mr. Jones also deplores the fact that the Municipality spent \$130 000.00 for the new roof of the Community Center in Luskville. Mayor Labadie explains that Council followed the process for the call to tenders as prescribed by Law. Mr. Jones asks how much money did the Municipality lose because of the floods. Mayor Labadie explains that she will inquire and answer the question later.</p>
10- Kevin Brady	<p>Mr. Brady raises a question concerning the collection of compost . Once the call for tenders is completed and we have a better view of the costs, will the door to door collection be revised? Mayor Labadie explains that the decision was taken but if the call for tenders shows an excessive amount, the question could be revised. Mr. Brady reiterates that the citizens who compost in their back yards should not have to pay for the collection service. Mayor Labadie explains that the costs for municipal services are shared throughout in the Municipality.</p>
11- Mr. Roger Larose	<p>Mr. Larose asks municipal Councillor, Mrs. Patry, if she received a tax increase for her business. Mrs. Patry answers YES, I am a citizen.</p>

19-02-3673

CLOSING OF THE MEETING

It is

Moved by: Susan McKay
Seconded by: Scott McDonald

AND RESOLVED to close the meeting at 8:52 p.m. having gone through the agenda.

Carried

MAYOR

DIRECTOR GENERAL

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