

**MINUTES
VILLAGE OF NORTH HATLEY**

FEBRUARY 3, 2014

AT A REGULAR MEETING of the Municipal Council at the Community Centre at 7:00 p.m.

PRESENT are the following councillors :

- | | |
|---------------------------|----------------------|
| 1. Pauline Farrugia | 4. |
| 2. Marcella Davis Gerrish | 5. Claude Villeneuve |
| 3. | 6. |

ABSENT: Carrol Haller, Michael Munkittrick and Alain Beaulieu

QUORUM is present with Mayor Michael Page presiding.

ALSO PRESENT is Mr. Léonard Castagner, Town Manager and Secretary-Treasurer.

AGENDA

1. Adoption of the Agenda
2. Reports from the mayor and the councillors
3. Question period
4. Adoption of the Minutes of the Regular Meeting of January 13th 2014

CORRESPONDENCE

5. List provided to the members of council

ADMINISTRATION

6. Approval of irreducible expenses
7. Participation in the Tourism Eastern Townships advertising campaign - 2014 TV ad campaign
8. Grant - JEVI Centre de prévention du suicide - Estrie;
9. Grant to the Fabrique Ste-Élisabeth - Classical music concert in collaboration with the 2014 Orford Festival

URBAN PLANNING, ENVIRONMENT AND SAFETY

10. CCUP Business
11. Exemption from flood protection standards regarding the flood-risk area
12. Changes to the CCE's mandate

INFRASTRUCTURES, ROADS AND SANITATION

NOTICES OF MOTION AND BY-LAWS

13. Adoption of First Draft By-law 2014-572 concerning the adoption of a code of ethics and rules of professional conduct for elected municipal officials
14. Notice of Motion – By-law 2014-573 - Amending the planning program 01-431
15. Adoption of Draft By-law 2014-573 - Amending the planning program 01-431
16. Notice of Motion – By-law 2014-574 amending Zoning by-law number 01-432
17. Adoption of Draft By-law 2014-574 amending Zoning By-law 01-432

APPROVAL OF PURCHASES

18. Approval of expenses
19. Expenditures over \$5,000
20. Purchase of a multi-function photocopier

21. OTHER BUSINESS

22. Question period
23. Adjournment of meeting

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2014-02-03.01

ADOPTION OF THE AGENDA

UPON PROPOSAL DULY MOVED BY CLAUDE VILLENEUVE
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the Agenda be adopted as submitted.

PASSED

2014-02-03.02

REPORTS FROM THE MAYOR AND THE COUNCILLORS

The mayor and the councillors report on the various cases in which they intervened.

2014-02-03.03

QUESTION PERIOD

Six (6) citizens and no journalists are present in the audience.

SPEAKER	SUBJECT
Dominic Fréminet	Appoint a member of the council as representative to the ACNH
Michael Rochette	Problem with too much lighting around the water filtration plant
Ouida Moliner	Lighting of the Golf Club
Claude Rivard	Tax increase

2014-02-03.04

ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 13TH 2014

UPON PROPOSAL DULY MOVED BY PAULINE FARRUGIA
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the Minutes of the Regular Meeting of January 13th 2014 be adopted as submitted.

PASSED

2014-02-03.05

CORRESPONDENCE

The list of correspondence received was provided to the members of the council.

2014-02-03.06

APPROVAL OF IRREDUCIBLE EXPENSES

WHEREAS, while preparing the 2014 budget, the Council allocated sums to cover expenses that cannot be reduced;

WHEREAS the following irreducible expenses must be approved and the payment thereof authorized by the Town Manager / Secretary-Treasurer as they become due:

- Remuneration of the elected officials and the employees, as authorized by a by-law or a resolution of the Council;
- Contract for the collection and disposal of household garbage, recycling and compostable material;
- Debt repayment and financing fees;
- Sûreté du Québec;
- Municipality's share to the MRC or other supramunicipal organizations;
- Registration of land vehicles;
- Insurance;

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- Remittances to government on salaries as well as contributions to the Workers' Compensation Board and to the retirement fund;
- Electricity for the buildings, equipment and public lighting;
- Telephone expenses
- Heating oil for the buildings of the municipality;
- Post office services;
- Long-term financing contract (vehicles);
- Contracts for the maintenance and support of the accounting and urban planning PG Solutions applications

UPON PROPOSAL DULY MOVED BY PAULINE FARRUGIA
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the Council authorize the Town Manager / Secretary-Treasurer to pay said expenses as they become due, in accordance with By-Law 2007-518 stipulating the rules on budget control and monitoring.

PASSED

2014-02-03.07

PARTICIPATION IN THE TOURISM EASTERN TOWNSHIPS ADVERTISING CAMPAIGN - 2014 TV AD CAMPAIGN

WHEREAS the 2013 advertising campaign was successful;

WHEREAS Tourism Eastern Townships is working on a new proposal with regard to 60-second advertising segments on Radio-Canada;

WHEREAS, for a budget of \$15,000 which would include the development and the broadcast of the advertising segment, the community would get approximately 45 seconds of the advertising segment;

WHEREAS Tourism Eastern Townships would subsidize half of this amount and the merchants and the CLD Memphrémagog would subsidize another \$12,500;

UPON PROPOSAL DULY MOVED BY CLAUDE VILLENEUVE
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the Municipality participate in the advertising campaign, for a cost of \$2,500, in order to promote the Village of North Hatley;

Budget Code: 02-190-00-996

PASSED

2014-02-03.08

GRANT - JEVI CENTRE DE PRÉVENTION DU SUICIDE - ESTRIE;

WHEREAS JEVI Centre de prévention du suicide - Estrie is currently having its annual fundraising event;

UPON PROPOSAL DULY MOVED BY MICHAEL PAGE
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the Municipality make a \$100 donation to JEVI Centre de prévention du suicide - Estrie.

Budget Code: 02-190-00-996

PASSED

2014-02-03.09

GRANT TO THE FABRIQUE STE-ÉLISABETH - CLASSICAL MUSIC CONCERT IN COLLABORATION WITH THE 2014 ORFORD FESTIVAL

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WHEREAS the Municipality of the Village of North Hatley received a request for a grant of more than \$1,250 from the Fabrique Ste-Élisabeth for a classical music concert to be held in collaboration with the Orford Festival;

WHEREAS the concert is part of the "Orford on the Road" programme;

WHEREAS the concert is free and accessible to the whole population;

WHEREAS the Municipality acknowledges the importance of encouraging this organization;

UPON PROPOSAL DULY MOVED BY PAULINE FARRUGIA
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO give the Fabrique Ste-Élisabeth a grant of \$1,250. from the subsidy fund (02-702-10-970, Contribution arts et culture).

PASSED

2014-02-03.10

CCUP BUSINESS

WHEREAS the CCUP held a Regular Meeting on January 22nd 2014;

WHEREAS Resolution 2014-004 regarding a request for a permit for the construction of an accessory building (garage) in the front right side yard at 830, ch. Sherbrooke was passed with the recommendation that it be adopted by the Town Council;

WHEREAS Resolution 2014-005 proposes that the municipal council start procedures to amend the Zoning by-law to allow multi-family dwellings of up to 6 units in Zone C-7 and hire the company "Les Services EXP inc." to submit amendment wording;

UPON PROPOSAL DULY MOVED BY MICHAEL PAGE
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO accept the recommendations of the CCUP.

PASSED

2014-02-03.11

EXEMPTION FROM THE FLOOD PROTECTION STANDARDS REGARDING THE FLOOD-RISK AREA

WHEREAS Daniel Boisclair, surveyor, received a letter stating the conditions that must be met in order to amend the flood recurrence intervals for lots 4 029 058, 4 029 061 to 4 029 064 and 4 029070 to 4 029 074.

WHEREAS the developer for the village core project wants to be able to depend on a change in order to further his project;

WHEREAS a report was filed to this effect;

UPON PROPOSAL DULY MOVED BY CLAUDE VILLENEUVE
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the Municipality of the Village of North Hatley apply to the Memphrémagog MRC for a derogation under Article 12.1.4 of Zoning by-law 01-432 as amended by By-law 2007-052 in order to exempt the aforementioned lots from the following provisions:

- It must be demonstrated that this flood-risk area has not been subject to illegal fill and that there is no real connection with the 0-20 recurrence interval zone.
- According to information provided, there is currently a culvert which connects the lower portion of these lots to a 0-20 recurrence interval zone. This culvert may be removed to cut any connection with the 0-20 recurrence interval zone; however, it will be necessary to find an alternative to ensure drainage of these lots.
- Fill on these lots is not an option as fill in flood-risk areas is either forbidden (flood-risk area 0-20 years) or must be limited to protecting the work under construction (flood-risk area 20-100 years).

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- The delineation of the 0-20 and 20-100 year recurrence interval zones as they appear on the map (minute 17706) will have to be more accurately defined.

PASSED

2014-02-03.12

CHANGES TO THE CCE'S MANDATE

WHEREAS the municipal council may determine the mandates of any council ad hoc committee;

WHEREAS it is necessary to amend the mandate of the Environmental Consultative Committee (CCE);

UPON PROPOSAL DULY MOVED BY PAULINE FARRUGIA
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the mandate of the CCE read as follows:

- Raise public awareness of the municipality's residual material management plan (PGMR);
- Raise public awareness of the various by-laws proposed by the Park régional Massawippi, or put into effect by the municipality, concerning the protection of the lake and other ecosystems in the territory of North Hatley;
- Propose measures to the Council for the improvement of public green spaces;
- Raise public awareness of various issues concerning the environment.

PASSED

2014-02-03.13

ADOPTION OF FIRST DRAFT BY-LAW 2014-572 CONCERNING THE ADOPTION OF A CODE OF ETHICS AND RULES OF PROFESSIONAL CONDUCT FOR ELECTED MUNICIPAL OFFICIALS

WHEREAS the Municipal Ethics and Good Conduct Act (2010, c. 27) requires the adoption of a code of ethics and rules of professional conduct for elected municipal officials;

WHEREAS the ethical values of the municipality and municipal organisations stated in this code of ethics and rules of professional conduct are:

1. The integrity of the members of any council of the municipality;
2. Honour for the office of member of a council of the municipality;
3. Prudence in the pursuit of the public interest;
4. Respect toward other members of a council of the municipality, the employees of the municipality and the citizens;
5. Loyalty to the municipality; and
6. The quest for fairness.

WHEREAS the values set out in the code of ethics and rules of professional conduct must guide all persons in their understanding of the rules that apply to them;

WHEREAS the rules set out in this code of ethics and professional conduct aim to prevent, in particular:

1. Any situation where the private interest of a council member might impair his or her independence of judgement in carrying out the duties of office;
2. Any situation that would be contrary to sections 304 and 361 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2); and
3. Favouritism, embezzlement, breach of trust or other misconduct.

INTERPRETATION

All words used in this code retain their common meaning, except for the expressions and words below which are defined as follows:

"Benefit"

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Includes any gift, donation, favour, reward, service, commission, bonus, hospitality, remuneration, payment, gain, indemnity, privilege, preference, compensation, advantage, profit, cash advance, loan, reduction, discount or any other useful or profitable arrangement of the same nature or any promise of such benefit.

"Personal Interest":

Interest of the person involved, whether it be direct or indirect, monetary or not, real, apparent or potential. It is distinct, but not necessarily exclusive, from that of the public in general or can be perceived as such by a reasonably well-informed person. Excluded from the above is a case where the personal interest consists of remunerations, allocations, reimbursement of expenses, group benefits and other work conditions related to the duties of the person concerned in the municipality or the municipal organisation.

"Interest of close relations":

Interest of the spouse, children, ancestors of the person involved or the interest of a company, cooperative or association with whom the person concerned has a business relationship. It can be direct or indirect, monetary or not, real, apparent or potential. It is distinct, but not necessarily exclusive, from that of the public in general or can be perceived as such by a reasonably well-informed person.

"Municipal Organisation":

An organisation that the law declares a representative or agent of the municipality;

An organisation of which the Board of Directors is mainly comprised of members of the municipal council;

An organisation whose budget is passed by the municipality or who is receiving more than half of its financing from the municipality;

A council, a commission or a committee formed by the municipality charged with examining and studying an issue submitted to it by the council;

An enterprise, corporation, company or association within which a person is designated or recommended by the municipality to represent its interest.

SCOPE OF APPLICATION

This code applies to all members of the municipal council.

1. Conflicts of interest

A person must avoid knowingly putting himself or herself in a situation where one might have to choose between one's personal or close relatives' interest on the one hand and that of the municipality or a municipal organisation on the other.

If the need arises, the person must make these situations publicly known and abstain from participating in the discussions and deliberations relating to these situations.

Without limiting the generality of the foregoing, it is forbidden for any person, in the performance of his or her duties, to act, or attempt or omit to act in any way that will further his or her personal interest or improperly further those of another person.

It is also forbidden for any person to use his or her position to influence or attempt to influence another person's decision so as to further his or her private interests or improperly further those of another person.

2. Benefits

It is forbidden for any person:

To accept, receive, elicit or solicit any benefit for himself, herself or another person in exchange for taking a position on a matter that may be brought before a council, a committee or a commission on which that person sits;

To accept any benefit, whatever its value, that may impair his or her independence of judgement in carrying out the duties of office, or that may compromise his or her integrity;

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The person who receives a benefit exceeding two hundred dollars (\$200) and that is not of a strictly private nature or not prohibited under subparagraph 2 of the first paragraph must, within 30 days after receiving the benefit, file a disclosure statement in writing with the clerk or the secretary-treasurer of the municipality. The disclosure must contain an accurate description of the benefit, the name of the donor, the date and the circumstances under which it was received.

3. Discretion and confidentiality

It is forbidden for any person, whether during or after his or her term, to use or communicate or attempt to use or communicate information obtained in or in connection with carrying out the duties of office that is not generally available to the public so as to further his or her private interests or those of another person.

4. Utilization of municipal resources

It is forbidden for any person to utilize or allow the utilization of the resources, assets and services of the municipality or municipal organisations for personal purposes or for purposes other than activities related to the carrying out of duties of office.

5. Respect for the decision process

All persons must respect the laws, the policies and the standards (by-laws and resolutions) of the municipality and the municipal organisations pertaining to the due process of decision-making.

6. Duty of loyalty beyond the term

A person must act with loyalty towards the municipality after the end of his or her term in accordance with the requirements of the law. It is forbidden for the person to use or divulge confidential information acquired while performing the duties of office.

Without limiting the generality of the foregoing, it is forbidden for any person, within 12 months after the expiry of his or her term, to hold a position as an administrator or an officer of a corporate body, employment or other function from which he or she can derive undue benefit from his or her previous position as a member of a council of the municipality.

7. Sanctions

In accordance with sections 7 and 31 of the Municipal Ethics and Good Conduct Act (2010, c.27):

"A violation to this Code of Ethics and Good Conduct by a member of a council of the municipality may result in the imposition of the following sanctions:

1. A reprimand;
2. The delivery to the municipality, within 30 days after the decision of the Commission municipale du Québec:
 - a) of any, or of the value of any, gift, hospitality or benefit received;
 - b) of any profit made in violation of a rule set out in the code;
3. The reimbursement of any remunerations, allowances or other sums received as member of a council, a committee or a commission of the municipality or organisation while the violation of a rule of the code continued;
4. The suspension of the council member for a period of up to 90 days but not beyond the expiry of his or her term.

When suspended, a council member may not sit on any council, committee or commission of the municipality or of any other organisation in his or her capacity as council member, nor may the council member receive a remuneration, an allowance or other sums of money from the municipality or such organisation."

EFFECTIVE DATE

This by-law becomes effective in accordance with the law.

PASSED

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2014-02-03.14

**NOTICE OF MOTION – BY-LAW 2014-573 - AMENDING THE PLANNING PROGRAM
01-431**

I, CLAUDE VILLENEUVE, give notice of motion that a by-law will be presented for adoption at a future Council meeting.

The purpose of this by-law will be to amend the planning program in order to:

- update the agricultural land use following the adoption by the Memphrémagog MRC of by-law 11-13 amending the revised land use and development plan ("le Schéma")

A request is made to dispense with the reading of said by-law in order to simplify the adoption procedure. A copy of said draft by-law is given to the members of Council, in accordance with the law.

PASSED

2014-02-03.15

**ADOPTION OF DRAFT BY-LAW 2014-573 - AMENDING THE PLANNING PROGRAM
01-431**

UPON PROPOSAL DULY MOVED BY CLAUDE VILLENEUVE
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO adopt the draft by-law amending the planning program 2014-573.

The purpose of this draft by-law number 2014-573 will be to amend the Urban Planning by-law in order to:

- update the agricultural land use following the adoption by the Memphrémagog MRC of by-law 11-13 amending the revised land use and development plan ("le Schéma")

A copy of the draft by-law is attached as an integral part of this resolution. In addition, a consultation meeting will be held March 3rd 2014, at 6:30 p.m., at the Town Hall. During this consultation meeting, the Council will explain the draft by-law and the consequences of its adoption and will hear the persons and organizations wishing to express their views.

PASSED

2014-02-03.16

**NOTICE OF MOTION – BY-LAW 2014-574 AMENDING ZONING BY-LAW NUMBER
01-432**

I, PAULINE FARRUGIA, give notice of motion that a by-law will be presented for adoption at a future Council meeting.

The purpose of this by-law will be to amend the zoning by-law in order to:

- add new provisions following the adoption by the Memphrémagog MRC of by-law 11-13 amending the revised land use and development plan ("le Schéma") concerning residential use in permanent agricultural zone;
- add provisions setting the distances for the management of odors in agricultural zones;

A request is made to dispense with the reading of said by-law in order to simplify the adoption procedure. A copy of said draft by-law is given to the members of Council, in accordance with the law.

PASSED

2014-02-03.17

**ADOPTION OF DRAFT BY-LAW 2014-574 AMENDING ZONING BY-LAW NUMBER
01-432**

UPON PROPOSAL DULY MOVED BY MICHAEL PAGE
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO adopt the draft Zoning by-law number 2014-574.

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The purpose of this draft by-law number 2014-574 will be to amend the zoning by-law in order to:

- add new provisions following the adoption by the Memphrémagog MRC of by-law 11-13 amending the revised land use and development plan ("le Schéma") concerning residential use in permanent agricultural zone;
- add provisions setting the distances for the management of odors in agricultural zones;

A copy of the draft by-law is attached as an integral part of this resolution. In addition, a consultation meeting will be held March 3rd 2014, at 6:30 p.m., at the Town Hall. During this consultation meeting, the Council will explain the draft by-law and the consequences of its adoption and will hear the persons and organizations wishing to express their views.

PASSED

2014-02-03.18 APPROVAL OF EXPENSES

UPON PROPOSAL DULY MOVED BY PAULINE FARRUGIA
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the expenses listed on the statement presented on January 27th 2014 by the Treasury Department be approved for payment.

Regular expenses as at January 27, 2014	\$78,297.68
Pre-authorized payment :	\$5,273.07

PASSED

2014-02-03.19 EXPENDITURES OVER \$5,000

UPON PROPOSAL DULY MOVED BY CLAUDE VILLENEUVE
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO authorize the following purchase(s):

PROVIDERS	DATE	INVOICE	Amount
L'EXCELLENCE AGRICOLE DE COATICOOK			
	November 6, 2013	BT-22735	\$436.90
	November 12, 2013	BT-22781	\$287.44
	November 21, 2013	BT-22825	\$287.44
	November 21, 2013	22827	\$2,162.01
	November 26, 2013	BT-22862	\$873.81
MAINT. TRUCK - BOBCAT E-45 BUCKET REPAIR	November 26, 2013	BT-22865	\$1,084.67
	November 27, 2013	22869	\$436.90
MAINT. TRUCK - MC28 TRACTOR - REAR DIFFERENTIAL	December 14, 2013	BT-22990	\$1,740.67
MAINT. TRUCK - MC28 TRACTOR HYDRAULIC SYSTEM	December 30, 2013	23104	\$73.70
		Total:	\$7,383.54
			(Inclusive of Taxes)
MÉCANIQUE FLETCHER INC.			
MAINT - F.2006 TRUCK	December 5, 2013	20019	\$2,733.10
MAINT - F.2006 TRUCK	December 17, 2013	20076	\$1,628.58
MAINT - F.2006 TRUCK	January 6, 2014	20153	\$1,599.00
MAINT - F.2006 TRUCK	January 10, 2014	20180	\$1,976.64
MISCELLANEOUS - ROADS	January 15, 2014	20199	\$717.82
		TOTAL:	\$8,655.14
			(Inclusive of Taxes)

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PAVAGE MASKA INC.

PAVING MERRILL AND SHERBROOKE STREETS	November 12, 2013	33201	\$21,025.51
		TOTAL:	<u>. \$21,025.51</u>
			(Inclusive of Taxes)

SONIC - LA COOP DES CANTONS

WINTER DIESEL FUEL	December 5, 2013	31112340	\$3,078.37
COMMUNITY CENTRE – HEATING OIL	December 17, 2013	31273899	\$1,067.78
COMMUNITY CENTRE – HEATING OIL	January 8, 2014	31590047	\$1,739.56
WINTER DIESEL FUEL	January 8, 2014	31610249	\$3,329.27
WINTER DIESEL FUEL (RIPI)	January 8, 2014	B0549701197	\$917.26
		TOTAL:	<u>\$10,132.24</u>
			(Inclusive of Taxes)

PASSED

2014-02-03.20 PURCHASE OF A MULTIFUNCTION PHOTOCOPIER

WHEREAS the needs of the municipality with respect to technology evolve with the years;

WHEREAS the photocopier no longer meets the printing needs of the municipality;

WHEREAS it is necessary to replace said photocopier;

UPON PROPOSAL DULY MOVED BY MICHAEL PAGE
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO proceed with the purchase of the Toshiba Multifunction photocopier for the sum of \$5,649 plus taxes;

TO pay for said purchase from the available surplus.

PASSED

2014-02-03.21 OTHER BUSINESS

2014-02-03.22 QUESTION PERIOD

Patrick Lajoie	Expresses thanks for the participation in the TV ad campaign; enquires about the costs Emphyteutic lease with respect to hazardous materials, proposal to be debated Snow clearing of his right-of-way Councillor responsible for determining parking fees
Michael Rochette	Request of a grant for the replacement of the automatic defibrillator parts Flood-prone area: What is the municipality's plan

2014-02-03.23 ADJOURNMENT OF MEETING

At 7:55 p.m., all issues on the Agenda having been addressed;

UPON PROPOSAL DULY MOVED BY MARCELLA DAVIS GERRISH
THE COUNCILLORS UNANIMOUSLY RESOLVE

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THAT this meeting be adjourned.

PASSED

Michael Page
Mayor

Léonard Castagner
Town Manager and Secretary-Treasurer

I, Michael Page, confirm that the signing of these Minutes is equivalent to the signing by me of all the resolutions contained herein in accordance with Article 142 (2) of the Municipal Code.

This is not an official document. It has been translated from the French for information purposes only. In the event of a discrepancy between the French and the English documents, the French will prevail.
E. & O.E.