

**MINUTES
VILLAGE OF NORTH HATLEY
MARCH 16 2023**

AT A SPECIAL MEETING of Council held at the North Hatley Community Centre at 5:00 p.m.

WERE PRESENT the following Councillors:

- | | |
|----------------------|-----------------------|
| 1. Michel DESROSIERS | 4. Elizabeth FEE |
| 2. Carrol HALLER | 5. David WILSON |
| 3. Danielle DUPRÉ | 6. Andrew J PELLETIER |

ABSENT :

FORMANT QUORUM sous la présidence de madame la mairesse Marcella Davis-Gerrish

QUORUM is present with Mayor Marcella DAVIS-GERRISH presiding.

ALSO PRESENT are Benoit Tremblay, Director-General and Bruno Bélisle, Assistant Director-General.

ORDRE DU JOUR

1. Waiver of notice of meeting
2. Adoption of the Agenda
3. Question period regarding the subjects on the agenda
4. Demolition, 190 Main Street
5. Operation contract - North Hatley Marina
6. Municipal Infrastructure Construction and Improvement Program (PRACIM) - Permission to Apply
7. Financial support program for cultural initiatives of the Memphremagog MRC - Support and contribution of the Municipality
8. Amendment to the Disaster Service Agreement
9. Adjournment

2023-03-16.01

WAIVER OF NOTICE OF MEETING

CONSIDERING that the members of council met on February 27 and determined the date of this special meeting

CONSIDERING article 157 of the municipal code which allows the waiver of the notice of meeting provided for in articles 155 and 156 when all the members of council present on the territory of the municipality are present;

For these reasons,

I, ELIZABETH FEE, MOVE

That it is resolved to renounce to this notice of meeting.

2023-03-16.02

ADOPTION OF THE AGENDA

I, DANIELLE DUPRÉ, MOVE

THAT the agenda be adopted as presented.

PASSED

2023-03-16.03

QUESTION PERIOD

INTERVENANTS		OBJETS
Richard Gourde	Q	Est-ce que les membres du comité ont eu l'occasion d'avoir une formation sur le règlement de démolition? Mme. Gerrish, pourquoi le comité n'a pas motivé leur décision selon les critères? C'est

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		<p>à toi de t'assurer qu'ils font bien leur job. Je m'attends à ce que notre leader nous dise qu'ils n'ont pas bien effectué leur travail et n'ont pas pris la décision.</p> <p>Le comité n'a pas suivi la loi et il n'était pas légal. La décision du comité n'était pas légale. Leur décision est bien inapplicable.</p> <p>Le comité n'a pas joué de transparence d'aucune façon.</p>
	R	<p>Oui ils ont reçu une formation d'EXP.</p> <p>Du moment qu'ils ont reçu le dossier, ils ont agi au mieux de leur compétence et connaissance. Comme vous le savez, le conseil doit maintenant statuer sur la décision qui a été rendue. C'est ce qu'on fait ce soir.</p> <p>Nous étions en communication avec le ministère de la Culture et la loi pour nous assurer de suivre le processus et les lois.</p> <p>Je vous laisse donner votre opinion, mais nous avons suivi la loi et toutes les étapes.</p>
Michael Dudgeon	Q	<p>Is there a question period after?</p> <p>Regarding the demolition, I've been in that house and from my experience as a builder, the person that's bought that house is in for a major surprise.</p> <p>From what I've heard over the past few weeks, I just feel sad for the new owner of this property. The residents of our Town have been so unwelcoming to the person who wants to beautify this property and home. We should be ashamed of ourselves.</p>
	R	<p>There is no second question period at an extraordinary meeting.</p> <p>Thank you for your comment.</p>
Danielle de Bellefeuille	Q	<p>Moi j'ai un bateau à la Marina. Si je me trouve pris sur le lac, ils viennent me chercher. Je ne comprends pas pourquoi vous tenez à aller en appel d'offres, il nous offre un service qui est déjà parfait.</p> <p>Si quelqu'un vous offre plus d'argent, il va falloir nous charger plus cher pour un quai.</p> <p>Est-ce simplement pour déplacer quelqu'un ou faire plus d'argent? JE ne comprends pas cette espèce de manœuvre. Il donne déjà un service extraordinaire, la prochaine personne ne sera pas capable de le faire.</p> <p>Vous avez sûrement toutes les raisons du monde pour le faire, mais une chose qui fonctionne bien à North Hatley c'est la Marina.</p>
	R	<p>La raison de la manœuvre est d'assurer un processus légal et transparent. J'ai une firme d'avocat qui nous conseil sur le dossier. Le devoir du conseil et de l'administration est de respecter la loi.</p>

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Donald Watt	Q	In the twenty years that Steve was operating the Marina, apparently illegally, did you have any challenges by anybody? Let's suppose that it goes up for call of tender, the fees that North Hatley collect are double or triple, this is going to have to be reflected in the prices to the boaters. There are consequences to what you're going to do. I would suggest you consider doing exactly what you're doing until somebody challenges you.
	R	Luckily no one has challenged us. However we cannot continue to be in the wrong just because no one has noticed.
Michael Dudgeon	Q	I really commend the council for looking for new revenue streams. I know they do get a revenue stream from Steve Piercy as we speak. It's substantial for the service he provides and the building he has to maintain, which is not his building and the town does not spend one penny of their revenue on that building. Anyway, I just feel it's great that you're trying to get more money out of this Marina, which is an asset, but you've had other assets in the past that you've given up the revenue (NHRS and parking). Now you're going after this poor guy for what reason? A couple extra bucks? Who cares? You just spend it indiscriminably anyway so why bother?
	R	No comment.
Richard Gourde	Q	Aujourd'hui, est-ce qu'on connaît l'état du bâtiment? Est-ce que la municipalité les élus, on posé une réflexion sur le devenir de la Marina? Avant d'arriver dans cette consultation, je vous suggère d'être bien informé en ce qui est les règles.
	R	Nos assureurs, après avoir reçu l'inspection du bâtiment, nous ont avisés de ne pas le laisser ouvert au public. Oui nous avons discuté de la future de cette bâtisse, nous voulons aller en consultation publique pour recevoir l'avis de la population à ce sujet.
Richard Gourde	Q	Il existe une très bonne formation donnée par la FQM pour le comité de démolition.
	R	Merci.
Fiona McCauley	Q	The understanding that has been provided to you is that the town has been mandated to put this up for bid? (The marina)
	R	The legal opinion that we got included four options. The option that was presented to us as the most sound for the municipality was option four which was going into a call for tenders. That's the one we felt we should take seeing as other people have shown interest in operating the Marina. By not going into it, we would be showing a bias to M Piercy.

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DONALD WATT	Q	You need a solution. You're not coming up with one. I have a solution for council to consider. What you do, is not go up for tender. Hire Steve, or ask him to be an employee of the town to run the Marina. It's legal and solves all these problems and gives you at least a year to figure out what in the hell you don't know.
	R	Thank you.

2023-03-16.04

DEMOLITION, 190 MAIN STREET

WHEREAS City Council has the power, pursuant to sections 148.0.1 to 148.0.26 of the Land Use Planning and Development Act (R.S.Q., c. A-19.1) and sections 141 and 142 of the Cultural Heritage Act (R.S.Q., c. P-9.002), to adopt a by-law concerning the demolition of buildings;

GIVEN THAT the City Council has adopted By-law 2022-641 governing the demolition of buildings;

GIVEN THAT the main purpose of this demolition bylaw is to ensure control over the complete or partial demolition of a building, to protect a building that may constitute a cultural asset or represent a heritage value, but also to regulate the reuse of the cleared soil ;

GIVEN THAT the Municipality has set up a Demolition Committee within the framework of this bylaw and in accordance with the Act respecting land use planning and development;

GIVEN THAT the function of this Committee is to analyze demolition requests according to the criteria established in the bylaw ;

CONSIDERING THAT the Committee received a demolition request for a building located on lot 4 090 460 and analyzed this request;

CONSIDERING THAT the Committee approved this request;

CONSIDERING THAT the Municipality received, within 30 days of the decision, several requests for appeal pursuant to section 4.4.1 of the By-law;

GIVEN THAT the Municipal Council, after having heard the different parties involved, is of the opinion that the decision of the Demolition Committee must be revised for the following reasons;

- The file as presented to Council does not support the conclusion that demolition is the ultimate option;
- The house located on lot 4 090 460 is located in a site cited in the Quebec cultural heritage directory.

ME, ELIZABETH FEE MOVE :

THAT the Municipality allow the appeal against the decision of the Demolition Committee concerning the demolition request for a building located on lot 4 090 460;

THAT the Municipality review the decision of the Demolition Committee and reject the demolition request for a building located on lot 4 090 460

VOTE POUR : 5 VOTE CONTRE : 1 ABSTENTION :
ADOPTION : ADOPTÉE

2023-03-16.05

OPERATION CONTRACT – NORTH HATLEY MARINA

GIVEN THAT the Municipality owns lot 4 029 081-P located on the territory of the Municipality,

GIVEN THAT this lot is used, among other things, for the operation of a marina and for boat launches;

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GIVEN THAT the members of Council, during the adoption of the 2023 budget, have decided to increase the revenues from the rental of this lot;

GIVEN THAT the Municipality wishes to offer all interested businesses the opportunity to submit a proposal for the rental of lot 4 029 081-P and the operation of the marina;

WHEREAS the Municipality wishes to ensure the experience of the companies that will submit offers as well as the quality of these offers, both from a financial point of view and from the point of view of the quality of the operations of the marina;

I, MICHEL DESROSIERS, MOVE

THAT the Municipality initiate a call for tenders process in order to obtain such proposals from companies interested in leasing lot 4 029 081-P and operating the marina;

THAT Council mandate the Director General and the firm Cain Lamarre to prepare a call for tenders, containing qualitative criteria that will be used to analyze the quality of the proposals received;

THAT Council mandate the Director General to manage the call for proposals and to form a committee to analyze the proposals received, in light of the requirements of the call for proposals.

VOTE POUR : 4 VOTE CONTRE : 2 ABSTENTION :
ADOPTION : ADOPTÉE

2023-03-16.06

**MUNICIPAL INFRASTRUCTURE CONSTRUCTION AND IMPROVEMENT PROGRAM
(PRACIM) – PERMISSION TO APPLY**

Councillor #5 DAVID WILSON withdrew from the meeting.

WHEREAS the Pleasant View Beach building represents an important historical figure for the population of North Hatley;

WHEREAS the Pleasant View Beach building has a municipal and community vocation through its use for summer recreation ;

WHEREAS the Pleasant View Beach building presents important challenges for the Municipality's four-season use and for the sharing of various municipal services

WHEREAS Council wishes to improve the building to make it compliant and thus allow the sharing of various municipal services;

WHEREAS Council has read the PRACIM guide and the Municipality is committed to respecting the applicable conditions;

WHEREAS Council authorizes the filing of an application for financial assistance;

WHEREAS the Municipality undertakes, if it obtains financial assistance for its project, to pay its share of the eligible costs for the project as well as the ongoing operating and maintenance costs of the subsidized building;

WHEREAS, the Municipality or MRC confirms that, if it obtains financial assistance for its project, it will assume all non-PRACIM eligible costs associated with its project, including any cost overruns.

I, DANIELLE DUPRÉ, MOVE

TO authorize the Director General and Clerk-Treasurer, Mr. Benoit Tremblay and/or the Assistant Director General, Mr. Bruno BÉLISLE to submit a request for financial assistance on behalf of the Municipality and to mandate them to sign any associated agreement protocols, if need be.

PASSED

VOTE POUR : 5 VOTE CONTRE : ABSTENTION :
ADOPTION : ADOPTÉE

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2023-03-16.07

FINANCIAL SUPPORT PROGRAM FOR CULTURAL INITIATIVES OF THE MEMPHREMAGOG MRC – SUPPORT AND CONTRIBUTION OF THE MUNICIPALITY

WHEREAS the Municipality of the Village of North Hatley is in its 125th year of constitution;

WHEREAS to celebrate this important moment, the Municipality would like to organize an event that would bring its citizens together and promote its culture and history;

WHEREAS the Memphremagog MRC offers a financial support program for cultural initiatives, which the Municipality would like to take advantage of;

WHEREAS the Municipality must contribute 50% of the total cost of the project;

MICHEL DESROSIERS MOVE

THAT Council support the project application and authorize the Director General, Mr. Benoit TREMBLAY to sign the application documents;

THAT the Municipality agrees to pay the sum of \$8,397.20, corresponding to 50% of the project's financing.

VOTE POUR : 5 VOTE CONTRE : ABSTENTION :
ADOPTION : ADOPTÉE

2023-03-16.08

AMENDEMENT TO THE DISASTER SERVICE AGREEMENT

WHEREAS the amendment request received by the Canadian Red Cross Society - Quebec;

WHEREAS the purpose of the amendment is to extend the duration of the agreement from three to four years, to modify the financial terms and conditions as well as Appendices B - description of services to disaster victims and D - costs assumed by a city, municipality or any other applicant when it requires the services of the Red Cross during emergency interventions of the agreement previously signed;

I, CARROL HALLER, MOVE

THAT Council authorizes the Mayor, Mrs. Marcella Davis Gerrish and the Director General, Mr. Benoit Tremblay to proceed with the signature of the amendment and to pay the contribution of \$180 for the year 2023 - 2024.

VOTE POUR : 5 VOTE CONTRE : ABSTENTION :
ADOPTION : ADOPTÉE

2023-03-16.09

ADJOURNMENT OF MEETING

At 6:29 p.m, all issues on the Agenda having been addressed;

I, ANDREW J PELLETIER, MOVE

That the meeting be concluded and adjourned.

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PASSED

Marcella Davis Gerrish
Mairesse

Benoit Tremblay
Directeur général et Secrétaire-trésorier

I, MARCELLA DAVIS GERRISH, confirm that the signing of these Minutes is equivalent to the signing by me of all the resolutions contained herewith 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.