

TOWN OF METIS-SUR-MER
PROVINCE OF QUEBEC

EXTRAORDINARY COUNCIL MEETING
HELD ON JULY 7TH, 2011

Minutes of the extraordinary session of the Council of the town of Metis-sur-Mer held on Thursday, July 7th, 2011, in the boardroom, 138, Principale, Métis-sur-Mer, at 7:00.

Present are Councillors Rita D. Turriff, Lysanne Desrosiers, June Smith, Marjolaine Veilleux forming quorum under the Mayor, Mr. Jean Pierre Pelletier.

Also present are:

Mr. Stéphane Marcheterre, General Manager and secretary-treasurer
Mr. Gaétan Cayouette, Assistant secretary-treasurer

RESOLUTION # 11-07-111
OPENING OF THE ASSEMBLY

It is proposed by Councillor Mrs. Lysanne Desrosiers and resolved by the majority that the session of the Council of the town of Metis-sur-Mer is opened at 7:00 pm.

RESOLUTION # 11-07-111A
AGENDA

It is proposed by Councillor Mrs. Lysanne Desrosiers and resolved by the majority to adopt the following agenda for the session:

1. Call to order and registration of attendance.
2. Reading and adoption of the agenda.
3. Adoption of the regulation #11-56
4. Mrs. Robin Niderost 's minor derogation : resolution
5. Appointment of Mrs. Lynda Dechamplain on the CCU
6. Adjournment

3- Adoption of the by-law 11-56

RESOLUTION #11-07-112
AMENDMENT TO REGULATION # 10-49 AND ADOPTION OF REGULATION
#11-56 A LOAN TO REALIZE THE DRINKING WATER PROJECT

TOWN OF MÉTIS-SUR-MER
PROVINCE OF QUEBEC

REGULATION # 11-56

CONCERNING THE AMENDMENTS TO THE REGULATION # 10-49 TO
INCREASE THE AMOUNT OF THE EXPENDITURE AND THE AUTHORIZED
LOAN TO \$ 2 403 900 \$

WHEREAS the town adopted on 12 January 2010, its regulation number 10-49, relating to drinking water project, involving an expenditure and a loan for the amount of \$1,373,000;

WHEREAS that following the opening of tenders, the cost of the work is now estimated at 2 457 400 \$, which requires the revision of the expenditure and the borrowing declared in regulation number 10-49;

WHEREAS the Town has already adopted and approved the regulations of borrowing number 03-10 for \$ 109 000 for research in water;

WHEREAS for execution of such projects, the Town has received from the Minister of Municipal Affairs (MAMROT), in a letter dated June 17, 2009, confirmation of financial assistance of 1 252 737. \$, as it appears from the letter attached in Annex A to the present regulation, the Town has already requested an increase of that aid based on the actual cost of the work;

WHEREAS the present regulation includes a loan to foresee drinking water work, from which more than half of the cost of work is the object of a subsidy of which the payment is provided by the Government or one of its ministries, making, since the amount of subsidy is fully assigned to the reduction of the total amount of the loan, that the regulation should be only subject to the ministerial approval under article 117 of the *Law amending various statutory provisions concerning municipal domain*, effective June 17, 2009 (2009, chapter 26);

WHEREAS a copy of the present regulation has been given to Council members at least two (2) legal days before this session, all members present declare having read the regulation project and that they waive its reading;

WHEREAS the Director General mentioned that this regulation is intended to amend the law No. 10-49 to revise the amount of the expenditure and the borrowing authorized;

WHEREAS a notice of motion of this regulation has been previously given on July 4th 2011;

THEREFORE, IT IS PROPOSED BY COUNCILLOR MRS. LYSANNE DESROSIERS AND RESOLVED BY THE MAJORITY THAT THE TOWN OF MÉTIS-SUR-MER ENACTS AND ORDERS BY THIS REGULATION THAT WHICH FOLLOWS:

Regulations providing for a loan of \$2 403 900 for drinking water supply project.

1. PURPOSE

The present regulation is intended to allow this Council to execute some drinking water work at an amount not exceeding 2 403 900 \$. Those works are described in the documents prepared by the firm BPR, dated February 12, 2009 and revised on the 21st of June 2011, including net taxes, contingencies and charges associated to the RI-63-001 file with an estimation of the costs of those works (Appendix B).

2. EXPENDITURES ALLOWED

For the purposes of this regulation, this Council enacts an expense of \$2 403 900 including the technical costs, administration costs, legal fees, negotiations of the loan fees, interest on temporary loan, the price of acquisition of the land and the necessary easements and other incidental expenses.

3. LOAN ALLOWED

In order to fulfill the expenditure referred to above, the Council is allowed to borrow a maximum loan of \$2 403 900, repayable over twenty (20) years for the municipal share and according to anticipated schedules, administrative criteria of aid for payments of grants programs.

4. TAXATION TO WHOLE MUNICIPALITY

To provide for expenses incurred relatively to the interests and reimbursement in capital of 10 % of the annual deadlines of the loan, it is, by the present regulation, imposed and it will be collected annually, during the term of the loan on all taxable properties situated on the territory of the Town, a special tax at a rate sufficient according to the value as it appears in the role of valuation in force each year.

5. TAXATION TO THE SECTORS SERVED

To provide for expenditures incurred relatively to the interests and reimbursement in capital of 90 % of the annual deadlines of the loan, it is hereby required by the present regulation and it will be collected, annually during the term of the loan, from each owner of a taxable property served by the aqueduct network, a compensation for each taxable property of which he is the owner.

The amount of this compensation is established annually by multiplying the number of units assigned according to the table that appears below to each taxable building by the value assigned to each unit. This value is determined by dividing the expenditures incurred relatively to the interests and reimbursement of the annual deadlines of the loan, and that, in a proportion of 90 % by the number of units of all taxable buildings located inside the basin.

<u>CATEGORY "A": RESIDENTIAL</u>	<u>NUMBER OF UNITS</u>
FOR EACH RESIDENCE OR RESIDENTIAL UNIT OF HOUSING	1,00
VACANT LOT	0,50
FOR EACH COUNTRY COTTAGE	1,00

<u>CATEGORY "B": LODGING AND RESTORATION</u>	<u>NUMBER OF UNITS</u>
HOTELS AND MOTELS: BASIC TARIFF	1,25
PLUS: PER CABIN OR UNIT OF MOTEL OR HOTEL ROOM	0,25
WITH DINING ROOM OR RESTAURANT	0,50
TOURIST ROOM BASIC TARIFF	1,50
EACH ADDITIONAL ROOM	0,10
SNACK-BAR OR RESTAURANT	1,50

<u>CATEGORY "C": FOOD</u>	<u>NUMBER OF UNITS</u>
GROCERY WITH BUTCHER SHOP DÉPANNEUR	1,75
BUTCHER SHOP OR MEAT CUTTING CENTER	1,25

<u>CATEGORY "D": SERVICE STATION AND GARAGES</u>	<u>NUMBER OF UNITS</u>
SERVICE-STATION WITH DÉPANNEUR	1,75
GARAGE OF A GENERAL CONTRACTOR	1,50

<u>CATEGORY "E": MANUFACTURERS OR SHOPS</u>	<u>NUMBER OF UNITS</u>
FLOOR FABRICATION SHOP: BASIC TARIFF	1,50
PLUS: FOR EACH NINE (9) EMPLOYEES OR LESS	1,00

<u>CATEGORY "F": SERVICES</u>	<u>NUMBER OF UNITS</u>
BANK OR CAISSE POPULAIRE	1,75
HAIR-DRESSING SALON	1,25

<u>CATEGORIE "G": OTHERS</u>	<u>NUMBER OF UNITS</u>
POST OFFICE	1,25

<u>CATÉGORIE "H": PROFESSIONS</u>	<u>NUMBER OF UNITS</u>
LAWYER'S OFFICE, NOTARIES, SURVEYORS, INSURERS, ACCOUNTANTS, DOCTORS, VETERINARIANS, ENGINEERS,	1,25

ARCHITECTS, BAILIFFS, CHIROPRACTORS, REAL ESTATE AGENTS AND OTHER PROFESSIONS	
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6. AFFECTATION OF THE SURPLUS

If the amount of the authorized affectation by the present regulation is higher than the amount really spent concerning this affectation, the Council is authorized to use this surplus to pay all the other expenses enacted by the present regulation and for which the affectation would be insufficient.

7. AFFECTATION OF THE CONTRIBUTIONS AND/OR GRANTS

The Council affects to the reduction of the loan decreed by the present regulation any contribution or grant that can be paid for the payment of a part or all of the expenditure declared by the present regulation.

The Council affects to the reduction of the loan decreed by the present regulation an amount of 1 252 737. \$ coming from the "Programme Infrastructure Québec-Municipalités", which grant has been confirmed June 17, 2009 (Annex A). This amount may be adjusted depending on the conditions of the foresaid program and is specifically appropriate to the reimbursement of the part of the loan concerning municipal work described in Annex B.

The term of repayment of the loan corresponding to the amount of the grant, will be automatically adjusted to the period appointed for the payment of the grant when it is a question of a reduction of the term decreed in this regulation.

8. SIGNATURE OF THE DOCUMENTS

The Mayor and the General Manager are hereby authorized, by the present, to sign for and on behalf of the Town all necessary or useful documents for the purposes of the execution of the provisions of this regulation.

9. ENTRY IN FORCE

The present regulation will enter into force in accordance with the law.

Adopted at Métis-sur-Mer, this 7th of July 2011

Notice of motion: July 4th 2011
Adoption: July 7th 2011
Publication: July 8th 2011

4. Mrs. Niderost's minor derogation: resolution

RESOLUTION #11-07-113 **MRS. ROBIN NIDEROST'S MINOR DEROGATION**

The Town of Métis-sur-Mer is not agreed about the recommendations of the CCU dated June 15th, 2011, regarding the relocation of the building belonging to Ms. Robin Niderost at 47, Lighthouse Road on a part of the land located at 45, Lighthouse Road.

Considering that Mrs. Niderost acknowledged the article 6 of the "Loi sur la sécurité civile" which says that any person who settled in a place where the occupation of the ground is notoriously subject to particular constraints due to the presence of a risk of major or minor loss, without complying with these constraints, is deemed to accept the risk;

Considering that during the high tides of December 6th, 2010, there was no coastal erosion and no marine flooding on this part of the land 54p;

Considering that the land where the building will be relocated is protected by a large band of vegetation and mature trees.

Considering that the relocated house remains a secondary residence;

Considering that the relocation of the house ensures the safety of persons and dramatically reduces the risk of damage to the building by coastal hazards;

Considering that the surface area of land required for the relocation will be less than 4000 m² given that Mrs. Niderost is committed to install an appropriate septic equipment and will not install an artesian well to serve the new property;

Considering that the residence will be located 25 m above the High Water Mark determined by a surveyor;

For these reasons the Town of Métis-sur-Mer by a vote FOR from the Councillors Mrs. Rita D. Turriff, Mrs. June Smith and Mrs. Lysanne Desrosiers and a vote AGAINST from the councillor Mrs. Marjolaine Veilleux, accepts the minor derogation of Mrs. Robin Niderost.

5. Appointment of Mrs. Lynda Dechamplain on the CCU: resolution

RESOLUTION #11-07-114

APPOINTMENT OF MRS. LYNDA DECHAMPLAIN ON THE CCU

It is proposed by Councillor Mrs. Rita D. Turriff and resolved by the majority that the Town of Métis-sur-Mer appoints Mrs. Lynda Dechamplain member of the "Comité consultatif d'urbanisme (CCU)"

6. Adjournment

RESOLUTION #11-07-115

ADJOURNMENT

The agenda being exhausted, it is proposed by Councillor Msr. June Smith that this session be adjourned at 8:00 p.m.

Approved at the session held:

Jean-Pierre Pelletier, Mayor

Gaétan Cayouette, General manager