

**TOWN OF MÉTIS-SUR-MER
PROVINCE OF QUEBEC**

**REGULAR SESSION
OF THE MACNIDER BOROUGH
HELD NOVEMBER 8TH, 2011**

Minutes of the regular session of the MacNider Borough of the Town of Métis-sur-Mer held on Tuesday, November 8th, 2011 at the Metis-Beach School, Métis-sur-Mer, at 7:00 p.m.

Present are President Mrs. June Smith and Councillors Mrs. Rita D. Turriff and Mrs. Lysanne Desrosiers also Secretary Mr. Stéphane Marcheterre.

RESOLUTION # 11-11-53
OPENING OF THE SESSION

It is proposed by Councillor Mrs. Rita D. Turriff and resolved unanimously that the session of the MacNider Borough is opened at 7:00p.m.

RESOLUTION # 11-11-54
AGENDA

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

1. Call to order.
2. Reading and adoption of the agenda.
3. Approval of minutes of October 4th, 2011.
4. Accounts to be paid.
5. Open Varia:
 - 5.1. Annual fees for membership in The Association for the Most Beautiful Villages of Quebec;
 - 5.2. Follow-up of file on our Leisure Co-ordinator;
 - 5.3. Presentation of "les Fleurons" in St. Hyacinthe;
 - 5.4. Acceptance of work and payment of bill from engineer Jacques Vaillancourt;
 - 5.5. Installation of toilet on grounds of Cascade Golf Club;
 - 5.6. Contract for pick-up of garbage and recyclable material;
 - 5.7. Closing of Quebec Marine Rescue Centre;
 - 5.8. Supplying Drinking water – approval of surveillance budget;
 - 5.9. Adoption of Regulation #11-59 concerning Code of Ethics of Elected Municipal officials;
 - 5.10. Request for Support from Heritage Lower St. Lawrence in setting up a Community Resource Center (library);
 - 5.11. Follow-up of file on Metis Lighthouse;
 - 5.12. Hiring of person for rink and clearing snow-Leisure Committee;
 - 5.13. Chimney inspection and sweeping service – MRC de La Mitis.
6. Question period
7. Date of next session: Tuesday, December 6th, 2011, at 7:00 at Metis Beach School
8. Adjournment

3. Approval of the minutes

RESOLUTION # 11-11-55
**APPROVAL OF THE MINUTES OF THE REGULAR SESSION OF THE
MACNIDER BOROUGH HELD OCTOBER 4TH 2011**

It is proposed by Councillor Mrs. Rita D. Turriff and resolved unanimously that the minutes of the regular session of MacNider Borough held October 4th, 2011, be approved as submitted.

4. Accounts payable

RESOLUTION # 11-11-56
ACCOUNTS PAYABLE

It is proposed by Councillor Mrs. Lysanne Desrosiers and resolved unanimously that the following accounts are paid:

Canada Post (November)	25.97\$
Metis Beach School (October)	25.00\$
TOTAL	50.97\$

5. OPEN VARIA.

5.1 Annual fees for membership in The Association for the Most Beautiful Villages of Quebec

A resolution was passed by the Town of Métis-sur-Mer to accept to pay the annual membership fee of the Association of the most beautiful villages of Quebec. The subscription covers the period from January 1st 2012 to December 31st 2012 and the cost is \$243.75 taxes included.

5.2 Follow-up of file on our Leisure Co-ordinator

A resolution was passed by the Town of Métis-sur-Mer to agree to pay the cost for the Leisure Coordinator for the period from July 2011 to September 2011 inclusively for an amount of \$2823.43. If we include the grant from the "Pacte Rural", a sum of \$1875.00 for this period, the total cost is \$4698.43. Also, a resolution was passed by the Town of Métis-sur-Mer to end its partnership with the municipality of St-Donat relating the intermunicipal leisure resources hiring program and therefore ends the employment of Mrs. Geneviève Côté as leisure coordinator for the Town of Métis-sur-Mer.

5.3 Presentation of "les Fleurons" in St. Hyacinthe

The Council accepts to pay the expenditures, except the gasoline, to allow Mrs. Diane Demers and Mrs. Linda T. Reviakin to assist at the presentation of "Les Fleurons" in St. Hyacinthe.

5.4 Acceptance of work and payment of bill from engineer Jacques Vaillancourt

A resolution was passed by the Town of Métis-sur-Mer to accept the work done by the engineer Mr. Jacques Vaillancourt (URGIPLAN Inc.) and thus agrees to pay the invoice (rocks Beach Road plans) of the amount of \$2795.72 taxes included.

5.5 Installation of toilet on grounds of Cascade Golf Club

WHEREAS the toilet between the hole # 11 and # 12 has already been accepted by the Town on June 25, 2003, but the water supply was distributed from a tank and not by the water service of the Town;

WHEREAS the Club is committed to use water strictly for the need of the toilet and that it is prohibited to drink and the Club should not use this water for watering;

WHEREAS the Club undertakes, in the event of another project of this kind on water supply with an out-of- range length, to ask permission of the Director of public works of the Town before proceeding;

FOR THESE REASONS and under the conditions listed above, a resolution was passed by the Town of Métis-sur-Mer to accept the connection from the Town drinking water to the toilet.

5.6 Contract for pick-up of garbage and recyclable material

Considering that a tender by written invitation was sent to three suppliers for the pick-up and transport of garbage and recycling in Métis-sur-Mer in 2012; A resolution was passed by the Town of Métis-sur-Mer to sign a contract with Exploitation Jaffa Inc.600, Boulevard Perron, Maria, (Québec) G0C 1Y0,

concerning the pick-up and transport of garbage and recycling for 2012 in Métis-sur-Mer, having the following characteristics:

Number of pick-ups of residual materials: 25;

Number of pick-ups of recycling: 26;

Calendar: annexed to the present and part of the contract;

Place of destination of the garbage: transfer center of the MRC de La Mitis, 428 Chemin Perreault, Ste - Flavie G0J 2L0, access by Route Perrereault;

Place of destination of recycling: CFER Matapédia-Mitis, 1086 Industrielle, Mont-Joli.

Tariffs for pick-up and transport in 2012:

Residual matters: \$14 585.83;

Recycling: \$ 15 169.25;

Total: \$ 29 755.08 taxes included.

Mode of payment: monthly.

Mayor Jean Pierre Pelletier and the General manager Stéphane Marcheterre are authorized to sign the contract with Exploitation Jaffa Inc for the Town of Métis-sur-Mer.

5.7 Closing of Quebec Marine Rescue Centre

WHEREAS a part of the mandate of the Canadian coast guard, under the Ministry of Fisheries and Oceans Canada, is to contribute to ensure maritime safety and to provide maritime rescue and research services in Canadian waters including the St. Lawrence River;

WHEREAS the Government of Canada and its Minister of Fisheries and Oceans Canada, the Honorable Keith Ashfield, announced in June 2011 their intention to close the Quebec Marine Rescue Centre, operated by the Canadian Coast Guard;

WHEREAS following this closure, the coordination of the operations of rescue for the river and the Gulf of St. Lawrence will be from Halifax, Nova Scotia and Trenton, Ontario;

WHEREAS the essential elements of the coordination of the rescue on the St. Lawrence River need a high local knowledge of the geographical, hydrological and climatic aspects of the ports of refuge, the location of the local emergency resources/services and their availability;

WHEREAS the language skills of the coordinators from Halifax and Trenton rescue and their level of knowledge of geography and local emergency services may be restraints that could increase the response time and thus delay rescue.

THEREFORE, a resolution was passed by the Town of Métis-sur-Mer to demand to the Minister of Fisheries and Oceans Canada to waive the closure of the Québec Marine Rescue Centre and consequently contribute to maintain the level of safety of the users of the St. Lawrence River.

5.8 Supplying Drinking water – approval of surveillance budget

WHEREAS on December 7th 2009, the Town accepted the budget of BPR concerning implementation and topographic surveys about the drinking water supply project plan;

WHEREAS on July 5th, 2010, the Town accepted the budget of BPR concerning the preliminary and preparatory studies, the preparation of the plans and specifications, the specific mandate of geotechnical investigation, requests for authorization to the MDDEP and the CPTAQ, assistance to the management and the expenditure relating to the project;

WHEREAS the project is at the step of the beginning of the work;

WHEREAS «BPR Groupe-conseil" presented a budget of charges for the adjustment of fees of the plans and specifications and for the supervision of the work.

Therefore, a resolution was passed by the Town to confirm that for more than 10 years, the mandate of all of the activities related to engineering was entrusted to BPR, to approve the budget of fees of the firm "BPR Groupe-conseil», the adjustment of the fees of the plans and specifications and for the supervision of the work, such as presented in the proposal of September 29th,

2011 and this expenditure is assigned to the borrowing regulation #10-49 amended by regulation #11-57.

5.9 Adoption of Regulation #11-59 concerning Code of Ethics of Elected Municipal officials

INTERPRETATION

All the words used in this code retain their usual meaning, except for the expressions and words defined as follows:

"Advantage":

Includes any gift, donation, favour, reward, service, commission, gratification, hospitality, remuneration, compensation, gain, privilege, preference, benefit, profit, advance, loan, reduction, discount, or anything else useful or beneficial of the same nature or any promise of such an advantage.

"Personal interest":

Interest of the person concerned, whether direct or indirect, pecuniary or not, real, apparent or potential. It is distinct, not necessarily exclusive, of the general public or may be perceived as such by reasonably informed persons. It is excluded of this case where personal interest is in remuneration, allowances and refunds of expenditures, benefits or other conditions of work related to the functions of the person concerned within the municipality or municipal organism.

"Interests of relatives":

Interest of the spouse of the person concerned, of his children, his ascendants or interest of a corporation, company, cooperative or association with which it has a business relationship. It may be direct or indirect, pecuniary or not, real, apparent or potential. It is distinct, not necessarily exclusive, of the general public or may be perceived as such by reasonably informed persons.

"Municipal organism":

An organism that the law declares an agent or an officer of a municipality; a organism which the Council is made up mostly of members of the Council of a municipality; an organism whose budget is adopted by the municipality or which the funding is provided for more than half by the municipality; a Board, commission or a Committee formed by the municipality to review and to consider a question submitted by the Council; a company, corporation, company or association in which a person is designated or recommended by the municipality to represent its interest.

REGULATION #11-59

CODE OF ETHICS AND GOOD CONDUCT OF ELECTED MUNICIPAL OFFICIALS

Whereas the law on ethics and good conduct in municipal matters, entered into force on December 2nd 2010, imposes on local municipalities and regional counties to adopt a code of ethics and good behavior of elected municipal officials;

Whereas the Council of any municipality that does not have such a code that meets the requirements of the law on ethics and good conduct in municipal matters should adopt it by regulation no later than December 2nd, 2011;

Whereas the formalities provided in the law of ethics and good conduct in municipal matters have been complied;

Whereas notice of motion was given;

Whereas a public notice was published no later than 7 days before the meeting for the adoption of the code,

A resolution was passed by the Town to adopt the following code of ethics and good behavior:

SECTION 1: Title

The title of this code is: Code of ethics and good conduct of elected municipal officials of the Town of Métis-sur-Mer

SECTION 2: Scope

This code applies to every member of the council of the Town of Métis-sur-Mer.

However it does not apply to any members of the Borough Council who don't form part of the Council of the Town of Métis-sur-Mer.

SECTION 3: Purpose of this code

The purpose of this code is as follows:

- 1) To give priority to those values on which individual members of the municipal council base their decisions, and to contribute to a better understanding of the values of the municipality;
- 2) To establish standards of behaviour which promote the integration, by elected officials, of these values into the decision making process, as well as into their general conduct as elected officials.
- 3) To prevent ethical conflicts and, if they arise, help in resolving them effectively and judiciously;
- 4) To ensure the application of control measures in case of breaches of conduct.

SECTION 4: Values of the municipality

As a complement to the aforementioned Statement, the following values shall serve to guide the decision making process, the general conduct of the members of the council of the municipality in their capacity as elected officials and particularly when situations that are not explicitly provided for in this code or in the municipality's various policies arise.

1) Integrity

Members shall promote the values of honesty, rigorousness and justice.

2) Prudence in the pursuit of the public interest

Members shall assume their responsibilities in their pursuit of the public interest mission entrusted to them. In fulfilling this mission, they shall act with professionalism, diligence and good judgment.

3) Respect for other members of council, municipal employees and citizens

Members shall promote respect in human relations. They, in turn, have a right to respect, and shall act respectfully toward all those with whom they have dealings in the course of their official duties.

4) Loyalty to the municipality

Members shall advocate the best interests of the municipality.

5) Equity

Members shall treat each person justly and, in as much as possible, in interpreting laws and by-laws in the spirit for which they were intended.

6) Honour attached to the position of members of council

Members shall safeguard the honour of their position, which presupposes the constant practice of the five above-mentioned values: integrity, prudence, respect, loyalty and fairness.

SECTION 5: Rules of conduct

5.1 Scope

The rules in this section should guide the conduct of elected officials as members of the council, a committee, or a commission:

- a) of the municipality, or
- b) of any other body, when sitting on such in their capacity as a member of the municipal Council.

5.2 Purpose

These rules are intended to prevent namely:

1. Situations in which the personal interest of council members may influence the independence of their judgment in the course of their official duties;
2. Situations that would be contrary to sections 304 and 361 of the Municipal Elections and Referendums Act (R.S.Q. chapter E-2.2);
3. Favouritism, embezzlement, breach of trust or other acts of misconduct.

5.3 Application field

5.3.1 Conflicts of interest

5.3.1.1 Members of a council are prohibited from acting, or attempting to act, or omitting to act in the course of their official duties, so as to further their personal interest or abusively further the interest of any other person or persons.

5.3.1.2 Members of a council are prohibited from using their position to influence or attempt to influence another person's decisions so as to further their personal interest or to abusively improperly further the interest of any other person or persons.

However, members are not considered to have violated this section when they benefit from the exceptions stated in paragraphs 4 and 5 of subsection 5.3.1.7.

5.3.1.3 Members are prohibited from soliciting, eliciting, accepting or receiving any benefit, whether for themselves or for another person or persons, in exchange for taking a position which could be perceived as a conflict of interest on a matter that may be brought before a council, a committee or a commission of which the Council member is a member.

5.3.1.4 Members are prohibited from accepting any gift, mark of hospitality or other benefit, whatever its value, that might impair their independence of judgment in the course of their official duties, or otherwise compromise their integrity.

5.3.1.5 A member of council who receives a gift, mark of hospitality or other benefit that is not of a purely personal nature or not prohibited under subsection 5.1.3.4, exceeding \$200 in value, must file a written disclosure statement with the city clerk of the municipality within 30 days of receiving such.

The disclosure statement must contain an accurate description of the gift, mark of hospitality or benefit received, state the name of the donor, as well as the date and the circumstances under which it was received. The City clerk shall keep a public register of these disclosure statements.

5.3.1.6 Members may not knowingly have a direct or indirect interest in a contract with the municipality or public body contemplated in section 5.1.

A member is deemed not to have such interest if:

1° the member has acquired such interest as part of an inheritance or donation, and renounces or disposes of it as soon as possible;

2° the member's interest consists in holding shares in a company that he or she does not control, of which he or she is neither a director nor senior executive, and in which the member holds less than 10% of the voting stock;

3° the member's interest is based on the fact that he or she is a member, director or officer of another municipal or public body within the meaning of the Access to Public Documents and Protection of Personal Information Act (R.S.Q., chapter A-2.1), a non-profit organization, or a body of which he or she is required by law to be a member, director or officer in his or her capacity as a member of the municipal Council or municipal body;

4° the contract is for the purpose of remuneration, allowances, reimbursement of expenses, social benefits, goods or services purposes to which the member is entitled as a condition of employment associated with his or her office in the municipality or municipal body;

5° the contract is for the appointment of the member to an official post or position which does not affect the holder's eligibility to his or her office;

6° the contract is for the delivery of general services provided by the municipality or municipal body;

7° the contract is for the sale or rental of an immovable on non preferential terms;

8° the contract is in the form of bonds, notes or other public securities offered by the municipality or municipal body, or is for the acquisition of the securities on non-preferential terms;

9° the contract is for services or goods that the member is required by statute or regulation to supply or render to the municipality or municipal entity;

10° the contract is for the supply of goods by the municipality or municipal body and was signed before the member assumed office in the municipality or municipal body, and before he or she registered as a candidate for office or was elected to office;

11° In case of *force majeure*, the general interest of the municipality or municipal body requires that the contract be awarded in preference to all other offers.

5.3.1.7 A council member who is present at a session when a matter arises in which he or she has a private pecuniary interest, whether directly or indirectly must disclose the general nature of his or her interest before debate on the matter begins. The member must also abstain from taking part in the discussion or debate, voting or attempting to influence a vote on the matter.

In a closed session, the member must, in addition to the preceding, disclose the general nature of his or her interest, and then leave the session and remain absent until the matter has been debated and voted upon.

If the matter in which a council member has a pecuniary interest is brought up during a session from which the member is absent, the member must disclose the general nature of his or her interest at the first sitting at which he or she is present once he or she becomes aware of the matter under discussion.

This subsection does not apply in cases where the interest of the council member consists of remunerations, allowances, reimbursement of expenses, social benefits, goods or services to which the member is entitled as a condition of employment associated with his or her office in the municipality or municipal body.

Nor does it apply in a case where the interest of a council member interest is so minor that the member cannot reasonably be expected to be influenced by it.

5.3.2 Use of municipal resources

Members are prohibited from using the resources of the municipality or any other body referred to in section 5.1 for personal use or for purposes other than activities related to their official duties.

This prohibition does not apply when a council member uses a resource generally available to citizens, and does so on non-preferential terms.

5.3.3 Use or communication of confidential information

Council members must respect the confidentiality of information not generally available to the public obtained in the course of their official duties. This confidentiality applies both during and after their terms of office. They are further prohibited from using or communicating, or attempting to use or communicate such information so as to further their personal interests or those of another person or persons.

5.3.4 After term of office

Council members are prohibited, during the 12 months following the termination of their term of office, from serving as a director, officer or senior executive of a corporation, or hold employment or any other position so as to obtain undue benefit for themselves or another person, based on their previous position as members of a municipal council.

5.3.5 Breach of trust and embezzlement

Council members are prohibited from diverting goods belonging to the municipality for their personal use or use by a third party.

SECTION 6: Control measures

6.1 Any violation of a rule or rules dictated by this Code of Ethics and Good Conduct by a member of the municipal council may result in one or more of the following sanctions:

- 1) A reprimand;
- 2) The remittance to the municipality, within 30 days following the decision of the "Commission municipale du Québec", of:
 - 1° the gift, mark of hospitality or benefit received, or of its equivalent value;
 - 2° any profit obtained in violation of a rule or rules of this Code;
- 3) Reimbursement of the remuneration, allowance or other amounts received by a council member in his capacity as member of a municipal council, committee or commission, or as a member of a body contemplated in section 5.1, for the period during which the violation of the rule or rules took place;
- 4) Suspension of the municipal council member for a period of up to 90 days but not exceeding the expiry date of the term of office of the member.

When suspended, a municipal council member may not sit on any council, committee or commission of the municipality, or on any other body in his or her capacity as a municipal council member; nor receive any remuneration, allowance or other amounts from the municipality or such body.

SECTION 7: Coming into force

This regulation comes into force according to the law.

Notice of motion: October 3rd 2011

Publication: October 31st 2011

Adoption: November 7th 2011

5.10 Request for Support from Heritage Lower St. Lawrence in setting up a Community Resource Center (library)

WHEREAS Heritage lower St. Lawrence has received for its Resource Centre project support of several government and community organizations of the region such as MRC de La Mitis, Metis Beach School, the socio-cultural Association of Métis, COSMOSS Bas-St-Laurent and many others;

WHEREAS each Member of the community of Métis-sur-Mer must have access to cultural activities, books and services in both official languages;

FOR THESE REASONS, a resolution was passed by the Town to support Heritage Lower St. Lawrence in its project of community centre with a letter of support. In addition, in the event that this Resource Centre acquires a library of Réseau Biblio du Québec, the Council agrees to pay the amount required (\$4.00 per citizen) for the operation of the library.

5.11 Follow-up of file on Metis Lighthouse

Business plan was sent on October 16, 2011 to the Government of Canada in order that the municipality of Métis-sur-Mer becomes the owner of the Metis lighthouse. Now the Council has to wait the decision of the Government.

5.12 Hiring of person for rink and clearing snow-Leisure Committee

A resolution was passed by the Town to provide to the Leisure committee of Métis-sur-Mer \$3675.00 for the preparation and maintenance of the municipal skating rink and to remove snow from main and secondary entries of the municipal office and the Leisure center.

5.13 Chimney inspection and sweeping service – MRC de La Mitis.

A resolution was passed by the Town to request from “La MRC de La Mitis” the permission to join the inspection service without joining the MRC’s chimney sweeping service. The inspection service would be 1 time every 5 years for all residences with chimney (s).

6. QUESTION PERIOD

The question period was opened at 7:15 p.m. and closed at 7:17 p.m.

7. DATE OF NEXT SESSION

The date of the next session is Tuesday, December 6th, 2011, at 7:00 p.m. at the Metis Beach School

8. ADJOURNMENT

RESOLUTION # 11-11-57
ADJOURNMENT

The agenda being exhausted, Councillor Mrs. Lysanne Desrosiers proposes that the meeting be adjourned at 7:25 pm.

Approved at the session held:

June Smith, President

Stéphane Marcheterre, secretary