

DATE: August 9th, 2016

The regular meeting of the Clarendon Municipal Council was held on the above night at the Council Hall. Mayor John Armstrong presided with, James Howard, Phillip Elliott, Keven Knox, Mavis Hanna, Eric Smith the Director General Mike Guitard and office assistant Pat Hobbs were also in attendance.

Crs. Gerald (Jerry) Barber motivated his absence.

OPENING THE MEETING

Mayor John Armstrong opened the meeting at 7:00 PM

QUESTION PERIOD/VISITORS

Lynn Lavery and Muriel Davies to talk about keeping the PPJ for non motorized activities.

ADOPTION OF THE AGENDA

190-08-2016 Proposed by Cr. Knox

Seconded by Cr. Hanna

And is unanimously resolved to adopt the agenda with the following addition of item 15.2 PPJ.

Carried

ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF July 26th 2016

191-08-2016 Proposed by Cr. Howard

Seconded by Cr. Hanna

And is unanimously resolved to adopt the minutes of the July 26th, 2016 regular meeting

Carried

MAYOR'S REPORT

Mayor John Armstrong gave a verbal report of the last MRC meeting.

ROAD FORMAN'S REPORTS

M. Bruce Telford deposited his monthly road inspector's report.

CORRESPONDENCE

The following items were tabled and discussed

Armed forces

192-08-2016 Proposed by Cr. Knox

Seconded by Cr. Elliott

And is unanimously resolved to allow the regiment of Hull to use the municipal roads on Saturday the 29th of October for exercises.

Carried

Thank you card

Tabled

160th lawn celebration

Cr. Hanna, Elliot and Mayor Armstrong will take care of the decorating

Pontiac Committee of seniors and retirees

Tabled and discussed

Shawville Fair

Tabled and discussed

Minutes from the meeting with CIMA+

Tabled and discussed

PREVIOUS BUSINESS FOLLOW-UP

The following items were tabled and discussed:

Work list and work to be added

Tabled and discussed

Agri spirit fund

Tabled and discussed

Heath Line water project

193-08-2016 Proposed by Cr. Hanna

Seconded by Cr. Elliott

And is unanimously resolved to mandate CIMA+ to contract out the quality control for the Heath Line Water project

Carried

LINE OF CREDIT

Tabled to next meeting

HYDRO REQUEST TO CHANGE A POST

194-08-2016 Proposed by Cr. Hanna

Seconded by Cr. Smith

And is unanimously resolved to approve Hydro Quebecs request to change a Hydro pole on McLean road.

Carried

ADOPTING BY-LAWS MODIFYING BY-LAWS 2011-244-M001 AND 246-2012

BY-LAW 2011-244-M002

CODE OF ETHICS AND GOOD CONDUCT FOR ELECTED MUNICIPAL OFFICERS OF THE MUNICIPALITY OF CLARENDON

195-08-2016

Whereas the *Municipal Ethics and Good Conduct Act* (the "Act"), which came into force on December 2, 2010, requires that every local municipality or regional county municipality whose warden is elected by its citizens must have a code of ethics and good conduct which applies to its elected municipal officers;

Whereas the council of any municipality that does not have a code of ethics and good conduct that meets the requirements of the Act must adopt one not later than December 2, 2011; and must be re-examined yearly;

Whereas the National Assembly adopted on June 10th the project law 83 which requires the present bylaw to be modified;

Whereas the formalities contemplated by the Act have been duly complied with; and

Whereas a notice of motion has been given; July 12th 2016 by **Cr James Howard**

Now therefore it is moved by Cr. Knox seconded by Cr. Smith

And unanimously resolved to adopt by-law revision of the "Code of Ethics and Good Conduct of Municipal Officers of the Municipality of Clarendon" be adopted as follows:

SECTION 1: TITLE

The title of this code is: "Code of Ethics and Good Conduct of Municipal Officers of the Municipality of Clarendon"

SECTION 2: SCOPE

This code applies to every member of the council of the Municipality of Clarendon

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 toward a better understanding of the values of the municipality;
- 2) To establish standards of behaviour which promote these values as being integral to the process of decision making by elected officers, and in their general conduct as well;
- 3) To prevent ethical conflicts and, if they arise, help in resolving them effectively and judiciously;
- 4) To ensure measures to enforce this code are applied in case of any breach of conduct.

SECTION 4: VALUES OF THE MUNICIPALITY

The following values shall serve as guides to decision making; to the general conduct of the members of the council of the municipality in their capacity as elected officials; and particularly when situations are encountered that are not explicitly provided for in this code or in the municipality's various policies.

1) Integrity

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

2) Prudence in pursuit of the public interest

Members shall endeavour to meet their responsibilities toward the public duties entrusted to them. In fulfilling this mission, they shall act with professionalism, diligence and good judgment.

3) Respect for other members, municipal employees and citizens

Members shall promote respect in human relations. They have a right to respect in turn, 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 work in the best interests of the municipality.

5) Fairness

Members shall treat all people justly by acting, as far as possible, in the spirit of the laws and regulations.

6) Honour attached to municipal councillors

Members shall safeguard the honour of their position, which presupposes 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 officers as members of the council, committee or commission of:

- a) the municipality, or
- b) any other body in their capacity as members of the municipal council.

5.2 Purpose

These rules are intended, in particular, to prevent:

1. Any situation in which council members' private interest might impair their independence of judgment in course of their official duties;
2. Any situation 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 misconduct.

5.3 Conflict of interest

5.3.1 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 private interest or improperly further the interest of any other person or persons.

5.3.2 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 private interest or 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 mentioned in paragraphs 4 and 5 of subsection 5.3.6.

5.3.3 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 on a matter that may be brought before a council, committee or commission on which the council member sits.

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

5.3.5 If a council member receives any gift, mark of hospitality or other benefit that is not of a purely private nature or not prohibited under subsection 5.3.4, but that exceeds \$200 in value, the member must file a written disclosure statement with the (clerk) (secretary-treasurer) of the municipality within 30 days of receiving the benefit. The disclosure statement must contain an accurate description of the gift, mark of hospitality or benefits received, and state the name of the donor, the date and the circumstances under which it was received. The (clerk) (secretary-treasurer) shall keep a public register of these disclosure statements.

5.3.6 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 acquires 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 of holding shares in a company of which the member is not an owner, director or 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 an 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 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;

5) The contract is for the member's appointment to an official post or employment which the member is eligible to hold without prejudice 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 entered 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.

5.3.7 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. Interested members must also abstain from taking part in 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 on which a council member has a pecuniary interest is taken up during a session when the member is absent, the member, once he or she becomes aware that matter is under discussion, must disclose the general nature of his or her interest to the first session at which he or she is present.

This subsection does not apply in cases where the council member's interest 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 a council member's interest is so small that the member cannot reasonably be expected to be influenced by it.

5.4 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.

5.5 Use or communication of confidential information

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

It is prohibited for any member of a council of the municipality to make the announcement at a political fundraising event, the realization of a project, the conclusion of a contract or the granting of a grant by the municipality, unless a final decision on this project, contract or grant has already been taken by the competent authority of the municipality.

5.6 After term of office

During the 12 months after the end of council members' respective terms of office, they are prohibited 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 office as members of the municipal council.

5.7 Breach of trust and embezzlement

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

SECTION 6: MECHANICS AND ENFORCEMENT

6.1 Any violation of a rule or rules of this Code of Ethics and Good Conduct by a member of a municipal council may result in one or more 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, of:
 - a) a gift, mark of hospitality or benefit received, or its equivalent value;
 - b) any profit obtained in violation of a rule or rules of this code;
- 3) Repayment of the remuneration, allowance or other amounts received as a member of a municipal council, committee or commission, or as a member of a body contemplated in section 5.1, while the violation of the rule or rules continued;
- 4) Suspension of the municipal council member for a period of up to 90 days and not exceeding the expiry date of the member's term of office.

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: ENTRY INTO FORCE

This regulation shall come into force according to the relevant provisions of the Act.

John Armstrong
Mayor

Mike Guitard
Director General

Notice of Motion: 2016-07-12
Draft by-law: 2016-07-26
Public Notice Before Adoption: 2016-07-29
Date of Adoption: 2016-08-09
Date of Publication:

BY-LAW 246-2012-M001

**CODE OF ETHICS AND PROFESSIONAL CONDUCT FOR THE MUNICIPAL
EMPLOYEES OF THE MUNICIPALITY OF CLARENDON**

196-08-2016

Whereas the *Municipal Ethics and Good Conduct Act*, which came into effect on December 2, 2010, obliges local and regional municipalities to adopt a code of ethics and professional conduct for municipal employees;

Whereas the council of any municipality that does not have such a code that meets the requirements of the *Municipal Ethics and Good Conduct Act* must adopt one by by-law no later than December 2, 2012;

Whereas the National Assembly adopted on June 10th the project law 83 which requires the present bylaw to be modified;

Whereas the formalities set out under the *Municipal Ethics and Good Conduct Act* have been respected;

Whereas a notice of motion has been given by Cr Howard on July 12th, 2016.

It is moved by Cr. Hanna seconded by Cr. Howard

And unanimously resolved to adopt the following *modification of the "Code of Ethics and Professional Conduct of the Employees of the Municipality of Clarendon"* by-law as follows:

SECTION 1: TITLE

The title of this code is: Code of Ethics and Professional Conduct of the Employees of the Municipality of Clarendon

SECTION 2: APPLICATION OF THE CODE

This code applies to every employee of the Municipality of Clarendon

SECTION 3: OBJECTIVES OF THE CODE

This code has the following objectives:

- 1) Give priority to the municipality's values;
- 2) Establish standards of conduct that foster the integration of these values;
- 3) Prevent ethical conflicts and, should any arise, resolve them effectively and with discernment;
- 4) Apply control measures to breaches of ethics.

SECTION 4: VALUES OF THE MUNICIPALITY

The following values shall serve as a guide for the conduct of municipal employees, especially when the situations encountered are not explicitly provided in this code or by the various policies of the municipality.

1) Integrity

All employees shall uphold honesty, rigor and justice.

2) Caution in pursuing the public interest

All employees shall assume the responsibilities related to their mission of public interest. In the accomplishment of this mission, the employees shall act with professionalism, vigilance and discernment.

3) Respect toward other municipal employees, council members and citizens

All employees shall foster respect in interpersonal relations. They are entitled to it and shall act with respect toward all people they deal with in the pursuit of their duties.

4) Loyalty to the municipality

All employees shall protect the interests of the municipality by upholding its laws and bylaws.

5) Quest for equity

All employees shall treat everyone fairly, in accordance with laws and by-laws.

6) The honor attached to the function of municipal employee

All employees shall safeguard the honor attached to their functions, which presupposes the constant practice of the five preceding values: integrity, prudence, respect, loyalty and equity.

SECTION 5: RULES OF CONDUCT**5.1 Application**

The rules in this section shall guide the conduct of municipal employees.

5.2 Objectives

These rules aim, in particular, to prevent:

- 1) any situation where the personal interest of an employee can influence their independent judgment in carrying out their functions;
- 2) any situation that would violate any provision of a government law or by-law or a municipal council by-law or an employee guideline;
- 3) favoritism, embezzlement, breach of trust or other misconduct.

5.3 Conflicts of interest

5.3.1 It is forbidden for employees to act or attempt to act, or omit to act, in the exercise of their function, in order to foster their personal interests or improperly further those of another person.

5.3.2 It is forbidden for employees to use their position to influence or attempt to influence another person's decision so as to further their personal interests or improperly further those of another person.

5.3.3 It is forbidden for employees to solicit, encourage, accept or receive any benefit, for themselves or for another person, in exchange for taking a position.

5.3.4 It is forbidden for employees to accept any gift, hospitality or other benefit, whatever its value, that may influence their independent judgment in carrying out their duties or risk compromising their integrity.

5.3.5 *Acceptance of gifts, tokens of hospitality or other benefits that are not purely of a private nature or not covered in Section 5.3.4 must be declared in a register kept at the municipal office indicating the gift, date and the names of the recipient and donor.*

5.4 Use of municipal resources

It is forbidden for employees to use municipal resources for personal purposes or for any purpose other than activities related to their duties, subject to a specific policy controlling that use.

This ban does not apply when an employee uses, under non-preferential conditions, a resource placed at the disposition of the citizens.

5.5 Use or communication of confidential information

Employees must not make use of confidential information they obtain in or in connection with the execution of their duties. These obligations continue for a reasonable time after the termination of employment and continue indefinitely when the information concerns to the reputation or private life of others.

It is prohibited for any employee of the municipality to make the announcement at a political fundraising event, the realization of a project, the conclusion of a contract or the granting of a grant by the municipality, unless a final decision on this project, contract or grant has already been taken by the competent authority of the municipality.

5.6 Breach of trust and embezzlement

It is forbidden for employees to misappropriate municipal property for their own use or the use of another person.

SECTION 6: PREVENTION MECHANISM

Employees who feel they have been placed directly or indirectly in a situation of real, potential or apparent conflict of interest, or who are likely to otherwise contravene this code of ethics and professional conduct, shall advise their immediate supervisor. In the case of the general manager, he or she must advise the mayor.

SECTION 7: BREACH AND DISCIPLINARY MEASURES

A violation by an employee of a rule set out in this code of ethics and professional conduct may, on the decision of the municipality and subject to any employment contract, lead to the application of disciplinary measures appropriate to the nature and severity of the violation.

SECTION 8: OTHER CODE OF ETHICS AND PROFESSIONAL CONDUCT

This code shall not be interpreted to restrict the obligations imposed on municipal employees by laws, by-laws, and codes of professional conduct, work contracts including collective agreements, policies or municipal guidelines.

SECTION 9: ENTRY INTO FORCE

This by-law shall come into force in accordance with the law.

John Armstrong
Mayor

Mike Guitard
Director General

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|--------------------------------|------------|
| Notice of Motion: | 2016-07-12 |
| Draft by-law: | 2016-07-26 |
| Public Notice Before Adoption: | 2016-07-29 |
| Date of Adoption: | 2016-08-09 |
| Date of Publication: | |

FINANCIAL REPORT &/or ACCOUNTS PAYABLE
Municipalité de/of Clarendon
Vendor Aged Summary As at 04/08/2016

| Name | Total | |
|------------------------------------|--------------------|-------|
| 3403092 CANADA INC BMR | 964.64 | |
| 3477835 Canada Inc | 11,904.37 | |
| Andre Meunier - tree damage | 544.93 | |
| Boivin-Gauvin Inc. | 276.11 | Joint |
| Brent Orr | 321.93 | |
| Campbell's Bay Ciment | 1,355.55 | |
| Carleton Uniforms Inc | 284.45 | Joint |
| Council Remuneration | 4,624.56 | |
| Esso Pétrolière | 1,105.20 | |
| Gerard Labelle, CPA Inc. | 866.91 | |
| Hugh Tracy | 243.64 | |
| Hydro Quebec - street lighting | 613.32 | |
| J & J Grocery - FUEL | 20.24 | |
| Jason Hynes Construction Inc. | 13,199.13 | |
| Lamarche & McGuinty Inc | 18,898.71 | |
| Les Service d'Architecture | 1,247.95 | |
| MacEwen Petroleum | 21,428.37 | |
| Manulife Financial | 3,267.50 | |
| McWinn Ottawa 1550979 Ontario Inc | 66.55 | |
| Mickey McGuire Construction Ltd. | 5,699.90 | |
| Municipality of Shawville | 11,819.82 | |
| Nortrax | 54.29 | |
| O'Malley Truck & Trailer Service | 496.69 | |
| Payroll for July | 42,997.89 | |
| Pitney Bowes - postage meter lease | 229.28 | |
| Pontiac Auto Parts | 14.46 | |
| Pontiac Butcher Shop | 92.13 | |
| Pontiac Printshop Ltd | 2,351.97 | |
| Purolator | 87.58 | |
| R. & M. Truck & Trailer Repairs | 1,293.85 | |
| Receiver General | 3,717.34 | |
| Revenue Quebec | 10,501.41 | |
| Rogers Wireless | 17.41 | |
| Shawville Auto Service | 93.13 | |
| Telebec Ltee | 252.91 | |
| Vaughn Bastien Tire Service | 151.18 | |
| W.A. Hodgins | 102.15 | |
| WePC | 176.77 | |
| Total outstanding: | <u>161,384.220</u> | |

Generated On: 04/08/2016

AUTHORITY OF PAYMENT OF THE LIST OF BILLS

Certificate of availability of credits

I, the undersigned, Mike Guitard, Director General of the Municipality of Clarendon certify that there are sufficient credits available to carry out the expenditure mentioned above.

In witness whereof, this certificate is given in Clarendon this 9th day of August, 2016.

Mike Guitard Director General

197-08-2016 Proposed by Cr. Elliott

Seconded by Cr. Knox

And is unanimously resolved to pay the bills amounting to \$ 161 384.220

Carried

COMMITTEE MEETINGS AND REPORTS

MISCELLANEOUS AND DISCUSSIONS

TREES ALONG THE 148

Tabled and discussed

PPJ TRAIL

198-08-2016 Proposed by Cr. Elliot

Seconded by Cr. Knox

And is unanimously resolved to keep the PPJ for cycling and walking and other none motorized activities.

A vote is called

4 for Cr. Hanna, Cr. Knox, Cr. Elliott, Cr. Smith

1 against Cr. Howard

The motion is **carried** by a majority.

IN-CAMERA

It is moved by Cr. Howard seconded by Cr. Hanna and resolved to go in-camera at 8.33 pm.

OUT OF THE IN-CAMERA

It is moved by Cr. Howard seconded by Cr. Hanna and resolved to come out of in-camera at 8:55 pm.

ADJOURNING & CLOSING THE MEETING

199-08-2016 Proposed by Cr. Howard

And unanimously resolved to adjourn the council meeting of August 9th, 2016 at 9:02 PM

Carried

Mayor
John Armstrong

Director General/Secretary Treasurer
Mike Guitard