

DATE: October 25th, 2016

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

OPENING THE MEETING

Mayor John Armstrong opened the meeting at 7:00 PM

QUESTION PERIOD/VISITORS

The owner of C 347 Sand Bay road was present questioning a window restriction on his cottage renovation.

Presentation by representatives of the villa James Shaw project

ADOPTION OF THE AGENDA

251-10-2016 Proposed by Cr. Howard

Seconded by Cr. Hanna

And is unanimously resolved to adopt the agenda with the additions of 7.9, letter from a rate payer re: speed on the 148 and 21.5, Remembrance Day wreath, 21.6, Conflict of interest.

Carried

ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 11 2016

252-10-2016 Proposed by Cr. Smith

Seconded by Cr. Elliott

And is unanimously resolved to adopt the minutes of the October 11th, 2016 regular meeting.

Carried

MAYOR'S REPORT

No report for this meeting

BUSINESS ARISING FROM MAYOR'S REPORT

None

CORRESPONDENCE

The following items were tabled and discussed

Letter from a rate payer concerning building code interpretation

253-10-2016 Proposed by Cr. Barber

Seconded by Cr. Elliott

And is unanimously resolved that the request by the rate payer be denied as council supports the building inspector in her interpretation of article 9.10.14 of The RBQ.

Carried

Invitation to the mayor to participate in the Remembrance Day ceremony from the Municipality of Shawville.

Mayor Armstrong will attend the Remembrance Day ceremony to be held on November 11th.

Pontiac Snowmobile Drivers association on signage

254-10-2016 Proposed by Cr. Smith

Seconded by Cr. Knox

And is unanimously resolved that the crossings on the territory of the municipality of Clarendon will only be authorised if the Pontiac snowmobile association supply and install the proper signage as prescribed by the law.

Carried

MTQ Halloween safety
Tabled and Discussed

Thank you from Shawville Fair
Tabled and Discussed

Letter from Shawville request for support

255-10-2016 Proposed by Cr. Smith
Seconded by Cr. Knox

And is unanimously resolved to support the municipality of Shawville in their request to the MTQ to install 2 beacons to reduce the speed on route 303 and paint a crosswalk in front of the McDowell school. It is also resolved to send a copy to André Fortin and the MTQ.

Carried

Municipality of Shawville request for a donation for fire works on Canada day 2017
Differed to next meeting

Quebec Volunteer recognition program
Tabled and Discussed

Letter from a rate payer about speed on 148
Tabled and Discussed

PREVIOUS BUSINESS FOLLOW-UP

The following items were tabled and discussed:

Building code books

256-10-2016 Proposed by Cr. Barber
Seconded by Cr. Smith

And is resolved to proceed to make the changes in the by-law to remove the mention of the national building codes

A vote is taken:

Cr. Barber, Smith, Elliott, Howard and Knox are for
Cr. Hanna is opposed

The resolution is **carried** due to a majority vote.

None cadastered roads

257-10-2016 Proposed by Cr. Knox
Seconded by Cr. Elliott

And is unanimously resolved to send letters to affected rate payer that the road will no longer be plowed in winter.

Carried

Wood Chipper
Tabled and discussed

FINANCIAL REPORT &/or ACCOUNTS PAYABLE

Municipalité de/of Clarendon Vendor Aged Summary As at 25/10/2016

Name	Total			
Bell Mobility	234.24			
Blue Heron Landscaping/9113-9849 Quebec Inc	974.42			
CSHBO - Sieur de Coulonge	125.00			
Darwin Stephens Trucking	9,259.52			
Hayes Manufacturing	31.05			
Hydro Quebec	409.71			
Kathleen Younge - PHS	125.00			
Lafarge Canada Inc.	36,418.34			
M.M.Q.	1,000.00			
M.R.C. Pontiac	233.75			
Master Card Banque Nationale du Canada	500.95	111.82 - Joint		
Mavis Hanna	1,609.42			
Mickey McGuire Construction Ltd.	551.88			
Municipality of Shawville	580.50	1/2 fire	training	rebate
Nortrax	234.94			
O'Malley Truck & Trailer Service	248.35			
Philippe Imison - PHS	125.00			
Pitney Works	229.95			
Purolator Courier Ltd.	47.83			
Québec 4H Association	225.00			
Richardson Richardson - work boots	200.00			
Vaughn Bastien Tire Service	343.60			
Total outstanding:	<u>53,708.45</u>			

Generated On: 25/10/2016

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 25th day of October, 2016.

Mike Guitard Director General

258-10-2016 Proposed by Cr. Barber

Seconded by Cr. Smith

And is unanimously resolved to pay the bills amounting to \$ 53, 708.45

Carried

2017 BUDGET

Working Budget meeting to be set on the December 6th, 2016, Public meeting to be held on the 13th at 6:30 pm.

DRAINAGE PROBLEM 303 NORTH

259-10-2016 Proposed by Cr. Howard

Seconded by Cr. Hanna

And is resolved to send a registered letter to the rate payer to fix the drainage on his property before June 2017.

A vote is taken:

Cr. Hanna, Knox, Smith and Howard are for

Cr. Barber and Elliott are opposed

The resolution is deemed **carried** due to a majority vote.

2017 GRAVEL TENDERS

Two companies were invited to tender and two tenders were received:

Lafarge Canada Inc. at \$5.95 per tonne

Darwin Stephens at \$5.44 per tonne

260-10-2016 Proposed by Cr. Knox

Seconded by Cr. Elliott

And is unanimously resolved to accept the tender deposited by Darwin Stevens for 12 500 tonnes at \$5.44/tonne before taxes for a total of \$78 125.00.

Carried

GRAVEL LEVY

262-10-2016 Proposed by Cr. Barber

Seconded by Cr. Smith

And is unanimously resolved to send a registered letter with bylaw to companies not complying with the regulation.

Carried

REPORT ON DG'S MEETING IN CAMPBELL'S BAY

Tabled and discussed

LAURENTIAN BANK CLOSING

263-10-2016 Proposed by Cr. Barber

Seconded by Cr. Hanna

CONSIDERING that maintaining local services is an important issue for the MRC Pontiac, to break the cycle of devitalized and ensure the recovery of its development;

CONSIDERING that a financial institution provides important services to entire population, including families, seniors and business people, and as such these local services are essential to the development of communities Pontiac;

CONSIDERING that as such it is important for MRC Pontiac communities to have a diversified range of banking and financial services;

CONSIDERING that certain segments of the population, particularly but not exclusively older people are less familiar with electronic transactions and require a bank counter service in their community;

CONSIDERING that the business community also needs a banking and financial service nearby to facilitate the growth of their businesses;

CONSIDERING that the closure of two branches of Laurentian Bank in the territory of the MRC Pontiac will result to no longer serve certain communities or reduce a range of services that may be incomplete and / or ill-suited to their needs;

CONSIDERING the remoteness of bank branches and financial institutions remaining on the territory of the MRC Pontiac will generate more trips over longer distances, regardless of the mobility capability of the population;

CONSIDERING the removal of banking and financial institutions is likely to cause delays in the processing of requests that can bring harm to some people;

CONSIDERING banking transactions by electronic methods are not an alternative, because of incomplete internet coverage throughout the territory;

CONSIDERING that the closure of two branches of Laurentian Bank in the territory of the MRC Pontiac will, at best, to increase the costs of banking and financial services for the entire population;

CONSIDERING that the closure of two branches of Laurentian Bank in the territory of Pontiac may slow down economic activities in the territory and to accelerate the decline in the population of Pontiac;

CONSIDERING that the closure of two branches of Laurentian Bank is a threat to the survival of communities of Pontiac;

CONSEQUENTLY, It was UNANIMOUSLY moved and resolved to ask the Laurentian Bank:

- to reconsider the closure of its branch in the territory of the MRC Pontiac;
- to meet with the Warden of the MRC Pontiac, Mr. Raymond Durocher, before any final decision is made.

CARRIED

264-10-2016

By-Law No. 2016-254 delegation to the Director General the power to form selection committees

WHEREAS,

The contractual Management Policy adopted on 11 January 2011 by the municipal council, all in accordance with the provisions of Article 938.1.2 of the Municipal Code and a modification was made on October 25th, 2016;

WHEREAS,

The Municipality of CLARENDON is called, from time to time, to award a contract for the provision of professional services for which, according to law, a selection committee is to be formed and a weighting system and evaluation of tenders must be established;

WHEREAS,

Pursuant to Article 936.0.13 of the Quebec Municipal Code, the council by a by-law must delegate an officer the authority to form a selection committee and the council may determine the terms and conditions of this delegation;

WHEREAS

Notice of motion was given at the regular Council meeting held October 11, 2016;

WHEREAS

All Council members have received a copy of this regulation, declare to have read it and waive the reading;

CONSEQUENTLY, it is proposed by Cr. Smith
seconded by Cr. Howard

and unanimously resolved by the councilors present, that the municipal council adopts by-law 2016-254 and statutes and decrees by this by-law as follows:

ARTICLE 1

PREAMBLE

the preamble forms an integral part of this by-law.

ARTICLE 2

DELEGATION

The Council delegates to the Director General of the Municipality the power name the selection committee under section 936.0.1.1 of the Municipal Code of Québec, in all cases where such a committee is required by law.

ARTICLE 3

MEMBERS OF THE SELECTION COMMITTEE

any selection committee formed by the Director General shall be composed of three (3) persons who are not members of the municipal council.

ARTICLE 4

SELECTION CRITERIA

Those chosen by the Director General to constitute the selection committee must:

- be available;
- have the competencies for the purposes of the tender;
- not be a potential or actual conflict of interest

ARTICLE 5

DUTIES OF THE SELECTION COMMITTEE MEMBERS

Members of a selection committee must:

- conduct the evaluation of tenders in accordance with the relevant statutory provisions, particularly the procedure and rules established in section 938.0.1.1 of the Municipal Code;
- conduct the evaluation of tenders in respect of the provisions included in the tender documents;
- Commit to act fairly and in accordance with the mandate entrusted, without partiality, favor or consideration, ethically;
- conduct an individual analysis of the quality of each of the bids received, prior to the evaluation by the selection committee;
- commit to secrecy about their appointment and the deliberations conducted in committee;
- Take appropriate precautions to avoid placing themselves in a potential conflict of interest;
- denounce any interest in the tender and, if necessary, immediately terminate the mandate.

ARTICLE 6 SECRETARY OF THE SELECTION COMMITTEE

Members of the selection committee are assisted by a secretary who takes a role of technical support and report the results of the evaluation by the members of Selection committee.

ARTICLE 7

COMING INTO FORCE

This Regulation shall enter into force according to law.

Notice of motion: October 11, 2016

Adoption: October 25, 2016

Public Notice:

Coming into force:

Adopted

CONTRACT MANAGEMENT POLICY

265-10-2016 Proposed by Cr. Knox
Seconded by Cr. Elliott

And Unanimously Resolved **THAT** Clarendon adopts this modified Contractual Management Policy pursuant to section 938.1.2 of the Municipal Code. The Modified Contractual Management Policy is as follows:

This « Contract management policy » is adopted under article 938.1.2 of the Municipal Code.

Under this provision, every municipality must adopt a contract management policy that applies to municipal contracts and that provides for fair competition between the contracting individuals or those wanting to enter into contract with the municipality. The measures shall address seven (7) concerns clearly stated in this legislative provision.

It shall be noted that this policy is not intended to replace, modify or augment any provision or case-law-based rule applicable to granting or managing municipal contracts.

Measures for maintaining a healthy competition.

1. Measures aimed at ensuring that any bidder or a representative has not communicated with or attempted to influence a member of the selection Committee with respect to the request for proposals for which it has submitted a bid.

- The council delegates to the Director General the authority to establish any selection committee necessary to receive evaluate and draw conclusions for all bids.
- All selection committees must be formed prior to the launch of the call for tenders and shall have at least three (3) members.
- Any council member or Councillor, every employee and agent thereof shall maintain, at all times, confidentiality of the identity of members of any selection committee.
- Upon any tender requiring the creation of a selection committee, the tender documents should contain provisions to the following effects:
 - A bidder shall submit with its bid a statement that neither he nor any of its representatives has contacted or attempted to communicate in order to exert influence, with one member of the selection committee.
 - If a bidder or a representative communicates or attempts to communicate in order to influence it, with one member of the selection committee, its bid will be automatically rejected.

2. Measures Promoting Compliance with the Applicable Laws aimed at Combating against Bid Rigging

- All bidders must submit with its bid a statement that its bid was prepared and submitted without collusion, communication, agreement or arrangement with any other bidder or person to submit to agree on prices or to influence price submitted.
- Must be inserted in the bidding documents a provision that if a bidder has engaged in collusion, communicated or entered into an agreement or arrangement with

any other bidder or competitor to influence or determine the price submitted, the bid will be automatically rejected.

- Any council member or employee to make sure anyone who communicates with him for the purpose of obtaining a contract that it has registered with lobbyists under the Lobbying Transparency and Ethics of Lobbying.
- All bidders must submit with its bid a statement that neither he nor any of its representatives has engaged in a communication of influence for the purpose of obtaining the contract, or, if such communication has been influenced instead, joining its bid a statement to the effect that this communication was made after any registration required under the Act the Registrar of Lobbyists has been made.

3. Measures to Ensure Compliance with the Law on Transparency and Ethics of Lobbying and the Code of Ethics for Lobbyists adopted pursuant to this Act.

- Any council member or employee to make sure anyone who communicates with him for the purpose of obtaining a contract that it has registered with lobbyists under the Lobbying Transparency and Ethics of Lobbying.
- All bidders must submit with its bid a statement that neither he nor any of its representatives has engaged in a communication of influence for the purpose of obtaining the contract, or, if such communication has been influenced instead, joining its bid a statement to the effect that this communication was made after any registration required under the Act the Registrar of Lobbyists has been made.

4. Measures designed to prevent the Acts of Intimidation, Corruption or Influence Traffic

- The municipality shall, in the case of tenders invited in writing, in favour possible invitation from different companies. The identity of the persons so invited may not be made public only at the opening of bids.
- All bidders must submit with its bid a statement that neither he nor any of its associates or employees has engaged in intimidation, influence peddling and corruption.
- All calls for bids must state that if a person has engaged in one or other of the acts mentioned in the preceding paragraph, the submission thereof shall be automatically rejected.

5. Measures designed to prevent Conflict of Interests

- Any person participating in the preparation, execution or follow-up of a call for tenders or contract, as well as the Secretary and the members of a selection Committee if any, are to declare any conflict of interest and any potential conflict of interest situation.
- No person in conflict of interest may participate in the development, execution or follow-up of a call for tender or a contract.
- Any bidder shall attach to its' submission a statement attesting that there was no link building or may generate a conflict of interest because of its links with Member of the Council or an official.

6. Measures designed to prevent any situation that could compromise the impartiality and objectivity in the process of Submission Request and Management of the Resulting Contract

- For purposes of any tender is identified an official of the tender which is mandated to provide any information about the tender and is expected to call for any document bids that any bidder or potential bidder should contact the sole responsibility for any clarification regarding the tender.

- Upon any tender, it is forbidden for any member of the Council and any employee of the municipality to respond to any request for clarification with respect to any tender other than the applicant referring to the person responsible.

7. Steps to supervise any Decision which would allow the Amendment of a Contract.

- The municipality shall, for all contracts, implement a procedure to oversee contract amendment authorizations and establish that such amendment is only possible as incidental to the contract and does not change the nature of such contract.
- The municipality shall provide in the tenders to hold meetings on site regularly during the execution of works in order to ensure the monitoring of execution of the contract.

8. ENTRY INTO FORCE

The policy came into force the 25th of October, 2016.

COMMITTEE MEETINGS AND REPORTS

Road committee Truck 3 and Truck 1

Tabled and discussed

MISCELLANEOUS AND DISCUSSIONS

Car charger for the road foreman's phone

Tabled and discussed

Pontiac Journal add for Remembrance Day

Tabled and discussed

Fire department meeting report

Tabled and discussed

Annual supper

Tabled and discussed

Remembrance Day wreath

266-10-2016 Proposed by Cr. Smith

Seconded by Cr. Howard

And is unanimously resolved to donate \$100.00

Carried

CONFLICT OF INTEREST

Tabled and discussed

ADJOURNING & CLOSING THE MEETING

267-10-2016 Proposed by Cr. Howard

And unanimously resolved to adjourn the council meeting of the 25th day of October, 2016 at 11: 55 PM.

Carried