

(Unofficial version)

DATE: April 11th, 2017

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. The Director General Mike Guitard and the office assistant Pat Hobbs were also in attendance.

OPENING THE MEETING

Mayor John Armstrong opened the meeting at 7:00 PM

QUESTION PERIOD/VISITORS

David and Glenda Baker regarding an exemption from the requirement to supply a certificate of localization for a building permit.

Diane and Jennifer Coleman to add information pertaining to a minor variation application.

ADOPTION OF THE AGENDA

065-04-2017 Proposed by Cr. Howard

Seconded by Cr. Hanna

And is unanimously resolved to adopt the agenda with additions of item 23.5 welcome tax.

Carried

ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF March 28th, 2017

066-04-2017 Proposed by Cr. Elliott

Seconded by Cr. Knox

And is unanimously resolved to adopt the minutes of the March 28th, 2017 regular meeting.

Carried

MAYOR'S REPORT

No report

BUSINESS ARISING FROM MAYOR'S REPORT

None

ROAD FOREMAN'S REPORT

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

CORRESPONDENCE AND INFORMATION

The following items were tabled and discussed:

SADC job Fair

Tabled and discussed

Letter from a rate payer Sand Bay

Tabled and discussed

Letter from a rate payer on Bayview rd.

067-04-2017 Proposed by Cr. Howard

Seconded by Cr. Elliott

And is unanimously resolved to deny the request for an exemption to provide a certificate of location.

Carried

Request from David and Mathew yard work

Tabled and discussed

Letter of support for extending broadband in our region by Bell

068-04-2017 Proposed by Cr. Barber
Seconded by Cr. Elliott

And is unanimously resolved to support Bell in their project to provide better broad band service to our area.

Carried

Resolution from the Mun. of Mansfield and Pontefract

Tabled and discussed

Letter for support from Sieur de Coulonge high School

Tabled and discussed

PREVIOUS BUSINESS FOLLOW UP

Land Taxes update
Aggregate levy
Tabled and discussed

IN-CAMERA

It is moved by Cr. Barber seconded by Cr. Elliott and resolved to go in-camera at 9:48 pm.

OUT OF THE IN-CAMERA

It is moved by Cr. Barber seconded by Cr. Elliott and resolved to come out of in-camera at 9:52 pm.

TENDER FOR LAWN MAINTENANCE ALONG THE 148

Three tenders were received:
Tender #1 Blue Heron Landscaping @ \$1828.10
Tender #2 Brandon Smith @ 2931.86
Tender #3 Alan Horner @\$1834.85

069-04-2017 Proposed by Cr. Barber
Seconded by Cr. Knox

And is unanimously resolved to accept the lowest tender from Blue Heron Landscaping @ \$1828.10 for the lawn maintenance.

Carried

TENDER FOR ROAD SWEEPING

Two tenders were received:
Tender #1 Blue Heron Landscaping @ \$68.42/hr
Tender #2 Brandon Smith @ \$ 86.23/hr

070-04-2017 Proposed by Cr. Elliott
Seconded by Cr. Hanna

And is unanimously resolved lowest tender from Blue Heron Landscaping @ \$68.42/hr from street sweeping.

Carried

TENDER FOR CALCIUM

Two tenders were received for 218 000 litres of calcium:

Tender #1 Multi Route @ \$67 144.00
Tender #2 SEBCI @ \$86 347.37

071-04-2017 Proposed by Cr. Knox
Seconded by Cr. Smith

And is unanimously resolved to accept the tender Multi-route submitted by Multi Route inc.

Carried

TENDER FOR TRUCK CHASSIS

Two tenders were received:

Tender #1 Tallman Groupe - \$134 165.32

Tender #2 Battle Shield – \$127 749.87

072-04-2017 Proposed by Cr. Knox
Seconded by Cr. Howard

Whereas the selection committee verified the conformity of the tender and deemed it to be in conformity,

Whereas the tender is the lowest,

It is unanimously resolved to accept the tender submitted by Battle Shield for the new truck chassis, and give the director general the authority to sign the purchase order.

The cost of the truck chassis will be paid 50% by the Municipality of Shawville and 50% by the Municipality of Clarendon.

Carried

CONSULTANT TO ESTIMATE THE COST OF THE CHANGEOVER OF THE TANK TO THE NEW TRUCK CHASSIS

073-04-2017 Proposed by Cr. Howard
Seconded by Cr. Barber

It is unanimously resolved that a consultant be hired by the two municipalities to spec out the plumbing to change the tank over and the equipment to be installed on the new chassis, to a maximum of \$1500.00, this cost will be shared by the two municipalities equally.

Carried

TENDER FOR HEATH ROAD WATER LINE PROJECT

Six tenders were received and opened on April 10th at 10:10 AM:

Tender #1 Equinox JMP- \$574 862.93

Tender #2 Nugent Construction- \$448 592.21

Tender #3 Les Constructions BGP- \$438 412.32

Tender #4 Polane inc.- \$522 717.95

Tender #5 Outabec Construction- \$432 956.76

Tender #6 Bircon inc.- \$454 228.49

After the tenders are verified for their conformity council will accept the winner by resolution.

POTABLE WATER AGREEMENT WITH SHAWVILLE

074-04-2017 Proposed by Cr. Barber
Seconded by Cr. Smith

And is unanimously resolved to sign the updated contract with the municipality of Shawville for the supply of potable water.

Carried

INTERMUNICIPAL FIRE AGREEMENT WITH BRYSON AND PORTAGE DU FORT FOR HIGH RISK

075-04-2017 Proposed by Cr. Smith
Seconded by Cr. Knox

And is unanimously resolved to sign an intermunicipal agreement for high risk with the Municipality of Portage du Fort and Bryson.

Carried

FIRST DRAFT BY-LAW 2017-260 REGARDING MINOR VARIANCES
076-04-2017

CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF CLARENDON

BY-LAW # 2017-260
BY-LAW PERTAINING TO MINOR VARIANCES

- WHEREAS** the Municipality of Clarendon is governed by the provisions of the Municipal Code of Quebec;
- WHEREAS** under the provisions of the Act respecting Land Use Planning and development (L.R.Q., c. A-19-1), Council can adopt a by-law pertaining to minor variances regarding the provisions of zoning and subdivision by-laws other than those relating to the use and density of land;
- WHEREAS** a Municipal Planning Advisory Committee is in existence;
- WHEREAS** it is necessary to make major modifications to these regulations in order to update;
- WHEREAS** there is, by the same occasion, an opportunity to create a by-law concerning minor variances;
- WHEREAS** notice of motion of the present by-law was given at the council meeting held on March 28th 2017;
- THEREFORE** it is proposed by Crs. Smith, Seconded by Crs. Knox and resolved by the municipal Council that By-Law # 2017-260 entitled “By-Law Pertaining to Minor Variances” of the Municipality of Clarendon be adopted.

ARTICLE 1: Preamble

The preamble is an integral part of the present by-law.

ARTICLE 2: Territory Affected

The provisions of the present by-law shall apply to the whole territory under the jurisdiction of the Municipality of Clarendon. On this territory, the present by-law applies to both individuals and legal persons under public or private law.

ARTICLE 3: Scope of Application

The present by-law governs the format and procedure of analysis of a minor variance application within Zoning and Subdivision By-Laws. In addition, it regulates the requirements for eligibility of admissibility in regards to such a request. Any minor variance application must be submitted and studied in conformity with the present by-law.

ARTICLE 4: General Principles of Interpretation

This by-law is written according to the principles mentioned in Articles 38 to 62 of the Interpretation Act (L.R.A., c. I-16). Consequently, the text of this by-law must be interpreted according to this Act.

ARTICLE 5: Terminology

In the present by-law, unless the context indicates otherwise, the following definitions shall apply:

Minor Variance: a special procedure established by by-law under which the Council may authorize the realization of the proposed work or regularization of work in progress or completed, which does not meet all the provisions of the Zoning or Subdivision By-Laws.

Designated Officer: employee designated by resolution of Council to administer and enforce the present by-law.

ARTICLE 6: Administration and Enforcement of the By-Law

The administration and enforcement of the present by-law refers to the designated officer appointed under the provisions of the Permit and Certificate By-Law.

ARTICLE 7: Content of the Application

A minor variance application must be accompanied by the following documents and information:

1. The minor variance application form duly completed and signed as provided by the municipality.
2. The name, surname and address of the owner and, where applicable, their authorized representative.
3. Where applicable, a letter authorizing the representative to act on behalf of the owner of the property in question.
4. In the case where the minor variance is for the length, width, area of open space to be left between the buildings on the same property or space required between the buildings and road allowance or property lines:
 - An updated certificate of location prepared by a surveyor in the case of an existing building;
 - A projected plan prepared by a surveyor in the case of a proposed construction;
 - When it is required for the analysis of the request, a plan showing the minor variance requested.
5. A check payable to the Municipality of Clarendon covering the costs of the minor variance defined in the application form.

ARTICLE 7.1: Request for Work in Progress or Already Completed

To qualify, a minor variance application which relates to a cadastral plan or work in progress or already completed must meet the following conditions:

- The work or the cadastral plan must have been the subject, depending on the case, of a construction permit, a certificate of authorization or a subdivision permit;
- The work or the cadastral plan has been executed in good faith;
- Granting the minor variance would not result in endangering the safety, health or welfare of persons.

ARTICLE 8: Transmission of the Request

The designated officer reviews the application and verifies that all information and documents required by the present by-law were provided. If the information and documents required are incomplete or inaccurate, the examination of the application is suspended until the information and documents required are submitted by the applicant. The application is then considered to be received on the date of receipt of this additional information or documents.

The applicant must provide to the designated officer any additional information required to ensure proper understanding of the minor variance application.

ARTICLE 9: Transmission of the File to the Municipal Planning Advisory Committee

From the date on which he has in hand all the information and documents required by the present by-law, the designated officer has thirty (30) days to transmit the file to the Municipal Planning Advisory Committee.

ARTICLE 10: Study of the Application by the Committee

The Municipal Planning Advisory Committee reviews the request. After analyzing the request, the Municipal Planning Advisory Committee must give a written recommendation taking in account the conditions and criteria outlined in the present by-law.

If the Committee finds and concludes that the minor variance application does not comply with the provisions of Article 7 of the present by-law, it shall dismiss the application.

The resolution stating the Committee's recommendation must be submitted within sixty (60) days following the date upon which the minor variance request, accompanied by all the required information and documents and the amount covering the cost of the analysis, were received by the designated officer.

ARTICLE 11: Public Notice

The Director General of the Municipality must, at least 15 days prior to the Council Meeting at which the Council give a decision on the minor variance application, publish in accordance with the Law governing the municipality, a notice under section 145.6 of the Act covering *Municipal Planning and Development* (L.R.Q., c. A-19.1).

ARTICLE 12: Council Decision

Before making its decision, the Council or the designated officer shall explain the minor variance request. After hearing any person wishing to speak concerning the request and having reviewed the recommendation of the Municipal Planning Advisory Committee, the council makes its decision. The Council is not bound by the decision of the Municipal Planning Advisory Committee.

A certified copy of the resolution by which Council issued its decision must be transmitted by the Director General of the Municipality to the applicant and the designated officer within fifteen (15) days after its adoption by Council.

ARTICLE 13: Issuance of the Permit or Certificate

When the Council resolution grants the minor variance requested, the officer may then issue the building permit, subdivision permit or certificate of authorization required, provided that the application complies with all provisions of the planning regulations excluding the minor variance.

ARTICLE 14: Inscription in the Register Book

The minor variance application and the resolution from Council are recorded in the register compiled for this purpose.

ARTICLE 15 : Replacement

The present by-law replaces any preceding municipal by-laws concerning minor variances.

ARTICLE 16: Entry into Force

The present by-law shall enter into force in accordance with the Law.

Notice of Motion: March 28th 2017

Adoption of the first Draft By-Law: April 11th 2017

Adoption of the By-Law:

Certificate of Conformity with the MRC:

Mayor, John Armstrong

Director General, Mike Guitard

NOTICE OF MOTION TO REPLACE BY-LAW 1983-166 THE TRAILER BYLAW

A notice of motion was deposited by Cr. Smith that at the next meeting of council the first draft by-law to replace by-law 1983-166 Trailer by-law will be deposited.

ADOPTION OF BY-LAWS FOR NEW PROVISIONS ON DESTRUCTURED TRACTS OF LAND AND THE ESTABLISHMENT OF NEW RESIDENCES ON PROPERTIES OF 10 HA OR MORE IN THE AGRICULTURAL ZONE.

077-04-2017 Proposed by Cr. Smith

Seconded by Cr. Elliott

And unanimously resolved to adopt the By-laws:

2017-256 – Enacting the Planning Program

2017-257 – Enacting the Planning By-laws Interpretation and Administration By-law

2017-258 – Enacting the Zoning By-law

2017-259 – Enacting Subdivision By-law

With the incorporation, within our respective bylaws, the provision of Article 59 of the LPTAA - Act respecting the Preservation of Agricultural Land and Agricultural Activities.

Carried

FINANCIAL REPORT &/or ACCOUNTS PAYABLE

Municipalité de/of Clarendon

Vendor Aged Summary As at 10/04/2017

Name	Total
3477835 Canada Inc	15,097.45
Benson Autoparts	358.25 Joint - 115.65
Bruce Telford - Shop Supplies	31.63
CMP MAYER INC.	1,529.46 Joint
Council Remuneration	4,476.02
DRL-BEAUDOIN	3,683.11
EducExpert	1,707.38 Joint
Esso Pétrolière Impériale	563.08 Joint - \$106.00
Exel Radio Inc.	458.75 Joint
Firemen remuneration - Training	1,000.00
Fresh Image Computing Services	36.22
Gerard Labelle, CPA Inc.	885.31
Groupe Ultima Inc	16,420.00
Hayes Manufacturing	306.29
Hydro Quebec	613.32
Lapointe Beaulieu Avocats	1,729.50 \$9,894.81 taxes collected
M & R Feeds & Farm Supply	93.37
MacEwen Petroleum	11,645.57
Morin Sand & Gravel	7,491.69
Municipality of Shawville - Water Tax	10,735.50
Nortrax	2,976.63
Payroll - March	47,471.83
Pontiac Auto Parts	103.69
Pontiac Printshop Ltd	636.85
Purolator Courier Ltd.	110.52
R. & M. Truck & Trailer	525.02
Receiver General	4,419.10
Revenue Quebec	12,629.79
Telebec Ltee	259.23
Vaughn Bastien Tire Service	194.99

W.A. Hodgins Store

6.52 Joint

Total outstanding:

148,196.07

Generated On: 10/04/2017

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 11th day of April, 2017.

Mike Guitard Director General

078-04-2017 Proposed by Cr. Barber

Seconded by Cr. Elliott

And is unanimously resolved to pay the bills amounting to \$148 196.07

Carried

Personnel committee

WHMIS 2015 training

Report and recommendations from the meeting held April 4th

Tabled to next meeting

IN-CAMERA

It is moved by Cr. Elliott seconded by Cr. Smith and resolved to go in-camera at 11:09 pm.

OUT OF THE IN-CAMERA

It is moved by Cr. Elliott seconded by Cr. Smith and resolved to come out of in-camera at 11:32 pm.

LUP COMMITTEE

Draft V. 10 of Trailer by-law

Tabled and discussed

Minor variance C5 Kilgour

Differed to a future meeting

MISCELLANEOUS AND DISCUSSIONS

Firemen's ball

079-04-2017 Proposed by Cr. Barber

Seconded by Cr. Elliott

And is unanimously resolved to donate \$100.00

Carried

Sewage spreading

Tabled and discussed

Chalk river disposal site

Tabled and discussed

Trailer for transporting culverts

Tabled and discussed

ADJOURNING & CLOSING THE MEETING

080-04-2017 Proposed by Cr. Howard

And unanimously resolved to adjourn the council meeting of the 11th day of April, 2017 at 11:45PM.

Carried

Mayor
John Armstrong

Director General/Secretary Treasurer
Mike Guitard