

(Unofficial version)

DATE: January 23rd, 2018

The regular meeting of the Clarendon Municipal Council was held on the above night at the Council Hall. Mayor John Armstrong presided with, Rick Younge, Jonathan Dagg, Phillip Elliott, Edward Walsh, and Mavis Hanna. The Director-General Mike Guitard was also in attendance.

Cr. Eric Smith was absent.

OPENING THE MEETING

Mayor John Armstrong opened the meeting at 7:00 PM

QUESTION PERIOD/VISITORS

None for this meeting

ADOPTION OF THE AGENDA

016-01-2018 Proposed by Cr. Walsh
Seconded by Cr. Hanna

And is unanimously resolved to adopt the agenda with additions of 15.4.1 Councillor responsible for the library, 16.1 Summer Student, 16.2 Communications

Carried

ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 9th 2018

017-01-2018 Proposed by Cr. Elliott
Seconded by Cr. Younge

And is unanimously resolved to adopt the minutes of the January 9th 2018 regular meeting.

Carried

ADOPTION OF THE MINUTES OF THE PUBLIC BUDGET MEETING OF JANUARY 16th 2018

018-01-2018 Proposed by Cr. Younge
Seconded by Cr. Walsh

And is unanimously resolved to adopt the minutes of the January 16^h 2018 public budget meeting.

Carried

MAYOR'S REPORT

Pro mayor Phillip Elliott deposited a verbal report of the last meetings at the MRC.

BUSINESS ARISING FROM MAYOR'S REPORT

No business for this meeting

CORRESPONDENCE AND INFORMATION

The following items were tabled and discussed:

The Director General gave a report on the Forestry forum held in Fort Coulonge on January 15th.

The Director General gave a report on the OPG Ottawa River/Madawaska River Dam Safety EPRP Stakeholder meeting held in Renfrew on January 19th.

The Director General gave a report on the meeting with the Minister of transport that he attended with the Mayor on January 15th on road grants.

PREVIOUS BUSINESS FOLLOW UP

Basement renovations

019-01-2018 Proposed by Cr. Hanna
Seconded by Cr. Elliott

And is unanimously resolved to invite contractors to submit a tender for the renovations needed.

Carried

Mutation tax Exemption

Tabled and discussed

CHIP FM MEMBERSHIP

020-01-2018 Proposed by Cr. Walsh
Seconded by Cr. Younge

And is unanimously resolved to renew our membership with CHIP FM for \$120.00.

Carried

CIVIL PROTECTION PLAN

021-01-2018

- WHEREAS** the municipalities of the Pontiac MRC must have a civil protection plan;
WHEREAS the resources that are available for the municipalities are the same for most of the municipalities of the Pontiac MRC;
WHEREAS it is difficult for some municipalities to find enough people to operate an emergency operations center for a period of 24 hours or more;
WHEREAS municipalities could provide a list of two or three names and create a group of 36 people who would be interested in working in the emergency operations center;
WHEREAS the regional plan would consist of sections identified to each municipality;
WHEREAS the plan would be prepared by the public security and emergency preparedness coordinator of the Pontiac MRC in collaboration with the director general of each municipality;
WHEREAS the plan will be subsequently adopted by each municipality;
WHEREAS in a situation of emergency, the municipality will remain responsible for the emergency measures to be implemented.

Therefore it is proposed by Cr. Dagg and seconded by Cr. Younge and resolved to mandate the Pontiac MRC to produce a civil security plan respecting the particularities of each municipality.

Carried

022-01-2018

BY-LAW CONCERNING CODE OF ETHICS FOR ELECTED MUNICIPAL OFFICERS

- 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 2016, 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; 9 January, 2018 by Cr. Younge

Whereas we are obliged by law to deposit a new code of ethics by-law after a
general election

Now therefore it is moved by Cr. Walsh seconded by Cr. Elliott

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

That the by-law carrying the no 2018-265 replaces by-law carrying the no 2011-244-M002
and that council orders and so rules that it 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: 2018-01-09
Draft by-law: 2018-01-09
Date of Adoption: 2018-01-23
Date of Publication:

FINANCIAL REPORT &/or ACCOUNTS PAYABLE

Municipalité de/of Clarendon

Vendor Aged Summary As at 23/01/2018

<u>Name</u>	<u>Total</u>	
Bell Mobility	234.24	
Certified Lab Products	631.16	
Darwin Stephens Trucking	8,730.00	
EducExpert	242.17	Joint
F.Q.M.	845.07	Ethics courses
Hydro Quebec	617.50	Street Lighting
Lapointe Beaulieu Avocats	76.39	Tax collection
M.R.C. Pontiac	233.75	Final Fire Dispatch
Municipality of Campbell's Bay	396.00	Joint Fire Call
Municipality of Shawville	17,892.83	Library
Municipality of Shawville	9,287.81	Fire
Municipality of Shawville	1,531.47	Vet Park
Municipality of Shawville	5,400.00	Arena User Fees
Nortrax	1,632.09	
O'Malley Truck & Trailer Service	663.99	
Pitney Works	462.50	
Pontiac Auto Parts	12.88	
Valley Auto and Aero Electric	345.89	
Valley Truck & Spring Service	396.57	
W.A. Hodgins Store	126.44	
Wurth Canada Limited	491.81	
Total outstanding:	<u><u>50,250.56</u></u>	

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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 23rd day of January, 2018.

Mike Guitard Director General

023-01-2018 Proposed by Cr. Elliott
Seconded by Cr. Walsh

And is unanimously resolved to pay the bills amounting to \$ 50 250.56

Carried

COMMITTEE REPORTS

Personnel committee

Employee's holidays

Tabled and discussed

Minor road accident

Tabled and discussed

LUP Committee

Minor Variance Request – 124 Armitage Road – Detached garage

A Minor Variance request was presented for the non-conforming detached garage which was built in 2009 with the issuance of a permit. The secondary building was built in the front yard on the property located at 124 Armitage Road. It does not comply with article 4.3.2.c) of Zoning By-law 2003-216 where secondary buildings are prohibited within the setback and in the front yard.

024-01-2018

Whereas, an existing main building serves the lot;

Whereas, the detached garage respects all minimum setbacks;

Whereas, the building is not in view from the main road;

Whereas, the property is waterfront on the Ottawa River;

Whereas, it does not affect the enjoyment of property rights of owners of neighbouring buildings;

Whereas, it meets the objectives of the planning program of the municipality;

Whereas, a building permit was issued in 2009 for the construction of the garage and was built in good faith;

Therefore it is moved by Cr. Dagg and seconded by Cr. Walsh to accept the recommendation of the LUP committee to support the Minor Variance Request submitted for the detached garage constructed in the front yard as presented.

Carried

Public meeting on conditional use will be held at 6:15 February 6th at the municipal hall

TRANSPORTATION COMMITTEE

Nothing for this meeting

LIBRARY COMMITTEE

Naming the councilor responsible for the Library

025-01-2018 Proposed by Cr. Walsh

Seconded by Cr. Younge

And is unanimously resolved to name Cr. Hanna as the library representative.

Carried

FINANCE COMMITTEE

Nothing for this meeting

Fire Commission

Cr. Dagg gave a report on the last Firemen's meeting.

MISCELLANEOUS AND DISCUSSIONS

Summer student; the DG will look into applying for one position

Road crew Communications
Tabled and discussed

ADJOURNING & CLOSING THE MEETING

026-01-2018 Proposed by Crs. Elliott
And unanimously resolved to adjourn the council meeting of the 23rd day of January,
2018 at 9:06 PM.

Carried

Mayor
John Armstrong

Director General/Secretary Treasurer
Mike Guitard