



VILLE DE / TOWN OF

**BARKMERE**

**MINUTES OF A MEETING OF THE TOWN COUNCIL OF THE TOWN OF BARKMERE HELD  
NOVEMBER 12<sup>TH</sup> 2011 AT 10H AT THE BARKMERE COMMUNITY CENTRE, BARKMERE,  
QUÉBEC**

**Present:**

Mayor	Luc Trépanier
Councillors	Jake Chadwick
	Marc Fredette
	Stephen Lloyd
Secretary Treasurer and Director general	Caroline Dion

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**1. Resolution 2011-107- Acceptance of the proposed agenda**

Councillor Marc Fredette moved, Councillor Stephen Lloyd seconded and it was unanimously resolved by all present:

**That** the proposed agenda be accepted.

**ADOPTED**

**2. Acceptance of the minutes of meetings**

**Resolution 2011-108 - Adoption of minutes of regular meeting of October 8<sup>th</sup> 2011**

**Considering** that a copy of the minutes was sent to each council member at least twenty-four hours prior to this meeting, in compliance with the provisions of Article 333 of the *Cities and Towns Act*,

Councillor Jake Chadwick moved, Councillor Marc Fredette seconded and it was unanimously resolved by all present:

**That** the minutes of the municipal council held on October 8<sup>th</sup> be adopted as submitted.

**ADOPTED**

**3 . Current Affairs**

**3.1 Announcements**

Nothing to report.

**3.2 Correspondence**

Nothing to report.

**3.3 BLPA**

Nothing to report.

**3.4. Follow up to the last session**

No questions were asked at the last meeting.

Mayor Luc Trépanier talks about the agreement with Scierie Carriere which was completed. Also, the MRC's consultant's final report on the coverage of high speed internet in the region was presented and it will be possible soon to go to tender.

**3.5 Question period**

Susanne Sylvestre	Follow up with Hydro-Québec in respect of defective streetlights;
Susanne Sylvestre	Are there plans to put stone at the base of the container located on chemin Florestine?
Jean Laurier	What are the rules for awarding contracts?
André Bellerose	Was there a follow-up for the cutting / trimming performed in the shoreline on chemin Florestine?
Jean Laurier	Is a meeting scheduled with Hydro-Quebec or have there been developments regarding the use by ATV's of the trail under the Hydro-Quebec power lines?
Suzanne Sylvestre	As for this same problem, can Hydro-Québec do something?
Antonio Riposo	His building was demolished and the role has not changed, will he have to pay the taxes anyway?
André Bellerose	Have noticed the presence of a lot of dead wood on the ground, is it because the soil is acidic?

#### 4. Administration

##### 4.1 Director General's report

Director General Caroline Dion presents her report for the month of October 2011.

- There have been improvement in regards of the containers located on Duncan Road;
- Permits issued (3), Certificates of Authorization (2), Septic system pumping (0). See attached listing;
- Transfers :

From R. Provost to S. Neale	Sale	Lots 7-3, range 6, Township of Montcalm (LDE 3099)
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##### 4.2 Resolution 2011-109 - Accounts payable

Councillor Jake Chadwick moved and Councillor Marc Fredette seconded and it was unanimously resolved by those present

**THAT** the following accounts be paid:

[...]

**ADOPTED**

##### 4.3 Presentation of Financial Statements as of October 31<sup>st</sup> 2011

According to the *Cities and Towns Act*, the Secretary-Treasurer files the audited statements dated October 31<sup>st</sup>, 2011 and forecasts until December 31<sup>st</sup>, 2011.

##### 4.4 Mayor's Report on the financial situation

Pursuant to article 474.1 of the Cities and Towns Act, this is my report on the financial situation of the Town of Barkmere, as presented to the session of the Municipal Council held on November 12th 2011.

###### **Financial Statements and Auditor's Report as of December 31 2010**

At the session of October 10th 2010, the audited financial statements as of December 31st 2010 were presented. These statements showed an operating surplus before investments of \$69,947, for a net result of \$78,148. We were expecting a surplus for this first complete financial year of our administration (we were elected in the Fall of 2009). We had asked the taxpayers for an additional effort of \$40,000 in 2010 to make up for the

cumulated unallocated deficit of \$22,144 at the end of 2009, which had put the Town in a perilous situation with its cash on hand at the beginning of 2010. We have managed to save an additional \$30,000, thus replacing the Town in a cumulated unallocated surplus position of \$53,618. Historically, the Town had managed to maintain a surplus of about \$40,000, which constitutes a safe minimum to face our obligations.

This excellent result was accomplished despite important legal fees related to the lawsuit taken against the Town by two property owners who wanted to force the Town to grant them a construction permit for an access road, counter to our own regulations and thereby issue a permit illegally. Of course, the Town won its case in Superior Court in June 2010. But the plaintiffs have decided to appeal this decision, though it was very clear. As the Cities and Towns Act forces Barkmere to defend itself and to enforce its regulations, we had to incur more legal fees to prepare a memoir which was presented to the Quebec Court of Appeal. And, as taxpayers, we must all soak up the bill.

### **Three Year Plan for Capital Expenditures**

Following the difficulties experienced to find a suitable location for the park at the usage of the residents, we have postponed this investment of \$30,000 to 2012 (compensated in part by a grant under the Pacte Rural program). Also postponed to 2012 is the implementation of a dry hydrant, due to delays in obtaining the proper permits from the Ministry of Environment. Also in 2012, we will need to replace a computer at the Town Hall, and to purchase a new one to move the accounting activities, following the retirement of Secretary Treasurer Robert Mearns.

In 2012 and 2013, we will have to invest more than \$500,000 to rebuild the dam, a requirement from the Ministry of Environment. We have requested a grant of \$355,000 under the Federal Gas Tax program. We have also hired an independent consultant to attempt to reduce the total expenditure, but the balance will probably need to be covered by a borrowing bylaw.

### **Preliminary indications for the results as of December 31st 2011**

Taking into account the non-audited financial statements as of October 31st 2011, presented by the Director General at the session of the Municipal Council held on November 12th, we forecast, with reservations, that the Town of Barkmere should be able to show an operating surplus of about \$75,000 for the current fiscal year. This encouraging result, combined with the surplus achieved in 2010, should allow us to reduce the fiscal burden of the taxpayers in 2012.

It is important to note that this result was made possible by the efforts of spending rationalization put forth by the Municipal Council and the Administration in 2010, and continued in 2011. We expect to be able to save about \$40,000 this year, and the reorganization started this year within the Finance Department should also result in important savings in 2012. The balance of the surplus is due to unbudgeted income in 2011, linked to grants still to be received, but that must be accounted for during the current financial year, in order to comply with the rules of the Ministry of Municipal Affairs.

### **General Orientations for the 2012 Budget**

Last year, we were able to reduce the property taxes by about 3%. We wish to continue on the same vein in 2012, taking into account the surplus achieved in 2010 and forecasted for 2011. But if Barkmere is good at controlling its spending, it is not necessarily the case with other governmental levels. Already the RCM of Laurentides expects to increase the quota-share by 3% in 2012, mainly due to the salary increases included in the collective agreement with the employees. Barkmere must also show respect for its employees, and allow them to face the increases in the cost of living.

We must also note that, once again, about 35% of the operating budget of our Town is out of the direct control of the Municipal Council: \$80,000 is going directly to Sûreté du Québec, \$33,000 to the RCM of Laurentides, \$22,000 for fire prevention and first response services, and \$32,000 for waste management. The situation is somewhat better, however, due to a planned decrease of the contribution to the SQ, as well as cost savings achieved by the new contract for the collection of waste, in place since July 2011.

We also have to struggle with a handful of residents who wished to build roads without complying with the relevant municipal regulations. Our community had made important efforts in 2009 to completely rewrite its regulations. The objective was to allow the building of access roads, while taking into account of our common imperatives in regards to environmental protection and landscape preservation, which have made a unique jewel of our municipality. We also have an obligation to maintain the water quality of Bark Lake. Our responsible bylaws are quoted as an example to follow everywhere in Quebec. The Law forces Barkmere to enforce its regulations, incurring legal fees which uselessly add up to our fiscal burden.

But, contrary to most other municipalities in Quebec, we will once again decrease the burden of the Barkmere taxpayers by more than \$25,000, that is, a reduction of 6%, double of last year's. This is an accomplishment for which my team of counsellors and myself are very proud!

I thank you for your trust and your support.

Luc Trépanier,  
Mayor.

#### **4.5 Notice of motion – Bylaw to establish general and special tax rates for 2012, the 2012 budget and the 3-year capital expenditure report**

Councillor Marc Fredette gives a notice of motion to introduce a bylaw to establish general and special tax rates for 2012. This bylaw, along with the 2012 annual budget and a 3-year capital expenditure report, is to be introduced at a special budget meeting to be held Saturday December 10<sup>th</sup> 2011 at 10h in the Town Community Centre in Barkmere, Quebec.

#### **4.6 Bylaw n°213 – Decreeing rules concerning Budget control and Monitoring and Delegation of spending authority**

Councillors Stephen Lloyd, Marc Fredette and Jake Chadwick and Mayor Luc Trépanier, declare having read draft Bylaw 213.

##### **4.6.1 Resolution 2011-110 - Dispensation of reading of draft bylaw 213**

Considering that article 356 of the Cities and Towns Act (R.S.Q. c.C-19) allows the dispensation of the reading of a draft bylaw;

Considering that a copy of the draft bylaw 213 was given to the members of the Council more than two judicial days before the current session;

Considering that all members of the Council present declared having read draft bylaw 213 and forgo its reading;

Therefore, Councillor Stephen Lloyd moved, Councillor Jake Chadwick seconded, and it was unanimously resolved by all present:

That the Municipal Council of the Town of Barkmere forgo the reading of draft bylaw 213 decreeing rules concerning budget control and monitoring and Delegation of spending authority.

**ADOPTED**

##### **4.6.2 Adoption of Bylaw 213 - Decreeing rules concerning budget control and monitoring and delegation of powers.**

According to law, mayor Luc Trépanier explains Bylaw 213 which every town must adopt to establish mandatory financial and accounting rules. As permitted by law also, rules concerning delegation of spending authority were also incorporated into this bylaw.

##### **Resolution 2011-111 – Adoption of Bylaw 213**

Therefore, Councillor Marc Fredette moved, Councillor Jake Chadwick seconded, that the municipal council of the Town of Barkmere adopts Bylaw 213.

No one requested a vote.

Therefore, Bylaw 213 is adopted.

#### **4.7 Bylaw 214 – Ethics and Deontology Code for the Elected Officers**

Councillors Stephen Lloyd, Marc Fredette and Jake Chadwick and Mayor Luc Trépanier, declare having read draft Bylaw n°214.

##### **4.7.1 Resolution 2011-112 - Dispensation of reading of draft Bylaw n°214**

Considering that article 356 of the Cities and Towns Act (R.S.Q. c.C-19) allows the dispensation of the reading of a draft bylaw;

Considering that a copy of the draft bylaw n°214 was given to the members of the Council more than two judicial days before the current session;

Considering that all members of the Council present declared having read draft bylaw 214 and forgo its reading;

Therefore, Councillor Marc Fredette moved, Councillor Stephen Lloyd seconded, and it was unanimously resolved by all present:

That the Municipal Council of the Town of Barkmere forgo the reading of draft bylaw n°214 establishing a code of ethics for elected municipal councillors.

**ADOPTED**

##### **4.7.2 Adoption of Bylaw n°214.**

According to law, the mayor Luc Trépanier explains that Bylaw 214 also consists in a mandatory regulation that must adopt municipalities to establish code of ethics and conduct for elected municipal councillors.

##### **Resolution 2011-113 – Adoption of Bylaw n°214 – Code of ethics and conduct for elected municipal councillors**

Therefore, Councillor Stephen Lloyd moved, Councillor Marc Fredette seconded, that the municipal council of the Town of Barkmere adopts Bylaw n°214.

No one requested a vote.

Therefore, Bylaw n°214 is adopted

#### **4.8 Report from the Duncan Road Consultative Committee**

Mayor Luc Trepanier explains that the Committee suggest:

- to defer the taxes for the maintenance of Duncan Road as the same amount as last year in order to replenish the deficit;
- that the collection of large waste take place during two periods of one week, and that there is no more collection of dry materials;
- that the appropriate signage and education campaign be undertaken to inform users of the rules for using waste containers;

##### **Resolution 2011-114**

Therefore, Councillor Jake Chadwick moved, Councillor Stephen Lloyd seconded, that the municipal council of the Town of Barkmere acknowledge the report of the Committee.

**ADOPTED**

#### **5. Public services**

##### **5.1 Infrastructures**

### **5.1.1 Resolution 2011-115 – Contract for professional services**

Considering that the Town of Barkmere wishes to use the services of a consulting engineer order to evaluate the estimates and plans that have been submitted for the overhaul of the dam;

Considering that the Town of Barkmere does not have the necessary competent resources internally to proceed to this analysis;

Considering that sections 573.1 and 573.3.0.2 of the Cities and Towns Act (L.R.Q. c. C-19) and the Regulation respecting the awarding of contracts for certain professional services;

Considering the offers of services received from several service providers;

Therefore, Councillor Stephen Lloyd moved, Councillor Marc Fredette seconded, and it was unanimously resolved by all present:

That the Town of Barkmere mandate PROJETTE OPTIMUM INC., as consulting engineers to analyze the estimates and to validate the project to overhaul the dam with the pertinent governmental authorities under the following conditions:

- That the fees do not exceed \$6,000, not included taxes;
  
- That an amount of \$1,000 be allocated to cover travel and living expenses necessary to complete the mandate;

That the Mayor and the Director General be authorized to sign the agreement.

**ADOPTED**

## **5.2 Road work**

### **5.2.1 Resolution 2011-116 - Snow removal contract**

Considering the bids received for the snow removal and sanding contract for the 2011-2012 season;

Considering that Richard O'Shaughnessy Enr. is the lowest conforming bid;

Therefore, Councillor Jake Chadwick moved, Councillor Marc Frrdette seconded, and it was unanimously resolved by all present:

That the snow removal and sanding contract for the 2011-2012 season be awarded to Richard O'Shaughnessy Enr.;

That the contract includes the following terms and conditions:

A) Snow removal and sanding of:

- Priest Road;
- Town Hall and Community Centre service areas;
- Waste container areas at the landing and at Florestine road;

B) Presentation by the contractor of a proof of civil responsibility insurance;

That the amount of the contract is \$3,000 and be paid in 2 instalments: January 15, 2012 and May 15, 2012.

**ADOPTED**

## **5.3 Security and protection**

### **5.3.1 Resolution 2011-117 – Amendment to the intermunicipal agreement of fire protection and for the provision of service**

Considering the intermunicipal agreement on protection against fire and for the  
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provision of service, signed between the municipalities of Montcalm, of Arundel, Huberdeau and the Town of Barkmere;

Whereas the proposed acquisition of a tanker truck for the fire department requires an amendment to the agreement with respect to the sharing of funds invested through joint purchasing;

Therefore, Councillor Jake Chadwick moved, Councillor Marc Fredette seconded, and it was unanimously resolved by all present:

That the Town of Barkmere amend the agreement on protection against fire and for the provision of service, done with the municipalities of Montcalm, Arundel and Huberdeau, as follows:

1. Section 6 EQUIPMENT is amended by adding the following subsection:

“The joint purchase of buildings, land, vehicles, equipment, requiring amortization, must be approved by resolution by each of the municipalities party to this Agreement”;

2. Article 10 DIVISION OF ASSETS AND LIABILITIES is replaced by the following:

Article 10

10.1 Should this agreement end, each municipality will retain full ownership of its land, buildings, vehicles, equipment and accessories, acquired before the conclusion of this agreement.

10.2 A municipality wishing to disassociate itself from the Agreement may recover the amount invested since January 1st 2011 through the funding of pumper trucks purchased by the municipality of Montcalm and the municipality of Huberdeau before the conclusion of this agreement. The amount representing the amortization of those trucks will be deducted from these amounts, such amount being calculated for the period from January 1st 2011 to the time of separation;

10.3 A municipality wishing to disassociate itself from the Agreement may recover the money invested through joint purchasing (buildings, land, vehicles, equipment) requiring amortization, made after January 1st 2011 and having been previously approved by resolution by each Municipal parties to this agreement. The amount representing the amortization of such purchases at the time of separation will be deducted from these amounts.

10.4 In the event that there would be complete dissociation of this agreement, the division of funds invested through joint purchases since January 1st 2011 and approved by resolution by each of the municipalities party to this agreement will be the same that the cost sharing of these assets. The amount representing the amortization of such purchases will be deducted from these amounts, such amount being calculated for the period from 1 January 2011 and dissociation.

10.5 In the event that there would be complete dissociation of this agreement, the division of funds invested through the funding of pumper trucks purchased by the municipalities of Montcalm and Huberdeau before the conclusion of this agreement, will be as the cost sharing of these trucks. The amount representing the amortization of those trucks will be deducted from these amounts, such amount being calculated for the period from 1 January 2011 and dissociation.

### **ADOPTED**

## **6. RCM and Governmental Affairs**

### **6.1 Mayor's Report**

Mayor Luc Trépanier explains that at the last Council of Mayors of the MRC, the final budget was presented. There is an increase of 3% of the share primarily to meet the obligations under the collective agreement. The situation of Parc Linéaire de P'tit train du Nord was also discussed, which is a money pit, maintenance costs being very high. The sustainability of the park will be discussed soon.

It was also question of the cultural policy, whose adoption will provide grants, such as for libraries.

As for Ecocentres, the mayor has been the subject of sarcastic comments from the other who felt and said that Barkmere residents did not know how to use the waste containers.

**7. Next Council meeting**

The next regular council meeting will be held on Saturday, December 10<sup>th</sup> 2011 at 10h in the Town Community Centre in Barkmere, Québec.

**7.1 Resolution 2011-118 - Adjournment**

Councillor Marc Fredette moved, Councillor Jake Chadwick seconded and it was unanimously resolved by those present:

**THAT** this meeting be adjourned.

**ADOPTED**

Approved by:

Certified by:

\_\_\_\_\_  
Luc Trépanier, Mayor

\_\_\_\_\_  
Caroline Dion, Secretary-treasurer



## PERMIS DE CONSTRUCTION

Date	Permit			Type Construction, réno, reconstruction, agrandissement	LDE	Description
	Year	Category	Number			
01-oct-11	2011	C	12	Construction	2999	Construction d'un bâtiment accessoire
19-oct-11	2011	C	20	Rénovation	1061	Refaire la toiture, refaire les murs du salon et de la cuisine et le plafond
26-oct-11	2011	C	21	Installation septique	4902	Installation d'un nouveau système septique

## CERTIFICAT D'AUTORISATION

Date	Permit			Type Construction, réno, reconstruction, agrandissement, ouvrage	LDE	Description
	Year	Category	Number			
24-oct-11	2011	CA	46	Rénovation qual	5672	Refaire le qual du boathouse sur technopleux
24-oct-11	2011	CA	47	Rénovation qual	5672	Refaire le qual normal sur technopleux