

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF
BARKMERE HELD ON JULY 14th 2018 AT 10:00 AT THE COMMUNITY CENTRE OF
BARKMERE (QUEBEC).**



In attendance :	The Mayor	Luc Trépanier
Absents	Councillors General Director and Secretary-Treasurer Councillors	Jake Chadwick Marc-Olivier Duchesne Stephen Lloyd Andrea Leber Martin Paul Gélinas Chantal Raymond Marc Frédette

1. RESOLUTION 2018 – 0680– Approval of the agenda

It is proposed by Councillor Stephen Lloyd and seconded by Councillor Jake Michael Chadwick, and it is adopted unanimously by the present members:

THAT the agenda be adopted as proposed:

1. Approval of the agenda

2. Adoption of the minutes

2.1 Special meeting of June 9th 2018

3. Current business

- 3.1 Announcements
- 3.2 Correspondences
- 3.3 BLPA
- 3.4 Activities Barkmere
- 3.5 Follow-up from last meeting
- 3.6 Question period (30 minutes)

4. Finance and Administration

- 4.1 Accounts payable
- 4.2 Confirmation of the hiring of a Director General and Secretary Treasurer
- 4.3 Resolution – Allocation of the cumulated surplus

5. Environment

- 5.1 Resolution – Appointment of a member to the Consultative committee on environment
- 5.2 Notice of motion – Draft bylaw on the protection of watercourses
- 5.3 Resolution - Membership in the Organisme de bassins versants des rivières Rouge, Petite-Nation et Saumon (OBVRPNS)

6. Urban Planning

- 6.1 Notice of motion – Draft bylaw modifying zoning bylaw 201 for docks and cribs
- 6.2 Resolution – Designated officers as per bylaw 204

7. Infrastructure and Services

- 7.1 Resolution – Amendment to a lease with 8584176 Canada Inc.
- 7.2 Resolution – Intent to renew a lease with R. Gordon Miller

8. Legal Business

- 8.1 Resolution – Awarding of a contract for professional services to Sodavex

9. R.C.M. and governmental affairs

- 9.1 Latest Mayors' Council

10. Meeting adjournment

ADOPTED

2. Adoption of the minutes

2.1 Resolution 2018 - 081– Adoption of the minutes of the regular meeting held on June 9th 2018

CONSIDERING THAT a copy of the Minutes was given to each member of the Town Council not less than twenty-four hours before the present council meeting, thus conforming to Article 333 of the Cities and Towns Act;

THEREFORE, it is proposed by Councillor Stephen Lloyd and seconded by Councillor Andrea Leber, and it is adopted unanimously by the present members:

THAT the minutes of the regular meeting of council held on June 9th, 2018 be adopted as deposited by the secretary-treasurer.

ADOPTED

3. Current business

3.1 Announcements

No announcement was made.

3.2 Correspondence

No particular correspondence was received since the last meeting.

3.3 BLPA

Report from Mrs Lea Hard Castle is made to the assistance

10h05 : Councillor Marc-Olivier Duchesne arrives at the meeting

3.4 Activities Barkmere

Report from Mrs Lyne Valois is made to the assistance

3.5 Follow-up from last meeting

No particular subject was pending from the last meeting.

3.6 Question period (30 minutes)

A 30 minutes question period is held. After 30 minutes, the question period was closed by the Mayor.

4. Finance and Administration

4.1 RESOLUTION 2018 - 082 – Accounts payable

It is proposed by Councillor Jake Michael Chadwick, seconded by Councillor Marc-Olivier Duchesne and it is resolved unanimously by the members present:

THAT the accounts listed below be ratified and paid:

Ville de Barkmere

Registre des chèques pour 15411111 Banque Nationale - Mont-Tremblant

Town of Barkmere

Cheque Log for 15411111 National Bank - Mont-Tremblant

No.	Bénéficiaire	Montant	Date	Explication
No.	Payee	Amount	Date	

EFP-816	Hydro-Québec	\$375,31	2018-06-22	Électricité luminaires de rue
EFP-817	Bell	\$98,31	2018-07-13	Ligne téléphonique hôtel de ville
PPA	Paiements Globaux Canada SENC	\$40,24	2018-07-01	Location mensuelle carte débit juin 2
		\$513,86	Total - Règlement 213	
4478	Municipalité d'Arundel	\$1 639,00	2018-07-31	Entente premiers répondants
4479	Municipalité de Montcalm	\$4 579,16	2018-07-14	Entente chemin Duncan
4480	Gilbert P. Miller & Fils Ltée.	\$343,67	2018-07-14	Entretien chemin Duncan
4481	7631375 Canada Inc.	\$1 941,37	2018-07-14	Honoraires inspecteur
4482	Imprimerie Léonard Inc.	\$270,19	2018-07-14	Papeterie
4483	Ménage Tremblant Net inc.	\$251,51	2018-07-14	Nettoyage hôtel de ville
4484	Eastman Systems	\$263,87	2018-07-14	Impression bulletins
4485	Laurentides Automatisation Inc.	\$143,72	2018-07-14	Maintenance système d'alarme
4486	Jonathan O'Shaughnessy	\$850,00	2018-07-14	Ramassage sable
4487	Casavant Mercier	\$1 637,19	2018-07-14	Consultation légale
4488	MF Bernard Inc.	\$3 718,37	2018-07-14	Bois pour construction passerelles
		\$15 638,05	Total - Chèques	
		\$19 337,05	Salaires et avantages sociaux	
		\$35 488,96	Grand Total	

ADOPTED

4.2 RESOLUTION -2018 - 083 – Confirmation of the hiring of a Director General and Secretary Treasurer

CONSIDERING resolution 2018-057 adopted on May 2nd 2018;

CONSIDERING THAT the performance and the competences of Me Martin Paul Gélinas as interim Director General and Secretary Treasurer have been very satisfactory to date;

CONSIDERING that the Town of Barkmere must be able to rely on an increased presence of its Director General and Secretary Treasurer;

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

THAT the Town of Barkmere hire Me Martin Paul Gélinas as permanent Director General and Secretary Treasurer for the Town of Barkmere, as of July 14th 2018;

THAT the hourly rate of Me Gélinas be \$48.50, for three days of eight hours per week, plus the required time for the Council meetings and the preparation of said meetings;

THAT the terms of employment of Me Gélinas be those defined in his letter of hiring to be signed by the Mayor and himself.

ADOPTED

4.3 RESOLUTION -2018 - 084 – Allocation of cumulated surplus

CONSIDERING that the unallocated cumulated surplus of the Town of Barkmere as of December 31st 2017 is of \$304,107;

CONSIDERING that the Municipal Council adopted its three-year capital expenditure plan during its meeting of February 10th 2018;

CONSIDERING that this plan includes capital expenditures of \$86,800 for year 2018 and \$331,400 for year 2019;

CONSIDERING that it is prudent to keep about 10% of the operating budget of the Town in the unallocated surplus;

THEREFORE, Councillor arc-Olivier Duchesne moved, Councillor Andrea Leber seconded, and it was unanimously resolved by all present:

THAT the Municipal Council of the Town of Barkmere allocate the amount of \$253,050 from the unallocated cumulated surplus of the Town to the following accounts:

- \$22,825 for the purchase of docks;
- \$5,000 for street and parking repairs;
- \$12,775 to complete miscellaneous purchases for the municipal building;
- \$4,200 for furniture and office equipment;
- \$8,750 for machinery and equipment;
- \$200,000 for the reconfiguration of the marina.

- **ADOPTED**

4.4 RESOLUTION – 2018 – 085 –to add an item to the agenda

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

TO Modify the agenda by adding item 4.5 to adopt BYLAW 246 CODE OF ETHICS FOR ELECTED MUNICIPAL COUNCILLORS

ADOPTED

4.5 RESOLUTION – 2018 – 086 –to adopt BYLAW 246 CODE OF ETHICS FOR ELECTED MUNICIPAL COUNCILLORS

CONSIDERING THAT article 13 of the *Municipal Ethics and Good Conduct Act* (CQLR c E-15.1.0.1), stipulates that each municipality must adopt a revised Code of Ethics and Good Conduct of Council Members following a general election;

CONSIDERING THAT articles 8 and following of the *Municipal Ethics and Good Conduct Act* (CQLR c E-15.1.0.1);

CONSIDERING THAT a notice of motion was given and the draft Bylaw was presented at the regular meeting of the Municipal Council on June 9th, 2018;

CONSIDERING THAT this Bylaw replaces the existing one, the Bylaw 214-1 and 240, without amendment;

THEREFORE, Councillor Stephen Lloyd moved, Councillor Marc-Olivier Duchesne seconded, and it was unanimously resolved by all present to adopt this bylaw 246:

INTRODUCTION

The governance of the Town of Barkmere is to be carried out in accordance with the following fundamental values:

- 1° the integrity of the members of the municipal council;

- 2° the honour associated with the duties of the members of the municipal council;
- 3° prudence in the pursuit of the public interest;
- 4° respect towards other members of the municipal council, the employees of the Town and its citizens;
- 5° loyalty toward the municipality;
- 6° the quest for equity.

The values set forth in this Code of Ethics shall guide all persons to whom it applies in the interpretation and application of its ethical rules.

The rules set forth in this Code of Ethics have as an objective preventing in particular:

- 1° any situation where the private interest of the member of council may influence his or her independence of judgment in the exercise of his or her duties;
- 2° any situation which is counter to the provisions of Articles 304 and 361 of the *Act respecting elections and referendums in municipalities* (R.S.Q., chapter E-2.2);
- 3° favouritism, embezzlement, breach of trust and other misconduct.

INTERPRETATION

All terms used in this Code of Ethics have their usual meanings, except for the following expressions and defined terms:

« **Benefit** »: includes any gift, donation, favor, reward, service, commission, gratuity, act of hospitality, remuneration, retribution, gain, indemnification, privilege, preference, compensation, benefit, profit, advance, loan, reduction, discount, or any other useful or profitable measure of like nature or any promise of such Benefit.

« **Private Interest** »: means the interest of the concerned person, whether direct or indirect, pecuniary or not, real, apparent or potential. Such interest is distinct, without necessarily being exclusive from, the interest of the public in general, as may be perceived by a reasonably informed person. Is excluded from this notion the case where a private interest consists of remuneration, allocation or reimbursement of expenses, benefits or other working conditions associated with the duties of the person concerned within the municipality or municipal entity.

« **Interest of Related Party** »: means the interest of the spouse of the person concerned, of his or her children or ascendants or the interest of a partnership, company, cooperative or association with which he or she maintains a business relationship. It may be direct or indirect, pecuniary or not, real, apparent or potential. It is distinct, without necessarily being exclusive from, the interest of the public in general, as may be perceived by a reasonably informed person.

« **Municipal Entity** »:

- 1° an entity which the law declares as a mandatary or agent of the municipality;
- 2° an entity whose council is composed in the majority of the members of the council of a municipality;
- 3° an entity whose budget is adopted by the municipality or for which at least half of its financing is ensured by the municipality;
- 4° a council, a commission or a committee formed by the municipality charged with examining and studying a question which is submitted to it by the council; or
- 5° an enterprise, corporation, partnership or association to which a person is designated or nominated by the municipality in order to represent its interest.

APPLICATION

The present Code of Ethics applies to each member of the council of the Town of Barkmere.

1. Conflicts of Interest

Every person must avoid placing himself or herself, knowingly, in a situation where her or she may be required to choose between, on one hand, his or her Private Interest or the Interest of a Related Party and, on the other hand, the interest of the municipality or a Municipal Entity.

As applicable, any such situation must be rendered public and the person must abstain from participating in discussions and deliberations in respect of same.

Without limiting the generality of the foregoing, it is prohibited for any person to act, or to attempt to act or to omit to act in any manner which favors, in the exercise of his or her duties, his Private Interest or, in an abusive manner, the interest of any other person.

It is furthermore prohibited for any person to use his functions in order to influence or attempt to influence the decision of any other person in a manner to favor his Private Interest or, in an abusive manner, the interest of any other person.

It is forbidden for any member of a council of the Town of Barkmere to announce, during a political financing activity, the realization of a project, the conclusion of a contract or the granting a grant by the municipality, unless a final decision regarding this project, contract or grant has already been made by the competent authority of the Town of Barkmere

A member of the council who employs staff shall ensure that such employees comply with the prohibition provided for in the first paragraph. In the event of non-observance of this prohibition by one of these, the member of the council is imputable for the purposes of the imposition of the sanctions envisaged in article 8.

2. Benefits

It is prohibited for any person:

- a) to accept, receive, acquire or solicit any Benefit for himself or herself or for any other person in exchange for taking a position on any question which is before a council, a committee or a any commission on which he or she is a member;
- b) to accept any Benefit, regardless of its value, which may influence his or her independence or judgment in the exercise of his or her duties or which may compromise his or her integrity.

Any person who receives a Benefit in excess of \$100 shall, within 30 days of its receipt, produce a written declaration to the clerk or secretary-treasurer of the municipality containing an adequate description of this Benefit, the name of its donor, as well as the date and the circumstances of surrounding its receipt.

3. Discretion and Confidentiality

It is prohibited for any person, during his or her mandate as well as afterwards, to use, communicate or attempt to use or communicate any information obtained in the exercise of or during the course of the exercising of his duties and which is not generally available to the public in order to favour his Private Interest or those of any other person.

4. Use of the Resources of the Municipality

It is prohibited for any person to use or to permit the use of the resources, goods or services of the municipality or of Municipal Entities for his or her Private Interest or for any purposes other than the activities associated with the exercise of his or her duties.

5. Respect for Decision-Making Process

All persons must respect the laws, policies and norms (by-laws and resolutions) of the municipality and any Municipal Entities relating to the decision-making processes.

6. Post-Mandate Loyalty

Every person must act with loyalty towards the municipality after his or her mandate, the whole within the terms of applicable law. It is prohibited to use or to disclose confidential information which he or she became aware of in the exercise of his or her duties.

Without limiting the generality of the foregoing, it is prohibited for any person, within the 12 months following the end of his or her mandate, to occupy any position of director or officer of a corporation or other entity, to take employment or any other function in such a manner as he or she or any other person may draw an inappropriate advantage from his prior functions as a member of the council of the municipality.

7. Mechanisms of application and control

Any person who has reasonable grounds to believe that a member of the municipal council has committed a breach of a rule provided for in this Code of Ethics may refer the matter to the

Commission municipale du Québec no later than three (3) years after the end of the term of this member.

If the Commission finds that the conduct of the city council member constitutes a breach of a rule provided for in this Code of Ethics, it decides either to impose one or more of the penalties provided for in the Act, or to not impose any penalty.

8. Sanctions

In accordance with Sections 7 and 31 of the *Municipal Ethics and Good Conduct Act* (2010, c. 27), a violation of this Code of Ethics by a member of council may result in the imposition of the following sanctions:

- 1° a reprimand;
- 2° the return and delivery to the municipality, within 30 days after a decision of the *Commission municipale du Québec*:
 - a) of any gift, measure of hospitality or Benefit received or the value of same,
 - b) of any profit made in violation of a rule set out in this Code of Ethics;
- 3° the reimbursement of the remuneration, allowances or other sums received as a member of the council, committee or commission of a municipality or Municipal Entity during the period when the violation of a rule of this Code of Ethics continued; or
- 4° the suspension of the council member for a period ending on the earlier of 90 days and the expiry of his or her term.

During the suspension, the council member may not sit on any council, committee or municipal commission nor, in his capacity as member of the council of the municipality, on any other body, may he or she receive any remuneration, allowance or other sum from the municipality or such a body.

9. Entry into force

This bylaw shall take effect in compliance with law.

Luc Trépanier, Mayor

Martin Paul Gélinas, Secretary-Treasurer

ADOPTED

4.6 RESOLUTION – 2018 – 087 Modification to the schedule of meetings

CONSIDERING that the director general and secretary-treasurer must share his time between the municipality of Lac-Tremblant-Nord and the Town of Barkemre;

CONSIDERING that the municipality of Lac-Tremblant-Nord cannot modify its schedule of Council meetings;

CONSIDERING resolution 2017-096;

THEREFORE, Councillor Marc-Olivier Duchesne moved, Councillor Andrea Leber seconded, and it was unanimously resolved by all present:

THAT the Town of Barkemre modify the schedule of the Municipal Council meetings for year 2018 adopted at the meeting of December 9th 2017, which what follows:

- August 11th 2018, at 2:00 PM;
- September 8th, 2018, at 2:00 PM;
- October 13th, 2018, at 10:00 PM;
- November 17th, 2018, at 10:00 PM;
- December 15th, 2018 at 10:00 PM.

ADOPTED

5. Environment

5.1 RESOLUTION 2018-088 – Appointment of a member to the CCE

CONSIDERING the resignation of Ms Marie-Hélène Gauthier as member of the Consultative committee on environment (CCE);

CONSIDERING article 4 of bylaw 165 of the Town of Barkmere;

CONSIDERING the need to ensure a good representation within the CCE, and that membership be totally filled;

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

THAT Mrs Kirstin Lachance be appointed member of the Consultative committee on environment of the Town of Barkmere.

ADOPTED

5.2 Notice of motion – Bylaw 250 regarding la protection des plans d'eau contre les espèces non indigènes et les espèces exotiques envahissantes

A notice of motion is given by Councilor Jake Michael Chadwick and the latter presents the draft by-law in order to adopt at a later meeting a by-law concerning protection des plans d'eau contre les espèces non indigènes et les espèces exotiques envahissantes.

The draft is available on this meeting for consultation by citizens.

5.3 Resolution 2018-089 - Membership in the Organisme de bassins versants des rivières Rouge, Petite-Nation et Saumon (OBVRPNS)

WHEREAS the OBVRPNS is involved since its creation in many projects to increase knowledge and expertise in lakes and protection of aquatic ecosystems;

WHEREAS the Town of Barkmere is a member of this organism;

WHEREAS the annual fee for the municipal sector is \$ 100.00;

WHEREAS the Town needs to appoint a representative;

THEREFORE, Councillor Jake Michael Chadwick moved, Councillor Marc-Olivier Duchesne seconded, and it was unanimously resolved by all present:

TO renew the membership to the Organisme de bassins versants des rivières Rouge, Petite-Nation et Saumon;

TO PAY the 2018 annual fee in the amount of \$100.00 to the "Organisme de bassins versants des rivières Rouge, Petite-Nation et Saumon";

AND

TO APPOINT Councillor Jake Chadwick as representative for the Town of Barkmere with OBVRPNS.

ADOPTED

6. URBANISM

6.1- Notice of motion – Bylaw 251 modifying zoning bylaw 201 for docks and cribs

A notice of motion is given by Councilor Stephen Lloyd and the latter presents a first draft by-law in order to adopt at a later meeting a by-law modifying zoning bylaw 201 for docks and cribs.

The draft is available on this meeting for consultation by citizens.

6.2 RESOLUTION – number 2018-090 - – Designated officers as per bylaw 204

CONSIDERING bylaw 204 regarding Permits and Certificates;

CONSIDERING that, in order to ensure the good operation of the municipal administration, it is appropriate to appoint more than one person to exercise the authorities of the designated officer as per article 1.2.1 of said bylaw;

THEREFORE, Councillor Marc-Olivier Duchesne moved, Councillor Jake Michael Chadwick seconded, and it was unanimously resolved by all present:

THAT the director general, Mr. Martin Paul Gélinas, and the intern in urban planning, Mr. David Castonguay, be appointed designated officer under bylaw 204 regarding Permits and Certificates, and be given the authorities defined therein

ADOPTED

10h45 : Councillor Andrea Leber declared that she has a financial interest in the next item

7. INFRASTRUCTURES AND SERVICES

7.1 RESOLUTION 2018-091– Amendment to a lease with 8584176 Canada Inc.

CONSIDERING the need to install a public toilet at the residents' park;

CONSIDERING the lease agreement of 2015 between 8584176 Canada Inc. and the Town of Barkmere, in particular section 5 which prohibits the installation of a toilet on the premises of the park;

CONSIDERING the verbal agreement between the representative of 8584176 Canada Inc. and the Mayor of the Town, to allow for the installation of a removable toilet on premises of the park;

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

THAT the Mayor and the Director general be authorized to sign a letter modifying the lease between 8584176 Canada Inc. and the Town of Barkmere, in order to allow for the installation of a removable toilet on the premises of the residents' park.

ADOPTED

7.2 RESOLUTION – number 2018-092 - RESOLUTION – Intent to renew a lease with R. Gordon Miller

CONSIDERING the letter received from Mr. R.Gordon Miller indicating that he wishes to renew the lease for the land where his five-bay boathouse is located, which expired in October 2017;

CONSIDERING that Mr. Miller also indicated that he did not intend to renew the lease for the land where his seven-bay boathouse is located, which expires in October 2019;

CONSIDERING the negotiations between the two parties;

CONSIDERING the draft response submitted to the members of the Municipal Council;

THEREFORE, Councillor ... moved, Councillor ... seconded, and it was unanimously resolved by all present:

THAT the Mayor and the Director general be authorized to sign for and in the name of the Town of Barkmere a letter of intent to renew the lease with Mr. R.Gordon Miller for the land where his five-bay boathouse is located.

ADOPTED

8. LEGAL AFFAIRS

8.1 RESOLUTION – 2018-093 - Contract for professional services in legal representation

CONSIDERING that Me François Tremblay, from the legal firm Tremblay Savoie Lapierre, s.e.nc., attorney for the Town of Barkmere, is retiring;

CONSIDERING the need to appoint a new attorney for the files and cases handled by Me Tremblay;

CONSIDERING the offer of service dated June 29th 2018 from Me Christine Duchaine, from the legal firm Sodavex, to take over the files of me Tremblay;

CONSIDERING sections 573.1 and 573.3.0.2 of the *Cities and Towns Act* (R.S.Q., chap. C-19) and the *Regulation respecting the awarding of contracts for certain professional services*;

THEREFORE, Councillor Stephen moved, Councillor Marc-Olivier Duchesne seconded, and it was unanimously resolved by all present:

THAT the Town of Barkmere retain the services of Me Christine Duchaine from the legal firm Sodavex to act as attorney for the Town of Barkmere in the files and cases previously represented by Me François Tremblay, according to the terms of the offer of service

ADOPTED

9. **R.C.M and governmental affairs**

9.1 Mayor's report

Report is made by Mayor Luc Trépanier, concerning the last RCM Mayors' meeting.

10. **Meeting adjournment**

The next regular Council session shall be held on, August 11th 2018, at 14:00 PM, in the Community Center at Barkmere, Quebec.

RESOLUTION 2018 - 094 – End of session

The meeting was adjourned at 11:28 a.m.

It is proposed by Councillor Stephen Lloyd seconded by Councillor Marc Olivier Duchesne and resolved unanimously by the present members:

THAT the session of the Town Council be adjourned.

ADOPTED

Approved By :

Certified by :

Luc Trépanier, Mayor

Martin Paul Gélinas General
Director and Secretary-Treasurer