



MUNICIPALITÉ D' OTTER-LAKE MUNICIPALITY
Session régulière / Regular session
Procès verbal / Minutes

Tuesday December 7, 2010

At the regular meeting of the Council of the Municipality of Otter Lake, held on the above date at 7:00, at 15 Palmer Avenue (Municipal Office), and which were present His Worship the Mayor Mr. GRAHAM HAWLEY, Councillors NANCY DAGENAI, CLAUDIA DUBEAU, LÉON LANCE, JACQUES GAUTHIER, CLAUDE PICHÉ and VICTOR BISSON, all forming quorum under the chairmanship of the Mayor.

The Acting Director General / Secretary-Treasurer Mr. PIERRE VAILLANCOURT is also present.

214-12-2010

The Mayor welcomes those present, after establishing a quorum opens the session.

215-12-2010

Mayor 's Report (Municipal Code 955)

IT WAS MOVED BY COUNCILOR Claudia Dubeau
AND UNANIMOUSLY RESOLVED

That Council accepts the Mayor's Report as read.

Carried

216-12-2010

IT WAS MOVED BY COUNCILOR Nancy Dagenais
AND UNANIMOUSLY RESOLVED

THAT the agenda be adopted by adding to the section "**VARIA**" the following topics.

1. Mayor M. Graham Hawley : To appoint the Firm Piché Ethier Lacroix CA inc. for a special audit of employee's benefits accounts.
2. Seat #1 M. Victor Bisson:
3. Seat #2 Mme Nancy Dagenais: Notice of motion to modify by-law # 037-11-04
4. Seat #3 M. Léon Lance : Council support for the Golden Age Club in the participation of the financing program (MADA).
5. Seat #4 Mme Claudia Dubeau:

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6. Seat #5 M. Claude Piché:

Donation

Christmas Dinner for the primary school children on December 20, 2010 at the Recreational Centre - Donation

7. Seat #6 M. Jacque Gauthier:

D.G Pierre Vaillancourt:

Installation of a fixture at 470 Route 301.

Membership with l'union des municipalités du Québec.

Membership with Combeq for 2011.

2011 Membership to Québec Municipal. (Decision)

Contract management policy.

sale of land.

Purchased Bid for the 2-105 White Tractor (\$ 2,000.).

Beaudoin Road Bridge.

Nuisance By-Law at 381 Tessier.

Beaver Control. Resolution

Menu for the christmas dinner for the employee's and the elected on December 17, 2010. Resolution

Water Project Land (Surveyed)

Fence going to the Water Tower. (Estimate)

Selection committee for interviews for the administrative assistant position.

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217-12-2010

IT WAS MOVED BY COUNCILOR Victor Bisson
AND UNANIMOUSLY RESOLVED

THAT the Minutes of the regular council meeting November 2, 2010 be accepted as written.

Carried

218-12-2010

IT WAS MOVED BY COUNCILOR Claudia Dubeau
AND UNANIMOUSLY RESOLVED

THAT the Minutes of the extra ordinary meeting November 16, 2010 be accepted as written.

Carried

219-12-2010

IT WAS MOVED BY COUNCILOR Claudia Dubeau
AND UNANIMOUSLY RESOLVED.

That the Municipal council appoints Mr. Maurice Richard Municipal Road Foreman.

Carried

220-12-2010

IT WAS MOVED BY COUNCILOR Victor Bisson
AND UNANIMOUSLY RESOLVED

That council hires Mr. John O'Malley for a permanent position as laborer, and will have a formation to qualify for drinking water.

Carried

221-12-2010

IT WAS MOVED BY COUNCILOR Jacque Gauthier
AND UNANIMOUSLY RESOLVED

That council mandates the firm Piché Ethier Lacroix CA Inc. to audit the employee benefit account for the fiscal accounting year from January 1, 2006 to present. Depending on the results of this audit, an audit of prior years should be required.

Carried

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NOTICE OF MOTION is given by Councilor Nancy Dagenais of the presentation to modify by-law # 037-11-04 that reflects the fees for hook-up to the water system and the fees related to turning of the water on or off.

222-12-2010

IT WAS MOVED BY COUNCILOR Léon Lance
AND UNANIMOUSLY RESOLVED

That council supports the Golden Age Club in the participation of the financing program Municipalités amis des aînés (MADA) in order to improve the quality of life for our senior citizens.

Carried

223-12-2010

IT WAS MOVED BY COUNCILOR Nancy Dagenais
AND UNANIMOUSLY RESOLVED

That council approves the request from the Parents Participation Organisation (OPP) for the Primary School children's christmas dinner to lend the Recreational Centre on December 20th, 2010, and approves a donation of \$ 100 for this dinner.

Carried

224-12-2010

IT WAS MOVED BY COUNCILOR Victor Bisson
AND UNANIMOUSLY RESOLVED

THAT council approves and request to Hydro Quebec for an installation of a fixture at 470 Route 301.

Carried

225-12-2010

IT WAS MOVED BY COUNCILOR Victor Bisson
AND UNANIMOUSLY RESOLVED

That council approves expenditures for work performed on Milliken, Old Bridge and Picanoc Road for the subsidized amount of \$ 3,000, according to the requirements of the Ministry of Transport, grant number 00016648-1-84055(07)-2010-06-29-28.

That work has been performed in accordance with these expenditures on roads under the management of the municipality and the audit file was created.

That the Firm Piché Ethier Lacroix CA inc. be mandated to verify the accountability for the grant.

Carried

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226-12-2010

IT WAS MOVED BY COUNCILOR Léon Lance
AND UNANIMOUSLY RESOLVED

That council approves expenditures for work performed on Milliken Road, Old Bridge Road, Picanoc Road and Stephens Road for the subsidized amount of \$ 60,000, according to the requirements of the Ministry of Transport, grant number 00016632-1-84055(07)-2010-06-29-28.

That work has been performed in accordance with these expenditures on roads under the management of the municipality and the audit file was created.

That the Firm Piché Ethier Lacroix CA inc. be mandated to verify the accountability for the grant.

Carried

227-12-2010

IT WAS MOVED BY COUNCILOR Claude Piché
AND UNANIMOUSLY RESOLVED

That council renew the membership with union des municipalités du Québec (U.M.Q.) at a cost of \$ 516.76 (taxes included) for the year 2011.

Carried

228-12-2010

IT WAS MOVED BY COUNCILOR Nancy Dagenais
AND UNANIMOUSLY RESOLVED

That council renews the membership to the Corporation of Building and Environmental Municipal Officers of Québec (COMBEQ) for the year 2011 at a cost of \$ 255.

Carried

229-12-2010

IT WAS MOVED BY COUNCILOR Victor Bisson
AND UNANIMOUSLY RESOLVED

That council renew its 2011 membership to the Quebec Municipal Portal at a cost of \$ 90.30.

Carried

230-12-2010

IT WAS MOVED BY COUNCILOR Léon Lance
AND UNANIMOUSLY RESOLVED

THAT council adopts the Contract management policy.

Carried

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Contract management policy

Municipality of Otter Lake

POLICY MANAGEMENT CONTRACT

PRESENTATION

This contract management policy is adopted pursuant to article **938.1.2 of the Municipal Code**.

Under this provision, a municipality must adopt a contract management policy applicable to municipal contracts and providing measures to ensure healthy competition between persons contracting or seeking contracts with the municipality. The measures should aim at seven (7) issues of concern clearly stated in this statutory provision. These topics must contain a minimum of two specific measures.

It should be noted that this policy is not intended to replace, modify or enhance any legislative or judicial rule applicable in respect of granting and management of municipal contracts.

MEASURES FOR MAINTAINING A HEALTHY COMPETITION

- 1. Measures to ensure that any bidder or any of its representatives did not contact or attempt to communicate in order to exert influence, with one member of the selected committee with respect to the solicitation for which he submitted a bid**
 - a) The Board delegates to the Director-General the authority to establish any committee of selection necessary to receive, evaluate tenders received and draw conclusions.
 - b) A selected committee must be formed before the launch of the tender and be composed of at least three members.
 - c) Any board member, every employee and agent thereof shall maintain, at all times, confidentiality of the identity of members of any selection committee.
 - d) Upon any tender requiring the creation of a selected committee, the tender's documents should contain provisions to the following effects:
 - A bidder must submit with his or her bid a statement that neither he nor any of his or her representatives has contacted or attempted to communicate in order to exert influence, with any member of the selected committee.

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- If a bidder or a representative communicates or attempts to communicate in order to exert influence, with any member of the selected committee, his or her bid will be automatically rejected.

2. Measures to promote compliance with applicable laws designed to fight against bid-rigging

- a) All bidders must submit with his or her bid a declaration stating that the 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 prices submitted.
- b) It must be inserted in the bidding documents, a provision that if a bidder has engaged in collusion, communication 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.

3. Measures to ensure compliance with the Lobbying Transparency and Ethics in Lobbying and Lobbyists' Code of Conduct made under that Act

- a) All councilors and employees must ensure that any person who seeks to exert influence is registered as a lobbyist under the Act transparency and ethics in lobbying ("Act"). If the person is not registered, he invites him to do so.
- b) If a person refuses to register as lobbyists or comply with the Act or the Code of Conduct for Lobbyists ("Code"), a member, the board or the employee must refuse to deal with that person and, if so one must communicate with the Lobbyists Commissioner.
- c) Any tender and any contract must include:
 - A statement that the tenderer or, if applicable, the contractor, certifies that neither he nor any of his representatives has engaged in communication that could influence the awarding of the contract or, if communication influence took place, the registration of Lobbyists has been made and that the Act and the Code have been met.
 - A clause allowing the municipality in case of non-compliance with the Act or the Code, to reject the bid, to annul or terminate the contract if the breach is discovered after awarding the contract. "

4. Measures aimed at preventing acts of intimidation, influence peddling and corruption

- a) The municipality must, in the case of written invitation to tenders, favor different enterprises. The identity of such enterprise cannot be divulged until the opening of tenders.

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- b) All tenders must include with his or her bid, a statement that neither the bidder nor any of their associates or employees has engaged in intimidation, influence peddling and corruption.
- c) All invitations must indicate that if a person has participated in any of the above acts, that any possible tender would be automatically rejected.

5. Measures aimed at preventing conflicts of interest

- a) Any person involved in the development, implementation or monitoring of a tender or a contract, the secretary and members of a selected committee if applicable, must declare any person in conflict of interest or potential.
- b) No person in conflict of interest can participate in the development, implementation or monitoring of a tender or contract.
- c) All bids must include a declaration which states that there exist no ties nor any links with any board member or employee that could be seen as a possible conflict of interest.

6. Measures designed to prevent any situation that could compromise the impartiality and objectivity of the solicitation and contract management resulting

- a) The tender identifies an official who is mandated to clarify any situation or information pertaining to any invitation to tender. Bidders or potential bidders can only contact this person.
- b) Council members and employees are not allowed to answer any question or request of clarification with respect to any invitation to tender and any questions must be referred to the person responsible.

7. Measures to regulate the taking of any decision and to authorize the amendment of a contract.

- a) The municipality must, in any contract, establish procedures governing amendments to any contract and foresee that such modifications would not change the nature of the contract.
- b) The municipality must make provisions in the invitation to tender for regular site meeting as to assure execution of contract.

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Municipal Code

938.1.2. Every municipality must adopt a contract management policy.

Such a policy is applicable to all contracts, including contracts that are not described in any of the subparagraphs of the first paragraph of subarticle 1 of article 935 or in article 938.0.2.

The contract management policy must include

- (1) measures to ensure that no tenderer or representative of a tenderer has communicated or attempted to communicate with a member of the selection committee in order to influence the member concerning the call for tenders for which the tenderer or representative submitted a tender;
- (2) measures to promote compliance with any applicable anti-bid-rigging legislation;
- (3) measures to ensure compliance with the Lobbying Transparency and Ethics Act (chapter T-11.011) and the code of conduct for lobbyists adopted under that Act;
- (4) measures to prevent intimidation, influence peddling and corruption;
- (5) measures to prevent conflict of interest situations;
- (6) measures to prevent any other situation likely to compromise the impartiality or objectivity of the call for tenders or the management of the resulting contract; and
- (7) measures to govern the making of decisions authorizing the amendment of a contract.

Every municipality must make its policy available at all times by publishing it on the website on which it posts the statement and hyperlink required under the second paragraph of article 961.4.

As regards non-compliance with a measure included in the contract management policy, article 938.4 applies only in the case of a contract for which the awarding process began after the date as of which the measure was included in the policy.

2010, c. 1, s. 23; 2010, c. 18, s. 48.

Directions territoriales du ministère des Affaires municipales, des Régions et de l'Occupation du territoire

Outaouais (région 07)

Pierre Ricard, directeur

170, rue de l'Hôtel-de-Ville, 9^e, bureau 9.300
Gatineau (Québec) J8X 4C2

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Téléphone : 819 772-3006
Télécopieur : 819 772-3989
Courriel : Dr.Outaouais@mamrot.gouv.qc.ca

231-12-2010

IT WAS MOVED BY COUNCILOR Victort Bisson
AND UNANIMOUSLY RESOLVED

THAT council accepts the sale offer of Mr. Hervé Wolf of the property on Martineau Avenue, cadaster C01R02-31-E-2, adjacent to the Centennial Park, for an amount of \$ 400.00 and that the Municipality pays the taxes thereon in the amount of \$ 50.65 and that the Municipality has the responsibility of legal documents attached to this sale.

Carried

232-12-2010

IT WAS MOVED BY COUNCILOR Victor Bisson
AND UNANIMOUSLY RESOLVED

THAT council accepts the sale offer submitted by Allison W. Corrigan for the purchase of the Tractor Brand name White 2-105 for an amount of \$ 2,000.

Carried

233-12-2010

IT WAS MOVED BY COUNCILOR Nancy Dagenais
AND UNANIMOUSLY RESOLVED

THAT council offers to C.D.E. the purchase of the steel from the Beaudoin Bridge for an amount of \$ 5,000.

Votes: For 4 Against 3

Carried

234-12-2010

IT WAS MOVED BY COUNCILOR Victor Bisson
AND UNANIMOUSLY RESOLVED

THAT council agrees to pursue the nuisance complaint for the 381 Tessier, accumulation of junk, garbage and old cars (10 to 12 approximately) that a notice of cleaning be done within two weeks has been given , if not executed that Maître Michel Lafrenière handles the case for formal notice to the execution of the cleanup.

Carried

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235-12-2010

IT WAS MOVED BY COUNCILOR Claudia Dubeau
AND UNANIMOUSLY RESOLVED

THAT council mandate Mr. Maurice Richard and Mr. Richard Courchaine to intervene on private properties with a wildlife management permit.

Carried

236-12-2010

IT WAS MOVED BY COUNCILOR Victor Bisson
AND UNANIMOUSLY RESOLVED

THAT council approves the funds (about \$500) necessary for a Christmas dinner for the employees and the elected official with their spouses and transfer funds in the Christmas recognition account from account Roads – Gravel.

Carried

237-12-2010

IT WAS MOVED BY COUNCILOR Léon Lance
AND UNANIMOUSLY RESOLVED

THAT council mandates Mr. Constant Legault to survey the land where the Water Tower is located.

Carried

Fence going to the Water Tower, and for the Pomp House (Estimate) (\$ 5, 925.94 including Taxes)
Decision – Get other quotes.

Selection committee to hire an Administrative assistant:

Mayor Graham Hawley, Councilor Victor Bisson, Councilor Jacque Gauthier and Acting Director General Pierre Vaillancourt.

Divers / Varia

Mayor M. Graham Hawley :

Seat #1 M. Victor Bisson:

Breakfast Jan. 15, 2011 9 :30 a.m.

Seat #2 Mme Nancy Dagenais:

Lettering for the water tower, get quotes

Seat #3 M. Léon Lance :

Survey .

Seat #4 Mme Claudia Dubeau:

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Seat #5 M. Claude Piché: Street Lights Quaille and Richard Lance

Seat #6 M. Jacque Gauthier: Christmas Tree at monument

D.G Pierre Vaillancourt:

Information for Council Members

Building Inspector
(Total permit sold 12) permits (\$655)
Municipal Road Forman
Fire Chief (911)
appels
calls

Correspondence

22-11-2010	Tom Orr Cartige – Objet: Pontiac Transfer Station
30-11-2010	MRC PONTIAC - Beaudoin Bridge
30-11-2010	Communiqué UMQ –Ethic
07-12-2010	Service Beauchamp –Sale of fuel

238-12-2010

IT WAS MOVED BY COUNCILOR Léon Lance
AND UNANIMOUSLY RESOLVED

That the accounts be paid

Carried

CERTIFICATES OF FUNDS AVAILABLE FOR ACCOUNTS:

I, Pierre Vaillancourt, Acting Director General / Secretary-Treasurer, hereby certify that there are funds available for the purposes for which expenditures to total \$ 461 571.26 have been proposed.

Signed in Otter Lake, Quebec
This 7th day of December 2010.

PIERRE VAILLANCOURT, Acting D.G. / Secretary-Treasurer

Cheque		
No.	Payee	Amount
5019	Beauchamp Service	\$770.83
5020	Brigade de Feu Volontaire	\$78.00
5021	Bromley Farm Supply Ltd.	\$157.21
5022	C-Fer Outaouais	\$1 076.42
5023	CIMA	\$17 154.06

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5024	CMP Mayer Inc	\$1 507.45
5025	Corporate Express	\$171.03
5026	Courchaine, Richard	\$206.10
5027	Dale's Rona Hardware	\$317.61
5028	Diamond Carpet Cleaners	\$1 641.82
5029	Dicom Express	\$3.44
5030	Eastway Emergency Vehicles	\$49.80
5031	Entreprises Art Fleming & Fils Ltée	\$409 189.34
5032	Garage Roger Johnson	\$454.89
5033	Hawley, Graham	\$193.48
5034	Kerry Reasbeck	\$318.75
5035	L & S Extincteurs Enrg	\$731.54
5036	Laboratoire MicroB	\$743.84
5037	Municipality of Thorne	\$145.92
5038	Noël Rochette & Fils Inc.	\$2 466.32
5039	Otter Lake Fire Department	\$2 610.00
5040	Paul St-Jacques Inc.	\$1 619.99
5041	Petro Pontiac	\$478.80
5042	PG Solutions	\$236.98
5043	Pitney-Bowes Canada	\$282.18
5044	Pontiac Journal du Pontiac	\$62.08
5045	Pontiac Printshop	\$109.29
5046	R.G.P.L. avocats	\$1 169.40
5047	Richard, Maurice	\$98.10
5048	SOS Emergency Response Tech._	\$300.00
5049	Tom Orr Cartage Cosnt.	\$7 838.56
5050	W.O. Stinson & Son Ltd	\$3 585.67
5051	Xerox Canada Limited	\$432.16
5052	Courchaine, Richard	\$495.42
5053	Kluke, Sarah	\$256.97
5054	O'Malley, John	\$478.89
5055	Richard, Maurice	\$593.96
5056	Sabourin, Serge	\$362.50
5057	Vaillancourt Pierre	\$753.80
5058	O'Malley John	\$100.00
5059	Telebec	\$610.34
5060	Vadneau, Rodney	\$98.88
5061	Hydro-Quebec	\$1 619.44
		<u>\$461 571.26</u>

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239-12-2010

IT WAS MOVED BY COUNCILOR Claudia Dubeau
AND UNANIMOUSLY RESOLVED

That the next month accounts be paid by December 31st, and be reported at the next month meeting in January 2011, because of the change over from Simply accounting to PG Solutions.

Carried

Question Period 30 minutes

Picanoc Rd. to install No Parking sign

240-12-2010

IT WAS MOVED BY COUNCILOR Jacque Gauthier
AND UNANIMOUSLY RESOLVED

THAT the meeting be adjourned at 8:20 p.m.

Carried

GRAHAM HAWLEY, Mayor

PIERRE VAILLANCOURT, Acting Director General / Secretary-Treasurer