



No de résolution
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CANADA

HOLDING OF A PUBLIC MEETING

A **REGULAR MEETING** of the Municipal Council of Bury was held on **Monday, March 1st, 2010 at 7:30 p.m.** at the Bury Armoury Community Centre. Present were **Councillors Leona Hodge, Marilyn Matheson, Florence Fréchette, and Linda Harper McMahon, all members of the said Council** having been duly convened and forming quorum, under the chairmanship of Mayor Walter Dougherty and according to the provisions of the Municipal Code.

Councillors Terry Williams and Martin Jones are absent.

The Director General / Secretary-Treasurer, Yvan Fortin is present.

The Assistant Secretary –Treasurer, Karen Blouin is present.

AGENDA

1. **Opening**
2. **Adoption of the Agenda**
3. **Adoption of the Minutes**
 - 3.1 **Regular meeting of February 1st, 2010**
4. **1st public question period (general questions)**
5. **Mayor's Report**
 - 5.1 **Report of the Mayor's activities**
6. **Opening, analysis and/or acceptance of tenders**
 - 6.1 **Purchase of a backhoe**
7. **Information to Council and correspondence**

The Director General/Secretary-Treasurer reads the list of correspondence
8. **Reports of the Committees**
 - 8.1 **Administration**
 - 8.2 **Public Safety**
 - 8.3 **Leisure, sport and culture**
 - 8.4 **Public Work & Environment**
 - 8.5 **Town Planning and Development**
 - 8.6 **Golf**
9. **New Business**
 - 9.1 **Resolutions submitted for adoption**
 - 9.1.1 List of bills to pay
 - 9.1.2 Communication tower (Dudswell)
 - 9.1.3 Purchase of a lawn mower for the Pen-Y-Bryn golf club
 - 9.1.4 2010 sales for non-payment of municipal taxes
 - 9.1.5 Moved to 6.1
 - 9.1.6 Financial support for the Village culturel de l'Estrie
 - 9.1.7 Nomination to position 5 of the CCU
10. **Adoption of By-Laws**
 - 10.1 **Adoption of bylaw 407-2010 to decree that a loan be made to purchase a pumper tanker truck**
11. **Notices of motion to give**

Aucun
12. **Other issues and new items**

None
13. **2nd public question period (agenda items)**
14. **Information from Council members**
15. **Adjournment**
16. **Next regular meeting**

Tuesday, April 6th 2010, at 7:30 p.m., at the Armoury Community Centre (563 Main Street).



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1. Opening of the regular meeting

At 7:30 p.m., quorum verification and words of welcome

2. Adoption of the Agenda

Resolution # 2010-03-29

IT IS PROPOSED BY Councillor Linda Harper McMahon, seconded by Councillor Leona Hodge **TO ADOPT** the Agenda of the March 1st 2010 regular meeting, in which item 9.1.5, the purchase of a backhoe, is moved to item 6.1.

****ADOPTED UNANIMOUSLY BY MEMBERS IN ATTENDANCE****

3. Adoption of the Minutes

3.1 Regular meeting of February 1st 2010

Resolution # 2010-03-30

IT IS PROPOSED BY Councillor Florence Fréchette, seconded by Councillor Marilyn Matheson **AND CARRIED THAT** the French Minutes of the Regular Meeting of February 1st 2010 be approved and adopted as filed.

****ADOPTED UNANIMOUSLY BY MEMBERS IN ATTENDANCE****

4. 1st public question period (general questions)

Approximately 12 people attended the meeting. Some people voiced their comments.

5. Mayor's Report

5.1 Report of the Mayor's activities

The Mayor listed the local and regional (MRC) activities.

6. Opening, analysis and/or acceptance of tenders

6.1 Purchase of a backhoe

Resolution 2010-03-31

WHEREAS the Municipality of Bury wishes to add to its work services a new backhoe due to the dilapidated condition of the present 1994 Ford backhoe;

WHEREAS the repairs to the actual backhoe, according to preliminary estimates, would cost around 40 000\$ and that further repairs will become necessary as it surpasses 10 000 hours of operation after 16 years of use;

WHEREAS the complete document no. 2010-02-12, includes the request for tenders, schedule for tenders, the forms, the general and distinctive administrative clauses as well as the technical estimates were given to 5 suppliers;

WHEREAS the proposals received from those responding to the invitation of tenders were opened publically on Friday, February 26th 2010 at 2:00 p.m.;

WHEREAS a detailed analysis of each tender received was made by the administration according to the following three elements: *the conformity to the technical estimate; the price submitted for the backhoe and the cost of the options;*

WHEREAS the tenders following analysis and according to the options kept are as follows;

Wajax	88 450 \$
Nortax	90 575 \$
René Riendeau Inc.	92 880 \$
Hewitt Équipement Ltée.	109 122 \$



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THEREFORE, IT IS PROPOSED BY Councilor Linda Harper McMahon, seconded by Councilor Florence Frechette **AND CARRIED THAT** the Municipality accept the lowest conforming tender in the amount of 88 450 \$ presented by WAJAX for the purchase of a JCB backhoe, plus the option C for a guarantee power-train hydraulic backhoe parts and labour for an extra four years with a maximum of 5000 hours for \$3 733 for a grand total of \$92 183;

THAT the Municipality apply article 8 of the request document to the supplier allowing it to accept a rebate of \$4 500 for a 2009 backhoe identical to the 2010 tender;

THAT the Director-general be authorized to give an official purchase order with reference to the call for tenders and the tender which act as a contract The tender has approximately 45 days to deliver the backhoe from the date on the purchase order.

THAT the backhoe will only be accepted after a verification of all the items requested in the tender according to the estimate and this within the three (3) days following the delivery. The merchandise will be accepted by the Director-general.

THAT purchase price for the 2009 backhoe plus the extended 4 year guarantee option is \$87 683 plus taxes.

THAT the money for the payment be taken from the accumulated surplus of the Municipality.

**** ADOPTED UNANIMOUSLY BY THE MEMBERS PRESENT ****

7. Information to Council and correspondence

The Director General/Secretary-Treasurer reads the list of correspondence

8. Reports of the Committees

- 8.1 Administration
- 8.2 Public Safety
- 8.3 Leisure, sport and culture
- 8.4 Public Work & Environment
- 8.5 Town Planning and Development
- 8.6 Golf

9. New business

9.1.1 List of bills to be paid

Resolution # **2010-03-32**

CONSIDERING THAT according to By-Law 403-2008 regarding delegation of powers and rules for the control and follow-up of budget expenses, the Director General must prepare and periodically present to Council, at a regular meeting, a report detailing expenses he has authorized.

THEREFORE, IT IS PROPOSED BY Councillor Marilyn Matheson, seconded by Councillor Linda Harper McMahon **AND CARRIED THAT** the Municipal Council accepts the inclusion of authorized expenses with the list of accounts payable and the payment of corresponding bills totalling **132 717,43\$**.

THAT THE report be filed under number 03-2010 and be considered an integral part of the present minutes.

****ADOPTED UNANIMOUSLY BY MEMBERS IN ATTENDANCE****



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9.1.2 Communication tower (Dudswell)

Resolution # **2010-03-33**

WHEREAS the Municipality of Dudswell, neighbor of the Municipality of Bury, wishes to endow its fire services with a communication tower in order to offer this service to a larger area;

WHEREAS the tower could also serve the needs at the time of the unfolding of the internet services on the territory of the two municipalities;

WHEREAS the project for the tower on Brookbury Road respects the Town Planning by-law;

THEREFORE, IT IS PROPOSED BY Councillor Leona Hodge, seconded by Councillor Linda Harper McMahon **AND CARRIED THAT** the Municipal Council advise the CPTAQ that it supports the tower project of the Municipality of Dudswell, which will be set up on the territory of the Municipality of Bury.

****ADOPTED UNANIMOUSLY BY MEMBERS IN ATTENDANCE****

9.1.3 Purchase of a lawn mower for the Pen-Y-Bryn golf club

Resolution # **2010-03-34**

WHEREAS the mower at the municipal golf course must be replaced;

WHEREAS after contact with suppliers a used 2006 mower with 1050 hours of usage and with a one year guarantee was found;

WHEREAS the acquiring of this during the winter season allows for the purchase at a very competitive price;

WHEREAS this purchase is foreseen in the Triennial Budget Estimates for 2010-2011-2012.

THEREFORE, IT IS PROPOSED BY Councillor Marilyn Matheson, seconded by Councillor Leona Hodge **AND CARRIED TO** authorize an amount of 23 100\$ plus taxes in order to acquire the John Deere diesel 3245c used mower including five cutting platforms and conforming to the tender presented by Lagüe golf et gazon.

THAT the money necessary for this purchase be taken from the accumulated surplus of the Municipality.

****ADOPTED UNANIMOUSLY BY MEMBERS IN ATTENDANCE****

9.1.4 2010 sales for non-payment of municipal taxes

Resolution # **2010-03-35**

WHEREAS the MRC du Haut-Saint-François will hold the sale for taxes on Thursday, June 10 2010;

WHEREAS according to the obligatory procedure, the Secretary-treasurer of the Municipality of Bury must during the month of February of each year prepare a list of all persons owing taxes to the Municipality;

WHEREAS the Secretary-treasurer has advised the owners in default by registered mail on February 11, 2010;



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THEREFORE, IT IS PROPOSED BY Councillor Leona Hodge, seconded by Councillor Florence Frechette **THAT** the Municipality of Bury ask the MRC du Haut-Saint-François to sell for non payment of taxes the following properties in arrears.

Name	Municipal Taxes	School Taxes	Total
Pierre Labrie	542,61\$	\$	542.61\$
Total	542,61\$	\$	542.61\$

****ADOPTED UNANIMOUSLY BY MEMBERS IN ATTENDANCE****

9.1.5 Moved to 6.1

9.1.6 Financial support to the Village culturel de l'Estrie
Resolution # 2010-03-36

IT IS PROPOSED BY Councillor Marilyn Matheson seconded by Councillor Linda Harper McMahon, **THAT** the Municipality of Bury authorizes the payment of a donation of 75\$ to the Corporation du Village culturel de l'Estrie for the organization of the 15th *Happening Jeunesse Culturel de l'Estrie* in order to facilitate cultural experiences with adolescents of 12 to 17 years of which three from Bury benefitted in 2009.

****ADOPTED UNANIMOUSLY BY MEMBERS IN ATTENDANCE****

9.1.7 Nomination to position number 5 of the CCU
Resolution # 2010-03-37

WHEREAS there is need to replace Mr. Normand Cyr the member who after being named in Resolution 2010-01-11 on January resigned from Seat Number 5 of the Town Planning Advisory Committee;

THEREFORE, IT IS PROPOSED BY Councillor Marilyn Matheson seconded by Councillor Florence Frechette **THAT** Mr. Guy Chagnon be named to fill the seat left vacant following the resignation of the member to Seat Number 5.

THAT the mandate of Mr. Chagnon is until the 1st Monday of December 2011 as foreseen in the By Law creating the Town Planning Advisory Committee (CCU).

THAT the Municipal Council thanks Mr. Cyr for his previous mandate on the Town Planning Advisory Committee (CCU).

****ADOPTED UNANIMOUSLY BY MEMBERS IN ATTENDANCE****

10. Adoption of By-Laws

10.1 Adoption of by-law 407-2010 to decree that a loan be made to purchase a pumper tanker truck

Resolution # 2010-03-38

WHEREAS the Municipality wishes to borrow to purchase a tanker pumper truck which will be rented to the Centre de gestion de l'équipement roulant (CEGER) and for the financial advantages it gives.

IT IS PROPOSED BY Councillor Florence Frechette seconded by Councillor Linda Harper McMahon **THAT** the Municipality adopt BY Law 407-2010 in



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order to get a loan to purchase a tanker pumper truck and authorizes a loan of 232 486\$.

11. Notices of motion to give

None

12. Other issues and new items

None

13. 2nd public question period (agenda items)

The 2nd question period takes place

14. Information from Council members

The Council members each speak individually.

15. Adjournment

Adjournment of the assembly; it is proposed by Councillor Leona Hodge **THAT** the assembly be adjourned, at 8:40 p.m.

Certificate of sufficient funds:

I, Yvan Fortin Director General / Secretary-Treasurer, certified by the present that the funds are sufficient for the payable amount in these **Resolutions 2010-03-31, 2010-03-32, 2010-03-34, 2010-03-36, and 2010-03-38**

Signed this March 2nd 2010

Yvan Fortin, Director General / Secretary-Treasurer

Walter Dougherty, Mayor

Yvan Fortin, Director General / Secretary-Treasurer