

Municipality of Morin-Heights

**PROVINCE OF QUEBEC
ARGENTEUIL COUNTY
MRC DES PAYS D’EN-HAUT**

MINUTES

*In case of discrepancy, the French version prevails over the
English translation.*

Minutes of the regular session of the Municipal council of Morin-Heights held at Chalet Bellevue at 27, rue Bellevue on Wednesday, February 8th, 2023 at which were present:

- Councillor Gilles Saulnier
- Councillor Louise Cossette
- Councillor Claude P. Lemire
- Councillor Carole Patenaude
- Councillor Peter MacLaurin
- Councillor Leigh MacLeod

forming quorum under the chairmanship of Mayor Timothy Watchorn.

The Director general, Mr. Hugo Lépine is present.

At 19:30, the Mayor states quorum, and Council deliberates on the following dossiers;

31.02.23 ADOPTION OF THE AGENDA

It is proposed by Councillor Carole Patenaude
And unanimously resolved by all councillors:

TO ADOPT the agenda as presented by Director general.

AGENDA

- | | |
|----------|---|
| 1 | OPENING OF THE MEETING AND WORD OF WELCOME |
| 2 | ADOPTION OF THE AGENDA |
| 3 | APPROVAL OF THE MINUTES |
| 3 1 | Minutes of the regular meeting of January 18 th , 2023 |
| 3 2 | Minutes of the local heritage council meeting of January 24 th , 2023 |
| 3 3 | Minutes of the Environment advisory committee meeting of February 2 nd , 2023 |
| 3 4 | Minutes of correction – By-law 653-2022 regarding taxes, tariffs, service and compensation fees for the 2023 financial year |
| 4 | DIRECTOR GENERAL’S MONTHLY REPORT |
| 4 1 | Report regarding the follow-up of dossiers |
| 4 2 | Report regarding the use of delegated power |
| 4 3 | Report regarding budgetary transfers |

Municipality of Morin-Heights

5		FINANCES AND ADMINISTRATION
5	1	Expense statements
5	2	Statement of financial activities
5	3	Human resources
5	4	By-laws and various resolutions
5	4 1	Adoption of By-law (655-2023) modifying By-law (577-2019) regarding financial administration to update certain provisions regarding spending authorities and delegations of authority
5	4 2	Adoption of By-law (658-2023) modifying By-law (571-2019) regarding contractual management for the operation of selection committees and the creation of the supplier file
5	4 3	Adoption of By-law (659-2023) regarding real estate transfers
5	4 4	Adoption of By-law (660-2023) providing funding for the acquisition of lots 3 736 572, 3 923 313, 3 737 105, 4 474 782, 3 735 925 and 3 735 850 and the decree of a loan
5	4 5	Authorization to publish a right of first refusal notice for lots 3 737 991 and 5 491 369
5	4 6	Termination – Agreement for prosecution of certain criminal offences in the municipal court of Sainte-Adèle
5	4 7	Vote and appropriation of additional funds for the replacement of the fire department's digital tablets
6		PUBLIC AND FIRE SAFETY
6	1	Director's monthly report
6	2	Sûreté du Québec police department's activity report
6	3	Human resources
6	4	By-laws and various resolutions
7		PUBLIC WORKS AND INFRASTRUCTURES
7	1	Director's monthly report
7	2	Public works, buildings and facilities
7	2 1	Contract – engineering services – paving and waterworks 2023
7	2 2	Contract – purchase of a new 2023 pick-up truck – rejection of offers
7	2 3	Contract – street sweeping – 2023 renewal
7	2 4	2023 Financial assistance agreement – local roads assistance program (PAVL) – recovery section
7	2 5	Final acceptance – contract – repair work – Watchorn road
7	3	Environmental hygiene
7	3 1	Provisional acceptance – contract – replacement of the aqueduct – Domaine Beaulieu
7	4	Report regarding the treatment of petitions and requests
7	5	Human resources
7	5 1	Creation of horticultural positions
7	5 2	Hiring of two full-time seasonal horticulturists
7	5 3	Conversion of the civil engineering technician position to project manager
7	6	By-laws and various resolutions
7	6 1	Commitment – roads authorization – Act respecting roads
8		URBANISM AND ENVIRONMENT
8	1	Director's monthly report
8	2	Report regarding permits and certificates
8	3	Animal protection and control society's activity report
8	4	Minor exemption and SPAIP
8	5	Human resources
8	6	By-laws and various resolutions

Municipality of Morin-Heights

- 861
- Adoption - (656-2023) which modifies By-law (567-2019) on the environment advisory committee regarding the method of determining the committee president
- 862
- Adoption - By-law (657-2023) regarding pesticides and fertilizers
- 9
- RECREATION, CULTURE AND COMMUNITY LIFE
- 91
- Director's monthly report
- 92
- Recreation
- 921
- Grant application - Fondation de la Faune du Québec - grassroots fishing program
- 922
- Grant application - support to local and regional development competence - Region and Rurality Fund
- 93
- Culture
- 931
- Nominations - local heritage council
- 94
- Outdoor network
- 95
- Events
- 96
- Human resources
- 961
- Hiring of the coordinator, sports and events
- 97
- By-laws and various resolutions
- 971
- Acquisition of lot 6 491 849 on du Sommet road
- 10
- MONTHLY CORRESPONDENCE
- 11
- COUNCILLORS' DECLARATION
- 12
- MAYOR'S REPORT
- 13
- QUESTION PERIOD
- 131
- Oral questions and answers
- 132
- Written questions and answers
- END OF THE MEETING

32.02.23

MINUTES OF THE REGULAR MEETING OF JANUARY 18TH, 2023

The minutes of the regular meeting of January 18th, 2023 were notified to Council members, by means of the electronic assembly file folder.

Councillor Gilles Saulnier asks that the following sentence be removed from his statement at the time of his statement of January 18th: « He expresses his satisfaction on the clarifications obtained on certain amendments made in a particular zone. » .

Council is in agreement.

It is proposed by Councillor Peter MacLaurin
And unanimously resolved by all councillors:

TO ADOPT the minutes of the regular meeting of January 18th, 2023 as amended;

33.02.23

MINUTES OF THE LOCAL HERITAGE COUNCIL MEETING OF JANUARY 24TH, 2023

The Director general presents the minutes of the local heritage council meeting of January 24th, 2023 via the electronic file;

Municipality of Morin-Heights

It is proposed by Councillor Peter MacLaurin

And unanimously resolved by all councillors:

TO ADOPT the minutes of the local heritage council meeting of January 24th, 2023 and make the pertinent recommendations.

34.02.23 MINUTES OF THE ENVIRONMENT ADVISORY COMMITTEE MEETING OF FEBRUARY 2ND, 2023

The Director general presents the minutes of the latest environment advisory committee meeting of February 2nd, 2023 via the electronic file;

It is proposed by Councillor Gilles Saulnier

And unanimously resolved by all councillors:

TO ADOPT the minutes of the latest environment advisory committee meeting of February 2nd, 2023 and make the pertinent recommendations.

35.02.23 MINUTES OF CORRECTION OF BY-LAW 653-2022 REGARDING TAXES, TARIFFS, SERVICE AND COMPENSATION FEES FOR THE 2023 FINANCIAL YEAR

Minutes of correction of By-law 653-2022;

In accordance to Article 202.1 C.M., the Director general presents the municipal council with the following minutes of correction for By-law 653-2022 as it appears in the documents submitted to the municipal council.

36.02.23 DIRECTOR GENERAL'S MONTHLY REPORT

The Director general presents his monthly follow-up report as well as the report regarding the use of delegated power as per By-law (577-2019) regarding financial administration.

37.02.23 REPORT REGARDING THE FOLLOW-UP OF DOSSIERS

The Director general presents his monthly activities report.

38.02.23 REPORT REGARDING THE USE OF DELEGATED POWER

The Director general presents his monthly report regarding the use of his delegated power in accordance to Article 11 of By-law (577-2019) regarding financial administration.

Municipality of Morin-Heights

39.02.23 REPORT REGARDING BUDGETARY TRANSFERS

In accordance with By-law (577-2019) regarding financial administration, the Director General tables a report on the budget transfers authorized during the last month.

40.02.23 EXPENSE STATEMENT

The list of accounts payable and accounts paid during the month of January 2023 as well as the list of accounts to December 31st, 2022 were given to Council members by means of the electronic assembly as well as the list of authorized expenses for the month as per By-law (577-2019) regarding financial administration.

Councillor Claude P. Lemire studied the dossier.

It is proposed by Councillor Claude P. Lemire
And unanimously resolved by all councillors:

TO APPROVE the accounts as detailed on the lists presented.

Expense statements from January 1 st to 31 st , 2023	
Accounts to be paid	\$ 801 180.00
Accounts paid in advance	\$ 230 128,00
Total purchases	\$1 031,308.00
Direct bank payments	\$ 1 748.00
Sub-total – purchases and direct payments	\$ 1 033,056.00
Net salaries	\$ 217 705.00
GRAND TOTAL (January 2023)	\$ 1 250,761.00

Expense statements to December 31 st , 2022	
Accounts to be paid	\$ 292 833.00
Accounts paid in advance	-
Total purchases	\$ 292 883.00
Direct bank payments	-
Sub-total – purchases and direct payments	\$ 292 883.00
Net salaries	
GRAND TOTAL (December 31 st , 2022)	\$ 292,883.00

Mayor Timothy Watchorn has denounced his employment with the company 9129-6558 Québec Inc. – known as David Riddell Excavation / Transport, has refrained from voting, left the premises during deliberations and has not taken part in the discussions regarding the dossier pertaining to the company.

TO AUTHORIZE the Mayor and the Director general are authorized to make the appropriate payments;

Municipality of Morin-Heights

41.02.23 STATEMENT OF FINANCIAL ACTIVITIES

The Director general presents Council who acknowledges receipt of the statement of financial activities to January 31st, 2023 and comments on them.

42.02.23 ADOPTION OF BY-LAW (655-2023) MODIFYING BY-LAW (577-2019) REGARDING FINANCIAL ADMINISTRATION TO UPDATE CERTAIN PROVISIONS REGARDING SPENDING AUTHORITIES AND DELEGATIONS OF AUTHORITY

The Director general presents the draft by-law and gives a summary of the by-law and informs Council about the adoption procedure.

It is proposed by Councillor Claude P. Lemire
And unanimously resolved by all councillors:

TO ADOPT the French and English versions of By-law (655-2023) modifying By-law (577-2019) regarding financial administration to update certain provisions regarding spending authorities and delegations of authority as follows:

**By-law 655-2023
modifying By-law (577-2019) regarding financial administration to
update certain provisions regarding spending authorities and
delegations of authority**

EXPLANATORY NOTE

The purpose of this by-law is to update By-law (577-2019) regarding financial administration to increase certain spending authority limits for certain department heads.

It grants the Director general a delegation of authority from Council to assign a municipal employee to support advisory committees.

WHEREAS articles 212.1, 960.1 and 961.1 of the Quebec Municipal Code regarding budgetary control and monitoring rules, delegations of powers and related reporting;

CONSIDERING THAT, in accordance with Article 961 of the Quebec Municipal Code, a by-law or a resolution of the Council authorizing an expenditure has no effect unless, in accordance with the by-law adopted under the second paragraph of Article 960.1, credits are available for the purposes for which the expenditure is planned;

Municipality of Morin-Heights

CONSIDERING THAT, in accordance with the fourth paragraph of section 961.1 of the Quebec Municipal Code, an expenditure authorization granted under a delegation of powers has no effect unless, in accordance with the by-law adopted under the second paragraph of section 960.1, credits are available for this purpose;

WHEREAS amendments are necessary to update certain levels of delegation of spending authority in accordance with the administrative reorganization of the Recreation, culture and community life department;

WHEREAS a notice of motion was given by Councillor Claude P. Lemire at the regular Council meeting of January 18th, 2023 and this draft by-law was tabled;

CONSEQUENTLY, the municipal council decrees the following:

CHAPTER 1 : INTRODUCTORY PROVISIONS

1. ***Goal*** – The purpose of this by-law is to update the Director's spending authorities and to allow the Director general to assign a municipal employee to support advisory committees.
2. ***Purpose*** – The provisions of the by-law shall be interpreted to provide for the efficient administration of public funds in the face of increased activity in the municipal government.

CHAPTER 2 : AMENDING PROVISIONS

3. ***Expenditure authorizations*** – Article 9 is modified to increase the expenditure authorization amounts to the following :

a) The director general	\$ 27,500
b) The Director, Finance and administration	\$ 7,500
c) The Director, public works and infrastructures	\$ 17,500
d) The Director, Urbanism and environment	\$ 7,500
e) The Director, Recreation, culture and community life	\$ 9,000

4. ***Authority to appoint resource persons*** – The by-law is amended by adding the following after Article 15 :

« 15.1 ***Support for advisory committees*** – The director general may, notwithstanding Article 7 of By-law (463) regarding the planning advisory committee, Article 14 of By-law (567-2019) regarding the environment advisory committee and Article 6 of By-law (622-2021) regarding the local heritage committee, assign a municipal employee to support such committees in their mandates and functions. »

CHAPTER 3 : FINAL PROVISION

5. *Entering into effect* - The present by-law enters into effect in accordance to the Law.

<hr/>	<hr/>
Tim Watchorn	Hugo Lépine
Mayor	Director general / registrar-treasurer

43.02.23 ADOPTION OF BY-LAW (658-2023) MODIFYING BY-LAW (571-2019) REGARDING CONTRACTUAL MANAGEMENT FOR THE OPERATION OF SELECTION COMMITTEES AND THE CREATION OF THE SUPPLIER FILE

The Director general presents the draft by-law and gives a summary of the by-law and informs Council about the adoption procedure.

It is proposed by Councillor Carole Patenaude
And unanimously resolved by all councillors:

TO ADOPT the French and English versions of By-law (658-2023) modifying By-law (571-2019) regarding contractual management for the operation of selection committees and the creation of the supplier file as follows:

By-law 658-2023
modifying By-law (571-2019) regarding contractual management for the operation of selection committees and the creation of the supplier file

EXPLANATORY NOTE

This by-law amends By-law (571-2019) regarding contractual management to extend the provisions of the by-law relating to selection committees to all public or invitational tenders required by law to be appointed.

It adds requirements for persons appointed to a selection committee to maintain their integrity and the integrity of the contracting process and to ensure their independence and impartiality.

It prescribes mandatory responsibilities for selection committee members to fulfill during their term.

The regulation defines the duties of the secretary of a selection committee and provides that he or she is the only person authorized to contact any bidder for clarification of a bid, in accordance with the regulation and the law.

Finally, the by-law provides for the creation of a suppliers' file for contracts by mutual agreement as well as those awarded following a call for tenders by invitation in order to, among other things, ensure a better application of the Municipality's Purchasing and Supply Policy.

Municipality of Morin-Heights

WHEREAS the Purchasing Policy provides for a process of solicitation of quotations for various types of supply contracts;

WHEREAS Council wishes to better supervise the operation of selection committees for certain calls for tenders;

CONSIDERING THAT Council wishes to promote the rotation of suppliers for direct agreement contracts by establishing a supplier file;

CONSIDERING By-law 571-2019 on contract management;

WHEREAS a notice of motion was given by Councillor Carole Patenaude at the regular Council meeting of January 18th, 2023 and this draft by-law was tabled and explained;

CONSEQUENTLY, the municipal council decrees the following:

CHAPTER 1 : INTRODUCTORY PROVISIONS

1. ***Goal*** – The purpose of this by-law is to add regulatory means for a better application of the Purchasing and supply policy and to provide a more adequate framework for the selection committees and their operation.

2. ***Objective*** – The provisions of the by-law must be interpreted in such a way as to ensure better application of the Purchasing Policy through more transparent and open management of the Municipality's suppliers, to facilitate the process of requesting quotes for municipal services and to allow for better operation of the selection committees in accordance with good governance practices in this area.

CHAPTER 2 : AMENDING PROVISIONS

3. ***Supplier management*** – Chapter 3 of the by-law is amended by adding the following after Article 5 :

« 5.1 ***Central registry*** – The Municipality shall establish a central registry of suppliers in its financial system.

5.2 ***Access to file*** – A person may register as a supplier by accessing the supplier portal on the Town's website.

5.3 ***Identification of products and services*** – The supplier must identify the products or services it provides. »

4. ***Selection committees for certain calls for tenders by invitation*** – Chapter 4 of the by-law is amended by adding the following after Article 9.3 :

Municipality of Morin-Heights

« 9.4 ***Selection committees*** – Where the Law requires the appointment of a selection committee, Articles 12 and following apply with necessary modifications. »

5. ***Requirements for members of a selection committee*** – Paragraph A of paragraph 1 of Article 14 is amended by adding the following after subparagraph iii:

- « iv) act faithfully and in accordance with the terms of reference;
- v) preserve the identity of the members of the selection committee;
- vi) have no direct or indirect interest in the outcome of the contract award process;
- vii) will advise the secretary of the selection committee if a bidding company contacts them in order to obtain privileged information or to attempt to influence the decision of the selection committee. ».

6. ***Duties and communications of the secretary of the selection committee*** – Chapter 5 of By-law (571-2019) regarding contractual management is amended by adding the following after Article 16 :

« 16.1 ***Duties of the selection committee secretary*** – The selection committee secretary must :

- a) communicate the names of bidders and their subcontractors to the members of the selection committee as soon as they are known. This will ensure that if a committee member has a conflict of interest, a replacement can be found at the compliance analysis stage;
- b) ensure that members are not in conflict of interest with bidders;
- c) ensure that members understand what is required in the tender documents;
- d) verify that only those bids deemed compliant at the compliance analysis stage are forwarded to the selection committee;
- e) prepare the tender analysis file by considering the call for tenders documents, the tenders received that were deemed compliant, the preliminary analysis grid, the scoring scale, the selection criteria and the elements of non-compliance (explain, among other things, the notion of restrictive or conditional tenders, since a tender that is a priori compliant could become non-compliant), as well as the summary of the selection committee's responsibilities;
- f) hold, if necessary, a preliminary meeting of the members - the meeting can be held by telephone - (reminder of the evaluation instructions, handing over of the tender analysis file and presentation of the mandate, the objectives of the call for tenders and certain technical specifications to allow for a better analysis in relation to the chosen criteria) and collect the commitment forms signed by the members;

Municipality of Morin-Heights

- g) facilitate and supervise the work of the members during the selection committee meetings (ensure that each member has completed his or her preliminary analysis separately, ensure that there are no other elements of non-compliance identified by the members, ensure that everyone participates and that speaking rights are respected, aim for a consensus in assigning scores, transcribe all the results obtained as well as the strengths and weaknesses of each of the criteria);
- h) Open the envelopes containing the prices of the bids with a score of 70% or more and calculate the final score after allocation of the intermediate score;
- i) have all committee members sign the evaluation grid;
- j) collect all worksheets and personal notes from each member (initialed by the member);
- k) produce the report for the board and close the committee (all documents must be signed).

16.2 ***Communications for clarification*** – The secretary of the selection committee may, in the case where he/she is the designated person in charge of the call for tenders by the Municipality, contact a bidder to request a clarification during the qualitative analysis process of the tenders ».

7. ***Responsibilities of selection committee members*** – Chapter 5 of By-law (571-2019) regarding contractual management is amended by adding the following after Article 15 :

« 15.1 ***Responsibilities of selection committee members*** – The members of any selection committee shall :

- a) take the necessary precautions to keep the documents given by the secretary of the selection committee in a safe place to preserve their completeness and confidentiality;
- b) ensure the quality and impartiality of the evaluation of the bids by objectively analyzing the bids against the quality criteria;
- c) ensure that it fully understands the tender documents and addenda before conducting the preliminary analysis separately, particularly the description of the requirements, the evaluation criteria and the quality elements attached to them, and then seek to determine what the bids offer in terms of meeting these criteria and elements;
- d) refrain from communicating with each other as it is understood at this stage that they are forming their own opinion on the quality of each bid;

Municipality of Morin-Heights

- e) analyze the bids, without comparing them to each other, on the basis of what is stated in the bid, and disregard anything they may know about the bidder and anything not relevant to the analysis;
- f) continue the analysis if items of non-compliance are found in the bids. Note these items and notify the selection committee secretary immediately;
- g) assign a score of zero to a criterion or sub-criterion if the information is not found in the bid being analyzed;
- h) complete the preliminary analysis prior to the selection committee meeting;
- i) document in writing, on the document provided by the municipality, the evaluation of the bids with comments and references for the committee's deliberations;
- j) not go back and change a rating once the bid analysis is complete (to avoid comparison between bids);
- k) evaluate all submissions and be present at all times during committee deliberations;
- l) participate in the committee's deliberations in an active and objective manner;
- m) provide the secretary with the bids and notes taken during the analysis;
- n) respect the confidentiality of documents and deliberations. ».

CHAPTER 3 : FINAL PROVISIONS

- 8. ***Entering into effect of Article 3*** – Article 3 of the by-law enters into effect on July 1st, 2023.
- 9. ***Entering into effect*** – The present by-law enters into effect in accordance to the Law.

Tim Watchorn
Mayor

Hugo Lépine
Director general / registrar-treasurer

44.02.23 ADOPTION OF BY-LAW (659-2023) REGARDING REAL ESTATE TRANSFERS

The Director general presents the draft by-law and gives a summary of the by-law and informs Council about the adoption procedure.

Municipality of Morin-Heights

It is proposed by Councillor Gilles Saulnier

And unanimously resolved by all councillors:

TO ADOPT the French and English versions of By-law (659-2023) regarding real estate transfers as follows:

By-law 659-2023 Regarding real estate transfers

EXPLANATORY NOTE

The by-law concerns the exercise of the powers devolved to municipalities under the Act respecting duties on transfers of immovables (RLRQ, c. D-15.1), more specifically paragraph 2 of Article 2 concerning immovables whose tax base exceeds \$ 500,000.

It creates a bracket for immovables whose tax base exceeds \$ 1,000,000.

In addition, the regulation provides, in accordance with Chapter III.1 of the Act, for a supplementary fee, in the amount provided for in section 20.4 of the Act.

WHEREAS municipal council may, pursuant to and in accordance with the Act respecting duties on transfers of immovables (RLRQ, c. D-15.1) prescribe a rate of transfer duties for immovables whose tax base exceeds \$ 500,000;

CONSIDERING THAT this same Act allows for the imposition of a surrogate duty on exempt property;

WHEREAS a notice of motion was given by Councillor Gilles Saulnier at the regular meeting of January 18th, 2023;

WHEREAS the draft by-law was presented to Council and explained by the Director general at the regular council meeting of January 18th, 2023;

CONSEQUENTLY, the municipal council decrees the following:

CHAPTER 1: INTRODUCTORY PROVISIONS

1. **Goal** – The purpose of this by-law is to exercise the powers vested in municipalities under the Act respecting duties on transfers of immovables.
2. **Objectives** – The objectives of the by-law are to create a tax bracket for properties with a tax base in excess of \$ 1 000 000 and to provide for an alternate charge for exempt properties.
3. **Definitions** – In this by-law, unless the context indicates otherwise, the following terms are defined as follows:

Municipality of Morin-Heights

Tax base : the tax base for transfer tax as defined in the second paragraph of section 2 of the Act;

Act : the Act respecting duties on transfers of immovables (RLRQ, ch.. D-15.1);

Transfer of ownership : a transfer of ownership as defined in section 1 of the Act;

CHAPTER 2: TAX BRACKETS AND ALTERNATIVE LAW

4. ***Tax brackets*** – The following rates shall apply to the following transfer tax bases :

- a) On the portion of the tax base not exceeding \$ 50, 400 : 0,5%;
- b) On the portion of the tax base exceeding \$ 50,400 but not exceeding \$ 251,800 : 1%;
- c) On the tax bracket that exceeds \$ 251,800 but does not exceed \$ 499,999 : 1,5%;
- d) On the tax bracket that exceeds \$ 499,999 but does not exceed \$ 999,999 : 2,5%;
- e) On the tax bracket that equals or exceeds \$ 1 000,000\$: 3%.

5. ***Special duties*** – A special duty on the transfer of real estate property shall be imposed and levied in accordance with the Act where an exemption provided for in the Act deprives the Municipality of the duty on the transfer of property in accordance with sections 19.1 and following of the Act.

In addition to the exemptions provided for in section 20 of the Act, the substitute duty need not be imposed and levied where the transfer results from the death of the transferor pursuant to paragraph d of subsection 1 of section 20 of the Act.

CHAPTER 3: TRANSITIONAL AND FINAL PROVISIONS

6. ***Repeals and replacements*** – The by-law replaces and repeals By-law (553-2018) regarding real estate transfers.

7. ***Entering into effect*** – The by-law enters into effect in accordance to the Law.

Tim Watchorn
Mayor

Hugo Lépine
Director general / Registrar-treasurer

Municipality of Morin-Heights

**45.02.23 ADOPTION OF BY-LAW (660-2023) PROVIDING FUNDING FOR
THE ACQUISITION OF LOTS 3 736 572, 3 923 313, 3 737 105,
4 474 782, 3 735 925 AND 3 735 850 AND THE DECREE OF
A LOAN**

The Director general presents the draft by-law and gives a summary of the by-law and informs Council about the adoption procedure.

It is proposed by Councillor Peter MacLaurin
And unanimously resolved by all councillors:

TO ADOPT the French and English versions of By-law (660-2023) providing funding for the acquisition of lots 3 736 572, 3 923 313, 3 737 105, 4 474 782, 3 735 925 and 3 735 850 and the decree of a loan as follows:

**By-law 660-2023
providing funding for the acquisition of lots 3 736 572, 3 923 313,
3 737 105, 4 474 782, 3 735 925 and 3 735 850
and the decree of a loan**

EXPLANATORY NOTE

This by-law decrees a loan to provide funding for the purchase of certain lots for municipal purposes.

It provides for the terms and conditions.

CONSIDERING articles 1060.1 and following of the Quebec Municipal Code (RLRQ, ch. C-27.1);

CONSIDERING the Municipality's 2023-2024-2025 three-year capital expenditure program;

CONSIDERING THAT the Municipality wishes to proceed with the acquisition for municipal purposes, of a series of lots located within the village core;

WHEREAS a notice of motion was given by Councillor Pete MacLaurin at the regular council meeting of January 18th, 2023;

WHEREAS THAT the present by-law was tabled and presented at the regular meeting of January 18th, 2023 ;

CONSEQUENTLY, the municipal council decrees the following :

CHAPTER I : INTRODUCTORY PROVISIONS

1. ***Preamble*** – The preamble forms an integral part hereof.

Municipality of Morin-Heights

2. **Authorized acquisition** – Council authorizes the acquisition of various lots, as listed in Annex A prepared by Mr. Michel Grenier, director of Finances and administration, evaluated at \$ 2 655,000 .

CHAPTER II : LOAN AND EXPENSES

3. **Authorized loan** - For the purpose of paying the expenses provided for in this by-law, Council authorizes a loan in the amount of \$2,655,000, repayable over a period of 20 years.

4. **Authorized expenditure** – An expenditure of \$2,655,000 million dollars (\$ 2,655.000) is authorized for the purposes of this by-law.

5. **Appropriation to the reduction of the loan** - The Council appropriates to the reduction of the loan decreed by this by-law any contribution or grant that may be made to it for the payment of part or all of the expenditure decreed by this by-law.

6. **Levy and imposition of tax** - To provide for the expenses incurred with regards to the interests and the reimbursement in capital of the annual loan payments, it is by the present by-law imposed and it will be levied, annually, during the term of the loan, on all taxable properties on the territory of the municipality, a special tax at a sufficient rate according to their value as it appears on the evaluation roll in effect each year.

7. **Use of surplus** - If the amount of an appropriation authorized by this by-law is greater than the amount actually spent in relation to this appropriation, Council is authorized to use this surplus to pay any other expenditure decreed by this by-law and for which the appropriation would be insufficient.

CHAPTER III : FINAL PROVISIONS

8. **Entering into effect** – The present by-law enters into effect in accordance to the Law.

Tim Watchorn
Mayor

Hugo Lépine
Director general / Registrar-treasurer

46.02.23 AUTHORIZATION TO PUBLISH A RIGHT OF FIRST REFUSAL
NOTICE FOR LOTS 3 737 991 AND 5 491 369

WHEREAS THAT Article 5 of By-law (640-2022) on the exercise of the right of first refusal on an immovable in the territory provides that it is by resolution that the council must designate an immovable affected by it;

Municipality of Morin-Heights

TAKING INTO ACCOUNT its Environmental and Ecological Transition Policy which provides for an increase in the number of protected areas on the territory;

CONSIDERING THAT lots 3 737 991 and 5 491 369 constitute large properties totalling 48 008.2 square metres almost entirely in their natural state;

CONSIDERING THAT the Municipality may have an interest in acquiring these properties for any of the municipal purposes set out in Article 4 of the above-mentioned by-law;

It is proposed by Councillor Louise Cossette
IT IS RESOLVED:

THAT the preamble is an integral part of the present by-law;

TO SUBJECT lots 3 737 991 and 5 491 369 to a right of first refusal in accordance with the terms and conditions set out in sections 5 and following of By-law (640-2022) respecting the exercise of the right of first refusal on an immovable within the territory;

TO MANDATE AND AUTHORIZE the Mayor and the Director General, and they are hereby mandated and authorized, to act on this resolution, including the awarding of contracts for professional services to register the rights of first refusal, to the extent and in accordance with the provisions of the regulations in force in such matters;

47.02.23 TERMINATION – AGREEMENT FOR PROSECUTION OF CERTAIN CRIMINAL OFFENCES IN THE MUNICIPAL COURT OF SAINTE-ADÈLE

WHEREAS the By-law (153-1992) authorizing the conclusion of an agreement for the establishment of a common municipal court;

WHEREAS the signing of the Agreement with the Government of Quebec for the prosecution of certain criminal offences in the Municipal Court of Sainte-Adèle and the allocation of fines pursuant to section 734.4(3)(a) of the Criminal Code on July 28th, 2019 for a period of two (2) years;

WHEREAS the notice of termination of the Agreement for the prosecution of certain criminal offences in the Municipal Court of Sainte-Adèle and the allocation of fines pursuant to Section 734.4(3)(a) of the Criminal Code sent by the City of Sainte-Adèle to the Department of Justice and the Director of Criminal and Penal Prosecutions;

WHEREAS each municipality party to the agreement must terminate the agreement in order to give full effect to the notice sent by the City of Sainte-Adèle;

Municipality of Morin-Heights

It is proposed by Councillor Leigh MacLeod

IT IS RESOLVED:

TO NOTIFY the Minister of Justice and the Director of Criminal and Penal Prosecutions that the Municipality of Morin-Heights wishes to terminate the Agreement relating to the prosecution of certain criminal offences before the Municipal Court of Sainte-Adèle and the allocation of fines in accordance with section 734.4(3)a) of the Criminal Code;

48.02.23 VOTE AND APPROPRIATION OF ADDITIONAL FUNDS FOR
THE REPLACEMENT OF THE FIRE DEPARTMENT'S DIGITAL
TABLETS

WHEREAS, the Fire Department's two digital tablets, necessary for the work of the firefighters and the fire prevention technician, have reached their useful life and have recently stopped working;

WHEREAS the 2023 operating budget for the Fire Department did not include such a replacement of equipment and, consequently, there is no sufficient budgetary appropriation for this purpose;

CONSIDERING THAT there are credits available in the Municipality's unrestricted operating surplus;

It is proposed by Councillor Leigh MacLeod

IT IS RESOLVED:

TO VOTE AND APPROPRIATE additional funds in the amount of \$9,789.30 for the project "Replacement of the Fire Department's digital tablets";

49.02.23 MONTHLY REPORT FROM THE DIRECTOR

The Director general presents council, who acknowledge receipt of the monthly report for the month of January from the Director, Fire department and the list of authorized expenses for the month as per By-law (577-2019) regarding financial administration.

50.02.23 SÛRETÉ DU QUÉBEC POLICE DEPARTMENT'S MONTHLY
REPORT

General management has not received any report.

Municipality of Morin-Heights

51.02.23 MONTHLY REPORT FROM THE DIRECTOR

The Director general presents Council, who acknowledge receipt of the monthly report for the month of January from the Director, Public works and infrastructures, the list of requests as well as the list of expenses authorized as per By-law (577-2019) regarding financial administration.

52.02.23 CONTRACT – ENGINEERING SERVICES – PAVING AND WATERWORKS 2023

WHEREAS the Municipality's 2023-2024-2025 ITP provides for, among other things, the realization of paving work on Lakeshore Road, on the northern part of Watchorn Road and on Bennett Street and waterworks on the northern part of Watchorn Road;

WHEREAS professional engineering services are required for the above-mentioned projects;

CONSIDERINMG THAT these same projects are financed by a borrowing by-law to be adopted as well as a grant obtained within the framework of the Programme d'aide à la voirie locale (PAVL), volet Redressement;

WHEREAS the estimated costs of the professional engineering services required are greater than \$50,000 and less than \$105,700;

WHEREAS, in accordance with section 8 of By-law 571-2019 on contract management, a call for tenders by invitation was issued for the awarding of a contract for professional engineering services for the above-mentioned project;

CONSIDERING THAT, in accordance with section 9 of By-law 571-2019 on contract management, the Director General has designated two suppliers invited to bid on the above-mentioned call for tenders, specifically:

- BHP conseils
- Équipe Laurence

WHEREAS the Municipality has received the following compliant bids:

Name	Price (including taxes)
Équipe Laurence	\$ 83 816,77
BHP conseils	\$ 115 952,29

WHEREAS the Public Works and Infrastructures Department has analysed the tenders submitted and recommends that the contract for professional engineering services for the 2023 paving and aqueduct project be awarded to the lowest conforming bidder, namely Équipe Laurence, in the amount of \$ 83,816.77, taxes included;

Municipality of Morin-Heights

CONSIDERING THAT the verifications required by law have been carried out and that the bidder has the required attestations from the Agence du revenu du Québec and is not registered in the Register of unauthorized businesses;

It is proposed by Councillor Gilles Saulnier
IT IS RESOLVED:

THAT the preamble is an integral part of the present document;

TO AWARD the contract for professional engineering services for the 2023 paving and waterworks project to Équipe Laurence, in the amount of \$ 83,816.77 taxes included;

TO MANDATE the Director of Public Works and Infrastructures and the Director of Finance and Administration, and they are hereby mandated, to carry out any appropriate follow-up to this resolution;

**53.02.23 CONTRACT – PURCHASE OF A NEW 2023 PICK-UP TRUCK –
REJECTION OF OFFERS**

CONSIDERING the Municipality’s requirements and needs with regards to the purchase of vehicles for the Public works and infrastructures department;

CONSIDERING the estimate of costs of a contract for the purchase of trucks based on previous years’ history;

WHEREAS a call for tenders by invitation was sent on January 12th, 2023 to two potential suppliers;

WHEREAS By-law (571-2019) regarding contractual management;

CONSIDERING the Municipality has received two quotes within the delays stipulated in the specifications, specifically:

Name	Model	Price (including taxes)
Des Laurentides Ford	Ford F250	\$ 87 585,96
Les Sommets Chevrolet	GMC 2500	\$ 91 725,69

CONSIDERING THAT a selection committee proceeded with the analysis of tenders received and has presented its report;

CONSIDERING THAT both offers received are non-compliant to the tender;

Municipality of Morin-Heights

It is proposed by Councillor Claude P. Lemire

IT IS RESOLVED:

THAT the preamble form an integral part hereof;

TO REJECT all offers received as per the call for tenders number 2023-05;

54.02.23 CONTRACT – STREET SWEEPING – 2023 RENEWAL

WHEREAS the Municipal Council has awarded a contract for services for the sweeping of the streets and roads of the Municipality to Les Entreprises Myrroy Inc. for the years 2021 and 2022 with a renewal option for 2023, by virtue of Resolution 95-03-21;

WHEREAS the evaluation carried out by the Public works and infrastructures department was very positive and it recommends the exercise of the renewal option in accordance with the provisions of said contract;

CONSIDERING THAT, in accordance with the awarded contract, the successful bidder had submitted a price of \$34,147.58, including taxes, for the optional year 2023;

WHEREAS the members of Council have had the opportunity to take cognizance of the said recommendation from the Public Works and Infrastructures Department as well as the documents pertinent to the present;

It is proposed by Councillor Carole Patenaude

IT IS RESOLVED:

TO EXERCISE the renewal option provided for in Section 4 of the street sweeping services contract awarded by resolution 95-03-21 to Les Entreprises Myrroy Inc. in the amount of \$34,147.58, taxes included, for the year 2023;

TO AUTHORIZE the Director General, and he is hereby authorized to sign, for and in the name of the Municipality, all documents ratifying the present contract;

**55.02.23 2023 FINANCIAL ASSISTANCE AGREEMENT – LOCAL ROADS
ASSISTANCE PROGRAM (PAVL) – RECOVERY SECTION**

WHEREAS the Municipality submitted, in 2022, a request for a grant for the realization of road works in 2023 within the framework of the Local roads assistance program (PAVL);

Municipality of Morin-Heights

WHEREAS on January 18th, 2023, the Quebec Minister of Transport and Deputy Premier, Mrs. Geneviève Guilbault, sent a letter to the Mayor confirming the awarding of a grant in the amount of \$301,537 within the framework of the PAVL, Redressal component, for the realization of road repairs on Bennett Street;

WHEREAS the PAVL provides for the signing of a financial assistance agreement to allow the Municipality to benefit from this grant;

WHEREAS the Municipality has received a draft agreement of which the members of Council have been made aware, that the Director General has studied it and that he recommends its approval by Council;

It is proposed by Councillor Leigh MacLeod

IT IS RESOLVED:

TO APPROVE the financial assistance agreement with the Quebec Government within the framework of the 2023 local road assistance program recovery component;

TO AUTHORIZE the Mayor and the Director General, and they are hereby authorized, to sign, for and in the name of the Municipality, the financial assistance agreement for the 2023 local roads assistance program, recovery component;

56.02.23 FINAL ACCEPTANCE – CONTRACT – REPAIR WORK – WATCHORN ROAD

CONSIDERING resolution 188.05.21 concerning the repairs to chemin Watchorn between route 364 and chemin du Village to Entreprises G.N.P. Inc.;

CONSIDERING By-law 571-2019 concerning contract management;

CONSIDERING THAT the work under this contract has been completed in accordance with the specifications;

WHEREAS the Director of Public Works and Infrastructures and the engineers on the project recommend final acceptance of said work, as per the recommendation and supporting documents attached hereto;

It is proposed by Councillor Peter MacLaurin

IT IS RESOLVED:

THAT the preamble form an integral part hereof;