

NOVEMBER 15, 2021

MINUTES of the regular sitting of the council of the Municipality of Grosse Ile hereby declared in session by the Mayor, Mrs. Diana-Joy Davies, this fifteenth day of November 2021 at 6:30 p.m. in the municipal conference room situated at 1-006, chemin Jerry, Grosse Ile, Quebec, at which time there is quorum.

The following persons are present:

Mayor:	Diana-Joy Davies
Councillors:	Miranda Matthews Kathy Burke Nancy Clark Johanne Clarke
Director General/ Clerk – Treasurer:	Janice Turnbull
Absent with regrets:	Marlene Boudreau Katrina Keating

WELCOME WORD BY THE CHAIR

N2021-148 The Mayor, Diana-Joy Davies opens the sitting and welcomes the persons in attendance.

ADOPTION OF THE AGENDA

R2021-149 It is proposed by Kathy Burke
Seconded by Nancy Clark
And unanimously approved by the Councillors present

THAT the following agenda be hereby adopted as presented:

1. Opening of the sitting
 - 1.1 Welcome word by the chair
 - 1.2 Adoption of the agenda
 - 1.3 Adoption of the minutes
 - 1.4 Correspondence
 - 1.4.1 Business arising from the correspondence
 - 1.4.1.1 Amber Clark – Request to use Old Harry Beach parking lot
2. Administrative acts of council
 - 2.1 Administrative updates
 - 2.1.1 Accounts paid
3. Legislative acts of council
 - 3.1 Adoption of Bylaw 2021-002 – Code of Ethics and Professional Conduct of Municipal Elected Officials
 - 3.2 Notice of Motion – Bylaw 2021-003 – Conflict of Interest
 - 3.3 Presentation of Draft Bylaw 2021-003 – Conflict of Interest
 - 3.4 Credit card – Mayor

- 3.5 Tourisme Îles-de-la-Madeleine – Delegation of two (2) representatives to attend meetings
- 3.6 Intergenerational Community Park – Request for financial assistance – Fonds Régions et Ruralité – Volet 4 Soutien à la vitalisation – Volet 1 Projets municipaux et de la Communauté maritime des Îles-de-la-Madeleine
- 3.7 Municipal Commission – CAMI – Periodic review of exemption of municipal property taxes
- 3.8 Bell Canada – Installation of a telecommunications tower
- 3.9 Transfer of access – Lot 3 779 925
- 3.10 Purchase of computer network server
- 4. Varia
- 5. Question period
- 6. Close

ADOPTION OF THE MINUTES

The members of council received a copy of, and declare having read, the minutes of the regular sitting of council held on October 18, 2021.

R2021-150

It is proposed by Nancy Clark
 Seconded by Kathy Burke
 And unanimously approved by the Councillors present

To adopt the minutes of the regular sitting of council held on October 18, 2021.

CORRESPONDENCE

N2021-151

The members of council received a copy of the list of correspondence received at the office since the last sitting, prior to the meeting for review. The Mayor addresses the correspondence and the list is deposited in the Correspondence Register of the Municipality.

BUSINESS ARISING FROM THE CORRESPONDENCE

AMBER CLARK

REQUEST TO USE OLD HARRY BEACH PARKING LOT

WHEREAS Ms. Amber Clark has forwarded a request to use the Old Harry Beach parking lot for her wedding reception and dance to be held on August 6, 2022 and would be erecting a 20' x 40' tent at this site;

WHEREAS, with this site being public lands and the beginning of August being the peak of the tourism season, this event could potentially limit services and access to the Old Harry Beach site in addition to creating confusion among users with the installation of a tent for a private venue; and

WHEREAS similar requests have been made in the past to use public lands for private venues and were unfortunately refused;

THEREFORE

R2021-152 It is proposed by Kathy Burke
Seconded by Nancy Clark
And unanimously approved by the Councillors present

THAT the request submitted by Ms. Amber Clark to erect a tent at the Old Harry Beach site for her wedding reception and dance to be held on August 6, 2022 be hereby denied however, she is welcome to use the site as available to the general public and in a way that does not disrupt the services located at this site.

ADMINISTRATIVE UPDATES

ACCOUNTS PAID

R2021-153 It is proposed by Johanne Clark
Seconded by Miranda Matthews
And unanimously approved by the Councillors present

To approve the accounts paid for the month ending October 31, 2021, for an amount of \$253, 414.97, this list is deposited in the register of accounts paid.

LEGISLATIVE ACTS OF COUNCIL

ADOPTION OF BYLAW 2021-002 REGARDING THE CODE OF ETHICS AND PROFESSIONAL CONDUCT OF MUNICIPAL ELECTED OFFICIALS

WHEREAS in virtue of the Act Respecting Municipal Ethics and Conduct, all municipalities must adopt a code of ethics and conduct for municipal representatives, by means of a municipal bylaw;

WHEREAS the formalities outlined in the Act Respecting Municipal Ethics and Conduct for the adoption of this present bylaw have been respected;

WHEREAS a notice of motion was given at the regular sitting of council held on October 18, 2021, and a draft bylaw was also presented at this same sitting;

WHEREAS a copy of this bylaw was given to all members of council at least seventy-two (72) hours prior to this present sitting;

WHEREAS the members of council present declare having read the bylaw; and

WHEREAS during the course of the sitting, the content and scope of the bylaw were mentioned;

THEREFORE

R2021-154 It is proposed by Kathy Burke

Seconded by Miranda Matthews
And unanimously approved by the Councillors present

THAT Bylaw 2021-002 Regarding the Code of Ethics and Professional Conduct of Municipal Elected Officials of the Municipality of Grosse Ile is hereby adopted and that the following is ordered and decreed by the said bylaw:

ARTICLE 1 APPLICATION OF THE CODE

The present Code applies to all members of the council of the Municipality of Grosse Ile whether they are acting on behalf of the municipal council or a municipal organisation.

ARTICLE 2 INTEPRETATION

All words used in this Code maintain their usual meaning, except for the following expressions and words which are defined as:

Benefit:

Includes any gift, donation, favour, reward, service, commission, bonus, token of hospitality, salary, compensation, profit, indemnity, privilege, preference, income, allowance, advance, loan, discount or any other useful or profitable object of the same nature or any promise of a benefit as such.

Personal Interest:

Interest of the concerned person, whether it be direct or indirect, monetary or not, real, apparent or potential. It is separate, without necessarily being exclusive, from that of the general public or can be perceived as such by a reasonably informed person. Excluded from this term is a case where personal interest involves salaries, allocations, expense refunds, fringe benefits or other work conditions regarding the functions of the concerned person within the municipality or municipal organisation.

Family Interest:

Interest of the spouse of the concerned person, his children, his relatives or interest of an associate, company or cooperative with which he maintains a business relation. It can be direct or indirect, monetary or not, real, apparent or potential. It is separate, without necessarily being exclusive, from that of the general public and can be perceived as such by a reasonable informed person.

Municipal Organisation:

1. An organisation that the law declared mandatory or an agent of a municipality.
2. An organisation in which the board consists mainly of municipal council members.
3. An organisation in which the budget is adopted by the Municipality or in which more than half of the funding is ensured by the Municipality.
4. A board, council, or committee formed by the Municipality, responsible to examine and study a question that is submitted to them by the council.

5. A company, corporation or association in which a person is designated or recommended by the municipality to represent their interest.

ARTICLE 3 OBJECTIVES OF THE CODE

The rules foreseen in this present code of ethics and conduct are intended to avoid:

1. Any situation where the personal interest of a council member may influence his judgment in carrying out his duties;
2. Any situation that goes against articles 304 and 361 of the Act Respecting Municipal Elections and Referendums (L.R.Q., chapter E-2.2);
3. Favoritism, embezzlement, breach of trust or other misconduct.

ARTICLE 4 MUNICIPAL VALUES

The following outlines the main values of the Municipality and municipal organisations:

1. Integrity, honesty and professionalism of members of the municipal council;
2. Honour affiliated with the duties of a municipal council member;
3. Caution within the pursuit of public interest;
4. Respect towards other municipal council members, municipal employees and citizens;
5. Loyalty towards the Municipality;
6. Efforts to achieve fairness.

ARTICLE 5 GUIDELINES

The guidelines stipulated in this present Article must be used to guide the professional conduct of an elected official as a member of council, of a committee or board, with the objective of preventing any situation outlined in Article 3.

5.1 Conflict of Interest

- 5.1.1** Knowingly, any person must avoid putting themselves in a position where they are susceptible to have to make a choice between, on one hand, their own personal interest or that of their family and, on the other hand, that of the Municipality or a municipal organisation.

If necessary, such situations must be made known publically by the person concerned and abstain from participating in the discussions and debates surrounding the said situations.

- 5.1.2** Without limiting the generality of the above, it is forbidden for any person to act, to attempt to act or

to omit to act in any way to favour, within the carrying out of their duties, their personal interests or, in an improper way, those of any other person.

- 5.1.3** It is also prohibited for any person to prevail of his position to influence or to attempt to influence the decision of another person in a way that favours his person interests or, in an improper way, those of any other person.

5.2 Benefits

It is forbidden for any person:

- 5.2.1** -To accept, to receive, to evoke or to solicit any benefit for themselves or for any other person in exchange for a position taken concerning a question put before a council, committee or board in which he is a member of;
- 5.2.2** -To accept any benefit, any token of hospitality or any other benefit, no matter the value, that may influence his independence of judgement within the carrying out of his duties or that risk to compromise his integrity.
- 5.2.3** The person who receives any benefit that exceeds \$200.00 and that is not of a purely private nature or described in paragraph 2 must, within 30 days of its reception, prepare a written declaration to the director general of the municipality which includes an adequate description of this benefit, the name of the donor, the date and the circumstances surrounding its reception.

5.3 Discretion and Confidentiality

- 5.3.1** It is forbidden for any person, during and after his mandate, to use, to communicate or to attempt to use or to communicate information obtained during his time in office that is not for public knowledge in order to favour his personal interests or those of any other person.

During a political financing activity or election campaign, it is forbidden for any council member of the municipality to make an announcement concerning the completion of a project, the conclusion of a contract or the awarding of a grant by the municipality, unless a final decision regarding this project, contract or grant has been taken by the competent authority of the municipality.

The member of council who employs the executive staff must ensure that these employees respect the prohibition in the second paragraph. In a case where this prohibition is not respected

by one of them, the member of council is accountable for imposing the sanctions stipulated in Article 31 of the *Act Respecting Municipal Ethics*.

5.4 Use of Municipal Resources

5.4.1 It is forbidden for any person to use or to allow the use of resources, property or services of the Municipality or municipal organizations for personal purposes or for other purposes other than those regarding the carrying out of his duties.

5.5 Respect for the decision-making process

5.5.1 Any person must respect the laws, policies and norms (by-laws and resolutions) of the municipality and municipal organizations regarding decision-making mechanisms.

5.6 Loyalty obligation After mandate

5.6.1 Any person must demonstrate loyalty towards the municipality after the completion of his mandate within the respect of the provisions of the law. It is forbidden for him to use or to reveal confidential information that he learned about within the carrying out of his duties.

5.6.2 Without limiting the generality of the above, it is forbidden for any person, in the twelve (12) months following the end of his mandate, to hold an administrator or manager position in a corporation, a job or any other function as such that he or any other person draws an undue benefit from because of his previous duties as a municipal council member of the Municipality.

ARTICLE 6 CONTROL MECHANISMS AND PENALTIES

In accordance with articles 7 and 31 of the Act Respecting Municipal Ethics and Professional Conduct (2010, c.27): A municipal council member who fails to comply with the present code of ethics and professional conduct, may see the enforcement of the following penalties:

1. Reprimand;
2. Returning to the municipality, within the 30 days of the decision of the Quebec Municipal Commission:
 - a) the donation, hospitality token or the benefit received or the value of these;
 - b) any profit improperly drawn from a rule stated in this code;

3. The reimbursement of any salary, allocation or other sum received, for the period that the breach of the rule lasted, as a council, committee or board member of the Municipality or municipal organization;
4. The suspension of a council member for a period in which the duration cannot exceed 90 days, this suspension cannot go beyond the day that his mandate ends.

When a member of council is suspended, he cannot sit on any council, committee or board of the Municipality nor any other organization as a municipal council member. Furthermore, he cannot receive a salary, allocation or any other sum from the Municipality or an organization as such.

ARTICLE 7 REPEALED BYLAWS

This bylaw repeals and replaces any previous bylaws adopted by the Municipality of Grosse Ile of the same nature.

ARTICLE 8 COMING INTO FORCE

This bylaw is adopted and comes into force in accordance with the law.

NOTICE OF MOTION – BYLAW 2021-003 CONFLICT OF INTEREST

N2021-155 Councillor Miranda Matthews gives notice of motion that, at a subsequent sitting, she will be submitting for adoption Bylaw 2021-003 – Conflict of Interest.

PRESENTATION OF DRAFT BYLAW 2021-003 CONFLICT OF INTEREST

N2021-156 The members of council of the Municipality of Grosse Ile hereby acknowledge the presentation of draft bylaw 2021-003, by Councillor Miranda Matthews, which will be adopted at a subsequent sitting and entitled «*Bylaw 2021-003 – Conflict of Interest*».

CREDIT CARD MAYOR

R2021-157 It is proposed by Miranda Matthews
Seconded by Johanne Clark
And unanimously approved by the Councillors present

THAT the Visa Desjardins credit card of the former Mayor, Rose Elmonde Clarke, be cancelled and that a new Visa Desjardins credit card be requested for the current Mayor, Diana-Joy Davies.

THAT the Director General/Clerk-Treasurer, Janice Turnbull, be hereby authorised to apply for this new Visa Desjardins credit card and to sign all pertinent documentation regarding this transaction.

**TOURISME ÎLES-DE-LA-MADELEINE
DELEGATION OF TWO (2) REPRESENTATIVES TO
ATTEND MEETINGS**

WHEREAS Tourisme Îles-de-la-Madeleine updated their general bylaws at a special general meeting held on March 28, 2018 and at a general meeting held on May 24, 2018;

WHEREAS this revision requires that each member of Tourisme Îles-de-la-Madeleine must designate, in writing, their representatives who can attend meetings; and

WHEREAS the former representatives for the Municipality of Grosse Ile were Councillor Nancy Clark and the Mayor, Rose Elmonde Clarke;

R2021-158

It is proposed by Nancy Clark
Seconded by Miranda Matthews
And unanimously approved by the Councillors present

THAT the Municipality of Grosse Ile hereby designates the councillor responsible for tourism, Kathy Burke, as official representative and the Mayor, Diana-Joy Davies, as second representative in order to attend meetings on behalf of the Municipality of Grosse Ile.

**INTERGENERATIONAL COMMUNITY PARK
REQUEST FOR FINANCIAL ASSISTANCE – FONDS
RÉGIONS ET RURALITÉ – VOLET 4 SOUTIEN À LA
VITALISATION – VOLET 1 PROJETS MUNICIPAUX ET DE
LA COMMUNAUTÉ MARITIME DES ÎLES-DE-LA-
MADELEINE**

WHEREAS the Municipality of Grosse Ile is currently developing an intergenerational community park at the site of the former baseball field in Grosse Ile North;

WHEREAS the Municipality of Grosse Ile wishes to proceed with Phase II of the project which is to finalize the community park, carry out improvements to the service building and repair the skating rink in which both of these infrastructures are located at the same site as the park;

WHEREAS the Municipality of Grosse Ile obtained an estimate of costs for the above-mentioned work; and

WHEREAS the Municipality of Grosse Ile may be eligible for a financial contribution for Phase II of the project within the above-mentioned financial assistance program;

THEREFORE

R2021-159

It is proposed by Johanne Clark
Seconded by Nancy Clark
And unanimously approved by the Councillors present

THAT the Director General/Clerk-Treasurer, Janice Turnbull, be hereby authorized to submit a request for financial assistance to the Vitalization Committee of the Magdalen Islands Maritime Community, within the *Programme Fonds regions et ruralité – Volet 4 Soutien à la vitalisation – Volet 1 Projets municipaux et de la Communauté Maritime des Îles-de-la-Madeleine*, for an amount of \$125 000.00, excluding applicable taxes, in order to help with the cost of developing Phase II of the intergenerational community park.

THAT the Mayor, Diana-Joy Davies, be hereby authorized to sign the financial contribution agreement, should the request be accepted, within the said program.

**MUNICIPAL COMMISSION
CAMI – PERIODIC REVIEW OF EXEMPTION OF
MUNICIPAL PROPERTY TAXES**

WHEREAS CAMI, a local non-profit organization, is under a periodic review for the recognition of its exemption of municipal property taxes;

WHEREAS CAMI is a vital organization within the development of community services such as health, social, cultural, heritage and tourism; and

WHEREAS the municipality has the opportunity to state its opinion regarding this review;

THEREFORE

R2021-160

It is proposed by Miranda Matthews
Seconded by Nancy Clark
And unanimously approved by the Councillors present

THAT the Municipality of Grosse Ile shall forward, to the Municipal Commission, its intent to continue to support the CAMI organization in regard to a municipal property tax exemption.

**BELL CANADA
INSTALLATION OF A TELECOMMUNICATIONS TOWER**

WHEREAS the telecommunications company, Bell Canada began work to install a telecommunications tower on the property of Allison Taker, lot number 3 777 610, located on Wide Road, prior to confirming its intentions to the members of municipal council; and

WHEREAS the preliminary work carried out by Bell Canada was not done in a respectful manner to the environment nor to that of the neighbouring property owners; and

WHEREAS Bell Canada currently has access to the site owned by GAD Electronic for its tower; and

WHEREAS, as the current and proposed sites are located in a panoramic corridor, the Municipality prefers that all towers, whenever possible, remain on one site; and

WHEREAS it is essential for the citizens of the community to have access to quality cellular services;

THEREFORE

R2021-161 It is proposed by Johanne Clark
Seconded by Miranda Matthews
And unanimously approved by the Councillors present

THAT the Municipality of Grosse Ile shall forward a written request to the telecommunications company Bell Canada requesting a plan outlining the steps and schedule of restoration work of their proposed site situated on lot number 3 777 610 and requires this to be carried out in the shortest of delays.

THAT the Mayor, Diana-Joy Davies, be hereby delegated to meet with Bell Canada and GAD Electronic to negotiate the possibility of maintaining both towers on the current GAD Electronic site however, if a suitable consensus is not possible, the Municipality of Grosse Ile accepts the proposed site as presented by Bell Canada, upon receipt of the restoration plan and schedule.

**TRANSFER OF OWNERSHIP
LOT 3 779 925**

WHEREAS lot number 3 779 925 is a former municipal road that is no longer used or serviced by the Municipality of Grosse Ile;

WHEREAS the property owner bordering this lot has requested to use and maintain the road to access his lot, that being lot number 3 776 790; and

WHEREAS the Municipality of Grosse Ile does not foresee using or maintaining lot number 3 779 925;

THEREFORE

R2021-162 It is proposed by Kathy Burke
Seconded by Miranda Matthews
And unanimously approved by the Councillors present

THAT the Municipality of Grosse Ile shall transfer its rights and ownership of lot number 3 779 925 to all property owners who border on the said lot.

THAT the Director General/Clerk-Treasurer, Janice Turnbull, be hereby authorised to contact a notary to begin the transfer process

and to sign, on behalf of the Municipality of Grosse Ile, all pertinent documentation regarding the transfer.

THAT the Municipality of Grosse Ile shall be responsible for the fees regarding the transfer of rights and ownership of lot 3 779 925.

PURCHASE OF COMPUTER NETWORK SERVER

WHEREAS the main computer network server at the municipal office was purchased and installed in 2008 and is, therefore, close to fourteen (14) years old;

WHEREAS, although upgrades were carried out in 2015, this server must now be rebooted every morning and quite often, a few times a day; and

WHEREAS this equipment is essential for the daily functioning of the entire municipal administration;

THEREFORE

R2021-163

It is proposed by Miranda Matthews
Seconded by Kathy Burke
And unanimously approved by the Councillors present

THAT the Municipality of Grosse Ile shall replace the main computer network server with a HPE Proliant ML110G10.4.5U server which will be purchased from, and installed by, Électro Informatique Michaud for an amount of \$6, 991.56, taxes included.

QUESTION PERIOD

N2021-164

No questions are asked as no members of the public are present.

CLOSE

R2021-165

The session is closed on a motion from Kathy Burke at 7:39 p.m.

Diana-Joy Davies
Mayor

Janice Turnbull
Director General /
Clerk-Treasurer