

The regular meeting of the Bristol Council was held in the Townhall on April 4th, 2011 at 8:00 p.m. with Mayor Brent Orr, and Crs. Steve Forbes, Keith Smith, Colette O'Malley, Greg Graham, Brian Drummond and Debbie Kilgour.

- (11-04-52)** Motion Cr. Forbes that the minutes from the March 7th meeting be adopted as presented. Crd. The Mayor abstains from voting.
- (11-04-53)** Motion Cr. Drummond that the minutes from the March 29th meeting be adopted as presented. Crd. The Mayor abstains from voting.
- (11-04-54)** Motion Cr. O'Malley to adopt the agenda with the additions. Crd. The Mayor abstains from voting.

The meeting was opened to the visitors present.

Vicki Blake inquired if the Bristol garbage bags are required for this year.

Linda Thompson inquired about the schedule for the paving on Elmside Road and if the paving costs were allocated in the 2011 budget.

Peter Hanna asked what topics were discussed at the special meeting held on March 29th.

Sheila Watt asked what could be done about the flooding on Maple Grove.

Ted Ambridge wanted to applaud council for their decision to break the waste disposal contract and to apologize for previous comments that he feels were misconstrued. He also inquired if council had an estimate for the paving on Elmside Road.

Paul Hinch inquired if council had any intention of retreating from their decision to break the waste disposal contract with Tom Orr Cartage Construction.

Pat McKinnon applauded the work of the snow plow operators for their work this winter on Strathcona as compared to previous winters.

Diane Wilson commented on the tax increase and she inquired if amalgamation could potentially further increase taxes. She also inquired how Mayor Orr voted at the council of mayors in terms of the amalgamation study, and if the MRC feels that there is a potential for savings. She also asked if the Bristol Council would consider scheduling a referendum to poll the opinion of the residents of Bristol concerning this issue. In addition, she inquired if Mayor Orr polled the other councillors before he voted in favour of the amalgamation study.

(11-04-55)

Assistance Program for the Maintenance of Local Roads

Whereas that the Ministry of Transport paid compensation of \$475,336 for the maintenance of local roads for the civil year 2010;

Whereas that the distributed compensation to the municipality are for current and preventative maintenance of local roads 1 and 2 and include bridges for which the municipalities are responsible that are situated on these roads;

Whereas this resolution is accompanied by Appendix A identifying the work completed by the municipality on the roads mentioned;

Whereas that an external auditor will present in the time frame allocated the accountability in annex B or a special report from an external auditor duly completed.

It is proposed by Cr. Drummond and seconded by Cr. O'Malley and unanimously resolved and adopted that the Municipality of Bristol inform the Ministry of Transport of the use of compensation for routine and preventative maintenance of local roads 1 and 2 and the bridges located on these roads, under the responsibility of the Municipality, in accordance with the objectives of the Program for the Maintenance of Local Roads.

(11-04-56)

Contract Management Policy

Motion Cr. Kilgour to adopt motion # 11-04-56 which amends motion # 11-01-04 and that the Municipality of Bristol approve a management policy contract according to municipal code stated in article 938.1.2. This policy is applicable to all contracts, including contracts that are not described in any of the subparagraphs of the first paragraph of sub article 1 or article 935 or in article 938.0.2.

The contract management policy will 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;

All bidders must declare in writing attached to the tender that neither he nor anyone affiliated with the tenderer attempted to communicate with the selection committee, other than the Director General in order to influence or to obtain information regarding the tender. Failure to produce this declaration would result in the rejection of the tender. Technical information can be directed to an individual with the authorization of the Director General.

The council delegates to the Director General the authority to establish any selection committee necessary to receive, evaluate and draw conclusions for all contracts in excess of \$100,000.00 excluding contracts for professional services for exclusive use. These contracts are subject to the specifications of municipal code. The identity of the members of the committee must remain confidential until the termination of the contract.

- 2) Measures to promote compliance with any applicable anti-bid-rigging legislation;

All bidders must attach to their submission a statement attesting that their bid was prepared and submitted without collusion, communication, agreement or arrangement with any other bidder or person to agree on prices or to influence prices submitted. Failure to produce this declaration would result in the rejection of the tender. Any available information concerning a tender must be accessible in a fair and consistent manner to all potential bidders at our municipal office.

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;

a) Any council member or employee shall ensure that any person seeking to influence is registered as a lobbyist under the Lobbying Transparency and Ethics Act. If the person is not registered, they ask them to do so.

b) If a person refuses to subscribe to the register of lobbyists or refuses to respect the Code of Conduct for Lobbyists, the council member or employee abstains from dealing with this person and, if applicable, communicates with the Commissioner of Lobbyism.

c) Any call for tenders and any contract must include:

a statement by the tenderer or, if applicable, the contractor attesting that neither he nor any of his representatives has engaged in an influence communication, that the inscription to the register of lobbyists was completed and that the Law and Code have been respected

a clause allowing the municipality, in case of non-compliance with the Act or the Code, to reject the bid, to not conclude the contract or to terminate it if the non-compliance is discovered after award of the contract

4) Measures to prevent intimidation, influence peddling and corruption;

All bidders shall attach to their submission a statement certifying that neither he nor any of its agents engaged in acts of intimidation, influence peddling and corruption in this contract. In the event that bids are higher than the market rate, the municipal organization reserves the right to accept or reject any bid.

5) Measures to prevent conflict of interest situations

Any person participating in the preparation, execution and all other aspects of the call for tenders or contract, including the Director General and the members of the selection committee, must declare any conflict of interest. No person in conflict of interest may participate in the development, execution or monitoring of a call for tender or contract.

- 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

The municipality adopts a resolution whereby it provides that when the municipality may proceed by invitation of bidders for a tender of less than \$100, 000, the Director-General may make such an invitation, on the condition that the identity of the bidder be held confidential until the opening of tenders.

All tenders must provide that any individual who participated in the composition of the tender bid, cannot directly or indirectly contact a bidder company however the people who participated in the development of technical terms or estimate of the costs of a project including the documents that were prepared with a detailed breakdown of costs, are provided to all potential bidders.

With any tender, it is forbidden for any member of the board and any employee of the municipality to respond to any request for clarification with respect to any tender other than the applicant referring to the person responsible unless authorized by the Director General.

- 7) Measures to govern the making of decisions authorizing the amendment of a contract.

The municipality shall provide in the tenders to hold meetings on site regularly during the execution of works in order to ensure the monitoring of execution of the contract,

The municipality must pay particular attention to the preparation of the specifications to avoid potential cost overruns. With certain projects, the engineering firm would have a representative on site to supervise.

In the event of unforeseen circumstances if it becomes necessary to modify a contract, the following rules must be respected:

- 1) The amendment must be incidental to the contract and does not change the nature
- 2) The change must be authorized by resolution of the Council

This provision does not preclude that a contract may be concluded on an urgent basis. In the event of an emergency that could potentially endanger the life or health of the population or seriously damage municipal equipment, the Mayor has the authority to approve interim measures to rectify the situation.

The Municipality of Bristol will make it's 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.

- (11-04-57)** Motion Cr. O'Malley to accept the 2010 financial statements as presented by Connelly & Koshy, Chartered Accountants. Crd. The Mayor abstains from voting.
- (11-04-58)** Motion Cr. Forbes to appoint Connelly & Koshy as auditors for the Municipality of Bristol for 2011. Crd. The Mayor abstains from voting.
- (11-04-59)** Motion Cr. Forbes to purchase two copies of the book Thoughts of Our Canadian Soldiers at War by the Author Brian Jones. Crd. The Mayor abstains from voting.
- (11-04-60)** Motion Cr. Forbes to support the motion initiated by the Municipality of Shawville to maintain the culverts and Wright's Lake Road, near Colton Lake. Crd. The Mayor abstains from voting.
- (11-04-61)** Motion Cr. O'Malley to refund the \$65 garbage tax charged to Arlene Cutler at 23 Fernbank since the cottage is not being used. Crd. The Mayor abstains from voting.
- (11-04-62)** Motion Cr. Forbes to accept the quote from Murdock Glass for repairs to the door at the main entrance to the community centre in the amount of \$870.00, taxes extra. Crd. The Mayor abstains from voting.
- (11-04-63)** Motion Cr. O'Malley to accept the quote from Tubman Auto Body in the amount of \$1118.02 taxes included, to repair, sandblast and paint the hood of the backhoe. Crd. The Mayor abstains from voting.

(11-04-64) Motion Cr. Drummond to accept the quote from Frisbee Tire for the Goodyear 19.5R24 tires for the backhoe at a cost of \$940.70 per tire, taxes extra, plus \$40.00 each changeover and a \$65.00 service call. Crd. The Mayor abstains from voting.

(11-04-65) Motion Cr. Smith to send the draft letter to the Ministry of Transport and all 18 municipalities requesting major repairs to Highway 148. Crd. The Mayor abstains from voting.

I, Christina Peck, Director General of the Municipality of Bristol, certify that there are credits available to pay the expenses below.

Christina Peck, Director General

(11-04-66) Motion Cr. Drummond that invoices totalling \$151 042.06 be paid for the month of March. Crd. The Mayor abstains from voting.

(11-04-67) Motion Cr. Kilgour to accept the financial statements for the month of March. Crd. The Mayor abstains from voting.

(11-04-68) Motion Cr. Forbes to contact Rémi Bertrand concerning the lack of spaces available for the mandatory ethics training scheduled for June 18th, 2011 and to encourage a bilingual training session. Crd. The Mayor abstains from voting.

(11-04-69) Motion Cr. Graham that we open up the transfer station for no charge heavy drop off on Easter Weekend, April 23rd, 24th and 25th and the May Long Weekend, May 20th, 21st and 22nd and publish a public notice in The Equity, The Journal and on the Website. Crd. The Mayor abstains from voting.

(11-04-70) Motion Cr. Graham that we send a letter to the MRC expressing our opposition to amalgamation and requesting that they refrain from spending MRC money on an amalgamation study which includes Bristol. Crd. The Mayor abstains from voting.

- (11-04-71)** Motion Cr. Forbes to submit an application to the CLD for a grant to purchase village identification signs. Crd. Cr. Smith registers his dissidence. The Mayor abstains from voting.
- (11-04-72)** Motion Cr. Kilgour to look into purchasing garbage picks to be available to residents who are interested in cleaning up roads within our municipality. Crd. The Mayor abstains from voting.
- (11-04-73)** Motion Cr. Forbes to go in camera. Crd. The Mayor abstains from voting.
- (11-04-74)** Motion Cr. Forbes to come out of camera. Crd. The Mayor abstains from voting.
- (11-04-75)** Motion Cr. Forbes to offer Tyson Smith a full time position. Crd. The Mayor abstains from voting.
- (11-04-76)** Motion Cr. Kilgour to close the meeting. Crd. The Mayor abstains from voting.

Mayor Brent Orr

Director General Christina Peck