

Municipal Affairs

Gouvernement du Québec

O.C. 1147-2012, 5 December 2012

An Act respecting municipal territorial organization (chapter O-9)

Amalgamation of Paroisse de Saint-Alexis and Village de Saint-Alexis

WHEREAS, in accordance with section 85 of the Act respecting municipal territorial organization (chapter O-9), each of the municipal councils of Paroisse de Saint-Alexis and Village de Saint-Alexis adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of both municipalities under the Act;

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs, Regions and Land Occupancy;

WHEREAS no objection was sent to the Minister of Municipal Affairs, Regions and Land Occupancy;

WHEREAS, under sections 107 and 108 of the Act, it is expedient to grant the joint application for amalgamation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs, Regions and Land Occupancy:

THAT the application be granted and that a local municipality resulting from the amalgamation of Paroisse de Saint-Alexis and Village de Saint-Alexis be constituted in accordance with the following provisions:

1. The name of the new municipality is “Municipalité de Saint-Alexis”.

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 24 October 2012; that description appears as Schedule A to this Order in Council.

3. The new municipality is governed by the Municipal Code of Québec (chapter C-27.1).

4. The territory of Municipalité régionale de comté de Montcalm comprises the territory of the new municipality.

5. Until a majority of the candidates elected in the first general election begin their terms, the new municipality is administered by a provisional council made up of the council members of the former municipalities in office at the time this Order in Council comes into force. The quorum is one-half the members in office plus one.

6. The mayors of the former municipalities act as mayor and acting mayor of the provisional council for 2 equal periods until the mayor elected in the first general election begins his or her term. The mayor of the former Paroisse de Saint-Alexis acts as mayor of the new municipality for the first period and the mayor of the former Village de Saint-Alexis acts as mayor of the new municipality for the second period.

The elected municipal officers receive, for the duration of the provisional council, the same remuneration as the remuneration received before the coming into force of this Order in Council.

7. The mayors of the former municipalities continue to sit on the council of Municipalité régionale de comté de Montcalm until the majority of the candidates elected in the first general election begin their term and they have the same number of votes as before the coming into force of this Order in Council.

8. The first meeting of the provisional council is held at the community hall of the former Village de Saint-Alexis, at 17, rue Masse.

9. The polling for the first general election takes place on the first Sunday of the fourth month following the coming into force of this Order in Council. If the fourth month is the month of January or February, the polling is postponed to the first Sunday in March. The second general election takes place on the first Sunday of November 2017.

10. The council of the new municipality is made up of 7 members, namely 1 mayor and 6 councillors. The positions of the councillors are numbered from 1 to 6 as of the first general election.

11. The director general and secretary-treasurer of both former municipalities acts as director general and secretary-treasurer of the new municipality.

12. If a budget was adopted by a former municipality for the fiscal year during which this Order in Council comes into force,

1° that budget remains applicable;

2° the expenditures and revenues of the new municipality for the remainder of the fiscal year during which this Order in Council comes into force continue to be accounted for separately on behalf of each of the former municipalities as if the amalgamation had not taken place;

3° an expenditure recognized by the council of the new municipality as resulting from the amalgamation is charged to each former municipality on the basis of the proportion of its standardized property value to the total standardized property values of the former municipalities as they appear in the financial statements of the former municipalities for the fiscal year preceding the fiscal year during which this Order in Council comes into force; and

4° the amount paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council under paragraph 3 and financed with that amount, is paid into the general fund of the new municipality for the first fiscal year for which it adopts a budget for the entire territory.

13. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in effect before the coming into force of this Order in Council apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

14. At the end of the last fiscal year for which the former municipalities adopted separate budgets, an amount of \$204,500 from the surplus accumulated on behalf of the former Paroisse de Saint-Alexis and an amount of \$147,500 from the surplus accumulated on behalf of the former Village de Saint-Alexis are paid into the general fund of the new municipality.

If the surplus accumulated on behalf of a former municipality is insufficient to pay the contribution provided for above, the new municipality must, to make up the difference, impose a special tax on all the taxable immovables in the sector made up of the territory of that former municipality whose fund is insufficient.

15. If, after the operation referred to in section 14 is carried out, a balance remains in the surplus accumulated on behalf of the former Village de Saint-Alexis, the balance is used by the new municipality according to its availability in the following order:

1° an amount of \$30,000 is allocated to the repayment of the principal and interest of the part of loan by-law 1993-1125 concerning storm sewer, sidewalk and roadside work provided for in that by-law;

2° an amount of \$70,000 is reserved for improvement, sidewalk and landscaping work in the sector made up of the centre of the territory of the former municipality, according to the plans and specifications prepared by Groupe conseil BC2FP inc./PLANEX consultants inc. bearing number 1491202, dated May 2012;

3° any other balance in the surplus accumulated on behalf of the former municipality is allocated to the reduction of the property tax applicable to all the taxable immovables in the sector made up of its territory for a period that does not exceed 5 years. At the end of the period, the excess amounts are paid into the general fund of the new municipality.

16. If, after the operation referred to in section 14 is carried out, a balance remains in the surplus accumulated on behalf of the former Paroisse de Saint-Alexis, the balance is used by the new municipality according to its availability in the following order:

1° an amount of \$14,000 is allocated to the repayment of the loans in the working fund of the former municipality;

If the surplus accumulated on behalf of the former municipality is insufficient to repay the amount, the new municipality must, to make up the difference, impose a special tax on all the taxable immovables in the sector made up of the territory of that former municipality;

2° an amount of \$35,000 is allocated to maintain the minimum threshold of the capital assets in municipal infrastructures of the former municipality to be eligible to the Programme de la taxe sur l'essence et de la contribution du Québec (TECQ) for 2012-2013;

3° an amount of \$255,000 is allocated to the payment of part of the restoration work of the road of rang du Cordon, situated in the territory of Municipalité de Sainte-Julienne, which is the responsibility of the former Paroisse de Saint-Alexis under an intermunicipal agreement signed on 5 October 2012 by the municipalities of Sainte-Julienne, Saint-Jacques and Paroisse de Saint-Alexis, under sections 75 and 77 of the Municipal Powers Act (chapter C-47.1);

4° any other balance in the surplus accumulated on behalf of the former municipality is allocated to the reduction of the property tax applicable to all the taxable immovables in the sector made up of its territory for a

period that does not exceed 5 years. At the end of the period, the excess amounts are paid into the general fund of the new municipality.

17. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted separate budgets is charged to all the taxable immovables in the sector made up of the territory of that former municipality.

18. The working fund of the new municipality is constituted of the working fund of each of the former municipalities as it existed at the end of the last fiscal year for which the former municipalities adopted separate budgets.

Subject to paragraph 1 of section 16, the amounts borrowed from the working fund of a former municipality are to be paid by the new municipality.

19. Subject to paragraph 1 of section 15, the annual repayment of loans made under loan by-laws adopted by a former municipality before the coming into force of this Order in Council remains charged to the taxable immovables in the sector made up of the territory of the former municipality that contracted them, in accordance with the tax clauses of those by-laws.

If the new municipality decides to amend the clauses in accordance with the law, the amendments may only cover the taxable immovables situated in the sector made up of the territory of the former municipality that contracted the loan.

20. Any debt or gain that may result from legal proceedings for any act performed by a former municipality continues to be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

21. A municipal housing bureau is constituted under the name of "Office municipal d'habitation de Saint-Alexis-de-Montcalm". The name of the bureau may initially be changed by a simple resolution of the board of directors within the year following its constitution. Notice of the name change must be sent to the Société d'habitation du Québec and published in the *Gazette officielle du Québec*.

The municipal housing bureau succeeds the municipal housing bureau of the former Village de Saint-Alexis, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (chapter S-8) apply to the new municipal housing bureau as though it had been constituted by letters patent under section 57 of that Act.

The bureau is administered by a board of directors formed of 7 members, who are also the directors. Three members are appointed by the council of the new municipality, 2 members are elected by all the lessees of the bureau, in accordance with the Act respecting the Société d'habitation du Québec, and 2 members are appointed by the Minister of Municipal Affairs, Regions and Land Occupancy, after consultation, from among the most representative socio-economic groups of the bureau's territory.

Until all the directors have been appointed in accordance with the terms and conditions provided for in the third paragraph of this section, the provisional directors of the new bureau are the members of the former municipal housing bureau it succeeds.

The directors elect from among themselves a chair, vice-chair, and any other officer they deem necessary to appoint.

The term of the board members is 3 years and is renewable. The board members remain in office until reappointed or replaced even though their terms expire.

A quorum for the meetings is a majority of the members in office.

The directors may, from the coming into force of this Order in Council,

1° borrow money on the credit of the bureau;

2° issue bonds or other securities of the bureau and give them as security or sell them for the prices and amounts deemed appropriate;

3° hypothecate or pledge the present or future immovables and movables of the bureau to ensure the payment of such bonds or other securities, or give only part of that security for those purposes;

4° hypothecate the immovables and movables of the bureau or otherwise affect them, or give various types of security, to ensure the payment of loans contracted other than by the issue of bonds, as well as the payment or execution of any other debt, contract and liability of the bureau; and

5° subject to the Act respecting the Société d'habitation du Québec, the regulations made under that Act and the directives issued by the Société, adopt any by-law deemed necessary or useful for the internal management of the bureau.

The employees of the bureau that has been dissolved become, without reduction in salary, employees of the new bureau and retain their seniority and fringe benefits.

Within 15 days of their adoption, the bureau sends to the Société d'habitation du Québec a certified true copy of the by-laws and resolutions appointing or dismissing a member or director.

The budget of the dissolved bureau remains applicable for the remainder of the current fiscal year.

22. All the movable and immovable property belonging to each of the former municipalities becomes the property of the new municipality.

23. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

SCHEDULE A

OFFICIAL DESCRIPTION OF THE TERRITORIAL BOUNDARIES OF MUNICIPALITÉ DE SAINT-ALEXIS, IN MUNICIPALITÉ REGIONALE DE COMTE DE MONTCALM.

The territory of Municipalité de Saint-Alexis, in Municipalité régionale de comté de Montcalm following the amalgamation of Paroisse de Saint-Alexis and Village de Saint-Alexis, comprises in reference to the cadastre of Québec, the lots or parts of lots, their successor lots, hydrographic and topographic entities, thoroughfares, built-up sites or parts thereof within the perimeter starting at the apex of the northern angle of lot 3 140 607 and that follows, successively, the following lines and demarcations: southeasterly, the northeastern limit of lots 3 140 607, 2 538 651, 2 538 660, 2 538 641, 2 538 648, 2 538 657, 2 538 655, 2 538 656, 2 538 658, 2 538 661, 2 538 621, 2 538 637, 2 538 630, 2 538 633, 2 538 632, 2 538 636, 2 538 623, 2 800 337, 2 538 624, 2 800 344, 2 538 599, 2 538 598, 2 538 601, 2 538 600, 2 538 602, 2 538 603, 2 538 604, 2 538 605, 2 538 609, 2 538 611, 2 538 610, 2 538 612, 2 538 608, 2 538 617, 2 538 613, 2 538 615, 2 538 616, 2 538 607, 2 538 597 and 2 538 595; southwesterly, the southeastern limit of lot 2 538 595; southeasterly, the northeastern limit of lots 2 538 595, 2 538 594, 2 538 579, 2 538 580, 4 727 882, 2 538 585, 2 538 586, 2 538 584, 2 538 596 2 538 588, 2 538 591, 2 538 589, 2 538 590, 2 538 593, 2 538 592, 2 800 378, 2 800 379, 2 538 566, 2 538 576, 2 800 102, 2 800 105, 2 800 106, 2 800 096, 2 800 388, 2 800 095, again 2 800 388, 2 800 092, 2 800 090, 2 539 584, 2 800 087,

2 800 088, 2 800 089, 2 538 310, 2 538 311, 2 538 309, 2 538 312 and 2 538 313; southwesterly, the southeastern limit of lot 2 538 307 to the apex of the southwestern angle of lot 3 023 128; easterly, the northern limit of lots 2 538 308, 2 800 386, 2 538 319 to 2 538 325, 2 538 329, 2 538 330, 2 538 328, 2 538 331, 2 538 332, 2 538 333, 2 538 334, 2 538 336, 2 538 337, 2 538 338, 2 538 339, 2 538 340, 2 538 342, 2 538 343, 2 538 341, 2 538 344 and 4 606 129; southeasterly, a broken line that borders to the northeast lots 4 606 129, 2 538 346, 2 538 335, 2 538 348 and 2 538 347; southerly, the eastern limit of lots 2 538 347, 2 800 111 and 2 539 346; northwesterly, the southwestern limit of lots 2 539 346, 2 539 345 and 2 800 111; southerly, the eastern limit of lots 2 539 350, 2 800 110 and 2 538 270, that segment being the west side of the right of way of Route 341; successively, northwesterly, the southwestern limit of lots 2 538 270 retrograding to 2 538 266, 2 538 271, 3 675 328, 2 538 273 and 2 538 272, a line in lot 2 538 262 to the apex of the northeastern angle of lot 2 538 257, thence the northeastern limit of lot 2 538 257; southwesterly, the southeastern limit of lot 2 538 283; northwesterly, the southwestern limit of lots 2 538 283, 2 538 281, 2 538 282, 2 538 280, 2 538 279, 2 538 278, 2 538 277, 2 538 276, 2 538 275, 3 557 657, 2 538 297, 2 538 304, 2 538 301 and part of the southwestern limit of lot 2 538 202 to the apex of the northern angle of lot 2 538 243; southwesterly, the southeastern limit of lots 2 800 348, 2 538 292, 2 538 285 and 2 538 284; successively, northwesterly, the southwestern limit of lots 2 538 284, 2 538 288, 2 538 287, 2 538 286, 2 800 341, 2 538 374, 2 538 375, 2 538 382, 2 538 373, 2 538 370, 2 538 381, 2 538 380, 2 538 379, 2 538 378, 2 538 377, 2 538 372, 2 538 371, 2 538 401, 2 538 400, 2 538 399, 2 538 397, 2 538 398, 2 538 396, 4 832 534, 2 538 394, 2 538 395, 2 538 402, 2 538 403, 2 538 404, 3 708 839, part of the southwestern limit of lot 2 538 416 to the apex of the northwestern angle of lot 2 538 385, a line in lots 2 538 416 and 2 538 415 to the apex of the eastern angle of lot 2 538 414, part of the southwestern limit of lot 2 538 426 to the apex of the southeastern angle of lot 2 800 430, the southwestern limit of lot 2 800 430, again part of the southwestern limit of lot 2 538 426, a line in lots 2 538 425, 2 538 424, 2 538 423, 2 538 421 and 2 538 412 to the apex of the eastern angle of lot 2 800 405, the northeastern limit of lot 2 800 405, a line in lots 2 538 422, 2 538 420 and 2 538 419 to the apex of the eastern angle of lot 2 800 404, the southwestern limit of lots 3 333 644, 2 538 433, part of the southwestern limit of lot 2 538 434 to the apex of the southeastern angle of lot 2 800 293, the southwest limit of lot 2 800 293 and part of the southwestern limit of lot 2 538 440, a line in lots 2 538 442, 2 538 441, 2 538 438, 2 538 437, 2 538 435, 2 538 439, 2 538 436, 2 538 431, 2 538 430, 2 538 429, 2 538 428, 2 538 427, 2 538 467 and 2 538 487 to the apex of the southeastern angle of lot 2 800 402, the northeastern limit of lot 2 800 402, a

line in lots 2 538 482, 2 538 483, 2 538 484, 2 538 478 and 2 538 466 to the apex of the southeastern angle of lot 2 800 401, the northeastern limit of lot 2 800 401, a line in lots 2 538 470, 2 438 462 and 2 538 463 to the apex of the eastern angle of lot 2 800 407, the southwestern limit of lots 2 538 476 and 2 538 475, a line in lots 2 538 474, 2 538 473, 2 538 472, 2 538 468, 2 538 465 and 2 538 464 to the apex of the southeastern angle of lot 2 800 398, the northeastern limit of lot 2 800 398, a line in lots 2 539 066, 2 539 064 and 2 539 062 to the apex of the southwestern angle of lot 2 539 063, part of the southwestern limit of lot 2 539 063 to the apex of the southeastern angle of lot 2 800 226, thence, the southwestern limit of the said lot; successively, northeasterly, the northwestern limit of lots 2 800 226, 2 800 227, 3 369 741, 4 221 787, 4 221 788, 4 221 789, 2 539 094, 2 539 095, 2 539 096 and 2 539 097, then correspondig to the southeast side of the right of way of Route 346 (rang du Cordon), the northwestern limit of lots 2 539 098, 2 539 100, 2 539 105, 2 800 249, 2 539 118, 2 539 121, again 2 800 249, 2 539 110, 2 539 111, 2 539 113, 2 800 251, 4 727 890, 4 727 889, 4 727 888, 2 539 133, 2 539 134, 2 539 136, 2 539 137, 2 539 139, 2 539 475, 2 539 476, 2 539 477, 2 539 478, 2 539 479, 2 539 480, 2 539 481, 2 800 296, 2 539 485, 2 539 484, again 2 539 485, 2 539 486, 2 539 487, 2 539 488, 2 539 489, 2 539 490, 4 246 846, 4 246 847, 2 539 492, 4 421 686, 4 421 685, 2 539 494, 2 539 495, 2 539 496, 2 539 497, 2 539 498, 2 539 500, 2 539 501, 2 539 502, 4 790 226, 4 790 225, 2 539 504, 2 539 505, 2 539 506, 2 539 507, 4 622 511, 4 622 510, 2 800 443, 4 246 848, 4 246 849, 4 246 850, 3 140 605, 3 140 606 and 3 140 607, to its starting point.

Ministère des Ressources naturelles
Bureau de l'arpenteur général du Québec
Service des levés officiels et des limites administratives

Québec, 24 October 2012

Prepared by: _____
GENEVIÈVE TÉTREAUULT,
Land surveyor

GT/mr
Record: 523334

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