

-----Original Message-----

From: rodhemeon@aol.com

To: cao@townofyarmouth.ca

Cc: Mayor.Mooney@townofyarmouth.ca; DeputyMayor.Boudreau@townofyarmouth.ca;

Councillor.MacKenzie@townofyarmouth.ca; Councillor.Langille@townofyarmouth.ca;

Councillor.Maclsaac@townofyarmouth.ca; Councillor.Dares@townofyarmouth.ca;

Councillor.Pink@townofyarmouth.ca; solicitor.barro@townofyarmouth.ca;

ddexter@ns.sympatico.ca; justmin@gov.ns.ca; pictoucentremla@rosslandry.ca;

percy@percyparis.ca; admin@townofyarmouth.ca

Sent: Sun, Mar 7, 2010 6:12 pm

Subject: "The Pipeline To Nowhere"

Chief Administrative Officer Mr. J. Gushue
Town Clerk
Town of Yarmouth
Nova Scotia.

March 7th 2010

Dear Mr. Gushue

Please place on your agenda and distribute this letter to Council, prior to your **March 11th 2010 Council meeting. Thank You.**

Regards
Rod Hemeon

March 7th 2010

Mayor & Councilors,

In doing a bit of research, information has recently come to my attention that an elected representative, presently sitting on Yarmouth Town Council, has participated in discussions, moved motions and voted on a matter involving a substantial expenditure of tax dollars, in what seems to be a contravention of the municipal conflict of interest legislation.

subject: The Jarvis Road Project "The Pipeline To Nowhere"

Town Council of the Town of Yarmouth
Thursday, October 9, 2008.

minutes: FINANCE COMMITTEE
MOVED BY Deputy Mayor Pink, SECONDED BY Councillor Dares,
that Council proceed as per the Local Improvement By-law and petition
to cost share in the installation of sanitary sewer on Jarvis Road.
MOTION CARRIED

Town Council of the Town of Yarmouth
Thursday, January 8, 2009.

minutes:
LOCAL IMPROVEMENT PETITION – JARVIS ROAD OPENING
MOVED BY Councillor Pink, SECONDED BY Maclsaac,

that Council approve the Local Improvement Petition in accordance with staff recommendations.

MOTION CARRIED

There was one nay recorded.

The minutes do not record any declaration of conflict by Councilor Martin Pink QC.

It is my understanding that Councilor Martin Pink QC, was at this time, the recognized agent for one of the proponents and beneficiaries of this proposal, Yarco Holdings, as well as the legal representative of one of the partners, of said entity, Mr. Richard Hurlburt. I would like to point out that a partner in Councilor Pink's law firm Mr. Greg Barro, Solicitor for the Town of Yarmouth, was present during these discussions, subsequent motions and voting.

Now that Yarmouth Town Council has been informed of this apparent breach of the Municipal Conflict of Interest Act, Council now has 60 days to investigate and to request, of the Office of the Attorney General of Nova Scotia, that an application of determination be filed.

thepipelinetonowhere.angelfire.com

Regards
Rod Hemeon
44 Forest Street
Yarmouth Nova Scotia

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From: rodhemeon@aol.com

To: cao@yarmouth-town.com

Cc: mayor.mooney@yarmouth-town.com; deputymayor.boudreau@yarmouth-town.com; administration@yarmouth-town.com; councillor.mackenzie@yarmouth-town.com; councillor.macisaac@yarmouth-town.com; councillor.langille@yarmouth-town.com

Sent: Mon, Feb 2, 2009 4:49 pm

Subject: "The Pipe Line To Nowhere."

Mr. J. Gushue
Town Clerk, CAO
Town of Yarmouth
Nova Scotia.

February 2nd, 2009

Dear Mr. Gushue

Please place on your agenda and distribute this letter to Council prior to your February 12th 2009 Council meeting. Thank You.

Mayor and Yarmouth Town Councilors,

"The Pipe Line To Nowhere"

In its dying days, on Oct.9th 2008, the previous Yarmouth Town Council approved the expenditure of \$136,000.00 tax dollars to extend the sewage line to a vacant property on Jarvis Road within the Town of Yarmouth.

Prior to this matter being approved, I expressed my concern that no application for a development permit had been applied for nor issued and that in that case this expenditure could only be warranted if an agreement was signed and the company required to build on the land within one year, adding to our Town's tax base, otherwise this would simply be a gift.

Of course this logic was ignored by Yarmouth Town Council and the " Pipe Line" was approved.

The various regulatory procedural processes were followed and as the final stage, the " Pipe Line" was approved by our New Yarmouth Town Council on January 8th 2009, by a vote of 6-1, at a cost of \$150,000.00 plus.

Now here is where we run into the problem many of the Town Councilors did not have the pertinent facts nor did they understand there implications. Now this is not new, and in the three years I have followed this council I was very disappointed to see these elected officials failing in their obligations to the community.

This paragraph below is from an e-mail sent by one of our Yarmouth Town Councilors, one week after voting in favor of this expenditure, it speaks for itself. I will not name the Councilor but I would hope that he will speak out.

Lack of knowledge on the part of elected officials is also a huge concern. Info on Jarvis Street came to me AFTER the last meeting from another Councilor who did not discuss or share his knowledge with us. Had the newer members known the history the outcome would, I assure you, have been different.

Without a written agreement to develop this land the expenditure of \$150,000.00 tax dollars, in my opinion is no more than a gift to the land holders.

This property is owned by a company named YARCO, principles of this company are the CEO of the South West Shore Development Authority, Mr. Frank Anderson and the Minister of Municipal Affairs Mr. Richard Hurlburt.

Our Town Councilors have an obligation, prior to making decisions, to seek knowledge of the matter to enable them to make "Informed Decisions"

Our Town Staff have an obligation to assist our elected representatives in gaining knowledge related to the matters before them.

It is my perception and in my opinion the feelings of many others that the approval of the "Pipe Line To Nowhere" has the appearance of a breach of the conflict of interest legislation.

Will Yarmouth Town Council publicly review this matter?

Regards
Rod Hemeon
44 Forest Street
Yarmouth Nova Scotia

yarmouthtowncouncil2009.angelfire.com