

**MUNICIPALITY OF THE COUNTY OF ANTIGONISH**

**Council Chambers  
Municipal Building**

**Thursday  
July 30, 2013**

A Special Meeting of Municipal Council for the Municipality of the County of Antigonish was held on Wednesday, July 30, 2013 at 7:30 p.m. in the Council Chambers of the Municipal Administration Centre, 285 Beech Hill Road, Antigonish, NS.

Present were: **Warden Russell Boucher, Chairman**

Deputy Warden Owen McCarron	
Councillor Donnie MacDonald	Councillor Vaughan Chisholm
Councillor Bill MacFarlane	Councillor Pierre Boucher
Councillor Mary MacLellan	Councillor Angus Bowie
Councillor Hughie Stewart	

Regrets: Councillor Rémi Deveau

Also present were: Glenn Horne, Municipal Clerk/Treasurer  
Debbie Cormier, Recording Secretary  
Adam Rogers, Municipal Solicitor  
John Bain, Executive Director, EDPC  
Corey LeBlanc, The Casket  
Bill MacCuish, 98.9 XFM  
Greg Morrow, 101.5 The Hawk  
Anne Marie Long  
Gallery

The meeting was called to order by the Chair, Warden Russell Boucher.

**APPROVAL OF AGENDA**

Warden Boucher called for any additions or deletions to the agenda. The following item was added to the Agenda.

- 1) Recommendations from Committee of the Whole

<p><b>2013-090 (Approval of Agenda)</b> <b>MOVED by Councillor Bill MacFarlane, SECONDED by Councillor Vaughan Chisholm</b> <b>that the agenda be approved as amended. Motion carried.</b></p>
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The first item on the agenda is the continuation of the Public Hearing. Warden Boucher indicated that he was declaring "Conflict of Interest" and turning the meeting over to Deputy Warden Owen McCarron to Chair. Councillor Pierre Boucher also declared "Conflict of Interest". Both Warden Boucher and Councillor Boucher removed themselves from the Council area.

Anne Marie Long noted that paragraph 6(1)(a) of the "Conflict of Interest" Guidelines require that a conflict be declared and no conflict has been declared. Further, Mrs. Long indicated that looking at the Conflict of Interest Guidelines neither Warden Boucher or Councillor Boucher is in conflict as there is no direct, indirect or deemed interest in this matter for them. Therefore, Mrs. Long asked both Warden Boucher and Councillor Boucher to participate this evening and declare what they think is their conflict and confirm for the residents that there truly is a conflict.

Deputy Warden McCarron noted that Council would have to defer to legal Council of this and ask for a brief recess to discuss this matter.

The Deputy Warden resumed the meeting and asked the County Solicitor, Adam Rodgers to give an explanation and this would be followed by a comment from the Warden and Councillor Boucher.

Mr. Rodgers noted that when you are dealing with conflicts of interest, there are technical requirements that are outlined in the Act and they relate to the Councillor or certain members of the Councillor's immediate family or people residing with the Councillor having an interest in the matter. In those situations, there is a line where the Councillor needs to declare a conflict of interest. Conflict of interest, whether it is Municipal Government, or anything else has a broader application and it is in cases where a perceived or possibility of a perceived conflict and if the Councillor feels that this is going to be an issue, then it is proper and right that the Councillor declare such a conflict.

It is required as part of the Act that you declare the general nature of what the conflict is then at a public meeting such as this, leave the Council Chair, however, the Council member would be permitted to stay in the room.

Warden Boucher then declared that he is a close relative to the applicant. Councillor Boucher indicated that he too is a close relative of the applicant. Both left their seats at the Council table.

Mr. Rodgers added, as well, that the fact that neither Warden Boucher or Councillor Boucher participated in the earlier Public Hearing, therefore, they wouldn't be able to vote on the matter in any event.

Deputy Warden McCarron noted, for the record, that Councillor MacDonald was not present at the beginning of the Public Hearing as well and therefore will not be eligible to vote on the decision.

Mrs. Long noted that, for the record, she wanted to state that she is also a cousin of all parties.

Deputy Warden McCarron then indicated that the Public Hearing would be resumed. He reviewed the ground rules with respect to the format for the meeting. Those being:

- Ask anyone who is in favor of the application who wish to speak to please give their name;
- Anyone opposed to the application who wishes to speak will be asked to indicate their name;
- Anyone who has spoken originally will not be given a second opportunity to speak;
- If there are questions, Council will ask any questions of the people who are present;
- There will be no questions asked of Council.

The Deputy Warden then opened the floor and asked three times for anyone who wished to speak in favor of the application. No one came forward to speak in favor of the application.

The Deputy Warden opened the floor for anyone who wished to speak against the application.

Anne Marie Long indicated that she wished to speak against the application.

Copies of Mrs. Long's notes are attached to the Minutes.

Mrs. Long wanted to know if the Planning Staff is available to answer questions. Deputy Warden McCarron indicated that for the Public Hearing tonight, the Executive Director of the Planning Commission, John Bain, was present. However, for the Public Hearing, questions are directed in the form of your presentation. These questions will be logged and Council, at its' discretion, will take a recess to go over those questions and if Council has any questions of the Presenters, Council will pose those questions.

Mrs. Long questioned if this is a recorded Hearing and Deputy Warden McCarron indicated that the Hearing is being recorded by the Recording Secretary.

Mrs. Long indicated, as well, that she is speaking on behalf of all of the residents present at the Public Hearing. A copy of Mrs. Long's speaking notes is attached to the Minutes.

After Mrs. Long's presentation, Deputy Warden McCarron called three more times for any other presentation against the proposal.

Hearing no other oppositions, he asked for a recess to permit Council to have a discussion in light of the presentation.

Before the Public Hearing was closed, Mrs. Long asked Council to reconsider the ruling that someone cannot speak again once they have spoken when additional information has been issued or a response to the original questions has been issued.

Deputy Warden McCarron then closed the Public Hearing.

Deputy Warden McCarron indicated that after a review of the submission tonight and previous submissions, the Chair would now entertain a motion on the issue.

**2013-091 (Mattie Farms)**

**MOVED by Councillor Hughie Stewart, SECONDED by Councillor Bill MacFarlane that the rezoning application submitted by Mattie Farms Ltd. to rezone from (R-1) Rural to (R-2) Residential Multi-Unit Zone on a portion of land at Tracadie, Nova Scotia be approved. Motion carried. 1 nay vote – Councillor Mary MacLellan. It should also be noted that Councillor Donnie MacDonald abstained from the voting.**

Deputy Warden McCarron then called for Warden Boucher to resume as Chair for the meeting.

**SIGNING AUTHORITY – Glenn Horne**

**2013-092 (Signing Authority – Glenn Horne)**

**Moved by Councillor Bill MacFarlane, SECONDED by Deputy Warden Owen McCarron that Glenn Horne, Municipal Clerk/Treasurer be given signing authority on behalf of the Municipality of the County of Antigonish. Motion carried.**

**WRITE OFFS**

**2013-093 (Tax Write off – Sharon & Guy MacGillivray)**

**Moved by Councillor Bill MacFarlane, SECONDED by Councillor Donnie MacDonald that Municipal Council write off \$354.00 of property tax for Sharon & Guy MacGillivray for their property in Pomquet, reflecting the adjusted assessment and tax bill. Motion carried.**

**2013-094 (Sewer Write off – Betty MacDonald)**

**Moved by Councillor Vaughan Chisholm, SECONDED by Councillor Pierre Boucher that Municipal Council write off \$651.00 of a sewer bill for property owned by Betty MacDonald of Post Road, reflecting the current state of the property. Motion carried.**

On motion of Councillor Mary MacLellan that the meeting adjourn to Committee of the Whole.

The meeting was called back to order and one recommendation was brought forward. Deputy Warden declared "Conflict of Interest" and removed himself from the Council Chambers when the vote was taken on this motion.

**2013-095 (Owen & Sue Ellen McCarron – Wells)  
Moved by Councillor Vaughan Chisholm, SECONDED by Councillor Angus Bowie that Owen & Sue Ellen McCarron be paid \$34,236.00 for three properties on which there are three municipal wells and a water storage facility in Lower South River. Motion carried.**

Meeting adjourned.

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**Warden Russell Boucher**

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**Glenn Horne, Municipal Clerk/Treasurer**