

Councillor Lichter stated Halifax County is entitled to be treated the same as the Cities of Halifax and Dartmouth.

Councillor McInroy suggested the Town of Bedford's assistance should be solicited, as well, because they are in the same solution. With respect to landfilling, Councillor McInroy stated the metro harbour clean-up action will affect all metro municipalities, and it must be addressed. Also, Councillor McInroy questioned the legitimacy of Mr. Jackson's comments with respect to selectively denying this kind of refuse at the landfill site. He felt dewatered sludge is a legitimate use of the landfill site, and he expressed objection to Mr. Jackson's comments.

Councillor Fralick felt a waste/sludge management program such as that Grow-Rich operates is the solution. He stated there are good marketing people in Nova Scotia that are capable of selling fertilizer. He stated he will support this option.

Councillor Merrigan expressed support for Mr. Wdowiak's recommendation, and he stated staff should be immediately directed to investigate lagooning because it will be before Council again in the future. He stated action must be taken rather than continuing to talk about it all the time.

MOTION CARRIED

It was moved by Councillor Merrigan, seconded by Councillor Randall:

"THAT lagooning and on-site burial be initiated immediately to implement the long term solution;

ALSO THAT the cooperation of the City of Dartmouth be solicited for continued disposal of sludge and septage into the Dartmouth system as the immediate short term solution, while the lagooning process is implemented."

MOTION CARRIED

Councillor DeRoche stated temporary can be a long time, if it is not defined. He stated Halifax County must determine where it is going, and how we are going to get there. He stated temporary lagooning may be a process that we may find we want to continue with.

Deputy Warden MacDonald asked how long it will take to find a parcel of land for temporary lagooning. He stated the issue of sludge management began in 1986, and it took the Metropolitan Authority five years to find a site for the landfill site. He expressed concern about the possible timeframe involved.

ADJOURNMENT

It was moved by Councillor MacKay, seconded by Councillor DeRoche:

"THAT this meeting adjourn."

MOTION CARRIED

The meeting adjourned at 8:25 p.m.



Halifax County Municipality

Municipal Clerk

Administration Centre

2750 Dutch Village Road
Halifax, Nova Scotia B3L 4K3
902-453-7564

M E M O R A N D U M

TO: Warden & Members of County Council
FROM: Dale D. Reinhardt, Deputy Municipal Clerk
DATE: May 2, 1988
RE: Sludge Management Report

1. In May of 1986 the County was advised that the present system for the disposal of sludge would soon be terminated.
2. At the June 12, 1986 meeting of the Board of Health, a report was received from the Department of Engineering and Works. After discussion, a motion was passed that it be recommended to Council that the Sludge Management Report prepared by CBCL, be updated as per the recommendations outlined in the Director's of Engineering and Works Report.
3. This recommendation was forwarded to County Council on June 17, 1986 and was approved.
4. On November 12, 1986, the first progress report was tabled before the Board of Health by Mr. Murphy, CBCL Ltd.. The report recommended Temporary Lagooning and land disposal. The Board felt that this option along with other options should be considered and requested a report be brought back to a subsequent meeting. The Board was advised that disposal of dewatered sludge at the Regional Sanitary Landfill would not be permitted under present conditions.
5. At the December 15, 1986 Special Meeting, the Board agreed to support the concept, at this point, of temporary lagooning as outlined in the Murphy Report and that the consultants look at proper disposal sites and costs.

6. At the April 8, 1987 meeting, the Board received another progress report in which they were advised that only land disposal would be the available option at this time. The consultants advised that they would look at some sites and report back to the Board.
7. On May 13, 1987, the Board was presented with a letter from the Director, Atlantic/Lunenburg/Queens Health Units which advised that he would suggest that the Board consider very carefully, any recommendations to the County that sewage sludge be disposed of on land as there are many health and political reasons for avoiding this option. This letter was sent to the consultants for their consideration.
8. On July 8, 1987, the consultants again met with the Board requesting clarification on direction of the study in light of the correspondence from the Director, Atlantic Health Unit. The Board passed a motion supporting the concept of dewatering and landfill applications.
9. On November 16, 1987, the Board of Health held a special meeting to discuss Waste/Sludge Management Alternatives with an Ontario based company, Grow Rich Waste Recycling System Inc.
10. On December 9, 1987, the Board requested a detailed proposal from Grow Rich Waste Recycling Systems.
11. At the February 11, 1988 meeting, the Board tabled a preliminary proposal from Grow Rich.
12. At the March 9, 1988 meeting, the Board passed a motion that the Director of Engineering and Works respond to the proposal from Grow Rich with the additional information as requested. Further, that once a final proposal is received that a Committee of the Whole be arranged to discuss Sludge Management.

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 ROBERT W. FETTERLY

GARY R. ARMSWORTHY
 GARY E.G. MANTHORNE
 WILLIAM M. LEAHEY
 CHRISTOPHER S. BERRYMAN
 CRAIG R. BERRYMAN

Our File: 30.5

May 2, 1988

VIA FAX

Halifax County Board of Health
 2750 Dutch Village Road
 Halifax, Nova Scotia

Attention: Mr. Dale Reinhardt, Secretary to the Board of Health

Dear Mr. Reinhardt:

RE: Sludge Disposal

At its' April 13, 1988 meeting, the Board of Health requested that I render an opinion on the legal aspects of certain options for the disposal of sludge for its May 11, 1988 meeting. At your specific request, I am attending a special meeting this evening to consider this matter.

In the past, Halifax County council referred the study of long-term options for sludge disposal to the Board of Health for its' consideration and future recommendations. Sludge is currently transported by private contractors to a private disposal site in Burnside Industrial Park, ultimately finding its way to the Halifax Harbour. Apparently, these contractors have been given an immediate deadline to cease the dumping of sludge in that manner. This has created an emergency situation, if an immediate alternative is not found. Homeowners in the County being serviced by private sewage disposal systems may face potential health problems due to sewage backing up in the house, etc. or they will find unsatisfactory private methods of disposing of septage sludge.

At its last meeting, there was some general discussion on possible alternatives for the temporary disposal of sludge until a long-term solution is identified and implemented. None of the options discussed appeared to be ideal and the Board was left to consider which one would be the least potentially hazardous. One concept discussed was whether the Municipality could introduce the sludge into its' sewage treatment plant located in Eastern Passage.

I have taken a rather broad look at this problem and my research has included a review of the Nova Scotia Environmental Protection Act. At the outset, I would point out that the Act specifically includes Municipalities in its definition of "persons". Section 23 of the Act is very important and reads as follows:

No person shall own, occupy, operate or be responsible for the operation of a plant, structure, facility undertaken or thing that discharges, releases, deposits, drains, emits or threatens or allows the discharge, release, deposit, or drainage or emission of waste into the environment or otherwise causes or tends to cause pollution unless he has obtained a permit from the Minister.

In my opinion, within the meaning of the Environmental Protection Act, the Release or Discharge of septage sludge into the environment would be pollution and therefore the Act applies.

I have not confirmed this, but I would assume that the current sewage treatment plant in Eastern Passage has a permit from the Department of Environment. It might be argued that since the Plant already has a Permit, then the Municipality would have the authority to simply add more affluent to the operation. However, under Section 25 of the Act, the Minister's staff may measure the discharge and if they believe that it is causing pollution or contravenes the Act, then the Minister may order the Plant to shut down, and, in addition, the Minister has a whole range of powers to deal with that situation. As I understand it, septic sludge is not "treated" in the manner that sewage is treated by the Plant. Accordingly, if this is discharged directly into the environment, it might be a violation of the Operating Permit in place. In any event, the Department has the power under Section 25 to monitor the effluent and if their standards are violated with respect to the quality of the effluent, then the Minister has a whole range of powers to deal with the situation, including ordering a closure of the facility.

Strictly from a legal point of view, my recommendations to the Halifax County Board of Health are as follows:

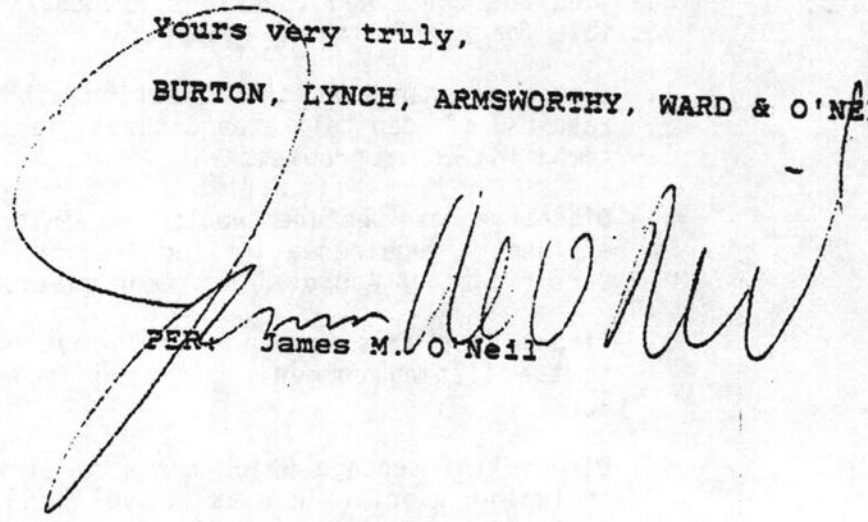
1. That this is primarily a public works issue. Certainly, the Board will want to monitor the situation to see that the best possible solution is selected from a health point of view. However, the matter should be referred immediately to the Municipal Council.
2. That the Board should caution Council that it is going to require a Permit from the Nova Scotia Department of Environment to discharge the sludge into the environment. Since time appears to be of the essence, in whatever interim measures are to be taken, Council ought to see that an application for a Permit is made right away to the Department of Environment to avoid any delays at the other end.

I am anticipating that someone will ask me this evening whether or not the City of Halifax or the City of Dartmouth have Permits to discharge raw sewage into Halifax Harbour. I made some inquiries today at high levels in the Department of Environment and I am advised that neither City has applied for or ever received a Permit for such discharges.

I trust this will clarify the primary legal aspects of this matter followed.

Yours very truly,

BURTON, LYNCH, ARMSWORTHY, WARD & O'NEIL



A large, stylized handwritten signature in dark ink, appearing to read 'James M. O'Neil', is written over the typed name and extends upwards into the signature line.

PER. James M. O'Neil

JMO/tls

STAFF REPORT

TO: EXECUTIVE COMMITTEE
FROM: ENGINEERING & WORKS DEPARTMENT
DATE: 2 May 1988

SLUDGE MANAGEMENT


CHIEF ADMINISTRATIVE OFFICER


DIRECTOR OF ENGINEERING & WORKS

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- The itemized overview presented by Mr. Reinhart adequately outlines the involvement of the County Board of Health, and the Engineering & Works Department in attempts to implement a sludge management strategy to deal with digested sludge and septage.
 - The clarifications requested in the Grow Rich Waste Recycling systems preliminary proposal have been forwarded, and to date we have not received a firm proposal.
 - The subject has been discussed at meetings of the Executive Committee as well as the Urban Services Committee.
 - A report was requested by Executive Committee and presented on April 18, 1988. Specifically, the intent of the Board to order disposal in the immediate short term at the outfall line in Eastern Passage was analyzed and concluded that this proposal would not be possible for the following reasons:
 1. Septic discharge at this location will nullify the results of capital expenditures incorporated in combating odour problems.
 2. Discharge of septage would be in violation of effluent requirements for which the Joint Certificate of Approval has been given.
 3. Disposal at this location would not be acceptable to the fishing community located in the immediate area.
 4. Disposal of septage which contains 2% to 8% solids including debris such as gravel will affect the diffusion capability at the end of the discharge pipe which will result in mal odours.

5. Septage cannot be discharged—into an upstream location because of the resulting organic overloading of the plant. The plants are designed to accommodate and treat raw sewage of an average strength of 200 mg/l BOD₅ and discharge effluent with a BOD₅ of 20 mg/l. Sludge is a by-product of the treatment process and is a concentration of contaminants in a much smaller volume. Septage BOD₅ run anywhere from 10,000 mg/l to 30,000 mg/l and the plant aeration and scrubber capabilities are not adequate and have not been designed for those concentrations. The effects would be similar to odor problems encountered at Mill Cove during initial start-up of Twin Cities Dairies when pre-treatment capabilities were inadequate and wastewater at strengths of 2,000 mg/l BOD were discharged.

Another example is the odor problems caused as a result of long retention times of sewage during dry weather flows in the long pressure sewer from Cole Harbour to Eastern Passage causing sewage to turn septic and the incapacity of the plant to handle this septic sewage.

Disposal of septage is impossible to accommodate at any of the existing plants.

It is recommended that temporary lagooning and burial on site be investigated as the immediate interim solution. Staff of the Department of the Environment as well as the Department of Health have indicated that the required approvals could be granted reasonably quickly. In the meantime, cooperation from the City of Dartmouth should be sought for continued disposal into the Dartmouth system.

COUNCIL SESSION

MAY 3, 1988

PRESENT WERE: Warden MacKenzie
Councillor Rawding
Councillor Fralick
Councillor C. Baker
Councillor Deveaux
Councillor DeRoche
Councillor Randall
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Merrigan
Councillor MacKay
Councillor McInroy
Councillor Eisenhower
Deputy Warden MacDonald
Councillor Wiseman

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. G.J. Kelly, Municipal Clerk
Mr. R.G. Cragg, Municipal Solicitor

SECRETARY: Glenda Hill

Warden MacKenzie called the Council Session to order at 6:05 p.m. with the Lord's Prayer. Mr. Kelly called the Roll.

APPROVAL OF MINUTES

It was moved by Councillor Snow, seconded by Councillor Deveaux:

"THAT the minutes of the Committee of the Whole meeting, March 29, 1988, be approved as circulated."
MOTION CARRIED

It was moved by Councillor Rawding, seconded by Councillor C. Baker:

"THAT the minutes of the Special Council Session, March 29, 1988, be approved as circulated."
MOTION CARRIED

It was moved by Councillor DeRoche, seconded by Councillor Fralick:

"THAT the minutes of the April 5, 1988 Council Session be approved as circulated."
MOTION CARRIED

It was moved by Councillor Fralick, seconded by Councillor Walker:

"THAT the minutes of the Committee of the Whole meeting, April 7, 1988, be approved as circulated."
MOTION CARRIED

EMERGENCY AGENDA ITEMS

Councillor MacKay - Policing, Sackville

REPORT, MAINSTREET PROGRAMS

Warden MacKenzie welcomed Karen Schellinck, Coordinator, Mainstreet Programs, and the chairpeople from each of the Mainstreet Programs.

Ms. Schellinck gave a brief recap of the work completed in Sheet Harbour, Musquodoboit Harbour, and Sackville under the direction of each of the Mainstreet Programs over the past year. She showed a slide presentation of these projections, showing before and after pictures of much of the work completed in 1987. She also showed pictures of some of the work proposed for 1988.

With respect to landscaping at the school in Musquodoboit Harbour, Councillor MacKay asked if the area to be landscaped is on the school grounds or if it is a Department of Transportation right-of-way. Ms. Schellinck advised it is her understanding that the area to be landscaped will be that entrance to the school, which is visible from the road. She added until the funding is available, it is difficult to spend any money on design. She stated the landscaping will not be in or around the school. Councillor MacKay noted that street improvements and landscaping by the Mainstreet agencies cannot enter onto private properties because the cost-sharing is only for Department of Transportation rights-of-way. He noted the school property is owned by the Municipality and leased to the School Board, and he questioned if this land would be eligible for this landscaping; he asked if this has been verified. Ms. Schellinck informed this has not been looked at yet.

Councillor MacKay noted there is \$16,000 included in the budget for administration. He asked if this includes rent for the new facility proposed in Sackville. Ms. Schellinck informed it does not; all figures are based on 1987 figures. She noted that the rent at the existing location is very cheap, and she was not aware of the financial responsibility the Mainstreet Office will have in this regard. Mr. Meech added that the rent at Shaw Cable was only \$200 per month for 500 square feet, and the cost at the new facility will be \$11.60 per square foot; therefore, there will be some additional cost.

Councillor C. Baker stated he supports the Mainstreet Programs, but he expressed concern that time and money are not spent on cleaning up the streets. Ms. Schellinck advised that the Mainstreet Program has addressed this issue in this past. Twice per year there is a "clean

and green" campaign in Sackville involving the community in the clean-up of Sackville. Sackville Mainstreet is now in partnership with the Clean Sackville Committee, and everything possible is being done to address this problem; assistance is provided to this group so the problem can be addressed on a wider scale. Councillor C. Baker agreed that the job is well done in Sackville, but he felt it should be done beyond Sackville. He stated the urban areas especially experience problems with garbage and debris.

Councillor MacKay asked how the Mainstreet budget co-relates to the money in the County's general budget. Mr. Meech advised there is \$100,000 presently in the budget for Mainstreet.

Warden MacKenzie advised that he was in receipt of a request from the Sheet Harbour Board of Trade for the installation of water and sewer when the road is realigned and widened. He advised that this request has been submitted to Mr. Wdowiak, but to date there has been no response. He stated it would only make sense to install these services when the road is widened, rather than digging it all up again at a later date.

Warden MacKenzie thanked Ms. Schellinck for her presentation, as well as the Chairpeople from Sheet Harbour, Musquodoboit Harbour, and the Vice Chairman for Sackville for attending.

LETTERS AND CORRESPONDENCE

Minister of Housing

Mr. Kelly reviewed this letter concerning the Millwood Planned Unit Development Agreement and development along the Little Sackville River floodplain.

It was moved by Councillor MacKay, seconded by Councillor Merrigan:

"THAT this letter be received."
MOTION CARRIED

It was moved by Councillor MacKay, seconded by Councillor Merrigan:

"THAT Sackville representative on Halifax County Council meet with the Department of Housing concerning this and that representatives of the Sackville-Beaver Bank Advisory Board be invited to attend, most particularly Paul Hyland, Chairman."

Mr. Meech noted there is a request for a meeting with the Department of Housing at the staff level. He suggested that this meeting proceed first, and that the meeting with Sackville representatives and the Sackville-Beaver Bank Advisory Board be arranged later.

Councillor DeRoche inquired about a meeting that was supposed to be arranged some time ago concerning the Forest Hills Planned Unit Development Agreement. Mr. Meech advised that efforts are still being made to arrange this meeting. He stated there has been some

difficulty in getting the appropriate people together at the same time, and it is intended to have the local Councillors and the MLA in attendance at this meeting, as well. Mr. Meech suggested that this meeting should be arranged in the very near future.

MOTION CARRIED

Minister of Municipal Affairs

Mr. Kelly reviewed this letter respecting the establishment of regional Planning Advisory Committees.

It was moved by Councillor McInroy, seconded by Councillor Walker:

"THAT this item of correspondence be received."
MOTION CARRIED

Councillor Walker advised that the western subsystem Councillors will be meeting concerning this within the next week.

Councillor DeRoche noted that the Minister's letter indicates another legal opinion should be sought. He suggested this be followed upon. It was noted that the Municipal Solicitor gave his opinion on this matter some time ago, and Councillor Rawding informed that the Executive Committee requested another legal opinion at the last meeting. He suggested another legal opinion will not conflict with that of the Minister.

Councillor Lichter stated the Minister of Municipal Affairs has not adequately responded to the request from Council. He suggested another legal opinion is important. He also noted that Minister would not oppose in principle the concept of regional advisory committees, but he questioned the meaning of oppose in principle; he suggested another opinion is also required in this respect. Councillor Lichter noted that at a previous Council Session it was agreed that action would be taken when Councillor Walker presents a more formal idea of what he contemplates. He stated this has not been presented yet.

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Application No. RA-15/18/19-35-87-18 Rezoning of Portions of the Lands of Frank Veniot et. al., South Side of the Hammonds Plains Road

Mr. Kelly reviewed the report and recommendation of the Planning Advisory Committee respecting this application.

It was moved by Councillor Eisenhauer, seconded by Councillor McInroy:

"THAT a public hearing be scheduled for Application No. RA-15/18/19-35-87-18 on June 13, 1988 at 7 p.m."
MOTION CARRIED

Application No. RA-TLB-32-87-02 - Rezoning of 1380 Bay Road (Highway No. 3), Lakeside

Mr. Kelly viewed the report of the Planning Advisory Committee.

It was moved by Councillor Snow, seconded by Councillor Lichter:

"THAT a public hearing be held for Application No. RA-TLB-32-87-02 on June 13, 1988 at 7 p.m."

MOTION CARRIED

File No. ZA-24-07-88 - Amendments to Zoning By-law No. 24

Mr. Kelly reviewed this report.

It was moved by Councillor Lichter, seconded by Councillor MacKay:

"THAT File No. ZA-24-07-88 be approved and that a public hearing be held on June 13, 1988 at 7 p.m."

MOTION CARRIED

File No. P-166-88-04 - Undersized Lot Legislation - Proposed Subdivision of the Lands of Arthur Zinck, West Dover

Mr. Kelly reviewed the report.

It was moved by Councillor DeRoche, seconded by Councillor C. Baker:

"THAT the proposed subdivision of the Lands of Arthur Zinck, West Dover be granted approval in principle and that the applicant be directed to proceed to the final subdivision stage;

ALSO THAT staff be empowered to advertise the public hearing once the application is complete."

MOTION CARRIED

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

File No. RA-SA-14-87-16 - Erfani Appeal, Sackville

Mr. Kelly reviewed this report, advising that the Municipal Board has ordered Halifax County Council to amend the Land Use By-law for Sackville by rezoning 190 Cobequid Road from R-2 (Two Unit Dwelling) Zone to C-1 (Local Business) Zone.

It was moved by Councillor DeRoche, seconded by Councillor Lichter:

"THAT the order from the Municipal Board respecting the rezoning of 109 Cobequid Road from R-2 (Two Unit Dwelling) Zone to C-1 (Local Business) Zone be adhered to."

Councillor MacKay inquired about advertising for ordered amendments, such as this. He asked if these amendments to the Land Use By-law are

advertised, and if so does the advertisement read that this rezoning has occurred as a result of an order from the Municipal Board. Mr. Cragg responded that this was reviewed in detail with the Municipal Board about one year ago, and the final determination was that Halifax County only has to adhere to the order of the Municipal Board; if the Municipal Board has not ordered an advertisement in this respect, Halifax County does not have to advertise. However, Mr. Cragg suggested advertising such an amendment may be the proper thing to do.

Councillor MacKay agreed. He felt Halifax County should advertise this amendment because the local residents were advised that this application was denied by Council, and they were also advised of the appeal, so they should be made aware of the outcome.

It was moved by Councillor MacKay, seconded by Deputy Warden MacDonald:

"THAT the aforementioned resolution be amended to include advertising of order of the Municipal Board order as per the normal advertising procedure."

Councillor Lichter asked if the advertising could be read to inform that this amendment is the result of an order by the Municipal Board. Mr. Cragg expressed no objection, stating it does not appear this would be something the Municipal Board would take issue with.

Councillor MacKay and Deputy Warden MacDonald agreed to include that the wording of the advertisement reflect that this amendment has been made as a result of an order from the Municipal Board.

AMENDMENT CARRIED

MOTION CARRIED AS AMENDED

MEMORANDUM, RE UNDERSIZED LOT LEGISLATION - BARRY BOUTLIER, SEABRIGHT

Mr. Kelly reviewed this memorandum from Ms. Spencer advised that this application for approval through the Undersized Lot Legislation has been cancelled, and the applicant has been advised of another means of subdividing this property.

RESOLUTION, RE BILL NO. 80 (STORM DRAINAGE LEGISLATION)

Mr. Kelly advised that the proposed bill as amended was mailed to Councillors with the agenda.

It was moved by Councillor DeRoche, seconded by Councillor Deveaux:

"THAT Bill No. 80, re storm drainage legislation, be approved by Municipal Council as amended and that the Bill be forwarded to the Legislature for adoption."

Councillor Lichter inquired about the amendments by the Legislative Counsel.

Mr. Meech advised the minor amendments to the legislation will not change the intent of the legislation. Mr. Sheppard added that the Legislative Counsel did the re-arranging and made changes so the bill will conform with drafting styles used by the County of Halifax. He noted that Mr. Preeper, the solicitor working on this matter, had asked that Council check the legislation to assure that an inadvertent change was not made. Mr. Sheppard advised that he will be meeting with Mr. Fordham of the Legislative Counsel on May 4 to discuss these changes, although it is felt they are fairly minor.

Councillor Rawding commented that the punctuation and grammar throughout Bill 80 is not consistent and not always proper. Mr. Sheppard assured that Mr. Preeper will make proper grammatical changes to this document.

MOTION CARRIED

APPEAL, RE MINOR VARIANCE - APPLICATION NO. MV-68-16-87

Mr. Gough, Manager, Development Division, briefly reviewed the staff report as contained in the agenda. He also circulated pictures of the property in question.

Questions from Council

Councillor McInroy clarified that the abutting property owner originally agreed to the construction of Mr. Keat's deck, but she is not opposed to it. Mr. Gough advised this is information that was supplied to him by the building inspector, although he was not aware of how accurate this information is. Councillor McInroy also commented on the discrepancy in the measurements shown on the sketch and those found at the site visit. Mr. Gough advised that the original application showed the deck not being parallel to the lot, and at that time he was not aware of how the measurements were made because the top of the deck leans further than the bottom of the deck. Mr. Gough added that construction took place without a building or a development permit.

Councillor McInroy asked if any of the properties involved are currently for sale. Mr. Gough advised that the property abutting that in question is for sale. He suggested this is the MacPherson lot.

Deputy Warden MacDonald inquired about the agreement between Mr. Keats and Mrs. MacPherson; he asked if there was anything in writing. Mr. Gough advised he is not fully aware of the situation between Mr. Keats and Mrs. MacPherson; this is only information that was picked up on the site visit.

Deputy Warden MacDonald next inquired about the proximity of the deck to a house on the abutting lot, if the house were located the minimum of eight feet from the property line. Mr. Gough stated it would be approximately 10 feet from the house.

Councillor DeRoche clarified the deck is approximately four feet from the property line but the railing is about two feet closer. He asked if there was any action taken to prompt Mr. Keats to apply for this minor variance. Mr. Gough responded that when the complaint was received and investigated, it was discovered the Mr. Keats did not have a permit to build this deck. Therefore, he applied after construction had started, and if he had not made the application, there was a possibility of prosecution and the possible removal of the deck and railing. Therefore, if Council grants this variance, the deck and railing can be retained.

Deputy Warden MacDonald asked if the railing were straightened, would the variance be acceptable. Mr. Gough suggested in addition to the straightening the railing, a small corner of the deck should also be removed to make the deck parrallel with the lot line.

Speakers in Favour of this Application

Raymond Keats, 14 Hillside Court advised that when he built the deck, the MacPherson's were not the neighbours, but Pulsifer's lived there at that time. He advised that he spoke to Mr. Pulsifer's son about building the deck, and he expressed full support, and the deck was built. After the deck was built, the house was sold to the MacPherson's, and it was one or two years before there were any complaints. The MacPherson's first complained that his driveway was too close to their property line, and when they found the driveway was legal, they took issue with the deck.

Questions from Council

Deputy Warden MacDonald asked if Mr. Keats would be willing to make adjustments to his deck. Mr. Keats responded that he would be willing to make any necessary adjustments.

Speakers in Opposition to this Application

Philip MacPherson, stated that he has lived at this location for five years, and the deck was only built two years ago. He stated Mr. Keats has already been denied a minor variance, and he stated Council should uphold the laws that have been made. He stated he is now trying to sell his property, and this problem with the deck will make it difficult to sell.

Questions from Council

Deputy Warden MacDonald asked if Mr. MacPherson would be willing to allow the deck to remain if the side railings are adjusted to bring the deck within four feet of the property line. Mr. MacPherson stated if the adjustments are legal, he would have no objections. Deputy Warden MacDonald explained that a four foot setback is a minor variance, and by straightening the railings to bring the deck within four feet of the property line, it could be considered a minor variance. He stated tearing the deck down would involve much hard work.

Mr. Gough explained that if the corner were made parrallel within four feet of the property line, it could be considered a minor variance. He noted that another application for a minor variance would have to be made, and the applicant would have to go through this process again.

It was moved by Councillor Merrigan, seconded by Councillor Snow:

"THAT a minor variance be approved for Application No. MV-68-16-87 - 14 Hillside Court, Sackville."

Councillor Merrigan felt it would be ridiculous to ask this applicant to tear off a corner of his deck. He stated he does not like people building without their permits and building closer to the property lines than they should, but to straighten this railing and cut off a corner of the deck would not make a lot of sense.

Deputy Warden MacDonald objected to the motion. He stated these two people are living side-by-side, and it was agreeable to both of them that the deck be adjusted to suit the minor variance and the neighbour. Therefore, he felt the adjustments should be made to the deck to resolve this problem.

Councillor Merrigan stated if the applicant goes through the adjustments, he will have to make application for the minor variance again.

Councillor Deveaux agreed with Deputy Warden MacDonald that the deck should be adjusted in an effort to make both parties happy.

Deputy Warden MacDonald asked if the minor variance could be approved with the condition that the deck be adjusted. Mr. Cragg responded that the minor variance can only be approved or denied as presented.

Councillor McInroy expressed shock that Councillors would feel it is too big of a job to adjust this railing, when it was built illegally in the first place. He stated the requested adjustments would only take a few hours on a Saturday morning, and it is agreeable to both parties. He stated we should not overlook our own laws to accept something less than four feet to make one part happy and not the other. He noted he will not support the motion.

MOTION DEFEATED 8 YES
 8 NO

It was noted that the denial of the minor variance automatically upholds the decision of the Development Officer.

Councillor Walker asked if a four foot minor variance could be approved. Mr. Cragg responded that the Municipal Act will only allow Council to make any decision that the Development Officer could have made. It is not the prerogative of Council or the Development Officer to modify the application.

DIRECTOR OF DEVELOPMENT REPORT

It was moved by Councillor Deveaux, seconded by Councillor DeRoche:

"THAT the report of the Development Officer be received."
MOTION CARRIED

CHIEF BUILDING INSPECTOR'S REPORT, RE LESSER SETBACKS

Tom MacIntosh, Flying Point Road, Lawrencetown

It was moved by Councillor Randall, seconded by Councillor Deveaux:

"THAT approval be granted for a lesser setback of 15 feet at Flying Point Road, Lawrencetown."
MOTION CARRIED

Norbert Delouchry, Brigley's Road, Queensland

It was moved by Councillor Walker, seconded by Councillor Fralick:

"THAT approval be granted for a lesser setback of 20 feet for applicant Norbert Delouchry at Brigley's Road, Queensland."
MOTION CARRIED

Stuart Dow, Goodwood

It was moved by Councillor C. Baker, seconded by Councillor Snow:

"THAT approval be granted for a lesser setback of seven feet for applicant Stuart Dow, Goodwood."
MOTION CARRIED

Captain Cook Take Out, Glen Margaret

It was moved by Councillor Fralick, seconded by Councillor DeRoche:

"THAT approval be granted for a lesser setback of 13 feet for the Captain Cook Take Out at Glen Margaret."
MOTION CARRIED

Lucien Boulet, Lake Echo

It was moved by Councillor DeRoche, seconded by Councillor Randall:

"THAT approval be granted for a lesser setback of 22 feet for Lucien Boulet on Highway No. 7 at Lake Echo."
MOTION CARRIED

Councillor Walker expressed difficulty with the lack of information provided with these requests for approval of lesser setbacks and sideyards clearances. He felt abutting property owners should be made aware of these applications and have the opportunity to show their objection or support before the setback is approved.

There was a brief discussion concerning the process for approval of lesser setbacks.

It was moved by Councillor Walker, seconded by Councillor Fralick:

"THAT all pertinent information regarding lesser setbacks and sideyard clearances be accompanied with the recommendation of the Building Inspector."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Request for Grant

It was moved by Councillor Bayers, seconded by Councillor Reid:

"THAT approval be granted for a District Capital Grant, District 10 in the amount of \$2,000 for improvements to the Ostrea Lake-Pleasant Point Volunteer Fire Department."

MOTION CARRIED

Property Lease, Gulf Steel Limited

Mr. Kelly reviewed the report and recommendation of the Executive Committee regarding this matter.

It was moved by Councillor Deveaux, seconded by Councillor DeRoche:

"THAT Halifax County Municipality lease a parcel of land (Parcel X) at Eastern Passage containing 27,000 square feet to Gulf Steel Limited at a rate of \$0.05 per square foot for a two year term, the lease to include provisions as outlined in the staff report."

Councillor Lichter asked if the 5 cent rate is for one or two years. Mr. Kelly indicated it is for a one year term.

MOTION CARRIED

Request for Loan - Beaverbank Volunteer Fire Department

It was moved by Councillor Merrigan, seconded by Councillor Snow:

"THAT Halifax County Council approve a loan in the amount of \$55,000 to the Beaverbank Volunteer Fire Department for the purpose of purchasing a fire vehicle, the loan to be repaid over a ten year period, principle and interest with Council reserving the right to levy an area rate in default of repayment of principle and/or interest."

Councillor Rawding noted that at the last meeting of the Executive Committee, there was a report that there are no funds available for lending. He inquired about this.

Mr. Wilson advised that as of the first of April the amount of district loans reached over \$3 million, which is about the limit the operating level has for access to loans. The request Councillor Rawding referred to was for an \$800,000 loan, and twice a year, just before the tax bills go out, there is almost no money left for loaning.

MOTION CARRIED

Temporary Borrowing Resolution, File No. 88-01 - Water (Sackville Storage Reservoir)

It was moved by Deputy Warden MacDonald, seconded by Councillor MacKay:

"THAT Halifax County Municipality approve a temporary borrowing resolution in the amount of \$2,300,000 re water Sackville storage reservoir (File No. 88-01)."

MOTION CARRIED

SUPPLEMENTARY AGENDA

1988 Tax Rate

Discussion concerning the 1988 budget began with comments about an in-house solicitor.

It was moved by Councillor Walker, seconded by Councillor C. Baker:

"THAT remuneration for a Municipal Solicitor remain the same for 1988 as it was in 1987."

Councillor McInroy expressed opposition to the manner in which the budget is dealt with, and he felt it would be irresponsible of Council to deal with the question of legal services for Halifax County at this time. He felt there should be more discussion about this, and he stated he would not support the motion.

Councillor Deveaux expressed agreement with Councillor McInroy. He stated Mr. Cragg has not made any submissions in this regard, and in the past there was discussion about putting legal services out to tender. He suggested further consideration should be given to this issue at the Executive Committee level and a recommendation made to Council.

It was moved by Councillor Deveaux, seconded by Councillor McInroy:

"THAT the issue of legal services for Halifax County be referred to the Executive Committee for further consideration and that a recommendation be made to Council."

Councillor Lichter expressed concern about the cost of an in-house solicitor given the proposed 4.1 percent increase to the tax rate. He stated many details of the budget are still unknown, and he would not support the proposed rate until these details are known. He stated Council must know the impact of the 1988 budget on 1989.

Councillor Rawding expressed concern that approval of the budget will mean approval of all the new positions and an in-house solicitor as outlined in the budget. He felt contracting a solicitor is a good deal for Halifax County, and he agreed this should be studied further. Mr. Meech responded that legal figures in the Administration Budget is for the full year, but the in-house solicitor costs are only reflected for one-half a year after the contract with the contracted solicitor is up. He noted that approval of the budget will not give him the authority to proceed with hiring a solicitor because it is a Council appointment. He stated he would take his recommendations concerning the in-house solicitor to the Executive Committee to determine how to proceed. He also suggested it would be his recommendation that an in-house solicitor be obtained with the understanding that certain legal services will require external counsel. He agreed that this issue does require further discussion and consideration.

Councillor Lichter stated the procedure for the budget was supposed to be that each Department Head review his/her budget with Council and that Council conclude with recommendations and suggestions. However, before Council had a chance to review the budget as presented, Councillor Merrigan made a motion, which carried. He felt there are still outstanding issues that should be dealt with. He suggested that is may be easier for staff to persuade that something should be approved because it is already in the budget.

Mr. Meech responded that it would be his understanding that if the budget is approved as presented, he would be given the authority to proceed with filling the new positions, with the exception of legal services because the Municipal Solicitor is a Council appointment. Councillor Lichter indicated this is why he would be voting against the motion.

MOTION CARRIED

Mr. Wilson reviewed the 1988 operating budget as circulated, noting changes which have been made as more information became available.

Councillor Rawding expressed concern about the reallocation of funding for parks equipment for Sir John A. MacDonald High School. He stated this money was approved by Council to come from the general fund provided there is 1/3 cost-sharing from the School Board and 1/3 cost-sharing from the Province. He asked if it is legal to take this money from the general parkland fund as it will adversely affect the whole Municipality. Mr. Meech agreed with Councillor Rawding that this commitment of \$35,000 has been made, and it is only suggested that it come from the general parkland fund, and if Council does not agree with this suggestion, it will have to be deleted and provided from the operational budget.

Councillor Bayers stated he will not support the proposed 4.1 percent increase in the tax rate because he does not receive his share of the operational grants. He asked how much money is taken from general revenue to maintain the same level of operational grants given the Provincial cut-backs. Mr. Wilson advised \$536,800 is being used for this purpose in 1988. Councillor Bayers stated a portion of that money is raised by the residents of District 10, but \$8,000 less is received by these residents than other districts, and over the years, this amount adds up.

It was moved by Councillor Bayers, seconded by Councillor Snow:

"THAT \$540,000 be taken from general revenue for operational grants, and that District 10 receive the additional \$4,000."

Councillor Bayers stated this resolution would be the most fair and simplified method of giving this money to District 10, and he asked that Council support the motion.

Councillor Deveaux asked why District 10 is the only district not receiving these funds. Mr. Wilson replied that the methodology devised by the Province in 1979 for the distribution of these funds will mean some districts will lose and others will win. He stated District 10 is not the only area losing.

Mr. Meech added that the grants today are the result of past Municipal Services Act Grants, which were based on certain services being provided and that area being eligible for cost-sharing. He stated those areas with certain services at the time received approval for grants, and this has been carried on since the Province changed its methodology. He suggested the County should be developing its own formula for allocating grants for these services; however, it is difficult to reach a consensus with the Province.

There was further discussion concerning the operational grants. It was clarified that the amount of money suggested by Councillor Bayers is not large enough to affect the budget.

MOTION DEFEATED 3 YES
 11 NO

Councillor Walker expressed dissatisfaction with the proposed operating budget as presented. He stated the budget calls for 23 new employees, but the operating budget only deducts two of these positions, and the others are declared one-half year employees. In effect, this pre-determines the 1989 budget because these positions will have to be paid in full next year. He stated this intent is wrong, and the budget must be cut now, if it must be done by Council. He referred to Sackville policing, which he felt had been defeated by Council.

Councillor MacKay stated there was money included in the budget for additional policing in Sackville based on two-thirds from the general rate and one-third from an area rate. Council defeated the idea of

paying for enhanced policing entirely from the general rate, and Council then wrote the Solicitor General asking that they pay for these services. There is now a response to this letter which will be dealt with later at this meeting.

There was further discussion concerning the affect of this on the budget, as well as other matters Councillor Walker had objection to as part of the operating budget.

Councillor Merrigan stated the Executive Committee should start doing its job by reviewing all these new positions and determinig if they are necessary before any staff is hired.

It was moved by Councillor Merrigan, seconded by Councillor Lichter:

"THAT a residential tax rate of 63.5 cents be established for 1988 and that a commercial rate of \$1.62 be established;

ALSO THAT \$1 million from surplus be used and that \$500,000 in interest for the Aerotech Business Park be capitalized for another year;

ALSO THAT other reductions be made by staff where necessary and that any new staff positions be reviewed by the Executive Committee with the respective Department Head and recommendations in this regard made to Council."

There was some discussion concerning this motion. Several Councillors objected to new staff positions being referred to the Executive Committee. Councillor Reid stated Department Heads are paid to deal with these issues; Council sets the policies and administration is responsible for hiring.

Councillor MacKay indicated he would support the motion because increases in taxes must be justified, and all the proposed new positions must be justified.

Councillor Lichter noted that the Personnel Policy has nothing to do with new positions; it is the responsibility of Council, and senior staff take over after the position is approved.

Councillor Rawding objected to the late presentation of the information contained in the operating budget. He stated he was prepared to support the recommendation of the Committee of the Whole, but this information should have been presented from the beginning.

MOTION CARRIED 9 YES
 8 NO

URBAN SERVICES COMMITTEE REPORTProposed Agreement - County of Halifax/Town of Bedford/Bedford Waterfront Development Corporation - Lands around the Sewage Treatment Plant, Mill Cove

It was moved by Councillor MacKay, seconded by Councillor Merrigan:

"THAT Halifax County Municipality, jointly with the Town of Bedford, execute the attached right-of-access agreement to the Bedford Waterfront Development Corporation conditional on the Town of Bedford agreed to confirm ownership of the sewage treatment plant lands as being joint between Halifax County Municipality and the Town, meaning a 50-50 equity position respectively and subject to the existing agreement in place on design, capacity, allocation, and operations."

There was some discussion concerning this resolution and the position of the Town of Bedford in this regard. Councillor Rawding advised that he was informally advised that the Town of Bedford was not favourable of this position, and they are proposing to deal only with the grant to the right-of-way and that the ownership question be settled later. He stated he was of the understanding the Town of Bedford rejected the 50-50 ownership determination at this time.

There was discussion as to whether or not the Town has officially determined that they are not willing to settle for 50-50 ownership. Mr. Meech advised he was not sure if there was an official meeting of Council to take this position, or if the letter circulated only reflects the Mayor's opinion. Councillor Rawding objected. He felt the letter circulated with the Supplementary Agenda reflect the Town's position, and the recommendation of the Urban Services Committee is passe. Mr. Meech stated the recommendation of the Urban Services Committee, even if the Town of Bedford does not agree. Mr. Meech suggested the letter reflects the Mayor's own opinion, as it does not refer to any Council meeting. He stated if Council approves the recommendation of the Urban Services Committee, the Town of Bedford will have to agree or proceed to take legal action for ownership of these lands.

Councillor MacKay indicated he is not prepared to relinquish any ownership or intent of ownership of these land to the Town of Bedford. He stated the Bedford Waterfront Development Corporation first indicated they needed ownership of the land, but this was stifled with an appraisal of the land. Now the Bedford Waterfront Development Corporation does not need ownership, but the Town of Bedford wants ownership of this land. He stated this property and the sewage treatment plant here it the lifeline of Sackville, and the future of Sackville depends on it. He asked that Council support the recommendation of the Urban Services Committee.

MOTION CARRIED

COMMITTEE OF THE WHOLE REPORT, RE SLUDGE DISPOSAL

Mr. Kelly reviewed the report from the Committee of the Whole respecting this issue.

It was moved by Councillor Merrigan, seconded by Deputy Warden MacDonald:

"THAT Halifax County Municipality immediately apply to the Nova Scotia Department of the Environment to discharge sludge and septage into the harbour until a long term solution is established;

ALSO THAT lagooning and on-site burial be initiated immediately to implement the long term solution;

AND THAT the cooperation of the City of Dartmouth be solicited for continued disposal of sludge and septage into the Dartmouth system as the immediate short-term solution, while the lagooning process is implemented."

Warden MacKenzie advised that he discussed this with the Mayor of the City of Dartmouth, and it will be discussed at City of Dartmouth Council tonight. He stated there was a very strong indication from the Mayor and Mr. Burke that they will support their staff in looking for another location to discharge this sludge and septage.

Mr. Meech added that any cooperation would be on the basis that Halifax County is committed to proceed with the implementation of a long term solution. He stated more will be known about the City's position after their Council Session tonight.

MOTION CARRIED

APPOINTMENT - HALIFAX COUNTY INDUSTRIAL COMMISSION MEMBER

It was moved by Councillor DeRoche, seconded by Councillor McInroy:

"THAT the appointment of a member of the Halifax County Industrial Commission to represent the Cole Harbour area be deferred to the next session of Council;

ALSO THAT a letter be written to Mr. Shaw expressing appreciation for his dedication and service over the years he served as a member of the Industrial Commission."

MOTION CARRIED

TABLING OF AUDITED FINANCIAL STATEMENTS

Mr. Wilson outlined the audited financial statements as presented by Thorne, Ernst & Whinney.

It was moved by Councillor DeRoche, seconded by Councillor Rawding:

"THAT the audited financial statements be tabled and that representatives of Thorne, Ernst & Whinney be invited before Council to answer any questions."

MOTION CARRIED

SCHOOLS - COUNCILLOR SNOW

It was moved by Councillor Snow, seconded by Councillor DeRoche:

"THAT a letter be sent to the Minister of Education requesting an extension to the George P. Vanier School, Fall River."

MOTION CARRIED

SIDEWALKS - COUNCILLOR SNOW

It was moved by Councillor Snow, seconded by Councillor DeRoche:

"THAT a letter be sent to the Minister of Transportation requesting a cost-analysis and study concerning the installation of sidewalks from the 318 at the No. 2 Highway to the railway crossing at Waverley."

MOTION CARRIED

ENVIRONMENT - COUNCILLOR SNOW

Councillor Snow reviewed a newspaper article concerning the continued pollution of the Shubenacadie River with the development of the Aero-tech Park.

It was moved by Councillor Snow, seconded by Councillor Merrigan:

"THAT a letter be sent to the Minister of the Environment requesting a chemical analysis of the water of Benere Brook with a report to be sent to Halifax County Council."

MOTION CARRIED

REPORT, SACKVILLE OFFICE FURNITURE - COUNCILLOR MacKAY

Councillor MacKay advised that he had requested a report concerning this from Mr. Meech; there was some concern about the budgeted figure for office furnishings at the new Sackville location.

Mr. Meech reviewed his report as circulated. He pointed out that there is \$40,000 in the water utility budget to contribute towards equipment and furnishings for this office, and the total estimated cost should be near \$64,000. He advised that the purchase of equipment and furnishings will go out to tender. He advised it is intended to amortize this cost over five years, although \$40,000 from the Water Utility budget will pay for the primary requirements for this office.

Councillor Lichter inquired about leaseholds; he was of the understanding that the contract provided for the payment of all leaseholds by the owner. Mr. Meech agreed this is true with respect to the interior layout of the office. There is now a requirement for windows in the rear of the building, which Halifax County will be responsible for.

Councillor Lichter asked if water utility workers have not been using all the equipment budgeted for in the past. He asked if they need new equipment because they are moving. Mr. Meech advised there are water utility people using some of this equipment, and if it is possible to relocate some of this equipment, it will be done. He noted there has been a spatial problem in the Engineering and Works Department for some time, and there is an indication for additional staff, so some of the existing equipment will have to remain for those purposes.

There was some further discussion in this regard. Mr. Meech further explained that there will be two moves. The sanitary and water maintenance operations have been operating from the Sackville Industrial Park and the water metre readers have been operating from the Administration Centre. He noted those in the Industrial Park will be relocating to a larger area in the Park, and the office on Sackville Drive will house the water utility administration people, as well as water metre readers. He concluded that much time has been put into the details of these estimates, and he felt it is an accurate reflection of the requirements for this office.

Councillor MacKay clarified that the water utility equipment and furnishings and the Sackville Mainstreet furnishings will be put to tender. Mr. Meech agreed.

It was moved by Councillor MacKay, seconded by Councillor Merrigan:

"THAT the recommendations and report of the Chief Administrative Officer with respect to office furniture and equipment for 506 Sackville Drive be approved."

MOTION CARRIED

Councillor McInroy inquired about letterhead for each of the Mainstreet programs. He noted correspondence from Mrs. Schellinck on this matter has been received on Sackville Mainstreet letterhead, and he expressed hope that each of the programs have their own letterhead, rather than putting all the emphasis on Sackville. Councillor MacKay felt sure that the Musquodoboit Harbour and Sheet Harbour Mainstreet Programs each have their own letterhead, but he suggested this should be looked at and assured.

EMERGENCY AGENDA ITEMSCouncillor MacKay - Policing, Sackville

It was moved by Councillor MacKay, seconded by Deputy Warden MacDonald:

"THAT Halifax County Municipality approve three additional RCMP officers for the Sackville detachment jurisdiction based on 65 percent of the cost being borne by the general rate and 35 percent being borne by an area rate;

ALSO THAT the service be effective by July 1 or as soon as possible thereafter by the Solicitor General's Department."

Councillor MacKay referred to a response from the Solicitor General's Department in this regard, and he stated it was realized this would be the response. He noted that the motion reflects the same cost-sharing formula that Cole Harbour has for enhanced policing, and it reflects 3/10 of one cent for 1988 and one cent for 1989. He stated there is a need for these additional officers in Sackville, and he asked that Council support the motion as these figures have already been included in the budget.

Councillor Merrigan inquired about the assessment included for payment of the area rate. Mr. Meech advised the rate will be paid by all those areas served by the Sackville detachment of the RCMP.

Councillor Walker objected to the motion. He stated policing is a Provincial responsibility. He stated a precedent has already been set by providing enhanced policing in Cole Harbour, but this should not be done again. He concluded that if one area is subsidized, the entire County should be subsidized. He stated there is a need for enhanced policing in Hubbards and other areas of the County, as well.

Warden MacKenzie advised that a study of policing services throughout the County has been requested from the Province to determine if there are other requirements for enhanced policing. He agreed that the detachments servicing the County should be located within the County.

Councillor Snow stated he will not support the motion because he could not impose this area rate on his residents without their approval. He stated any complaints he has ever had about policing in his area has been resolved, and he felt enhanced policing is not necessary there.

Councillor Eisenhauer also expressed objection. He stated the difficulty in his district is that part of the district is serviced by the Halifax detachment and the remaining is serviced by the Sackville detachment. He also felt it is not a good idea to get involved in providing this service at the Municipal level.

MOTION CARRIED 9 YES
 7 NO

Councillor Walker - NO	Councillor Rawding - NO
Councillor Fralick - NO	Councillor C. Baker - NO
Councillor Deveaux - YES	Councillor DeRoche - YES
Councillor Randall - NO	Councillor Bayers - NO
Warden MacKenzie - YES	Councillor Reid - YES
Councillor Snow - NO	Councillor Merrigan - YES
Councillor MacKay - YES	Councillor McInroy - YES
Councillor Eisenhauer - NO	Deputy Warden MacDonald - YES

Councillor Snow stated it is not fair that Halifax County Council imposed this area rate on the residents of District 14 without their knowledge. He stated all area ratepayers associations will be advised, and this Council will hear further. He stated the process is not very democratic, as they now have to pay this rate although they are satisfied with policing as it exists. He concluded that it is a provincial responsibility, and Halifax County should stand up to them and make them take on this responsibility.

ADDITION OF ITEMS TO THE MAY 17, 1988 COUNCIL SESSION

Councillor Walker - Policing
 Councillor Walker - Department of Transportation
 Councillor McInroy - Report, re Cat By-law
 Councillor DeRoche - Water Utility
 Councillor Randall - Abandoned Railway Line
 Councillor Deveaux - Use of Sidewalks
 Deputy Warden MacDonald - Sidewalk Priorities
 Deputy Warden MacDonald - "C" Class Roads

ADJOURNMENT

It was moved by Councillor DeRoche, seconded by Councillor Rawding:

"THAT this Council Session adjourn."
 MOTION CARRIED

The meeting adjourned at 10 p.m.

COUNCIL SESSION

MAY 17, 1988

PRESENT WERE: Warden MacKenzie
Councillor Walker
Councillor Rawding
Councillor Fralick
Councillor P. Baker
Councillor C. Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Merrigan
Councillor McInroy
Councillor Eisenhauer
Deputy Warden MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. G.J. Kelly, Municipal Clerk
Mr. R.G. Cragg, Municipal Solicitor

SECRETARY: Glenda Hill

Warden MacKenzie called the Council Session to order at 6:05 p.m. with the Lord's Prayer. Mr. Kelly called the Roll.

APPROVAL OF MINUTES

It was moved by Councillor DeRoche, seconded by Councillor Deveaux:

"THAT the minutes of the Public Hearing, April 11, 1988, be approved as circulated."
MOTION CARRIED

It was moved by Councillor Fralick, seconded by Councillor P. Baker:

"THAT the minutes of the Council Session, April 19, 1988, be approved as circulated."
MOTION CARRIED

EMERGENCY AGENDA ITEMS

Councillor McInroy - Traffic Lights, Hugh Allen Drive, Cole Harbour

MEETING WITH THORNE, ERNST & WHINNEY

Mr. MacQuarrie and Ms. Davis of Thorne, Ernst & Whinney were in attendance to discuss the 1987 audited financial statements with Members of Council.

Mr. MacQuarrie reviewed the financial statements, beginning with the consolidated financial statements. He also reviewed the general operating financial statements and the capital fund balance sheet.

Several Councillors had questions concerning the financial statements. Councillor Rawding inquired about grants transferred from temporary funding on completed projects and where the growth in equity and capital assets came from. Mr. MacQuarrie explained that grants transferred from work in progress, and once that work is completed, the equity is reinvested in capital assets.

Councillor Wiseman asked if long term debt includes that debt for the Halifax County-Bedford District School Board. She also asked if schools are considered to be a part of the County's capital assets. Mr. MacQuarrie informed that the statements do include long term debt for the School Board, and the schools are considered to be capital assets for the County. There was some discussion concerning the portion of debt accounted for as part of the School Board, which balance of approximately \$30 million. He stated the Province covers the debt service charges. He reviewed the impact of this debt on the capital and operating debts. Mr. MacQuarrie agreed that if assets are not worth what their carrying value is, the equity of the County can be overstated. He stated all municipal units in the Province of Nova Scotia would be in the same position, as all fixed assets are recorded in the same manner.

Councillor Rawding inquired about grants in lieu of taxes, capital grants, and capital reserve funds. He asked if there is a particular account principle that indicates interest should not be paid to the credit of these capital accounts on a district-by-district basis. Mr. MacQuarrie responded that the Department of Municipal Affairs manual requires that interest arising from funds in any of the three special reserve funds must be used as operating funds. These accounts do receive interest, but it is used in the operating fund. Mr. Meech added that when the district funds were established, Council agreed that the interest on these capital funds would go to the general operating fund, and it would only require a resolution of Council to change this.

Mr. MacQuarrie next reviewed the statements for the general operating and general capital, trust, sinking, and special reserve funds. He noted there was \$254,000 lost for two successful assessment appeals for Seabright Resources and Pratt & Whitney Canada, which contribute to the deficit. Also, conditional grants - the homemaker program and grants in lieu of taxes, are down, again causing revenue to deviate from budget figures. He continued to review these accounts.

Deputy Warden MacDonald inquired about the reason the Pratt & Whitney assessment was lowered. Mr. Wilson advised part of it was due to land transfer and the other was because the building was not complete; both are only temporary.

Councillor Rawding stated Halifax County Council agreed to capitalize interest in the amount of \$500,000 for the Aerotech Park for 1988, and he asked if this will be reflected in the financial statements. Mr. MacQuarrie advised it will show up in the Halifax County Industrial Commission financial statements for 1988.

Following the presentation of the financial statements and a brief discussion, Warden MacKenzie thanked Mr. MacQuarrie and Ms. Davis for their time.

It was moved by Councillor P. Baker, seconded by Deputy Warden MacDonald:

"THAT the audited financial statements for Halifax County Municipality for 1988 be accepted as presented."
MOTION CARRIED

IRVING OIL TRUCK STOP, ENFIELD

Mr. Hayman, representing Irving Oil Ltd., was in attendance. He stated he has been advised by Irving Oil officials that the Public Utilities Board have approved the relocation of the proposed truck stop at Enfield to a site at the same interchange further away from the school grounds. He advised that he discussed this with Mr. Butler of the Planning Department once he was made aware of this, and it became apparent that these lands and those owned by Texaco could require a rezoning to accommodate this use. Therefore, the resolution as circulated to Members of Council has been proposed, requesting the Minister of Municipal Affairs to amend the zoning on the properties in question from C-2 (Community Commercial) Zone to C-4 (Highway Commercial) Zone as per the Land Use By-law and Municipal Development Plan for District 14, adopted by Municipal Council last fall.

Mr. Hayman added that the land in question has been owned by Irving Oil Limited for years, and this amendment will enable them to proceed with development of the truck stop at this new location. He explained the new location for the truck stop as per the map attached to the resolution circulated to Members of Council.

Councillor P. Baker asked if the original site, where Irving Oil Limited has already been working, will be abandoned. Mr. Hayman replied that it will be abandoned, and no further construction will take place at this site, although it will remain the property of Irving Oil Ltd. to do with it as they please. However, he noted that it is the jurisdiction to the Public Utilities Board to issue licenses for these truck stops. The existing site will be zoned R-1B, and the future use of this land will be controlled by development agreement.