

the Chamber and one from the community at large. He stated that he would hope that the Commission would continue to have the two council representatives and the two community representatives.

Mr. Meech stated that the Sackville Advisory Board would make a nomination to council and with the amendment the Sackville Community Committee would make a nomination to council of a non council member.

Councillor Boutilier asked if the amendment was passed would it make the Sackville Industrial Commission member 15 instead of 14.

Mr. Meech stated that the next time there is a vacancy the Sackville Community Committee would be asked to make a nomination. He stated that 14 members would remain as it is.

Councillor Brill stated that he was not aware that District 15 was part of the Sackville Community Committee.

Mr. Meech stated that the reference to the districts has no reference to the Sackville Community Committee but was independent from what is now the Sackville Advisory Board. He stated that since this By-Law was changed the representation from Sackville has changed.

Warden Lichter stated that the By-Law has not been amended since 1982.

Mr. Kelly stated that the amendment corrects the district numbers by adding numbers 21 and 22.

Councillor Brill asked if it also includes district 15.

Mr. Kelly stated that District 15 remains included.

Mr. Meech stated that the By-Law would still provide that one of the council members could be from any one of the Sackville Districts as well as from the Beaver Bank district.

Councillor Bates stated that this amendment, as he sees it, is just to change the name but leaving the same representation. He stated that there will still be 14 representatives.

Councillor Merrigan stated that the amendment should read "Sackville Community Committee and the Councillor for Beaverbank".

Councillor MacDonald asked if this was not an act of legislature.

Mr. Meech stated that it comes about as a result of an act of legislature which gives the county the enabling legislation to pass the By-Laws.

Warden Lichter stated that the Industrial Commission discussed the issue on January 16 and have come to council with this recommendation. He stated that if council does not like the amendments as they stand then it should be sent back to the Industrial Commission and have them decide on the membership.

Councillor Richards stated that the By-Law amendment as he reads it changes the Sackville Advisory Board to the Sackville Community Committee and it says that one representative will be nominated from that group. He stated that it also states that there shall be representatives from districts 15, 16, 19, 20, 21 and 22. He stated that this does not leave out district 15 but puts district 15 exactly where it was before. He stated that he sees the community of Sackville being represented as equally as it was in the past.

Councillor Merrigan stated that it should be the Sackville Community Committee and Beaver Bank.

Councillor Ball stated that maybe the By-Law concept should be looked at independently of the Industrial Commission as to what the representation should be to reflect the Municipality and its wishes in commercial development.

Warden Lichter stated that the Mandate of the Industrial Commission is promotion of industry in the Municipality not in any one particular area.

Councillor Merrigan stated that it should be put on record that he would like to have the By-Law amended to read Sackville Community Committee and the Councillor from Beaverbank.

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

"THAT THE SIXTH LINE OF THE BY-LAW SHOULD BE AMENDED TO READ "SACKVILLE COMMUNITY COMMITTEE AND THE COUNCILLOR FOR BEAVER BANK"

**MOTION CARRIED**

Councillor Ball served notice of motion that an independent body, independent of the Industrial Commission reassess the makeup of the Industrial Commission so as to see how it reflects the diversity of the Municipality keeping in mind the best interests of all the Municipality with regards to Industrial and Commercial development in this Municipality.

Councillor MacDonald asked if the change made by Councillor Merrigans motion would have to be referred back to the Industrial Commission.

Mr. Kelly stated that the amendment would be referred to the

Industrial Commission for adoption.

EDUCATION COMMITTEE REPORT

Warden Lichter stated that the Education Committee met and discussed the items on resolution 2088.

He stated that the Education Committee discussed all the issues but recommended that Council react only to items (a) (ii), (viii) and (xi) and Deputy Warden Sutherland will convey council reaction at the hearing to be held in February.

He stated that section (a) (i) had previously debated by Council and it was council's recommendation that no taxation powers be given to School Boards.

He stated that section (a) (ii) deals with whether there should or should not be school trustees and; if so, what their role should be. He stated that the Committee suggested that all matters respecting school trustees and their role should remain as is.

Councillor Harvey asked if this also included the role of setting area rates.

Warden Lichter stated that it was.

Councillor Richards stated that the council wanted to do away with trustees levying area rates. He stated that this was said by motion and by presentation of the Charter. He stated that for Halifax County to say anything different is going against several motions including the Charter. He stated that he would like to have the presentation amended to say Halifax County believes in the Board of Trustees but not in the taxing power.

It was moved by Councillor Richards, seconded by Deputy Warden Sutherland:

"THAT SECTION (a) (ii) BE AMENDED TO SHOW THAT HALIFAX COUNTY SUPPORTS THE BOARD OF TRUSTEES BUT NOT IN THE BOARD HAVING TAXING POWER"

MOTION CARRIED

Warden Lichter stated that the Committee discussed section (a) (viii) which is the provision of community facilities in connection with schools. He stated that this is the case demonstrated at Eastern Passage. He stated that a new school has been built with built in facilities for community use. He stated that the Committee says that Halifax County is definitely in favour of having government services consider whenever possible the provision of community facilities when a new school is being built.

Council agreed to this recommendation.

Warden Lichter stated that the Committee discussed section (a) (xi) and the Committee recommends that the word "Christian" should be deleted and amended to refer only to morality.

Councillor Cooper asked what morality was based upon.

Warden Lichter stated that each individual has his own interpretation of morality.

Councillor Cooper asked if the Committee considered a morality based upon the laws of the land.

It was moved by Councillor Cooper, seconded by Councillor Richards:

"THAT MORALITY SHOULD BE BASED UPON THE LAWS OF THE LAND"

**MOTION DEFEATED**

Councillor Bates suggested that, with regards to number (a) (xi) the Council should agree to remain silent.

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

"THAT WITH REGARDS TO SECTION (a) (xi) OF RESOLUTION NO. 2088 COUNCIL AGREE TO REMAIN SILENT"

**MOTION CARRIED**

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

"THAT WITH REGARDS TO SECTION (a) (xi) OF RESOLUTION NO. 2088 THE WORD "CHRISTIAN" BE DELETED"

**MOTION CARRIED**

**13 IN FAVOUR**

**6 AGAINST**

**PROCLAMATION**

It was moved by Councillor Harvey, seconded by Deputy Warden Sutherland:

"THAT THE PROCLAMATION PROCLAIMING FEBRUARY AS BLACK HISTORY MONTH BE RATIFIED"

**MOTION CARRIED**

**RESOLUTION - TOWN OF TRENTON**

Mr. Kelly outlined a letter from C.R. Campbell, Town Clerk, Town of Trenton requesting that Halifax County support them in their resolution with respect to taxation on property of the Nova Scotia Power Corporation and that Halifax County forward letters of support to Premier Donald Cameron and the Hon. Tom MacInnis, Minister of Industry, Trade and Technology.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Ball stated that he believed that if the Nova Scotia Government wanted to privatize the Power Corporation then the Power Corporation should be therefore treated as all other private corporations with the boundaries of Halifax County and be subject to taxes the same as all other companies.

It was moved by Councillor Ball, seconded by Councillor Boutilier:

"THAT THE RESOLUTION BE ENDORSED AND FURTHER WHEN THE NOVA SCOTIA POWER BECOMES A PRIVATE CORPORATION THEY BE REQUIRED TO PAY ALL COMMERCIAL TAXES TO THE ANY MUNICIPALITY IN WHICH THEY HAVE PROPERTY LOCATED"

Mr. Meech stated that MT&T have had a provision where by their taxes are based on their phone sales in a particular area. He stated that this is the way in which the power corporation is presently taxed as well.

Councillor Ball stated that maybe the whole process should be reevaluated.

Councillor Ball withdrew the motion on the floor with the understanding that Halifax County evaluate what is in the best interest of the Municipality when privatization does occur with the Corporation. Councillor Boutilier agreed to the motion being withdrawn.

Mr. Meech suggested that the item be referred to staff for a report.

Councillor Ball agreed to this.

1992 PRIORITY LIST - SIDEWALKS CONSTRUCTION - SACKVILLE

Mr. Kelly outlined a report from Councillor Harvey, Chairman, Sackville Community Committee, identifying the 1992 priority list for sidewalk construction in Sackville.

It was moved by Councillor Harvey, seconded by Councillor

Boutilier:

"THAT THE REPORT OF THE SACKVILLE COMMUNITY COMMITTEE RESPECTING A 1992 PRIORITY LIST FOR SIDEWALK CONSTRUCTION IN SACKVILLE BE ENDORSED BY COUNCIL AND HAVE FORWARDED TO THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS"

MOTION CARRIED

HALIFAX COUNTY MUNICIPALITY'S PARTICIPATION IN THE UNION OF NOVA SCOTIA MUNICIPALITIES

Warden Lichter suggested that this report be tabled as Mr. Meech was invited to meetings of the UNSM Dues Committee. He stated that UNSM is seriously working on alternative ways of generating their dues revenue. He stated the Mr. Meech has been invited back to another meeting and maybe this issue can be brought back to Council at a later date.

Deputy Warden Sutherland asked if the dues increase was attributed to the 15% increase in the UNSM proposed budget for this year.

Warden Lichter stated that the 15% increase in the UNSM dues was mainly due to the fact that the province has phased out their \$120,000 per year contribution. He stated that in five years time, in steps of \$24,000 each year, they are phasing out their grants. He stated that the \$24,000 has to be picked up by UNSM members which accounts for the majority of the increase.

MT&T SERVICE TO MUSHABOOM

Councillor Smiley stated that the people of Mushaboom have been concerned about inadequate telephone service provided to them, in particular the party line system. She stated that there have been instances when their concerns have been justified. She stated that there had been a near drowning last year. She stated that this incident pointed out the need for a telephone system that could provide an adequate response for any emergency.

She stated that the village of Mushaboom is seven miles from the No. 7 highway out towards the atlantic coast. She stated that petitions and letters, in the past, have not produced any results. She stated a tragedy in the community has once again has raised the issue of private phone service.

She stated that she would like to commend the volunteer firefighters of her district. She stated that they have to take on the task of protecting homes and families. She stated they also have to deal with the trauma of dealing with a fire such as the one in the community that took the lives of two small children. She stated that she is proud to see other local fire departments rally around the Mushaboom fire department to assist them in upgrading

their recently organized department. She stated that several departments will join Mushaboom in the very near future to assist them in the construction of their fire hall. She stated that the crisis intervention team that met with the volunteers to help them deal with the trauma and stress of the tragic event was most helpful. She said she commends the County of Halifax and in particular the fire services office for ensuring this type of support is available to those who experienced the aftermath of last weeks fire.

She stated that she had been speaking with Mr. Michael Redmond, Customer Services, Maritime Tel & Tel, who had told her that they have an \$80,000,000 program to eliminate party lines in Nova Scotia by 1996. She stated that he had assured her that by early 1993 they will be expanding facilities and Mushaboom will be receiving upgraded service. She stated that based on that information and in respect of the concern expressed by the people of Mushaboom in light of the recent tragedy she was making the following motion.

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

"THAT A LETTER BE SENT TO MR. DON FARMER, VICE PRESIDENT OF OPERATIONS, MARITIME TEL & TEL, WITH COPIES GOING TO THE MLA, DEPUTY PREMIER, FIRE CHIEF FOSTER BEAVER OF MUSHABOOM, ASKING FOR HIS ASSURANCE THAT MUSHABOOM WILL RECEIVE PRIORITY IN THEIR SCHEDULE FOR PROVIDING PRIVATE PHONE SERVICE IN EARLY 1993"

She stated that she has been assured of this by telephone but would like to have it on record.

MOTION CARRIED

PAVING - DISTRICT 5

Councillor Ball stated that he would like to put in a request that a number of streets be paved in district 5 under the 1992/93 budget with Department of Transportation. The streets are: Acres Road, Birchview Road, Harrietsfield; Harbourview Drive, Portuguese Cove and Oceanview Drive, Herring Cove.

It was moved by Councillor Ball, seconded by Councillor Rankin:

"THAT A REQUEST, WITH A COPY BEING FORWARDED TO THE AREA MLA, BE MADE TO THE DEPARTMENT OF TRANSPORTATION FOR PAVING OF THE FOLLOWING STREETS IN DISTRICT 5 IN THEIR 1992/93 BUDGET: ACRES ROAD, BIRCHVIEW ROAD, HARRIETSFIELD; HARBOURVIEW DRIVE, PORTUGUESE COVE AND OCEANVIEW DRIVE, HERRING COVE"

MOTION CARRIED

DEPARTMENT OF TRANSPORTATION

It was moved by Councillor Cooper, seconded by Councillor Bates:

"THAT A LETTER, WITH COPY TO AREA MLA, BE SENT TO THE MINISTER, DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS, REQUESTING THAT WHEN FUNDS BECOME AVAILABLE TO PUT PRIORITY ON HAVING BISSETT LAKE ROAD AND THE FIRST HALF KILOMETRE OF RITCEY CRESCENT PAVED"

MOTION CARRIEDCANADIAN CONSTITUTION - COUNCILLOR RICHARDS

Councillor Richards stated that the issue of the Canadian Constitution has been on the minds of most Canadians. He stated that this has created a need to express himself and he has given this considerable consideration over the past number of weeks. He stated that he thought that if a letter could be presented to members of Council and if Council could accept that letter then he would ask that each member of Council be requested to sign the letter and forward it to every other Municipal Unit within the Province of Nova Scotia and across Canada.

It was moved by Councillor Richards, seconded by Councillor Holland:

"THAT COUNCIL MEMBERS ENDORSE AND SIGN THE LETTER WITH THE SENTENCE BEGINNING WITH THE WORDS "THAT MAY MEAN" DELETED AND FORWARD IT TO THE PREMIERS AND PRIME MINISTER. FURTHER SEND THE LETTER, THROUGH FCM, TO THE 65 MUNICIPAL UNITS ACROSS THE COUNTRY REQUESTING THAT THEY ENDORSE THE LETTER AND FORWARD IT TO THE PRIME MINISTER"

Councillor Deveaux asked Councillor Richards if by endorsing the letter council is asking the government to not allow Quebec to have any special status.

Councillor Richards stated that this is not written in the letter.

Councillor Deveaux stated that he would endorse the letter.

Councillor Cooper stated that he had listened to the wording of the letter and he found no debate with the majority of what was presented but the sentence "That may mean to make whatever concessions necessary so long as we treat all people equally in all parts of our Country." seems to be the ideal solution but people have their own opinions, determine how they are going to live their lives and at time find it necessary that they should depart whether in peace or in anger. He stated that this parting may sometimes be the only solution. He stated that the words "Canadian



Confederation" are appropriate because the County is growing into a confederation. He stated that he could support the letter as it is but has difficulty with making concessions. He stated there must be an ability to grow. He stated that maybe Councillor Richards could rephrase the sentence.

Councillor Merrigan stated that the letter is saying that we want to keep the Country together and to work to solve differences. He stated that Council should also send a copy the letter to the Federal Government on behalf of Halifax County councillors and then to the other Municipalities asking if they agree to send it along to the Federal Government. He stated that he felt that the letter should be addressed to the Prime Minister and a copy go to all the other Municipalities asking if they agree with the letter they should forward it to the Prime Minister.

The mover and seconder agreed to address the letter to the Prime Minister.

Councillor Giffin stated that the point Councillor Richards is trying to get across is that the people don't want to see the country split up. He stated that he will sign the letter without any hesitation because it conveys what he feels.

Warden Lichter stated that he had the good fortune to become an adopted son of this country that the letter expresses the feeling he has had all along that if the most wonderful country in the world can be destroyed by apathy or politicians a great crime is going to be committed. He stated that the letter wants to ask other Municipalities to join Halifax County in conveying this message.

Councillor Bates stated that he congratulated Councillor Richards on the work put into the letter and he would be proud to sign the letter.

Councillor Harvey stated that he would support the letter if the sentence that begins with "That may mean" comes out of the letter.

Councillor Richards stated that he was willing to have the sentence removed from the letter.

MOTION CARRIED

APPROVED DISTRICT CAPITAL GRANTS

It was moved by Councillor Giffin, seconded by Councillor Ball:

"THAT THE REPORT BE RECEIVED"

MOTION CARRIED

Warden Lichter stated that he had been asked by the Grace Maternity Hospital to ask councillors if they would like to have a guided tour of the Grace on Monday, February 10 or 17.

Four councillors agreed to go on February 17, 1992.

URGENT AGENDA ITEMS

Municipal Focus - Councillor Ball

Councillor Ball stated that he had done some research with regards to Municipal Focus and would like to put the issue back on the floor. He stated that there had been no recommendation from the Communications Committee on this item. He stated that the Municipal Focus provides two way communication with the public.

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

"THAT THE BUDGET OF \$6,700.00 FOR PUBLISHING OF THE MAY ISSUE OF THE MUNICIPAL FOCUS BE REINSTATED"

Mr. Crooks stated that this matter should be handled by Notice of Motion being given at this meeting for the matter to be considered at the next meeting. He stated that it would be notice of intention to move that council revive a substantive motion previously defeated. He stated that notice of the intention is to be given at this meeting, included in the agenda and considered on that basis.

Warden Lichter asked Councillor Ball to give a notice of motion.

Councillor Ball stated that there was an urgency with regards to allocation of time. He stated that the two weeks delay will almost make it impossible to deal with.

Warden Lichter stated that he had no difficulty dealing with the issue as long as Councillor Ball agreed that whatever the outcome of the vote it would be left at that.

Council agreed to deal with the issue at this Council session.

Councillor Ball stated that some of the Councillors were under the impression that the budget for the Municipal Focus was additional funds. He stated that the money was allocated in the 1991/92 budget year.

He stated that the \$6,700.00 represented 18 cents per household. He stated that the Municipal Focus be printed with an editorial page on the value of the Municipal Focus and whether or not the residents see any value in it. He stated that he felt that this was not a major cost to the Municipality.

Councillor Richards stated that he would lend his support to the motion. He stated that when the Focus was last published there were favourable comments to the effect that the residents have a way of knowing what is happening in the Municipality. He stated that it is important that the County do whatever it can to support the image of the County of Halifax. He stated that he felt the expenditure is well worth it and he would support it completely.

Councillor Deveaux stated that he was not opposed to the County putting out a newspaper but he felt that this item should be referred to budget time. He stated that he could not support the motion on the floor.

Councillor Holland asked if the Focus budget had already been approved and the amount in the County budget.

Warden Lichter stated that yes an amount of \$10,000.00 had been approved in the Communications budget and \$6,700.00 of this would cover the publication of the Municipal Focus. He stated that there will be a heavy deficit in other areas and if this \$10,000.00 can be used to reduce the deficit then Halifax County has an obligation to try to reduce the deficit. He stated that he had explained to the Communications Committee that he would feel a lot more comfortable if he brought the item back to Council because the public may have objections to the money being used this way. He stated that he had turned down many requests to place adds in support of organizations because the money was not available.

Councillor Bates stated that this is a large Municipality with a certain responsibility to the people to inform them on key issues. He stated that the Focus gave the councillors a chance to speak on issues they felt were important to the residents. He stated that he thinks the people deserve this form of communication. He stated that it is a valuable piece of communication. He stated that even though some of the councillors have newsletters sent out in their own districts, he feels that there are broader issues that people would like to have information on. He stated that he was fully supporting the motion.

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

"THAT DEBATE BE LIMITED TO FIVE MINUTES AND FURTHER THAT EACH SPEAKER BE PERMITTED TO LIMIT HIS SPEECH TO HALF A MINUTE"

MOTION CARRIED

Councillor Randall stated that he believed that public perception will support continuing the publication of the Municipal Focus and he supported the motion.

MOTION CARRIED

10 IN FAVOUR8 AGAINST

Mr. Kelly will inform Mr. Markesino to proceed with the production of the Municipal Focus.

Snow Plowing - Councillor Meade

Councillor Meade stated that back in 1968 the Department of Transportation started snow plowing private roads in Halifax County. In 1987 the policy changed in that the only roads that were plowed were from a list the MLA submitted for his area. He stated that only one private road in district #1 is being plowed.

It was moved by Councillor Meade, seconded by Councillor Smiley:

"THAT A LETTER BE SENT TO THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS, WITH A COPY TO THE MLA, INQUIRING WHETHER PRIVATE ROADS IN DISTRICT #1 CAN BE ADDED TO THE SNOW PLOWING LIST"

Councillor Meade stated that he had been talking to the Department of Transportation and Communications and he had been informed that they have a list of private roads they have to do. He was told that they could not plow any private roads that were not on the list. He stated that he had been informed that he should ask his MLA to have roads put on the list.

MOTION CARRIEDSnow Plowing - Councillor Cooper

Councillor Cooper stated that he felt there were several short comings, with regards to snow plowing, that came to light during the recent storms. He stated that the issue is a safety item. He stated that there was not accessibility on many of the streets in the Cole Harbour area that allowed the volunteer fire services to gain access to equipment if they had to respond to an emergency. He stated that in discussions with the Department of Transportation, they claimed that there were vehicles assigned to maintain these services but this did not happen and because it did not happen it could have resulted in a condition where there may have been loss of life.

It was moved by Councillor Cooper, seconded by Councillor Richards:

"THAT A LETTER BE SENT TO THE MINISTER, DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS, REQUESTING THE DEPARTMENT TO ENSURE THAT THEY REVIEW THEIR POLICY FOR STORM CLEARING AND TO UPDATE IT TO ENSURE THAT EMERGENCY SERVICES ARE MAINTAINED IN ORDER THAT THOSE THAT ARE SERVING THE COMMUNITY ON A VOLUNTEER BASIS CAN CARRY OUT

## "THEIR DUTIES AND RESPONSIBILITIES"

MOTION CARRIEDWalkway Armcrest Estates - Deputy Warden Sutherland

Deputy Warden Sutherland stated that this is an important item. He stated that when Armcrest Estates is fully developed it will have 330 lots with 400 housing units. He stated that on Stokil Drive in Sackville the Department of Housing left provision for a walkway and in fact installed a walkway to the rear of the property lines of the Stokil Drive properties in anticipation of Armoyan Development developing a subdivision. He stated that when the developer came forward with the proposal for developing a subdivision a walkway was not approved. He stated that a petition is being raised by the residents of Armcrest Estates stating that this walkway is very important to the subdivision. He stated that it will open up Armcrest Estates and give access to Smokey Drive Elementary School.

It was moved by Deputy Warden Sutherland, seconded by Councillor Deveaux:

"THAT COUNCIL SUPPORT THE EXTENSION OF THE WALKWAY AND FURTHER STAFF BE DIRECTED TO NEGOTIATE THE ACQUISITION OF A RIGHT OF WAY OVER LOTS 401 AND 402A"

Warden Lichter stated that during the last five or six years staff have not approved walkways because they cause problems and councillors were against having new walkways developed. He stated that to his knowledge the direction given to Planning staff was to discourage walkways.

Deputy Warden Sutherland stated that if there was not walkway in this instance it is a long route to get to the school. He stated that some of these walkways are essential.

MOTION CARRIEDADDITION OF ITEMS TO FEBRUARY 18, 1992 COUNCIL SESSION

Legal Audit Re: Fire Service - Councillor Ball

Executive Committee - Councillor Fralick

Department of the Environment - Councillor Randall

IN CAMERA ITEM

It was moved by Councillor Bates, seconded by Councillor Cooper:

"THAT COUNCIL MOVE IN-CAMERA"

MOTION CARRIED

It was moved by Deputy Warden Sutherland, seconded by Councillor Deveaux:

"THAT THE DEADLINE FOR ACCEPTANCE OF APPLICATIONS FOR TAX RELIEF BE JANUARY 31 OF EACH YEAR BEGINNING IN JANUARY, 1993"

MOTION CARRIED

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

"THAT COUNCIL APPROVE STAFF RECOMMENDATION ON APPLICATIONS FOR RELIEF FROM PAYMENT OF TAXES WITH TWO EXCEPTIONS WHERE FURTHER INFORMATION WAS REQUESTED"

MOTION CARRIED

It was moved by Councillor Cooper, seconded by Councillor Holland:

"THAT COUNCIL MOVE IN-CAMERA"

MOTION CARRIED

It was moved by Councillor Ball, seconded by Councillor Giffin:

"THAT THE APPOINTMENT OF MR. BILL BUTLER AS ACTING DIRECTOR, PLANNING AND DEVELOPMENT, BE APPROVED FOR A SIX MONTH PROBATIONARY PERIOD COMMENCING FEBRUARY 5, 1992"

MOTION CARRIED

ADJOURNMENT

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

"THAT THE COUNCIL SESSION BE ADJOURNED"

MOTION CARRIED

COUNCIL SESSION

February 18, 1992

PRESENT WERE: Deputy Warden Sutherland  
Councillor Meade  
Councillor Rankin  
Councillor Fralick  
Councillor Holland  
Councillor Ball  
Councillor Deveaux  
Councillor Bates  
Councillor Randall  
Councillor Bayers  
Councillor Smiley  
Councillor Taylor  
Councillor Brill  
Councillor Snow  
Councillor Giffin  
Councillor MacDonald  
Councillor Boutilier  
Councillor Harvey  
Councillor Richards  
Councillor McInroy  
Councillor Cooper

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

REGRETS: Warden Lichter  
Councillor Adams  
Councillor Peters  
Councillor Merrigan

=====  
The meeting was called to order at 6:00 p.m. with the Lord's  
Prayer.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING  
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE JANUARY 21, 1992 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from Mr. Murray E. Holman, President, East Hants Federation of Agriculture, Middle Musquodoboit expressing concern with the GATT negotiations.

It was moved by Councillor Giffin, seconded by Councillor Taylor:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mr. Holman addressed Council. He stated that he operates a dairy and beef farm in Halifax County. He stated that Halifax County has supply managed commodities with sales in the range of seven million dollars. He stated that as farmers operating under supply management system they are extremely concerned about the outcome of the current GATT negotiations. He stated that Article 11 needs to be strengthened in order for supply management to continue into the future. He stated that this system was formed over 20 years ago to guarantee dairy and chicken producers a market for their products. He stated that it enables the Canadian consumer to buy these products at relatively stable prices across the country. He stated that, in the dairy sector, the prices are set by cost of production formulas which are determined by the Dairy Commission. He stated that the farmers believe that this system is the best system in the world. He stated that it is being suggested that this system should be replaced by a market driven system. He stated that there are levies put on producers which if you overproduce, whatever you ship over your quota, you pay a levy on and you lose money and this in turn means that the Canadian producers do not dump on world markets and won't affect any other country. He stated that the alternative to Supply Management under Article 11 is tariffication which means milk and chicken would be traded on world markets and the tariffs would be lowered and products will be dumped in markets. He stated that this would mean products would be dumped on the Canadian market at prices lower than they can produce them for here in Canada. He stated that as a result Atlantic Canada will be harder hit because of the shorter growing season. He stated that the American farmers receive prices lower than the Canadian prices and are subsidized quite heavily. He stated that Canadian farmers receive low subsidies. He stated that he believed that Canada should produce its own food and not rely on other countries. He stated that the Provincial government does support the farmers and is working with them in lobbying efforts in Ottawa. He stated that the farmers want



assurance that Canada will not bargain away Article 11.

He stated that there will be a rally in Ottawa and also across each province in Canada for Friday, February 21, 1992. He stated that the rally in Nova Scotia is set for 1:00 p.m. at Exhibition Park. He stated that they are hoping that business people as well as politicians will stand with them. In closing he thanked Council for their previous support in their lobbying efforts.

2. Mr. Kelly outlined a copy of a newspaper clipping and petition signed by residents of Armcrest Estates, Lower Sackville, petitioning the Municipality to complete construction of the walkway connecting Stokil Drive and Oakhill Drive.

It was moved by Councillor MacDonald, seconded by Councillor Harvey:

"THAT THE CLIPPING AND PETITION BE RECEIVED"

MOTION CARRIED

3. Mr. Kelly outlined a copy of a flier entitled Resource Recovery Fund for Council's information.

It was moved by Councillor Brill, seconded by Councillor:

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

4. Mr. Kelly outlined a letter from D.C. Rowland, Canada Post Corporation in response to the County correspondence and resolution respecting concern of postal service in rural areas.

It was moved by Councillor Ball, seconded by Councillor Taylor:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Mr. Kelly outlined a letter from David F. Barrett in identifying assessment appeals for building lots which he owns.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

6. Mr. Kelly outlined a resolution passed by the Council of the Municipality of Argyle requesting senior levels of government to

generate revenue by taxing the generators of waste.

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

"THAT THE RESOLUTION BE RECEIVED"

MOTION CARRIED

It was moved by Councillor MacDonald, seconded by Councillor Giffin:

"THAT HALIFAX COUNTY COUNCIL SUPPORT A SIMILAR RESOLUTION TO FCM AND UNSM"

MOTION CARRIED

SUPPLEMENTARY CORRESPONDENCE

7. Mr. Kelly outlined a letter from Mr. Paul Pettipas, Heritage Cedar Homes, regarding taxation on vacant approved building lots.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Deputy Warden Sutherland asked Mr. Meech if there was anything to report on this issue.

Mr. Meech stated that a staff report is being prepared. He stated that this may require changes to provincial legislation. He stated that the County will have to come up with some method as to how you would legislate some relief for this type of assessment as compared to other vacant pieces of land. He stated that in terms of numbers Halifax County has more approved lots on an annual basis because of the size of the County and the fact that the County has more development than other parts of the province. He stated that this is governed by the Assessment Act in that the Act speaks to market value and once these lots are given final subdivision approval then the assessments are much higher than what they were when the land was part of a larger parcel of land. He stated that the assessments are not high until the land is converted into individually approved lots.

7. Mr. Kelly outlined a letter from Sandra MacLeod, Chairman, B.A.R.O.L.S.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Former Clarence Park School, Eastern Passage

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

"THAT THE SALE OF THE PROPERTY (LAND AND BUILDING) TO AUTOPORT LIMITED FOR THE APPRAISED VALUE OF \$30,000.00 BE APPROVED"

MOTION CARRIED

Beaverbank Road Servicing

It was moved by Councillor MacDonald, seconded by Councillor Bates:

"THAT OPTION 2 OF THE REPORT FOR CONSTRUCTION OF WATER, STORM AND SANITARY SERVICES FOR FIVE PROPERTIES LOCATED ON BEAVERBANK ROAD BETWEEN GLENDALE DRIVE AND SUNNYVALE CRESCENT AT AN ESTIMATED COST OF \$148,700., SUBJECT TO THE CONDITION THAT THE ABUTTORS AGREE TO PAY THEIR RESPECTIVE CONTRIBUTIONS, BE APPROVED"

MOTION CARRIED

Atlantic Winter Fair

It was moved by Councillor Holland, seconded by Councillor Macdonald:

"THAT THE PROPOSAL SUBMITTED BY THE DIRECTORS OF THE ATLANTIC WINTER FAIR BE APPROVED WITH THE FOLLOWING EXCEPTIONS:

"That the Directors of the Atlantic Winter Fair agree to pay an amount of \$10,000 per year towards outstanding property taxes with payments commencing within five (5) years, or as soon as municipal water and sewer services are installed at Exhibition Park. Additionally, from the payments of \$40,000 received for outstanding taxes, and amount of \$5,000 be allocated towards costs incurred to initiate tax sale proceedings, the balance of \$35,000 being applied to the outstanding balance.

Councillor Cooper asked for clarification with regards to the commencement of payments.

Mr. Kelly stated that the \$10,000 payments would commence within five years whether or not services had been installed.

Mr. Meech stated that if Council endorses this proposal it will still be necessary for Halifax County to have the Private Members Bill on taxation amended because at the present time there is a Private Members Bill that exempts the Atlantic Winter Fair from paying any general rates. He stated that it was made clear in the legislation that area rates were to remain in effect. He stated in the new Members Bill the County should incorporate by By-Law the annual contribution which will be applied towards local services in District 4. He stated that an annual escalation clause should also be incorporated.

Councillor Boutilier asked if a Private Members Bill has to go through before this agreement comes into effect.

Mr. Meech stated that technically and legally those amendments will have to be passed by the legislature before all this can be given effect. He stated that if Council endorses this proposal at this meeting Mr. Crooks will prepare the necessary amendments to the legislation and bring them back to have them endorsed by Council and then submit them to the legislative council for submission to the legislature.

Councillor Boutilier asked if there are provincial monies going into the Atlantic Winter Fair for paying taxes.

Mr. Meech stated that there is no provincial money collected with regards to taxes.

Councillor Boutilier stated that the County will lose future Municipal taxes and business occupancy tax. He asked is this going to be given up with no request for provincial assistance.

Mr. Meech stated that based on the present legislation the only thing that applies is the taxation for the area rates. He stated that with regards to the back taxes they are being given an opportunity to pay those back without any interest.

Councillor Boutilier stated that this is in effect writing the interest off.

Mr. Meech stated that there would be an agreement that within five years they are to pay the County back. He stated that if all goes through the legislature the County, starting in the fiscal year 1992, would receive \$10,000 annually to be applied to the local services in District 4.

Councillor Boutilier stated that he would not support the motion.

Councillor Richards asked what amount of money was being written off if this proposal was agreed to.

Mr. Meech stated that the amount is approximately \$55,000 in outstanding interest but the outstanding principal would remain as a receivable with not interest accruing on it and then in five years time they would start paying back at least at the rate of \$10,000 per year. He stated that the \$35,000 that has already been received would be applied against the principal.

Councillor Richards stated that there will be a fair amount of money not collected if this passes.

Mr. Meech stated that yes because the County would have had every right to collect the interest as well as the principal.

Councillor Richards stated that the current approved arrangement is that Atlantic Winter Fair is responsible for the area rate taxes. He stated that if they didn't pay this would affect the area rate in District 4. He asked if this proposal goes through would the interest be written off to the General Fund and not the Area Rate Fund.

Mr. Meech stated that the monies that were levied for the area rates have contributed to the local area over the last number of years therefore the reserve for uncollected taxes is charged against the General Fund. He stated that whatever is written off will be written off against the General Operating Fund.

Councillor Richards stated that in the format of the Atlantic Winter Fair deed that if they should run into financial or other difficulties then they revert back to the Province of Nova Scotia.

Mr. Meech stated that the clause indicates that if the property had a lien or encumbrance against it then the property was to be reconveyed to the Province automatically.

Councillor Richards asked if this operation should fail in any way is the Province of Nova Scotia the responsible party.

Mr. Meech stated that the property would revert back to the Province but it had been legally conveyed from the Province to the Directors of the Atlantic Winter Fair.

Councillor Richards asked if each of the conditions outlined conditional to the other.

Mr. Meech stated that it is a package and if they do not agree to the change then there would be no agreement.

Councillor Richards asked if the amendments to the Private Members Bill were not proceeded with at the Provincial level where does it place the County.

Mr. Meech stated that things would go on as they are and at the time that the legislation would be introduced the province has the legal authority to make it retroactive.

Councillor Richards stated that he did not support the request. He stated that to write of that amount of revenue at this time seems to him to be poor financial management.

Councillor Ball stated that as far as he is concerned the Atlantic Winter Fair is buying more time at the County's expense.

Councillor Holland stated that he felt that the County had no alternative. He stated that even though this may not be a good deal the province has left no alternative as the province has said that the County cannot sell the property.

Councillor MacDonald stated that if the County cannot sell the property then the County has to have some form of agreement or it won't get anything.

Mr. Meech stated that the County will have to develop some mechanism whereby, if they don't pay, there is some kind of security or means to force them to pay.

Mr. Crooks stated that the most effective means of enforcement would have to be some legislative provision. He stated that how effective an agreement would be in terms of the recourse that would be available to the Municipality is an open question and he would have to look at it further.

Councillor Bates asked if the province had told the County that they could not sell the property.

Mr. Meech stated that in the final analysis the County made the decision not to proceed with the tax sale.

Councillor Brill asked if it would be possible for the four Municipalities to absorb the deficit or obtain a grant from the province. He stated that if neither of these are possible he would not support the motion.

Deputy Warden Sutherland stated that the province has said they will not provide a grant.

Councillor Deveaux stated that if this is approved then something should be put into the agreement to ensure that the County receives the money it is asking for. He asked if the Atlantic Winter Fair was the only unit of its type in the County.

Mr. Meech stated that this is different in that it provides a service beyond the boundaries of Halifax County and it is a large commercial operation in terms of revenues that it would generate. He stated that in the legislation the County should have provision that the province will guarantee payment.

Councillor Boutilier stated that he could support the agreement if there are some assurances that when it goes to a private members bill there will be something concrete on paper.

Councillor Ball asked if it was possible to have a tax lien on the property.

Mr. Meech stated that this could only be done if it is legislated through the Private Members Bill.

Councillor Harvey stated that he did not think that the Atlantic Winter Fair could be compared to a commercial operation that has not paid and that is going to be foreclosed. He stated that if this deal works in the long run the County will end up with at least something. He stated that in view of all the factors he will support the deal as the best option at this time for all parties concerned.

MOTION CARRIED

SUPPLEMENTARY PLANNING ADVISORY REPORT

1. File No. ZA-SA-01-92 - Amendments to the Sackville Land Use By-Law to remove cabarets as a permitted use within the C-2 (General Business) Zone and C-3 (Commercial Core) Zone.

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

"THAT MARCH 9, 1992, 7:00 P.M. BE SET AS A PUBLIC HEARING DATE"

MOTION CARRIED

2. File No. RA-FEN-22-90-18 - Addendum - Application by Armoyan Group Limited to rezone property on the Hammonds Plains Road.

This report is for Council's information before public hearing on February 24, 1992.

It was moved by Councillor Giffin, seconded by Councillor MacDonald:

"THAT THE REPORT BE RECEIVED"

MOTION CARRIED

3. File No. DA-LM-15-91-08 - Application by Clifford Thomas to enter into a development agreement in order to permit an existing salvage yard at 94 Lower Partridge River Road in East Preston.

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

"THAT MARCH 9, 1992, 7:00 P.M. BE SET AS A PUBLIC HEARING DATE"

MOTION CARRIED

SET ASIDE PROGRAM - COUNCILLOR COOPER

Mr. Meech stated that a report is being prepared by Bev Clahane addressing what the activities have been over the past year under the Set Aside Program and what should be considered for the new year. He stated that this will be ready within the next two to four weeks for Council's information.

EXECUTIVE COMMITTEE - COUNCILLOR FRALICK

Councillor Fralick asked that this item be deferred to the March 3, 1992 Council Session.

NOTICE OF MOTION - COUNCILLOR BALL

At the Tuesday, February 4, 1992 Council Session Councillor Ball served notice of motion.

It was moved by Councillor Ball, seconded by Councillor Rankin:

"THAT AN INDEPENDENT BODY, INDEPENDENT OF THE INDUSTRIAL COMMISSION REASSESS THE MAKEUP OF THE INDUSTRIAL COMMISSION SO AS TO SEE HOW IT REFLECTS THE DIVERSITY OF THE MUNICIPALITY KEEPING IN MIND THE BEST INTERESTS OF ALL THE MUNICIPALITY WITH REGARDS TO INDUSTRIAL AND COMMERCIAL DEVELOPMENT IN THIS MUNICIPALITY".

Councillor Ball stated that he was asking that council endorse an evaluation of the purpose and membership etc. and come up with some form of recommendation.

Councillor Deveaux asked if he meant for someone to be hired to do this.

Councillor Ball stated that something could be done in-house but independent of the Industrial Commission.

Mr. Meech stated that he would be happy to consult with some private sector people in the Municipality and get their feedback and come back with some suggestions.



Councillor MacDonald stated that he hoped that this would be referred to the Industrial Commission and he would not like to have the impression given out that there are problems with the Halifax County Industrial Commission. He stated that this should be dealt with once the economy is better. He stated that membership seems to be the issue.

Deputy Warden Sutherland stated all that was being asked was a review.

Councillor Giffin stated that this may be striking at the credibility of the Industrial Commission and maybe should be handled at the Executive Committee.

Councillor Ball stated that he is not implying or inferring whether or not the Industrial Commission is valuable or valueless but a question of whether or not there are better ways of doing things. He stated that the reason for stating that and independent body do the evaluation is because otherwise the Commission would be evaluation themselves. He stated that the assessment would evaluate whether or not the current makeup and mandate etc. is meeting the goals and objectives of Halifax County in terms of industrial development.

Councillor Deveaux stated that he did not feel that it would do the Commission any good because the public will get the message that there is a problem. He stated that he could not support the motion.

Councillor Boutilier stated that this is an established standing committee of Halifax County and if all that is being asked is to look at the structure it should have been referred back to the Executive Committee. He stated that it should be investigated at that level and then come back to Council with recommendations.

Councillor MacDonald stated that Mr. Kelly, before the last election, did a report and looked at all the committees and asked each councillor how they thought the committees were working. He stated that at that time everybody agreed that they were quite happy with the structure.

Councillor Richards stated that maybe there should be a review at the Executive level to see where this is going. He stated that it is a sensitive issue.

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

"THAT THIS BE REFERRED TO THE EXECUTIVE COMMITTEE FOR REVIEW"

MOTION CARRIED

ORIGINAL MOTION DEFEATEDLEGAL AUDIT RE: FIRE SERVICES - COUNCILLOR BALL

Councillor Ball stated he was recommending that definite legal responsibility be established with regards to the various fire departments throughout Halifax County. He stated that he is asking that some form of audit be done to establish (a) if there is a relationship there and (b) if there isn't a relationship there whether or not we want to establish a relationship with a particular department or not. He stated that he is suggesting that Mr. Bernie Turpin be relieved of his regular duties in order to gather the information for the legal staff to assess.

He stated that there have been questions raised as to whether or not Halifax County has a legal tie to fire departments. He stated that he was of the opinion that because the County raises tax money through an area rate for the fire service that automatically ties us in with a legal responsibility to the fire service. He stated that Mr. Dickson questions whether or not that in actual fact means a definite relationship.

Mr. Meech asked Councillor Ball to refer the matter to him and he will research it and prepare a staff report.

Council agreed that this be referred to Mr. Meech.

Councillor Holland asked Mr. Meech if he could find out if in an instance where one of the volunteer fire departments is sued for liable is the Municipality responsible.

Mr. Meech stated that the Municipality does get sued and there have been cases where the Municipality has been understood to be responsible.

DEPARTMENT OF THE ENVIRONMENT - COUNCILLOR RANDALL

Councillor Randall stated that he had correspondence that was sent to the Engineering department from the Nova Scotia Department of the Environment regarding the removal of refrigerant from air conditioning, refrigeration and freezing units prior to disposal. The letter stated that stickers are being distributed to repair personnel which are to be attached to these units after the refrigerant has been removed. The letter stated that waste facility operators may comply with this by (1) receiving these units and arranging to have the refrigerant pulled out at the facility by a qualified refrigeration technician or (2) by only accepting units which have a completed CFC refrigerant removed sticker on them.

He stated that if the County is going to go with number 2, then the County is looking at a cost to owner and as a result these

old refrigerators will be dumped. He suggested that maybe the best and more economical way to go is to have the refrigerant pulled out at the facility.

Deputy Warden Sutherland stated that the collectors have refused to accept refrigerators and air conditioning units unless they have been marked as refrigerant free.

Mr. Meech stated that the reason why the collectors won't accept these is because they won't accept them at the landfill. He stated that they have been advised that they are not permitted to take them to the disposal site unless they have the sticker on them.

Councillor MacDonald stated that he felt that this is a good program for the Department of the Environment to make grants available to resolve this problem.

It was moved by Councillor MacDonald, seconded by Councillor Giffin:

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF THE ENVIRONMENT RECOMMENDING THAT A PROVINCIAL GRANT SYSTEM BE PUT IN PLACE TO HELP PEOPLE REMOVE THE FREON FROM OLD REFRIGERATORS"

Councillor Giffin stated that possibly the people selling new refrigerators have to take the old one. He stated that this could apply to the whole province.

Councillor Bayers stated that it is not feasible to collect the Freon after the refrigerator gets to the landfill site because when it goes through the compactor the Freon is released. He stated that the Department of the Environment make it clear that it is the Municipalities responsibility for garbage disposal. He stated that the Freon, once removed, is held by a number of distributors who send it to Dupont in Kingston, Ontario as hazardous waste. He stated that this is going to be costly. He stated that a fridge will not be accepted at the landfill site even if the compressor is off.

Councillor Taylor stated that they have already experienced problems at the transfer stations in Sheet Harbour and Middle Musquodoboit. He stated units have been dumped on the sides of the roads.

Councillor Randall stated that the Department of the Environment are suggesting that two options. He stated that most of the contractors have another vehicle such as a half ton truck that could be used so that the refrigerator would not have to go into the compactor.

MOTION CARRIEDDEPARTMENT OF TRANSPORTATION - COUNCILLOR RANDALL

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

"THAT THE PETITION AND COVERING LETTER REQUESTING PAVING OF BONIN ROAD, GRAND DESERT BE FORWARDED TO THE MINISTER, DEPARTMENT OF TRANSPORTATION AND COMMUNICATION AND FURTHER THAT A COPY BE SENT TO THE HONOURABLE TOM MCINNIS, MLA"

MOTION CARRIEDURGENT ITEMSLandfill Extension - Councillor MacDonald

Councillor MacDonald stated that recently a staff report from the senior staff of the Metropolitan Authority to the Metropolitan Authority itself suggested a possible way to handle the landfill between the time that the new incinerator is put in place would be to extend the Sackville landfill. He stated that this has disturbed the people in Sackville.

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

"THAT THE COUNTY COUNCIL ADVISE THE METROPOLITAN AUTHORITY THAT A COMMITMENT WAS MADE BY THE AUTHORITY TO CLOSE DOWN THE SACKVILLE LANDFILL SITE IN 1994 AND THAT COUNTY COUNCIL EXPECTS THIS AGREEMENT TO BE CARRIED OUT WITHOUT FAIL"

He stated that the redress package bothered him. He stated that pressure needs to be put on in order to get a commitment out of the Metropolitan Authority. He stated that the more this is stalled the big loser will be all of Halifax County in general.

Councillor Richards stated that he agreed with Councillor MacDonald. He stated that in discussions with Metropolitan Authority he had an opportunity to speak on behalf of council and he indicated to the members of the Metropolitan Authority that unless they supported this total concept of waste management strategy and that they understood without any doubt that the Sackville landfill was closing out in 1994 that Halifax County would not be fulfilling future obligations in terms of their garbage. He stated that they are continuing to ignore the real issue that Sackville landfill is closing out in 1994. He stated that Halifax County should not allow any extension of that landfill. He stated that if the County can't get their support

or a Metropolitan agreement then the message should be sent back that they take their garbage and keep it in their own Municipal unit. He stated that he supported the motion completely.

Councillor Rankin stated that he supported Councillor MacDonald's motion.

Councillor Harvey stated that he supported the motion.

Councillor Bates stated that it is this council's desire to create a dry landfill and it has been his understanding that the date of June, 1994 for closing the landfill was a projection made by the consultants. He stated that the projection is now that the present landfill could be operated up to the end of 1995. He stated that if the landfill is closed in 1994 there is the problem that the incinerator will not be operational until June of 1995. He stated that a year of dealing with organic waste may be a problem for the new landfill site. He stated that it may cost up to ten million dollars to have the new landfill without the benefit of the incinerator. He stated that it is going to be difficult to establish what the council wanted to establish in the way of a new landfill without the benefit of an incinerator. He stated that he would prefer that this be referred to staff for a full report on what the implications are and bring it back to another meeting.

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

"THAT THIS BE REFERRED TO STAFF FOR A FULL REPORT"

Councillor Boutilier stated that the Council does not want to give any open ended scenario to Metropolitan Authority that there would be any possibility of the landfill not closing. He stated that we should send the message that Halifax County is not changing its position. He stated he felt that council should go with the original motion on the floor.

#### MOTION TO REFER DEFEATED

Councillor MacDonald stated that if this is not done now the next site will not be picked. He stated that a commitment has to be made to resolve this.

Mr. Meech stated that he felt that the position on the floor is the right one to take at this point. He stated that he feels that it is long overdue from the Metropolitan Authorities point of view in terms of dealing with this redress issue. He stated that the message that will be sent is that a commitment was made to June, 1994.

Councillor Holland asked what happens if the County can't supply a landfill or another alternative for the garbage.

Councillor Taylor stated that he supported Councillor MacDonald's motion. He stated that he can also appreciate Councillor Bates concerns.

Councillor Bates stated that there seems to be some agreement that redress is a big topic and he is prepared to go along with the motion. He stated that he has an obligation as a member of the Metropolitan Authority to point the facts out and it is a fact that if a new landfill was to commence without the benefit of the incinerator then there could be problems that would not be experienced if the present landfill were to continue.

MOTION CARRIED

SUPPLEMENTARY COUNCIL AGENDA

MEMORANDUM RE: FCM CONSTITUTIONAL RESOLUTION

Mr. Kelly outlined a memorandum from the President, FCM respecting the FCM Constitutional resolution. The motion adopted was to amend the Constitution to include a section which would read as follows:

Without altering the legislative authority of Parliament or of provincial legislatures, or the rights of any of them with respect to the exercise of their legislative authority, Parliament and the Government of Canada:

- a) recognizes municipalities, where created by a legislature, as an order of government in Canada playing a role in the provision of essential public services;
- b) will consider the impact on municipalities of the exercise of federal powers; and
- c) will promote opportunities to ensure federal laws, policies and programs are supportive of municipal government's responsibilities.

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

"THAT HALIFAX COUNTY SUPPORT THE POSITION TAKEN BY FCM"

MOTION CARRIED

MEMORANDUM RE: REDRESS REPORT - HIGHWAY #101 LANDFILL SITE

Mr. Kelly stated that the Sackville Community Committee has asked that the memorandum to Warden and Members of Council be presented to council at this meeting.

It was moved by Councillor Harvey, seconded by Councillor Brill:

"THAT THE MEMORANDUM BE RECEIVED"

MOTION CARRIED

It was moved by Councillor Harvey, seconded by Councillor Boutilier:

"THAT HALIFAX COUNTY COUNCIL COMMUNICATE TO THE METROPOLITAN AUTHORITY ITS DESIRE THAT IT DEAL IMMEDIATELY WITH THE COMPENSATION PACKAGE IN THE REDRESS REPORT AS THIS IS A MATTER OF GREAT URGENCY WITH THIS MUNICIPALITY AND MUST BE DEALT WITH PRIOR TO THE MUNICIPALITY ACCEPTING ANOTHER LANDFILL SITE OR EVEN ENTERTAINING ANY SUGGESTION OF AN EXTENSION OF THE CURRENT SITE"

MOTION CARRIED

MEMORANDUM CHAIRMAN METROPOLITAN AUTHORITY

Mr. Kelly stated that this memorandum is from the chairman of the Metropolitan Authority to the four Chief Magistrates regarding alternative WTE plant site costs Lakeside and Bayers Lake.

It was moved by Councillor Boutilier, seconded by Councillor Giffin:

"THAT THE MEMORANDUM BE RECEIVED"

MOTION CARRIED

Mr. Meech stated that he would like to get some direction from council. He stated that the Metropolitan Authority recently took the position that it submitted the Dartmouth site to be registered for an Environmental Assessment. He stated that at the same time they took a position that they wanted to analyze the costs of two other sites, one in the City of Halifax and one in the County. He stated that the County site is in the backlands of the Lakeside Industrial Park and the one in Halifax is in the Bayers Lake Industrial Park. He stated that during the CAO meeting yesterday, it became clear that the Metropolitan Authority was inviting other Municipal units to put in a proposal for the Waste to Energy facility. He stated that before he has staff develop a report he needs an indication from council whether or not Halifax County is interested in developing a proposal and making a submission to Metropolitan Authority.

Councillor Bates stated that he wanted to bring to the attention of Council what took place at the Metropolitan Authority in December, 1991 when incinerator siting took place. He stated

that at that time the consultants recommended that the Metropolitan Authority go with one site which was in the Burnside Industrial Park. He stated that at the same time they chose the three top sites for the landfill. He stated that Mayor Savage's suggestion that more than one site be evaluated for the incinerator was not accepted by the members of the Authority. He stated that when Dartmouth went ahead with public hearings and had their consultants working on this they requested compensation for their land at market value. He stated that the City of Halifax had given land for the recycling plant for \$1.00 and they felt that the City of Dartmouth should have done likewise. He stated that a vote had been taken with regards to taking a look at other sites. He stated that he felt that the recommendation made by the consultants originally was the correct one.

Mr. Meech stated that he felt it only fair that everybody be made aware of the facts in terms of what this present agreement entails between the City of Dartmouth and the Metropolitan Authority. He stated that he felt it was unfair that Halifax County would be given the position after the fact to put together a proposal with the knowledge of what is contained in Dartmouth. He stated he felt that Council should be aware of the facts one of which is purchase of land in the proposed amount of \$20,000 per acre at 24 acres. He stated that from a financial point of view they are expecting that because it is going to be leased and operated by one of the proponents business occupancy will be assessed against this facility and a surcharge which would replace might have been received for Municipal taxes if it was a privately owned facility. He stated that between the surcharge plus the business occupancy tax the amount could be \$2.2 million per year.

Councillor Rankin stated that at the Metropolitan Authority meeting referred to by Councillor Bates the Warden stated that the reason they would go with site one was based on an agreement. He stated that they did not want a confrontation among the units. He stated that the process should be continued with because if you start unravelling the process we have lost the integrity of the whole thing and then where do you draw the line.

It was moved by Councillor Rankin, seconded by Councillor Giffin:

"THAT METROPOLITAN AUTHORITY CAN EXAMINE COSTS ON THE OTHER SITES BUT NO OTHER WTE SITES BE CONSIDERED UNLESS AND UNTIL SITE 1 IS REJECTED BY AN ENVIRONMENTAL ASSESSMENT AND THEREFORE THE MUNICIPALITY DOES NOT SEE ANY POINT IN COSTING OF OTHER SITES AT THIS TIME"

Councillor Richards stated that the process is very disturbing. He stated that several weeks ago it was very clear that the number one site for the waste to energy facility would be located in the City of Dartmouth Industrial Park. He stated that this



was an approved arrangement until money came into the picture. He stated that the position that the City of Halifax had taken up to that point was put aside. He stated that he would be concerned if the County gets dragged into this process at this time. He stated that if it is going to become a bidding war between who can come up with the best financial package to accept a waste to energy facility, regardless of where it really should go, Halifax County should not even price it out until after the Environmental Impact Study. He stated that what Halifax County has to do now is a similar process to that which the City of Dartmouth did which is enter into negotiations with the Metropolitan Authority on what cost package we would be prepared to accept if that Lakeside Industrial Park site were the chosen site. He stated that Halifax County should not get into the process until it has to which would be if the site in Dartmouth is turned down by the Environmental Study.

Councillor Giffin stated that he felt that the people have made one thing clear and that is if you are going to put the landfill and incinerator in place then put it in the best place. He stated that there was always a critical time factor and now it is to be delayed again.

Councillor Boutilier stated that to deviate from the approach taken by Halifax County is pointless at this time. He stated that Metropolitan Authority need to be reminded that they have a mandate and a time frame in which to complete the job.

Mr. Meech stated that he supported communicating back to Metropolitan Authority that Halifax County accepts the process to date and endorse the site. He stated that his only concern is that if in fact the City of Halifax or the Metropolitan Authority decided to change the location of the waste to energy plant then it may as well be in the backlands of the Lakeside Industrial Park as to have it in Bayers Lake. He stated that he felt that the County should communicate to the Metropolitan Authority that the decision has been made, we accept that process and unless and until the site has been turned down through the Environmental Review process that they should continue to proceed to locate it on the chosen site.

Councillor Boutilier asked Mr. Meech if it was going to be opened up would it not come through Metropolitan Authority and each Municipal unit would have an opportunity to come back and look at it.

Mr. Meech stated that procedure wise the County is being given an opportunity to make a proposal. He stated that the County is taking the position that Metropolitan Authority has made its decision based on the analysis and evaluation and that Burnside is the best site.