

make a presentation if possibly the computer system could identify the ownerships now that are zoned R2.

Maureen stated that a report had been produced in 1988 and brought to plan review committee identifying all those properties which were considered to be undeveloped in that they were not affected by tentative or final plan of subdivision. They were clearly identified on the maps and at that time direction was received from PRC to proceed with the direction that was received from the community.

Warden Lichter asked if there had been contact with all R2's.

Maureen replied not all had been contacted.

Warden Lichter asked if the PIM system can identify these owners can they be notified by mail to inform them of the public hearing.

Maureen stated that this can be done however, one of the stipulations is that if they do not have a tentative or final plan of subdivision prior to the newspaper notification to adopt this plan then any notification at this point may not be useful to those persons because there may not be sufficient time to have such completed.

Warden Lichter stated that if they come before council and convince council that they have to have an exemption then the notification does serve a useful purpose.

Warden Lichter referred to page 66, Policy UR17. He asked what was excluded.

Maureen stated that the meaning was to exclude medical clinics, day care facilities, fraternal halls and centres, community halls and centres as well as transportation maintenance areas and crematoriums. She stated that she would take a second look at this to make it more clear.

Warden Lichter that the words "except all of the following" would indicate that what comes after is excluded.

Deputy Warden Sutherland asked with regards to Policy UR6 which permits auxiliary dwelling units by rezoning is this an attempt to address in-law suites or is it an admission that in fact an auxiliary unit is an auxiliary unit.

Maureen stated that it is an attempt to specifically define what constitutes an auxiliary dwelling unit. It's a mechanism to prevent the development of two unit dwellings. In this particular case the second dwelling unit has to be secondary by assigning a limit of 40% and it will accommodate renters within that single unit dwelling. This does not restrict it only to in-laws or family

relatives.

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

"THAT THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR EASTERN PASSAGE/COW BAY BE APPROVED WITH THE INTENTION TO ADOPT TO BE ADVERTISED AND PUBLIC HEARING TO BE HELD ON JUNE 22, 1992 AT THE TALLAHASSEE COMMUNITY SCHOOL IN EASTERN PASSAGE"

MOTION CARRIED

Warden Lichter asked what the wish was with regards to notification of the R2 landowners.

Council agreed that the landowners would be sent notification by letter to inform them of these changes and the date, time and place of the public hearing.

Warden Lichter stated that he had had a discussion with Mayor Kelly and he had indicated that he would be in contact with the warden to initiate a joint session of the two councils in order to look at supplementary funding. He stated that each year a formal request was made for supplementary funding but not request has been made this year. This appears to be the reason why Mayor Kelly has not been in contact to set up the meeting. Warden Lichter asked council if they wished him to contact Mayor Kelly and initiate a meeting or wait until the school board makes a request for supplementary funding.

Council agreed to wait until a request came forward.

COUNCIL SESSION

May 19, 1992

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

ALSO PRESENT: G. J. Kelly, Municipal Clerk
K. Wilson, Acting Chief Administrative Officer

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The meeting was called to order a 6:00 p.m. with the Lord's Prayer.
Mr. Kelly called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE PUBLIC HEARING MINUTES OF FEBRUARY 24, 1992 BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE APRIL 1, 1992 SPECIAL COUNCIL SESSION BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE APRIL 7, 1992 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE APRIL 14, 1992 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

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

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

MOTION CARRIED

PRESENTATION OF CERTIFICATES TO STUDENTS RE MUNICIPAL AWARENESS WEEK ESSAY COMPETITION

Warden Lichter stated that the UNSM had initiated an essay contest concerning Municipal Awareness Week. All junior high schools had been notified and the essay contest was to be submitted to his office. He has received one winning entry from Trevor Scott. He is a student at Herring Cove Junior High School. The topic of the essay was animal control. The warden informed Council that the essay is in his office if any of the councillors wishes to read it. Councillor Ball would be delivering the certificate to the student as he was unable to attend the Council Session.

PRESENTATION RE: 1999 PAN AMERICAN GAMES

Warden Lichter welcomed the Mr. Bill Stone, acting mayor of Halifax and Mr. Murray Doehler, Committee Chairman for the Canadian Olympic Association which is the Pan American Games hosting committee.

Mr. Bill Stone addressed Council. He stated on behalf of the Mayor and members of Halifax City Council he was pleased to be here. He stated that the Mayor, on behalf of the city council, has asked him to bring forward a proposal of the Pan American Games. This would be an opportunity for the metropolitan area to bring these games to this area in 1999. He stated that 1999 is the birthday of the City of Halifax and the city council has provided some seed money in the amount of \$30,000.00 to promote a preliminary bid for these games to be held in the metropolitan area. He stated that the group represented by Mr. Doehler has 14 members who are volunteers to try to encourage this program.

Mr. Doehler advised that the Pan American Games is two weeks of top class international sporting events. He stated that when reference is made to Halifax it includes the whole metro area from the South Shore to Ecum Secum. He stated that at the moment they are trying to determine what the events are going to be and the locations. He stated the events will be spread through the whole metropolitan area not just concentrated in Halifax or Dartmouth. He stated that all facilities will be needed. He stated that they have done an inventory of the facilities that are through the area and even though there are no world class facilities 90% are close and would not require much to make them world class. He stated that they want to build something that the people are proud of and something that can be used for the next 50 years. He stated that process they are going through is in stages: 1) prebid process which has to be done by the end of this month - feasibility study looking at what is there, what can we do, what type of costs are involved; 2) final bid in the fall. He stated that they are seeking approval in principle or support in principle from the County Council. He stated that the request is two fold: 1) they need a liaison from Council to be a part of the Committee and; 2) for Council to share the dream and work out the details later. He stated that in future it will require support from staff and a huge volunteer effort. He stated that they would like to include the support of Halifax Council.

Warden Lichter stated that on behalf of Council he would like to congratulate them on their enthusiasm and their dream.

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

"THAT HALIFAX COUNTY SUPPORT, IN PRINCIPLE, THE BID PROCESS BY THE CITY OF HALIFAX FOR THE 1999 PAN AMERICAN GAMES"

MOTION CARRIED

Warden Lichter asked how soon the liaison person would be required.

Mr. Doehler stated that the Committee meets weekly and the next meeting is this coming Friday. He stated that sooner the better.

He stated that at the present time it would involve a heavy time commitment.

Councillor Boutilier asked if there was a speculative monetary figure that they would be looking for if the bid was successful.

Mr. Doehler stated that if the bid was successful they would be coming back and looking for Corporate sponsors and volunteers as part of the process. At the present time they are only looking for approval in principle. He stated that they do not have any figure on costs at the present time.

Councillor Ball stated that maybe the picking of a representative from Halifax County should wait until the next Council Session in order to give the members a chance to reflect on who would best represent the Municipality because it would involve a seven year commitment.

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

"THAT NOMINATIONS FOR A CANDIDATE TO REPRESENT HALIFAX COUNTY BE DEFERRED TO THE NEXT SESSION OF COUNCIL"

MOTION CARRIED

WATER DELIVERY BY FIRE DEPARTMENTS - COUNCILLOR BAYERS

Councillor Bayers stated that he had asked for a report from the Fire Advisory Committee.

Councillor Ball, Chairman Fire Advisory Committee, stated that this is a policy that has involved considerable discussion and debate from Fire Advisory Board through Executive and Council. He stated that it deals with domestic water delivery policy. One of the problems is that, to a large degree, it is becoming more and more frequent that liabilities come to play with regards to responsibility for services delivered. He stated that one of these services is domestic water delivery. Some homes in the County have, in the past, relied on the Fire Department to fill wells because they have become dry over the summer.

He stated that increasing, through the Department of Health, we have been made aware that to a large degree the people in the Municipality do not have the equipment to properly fill those wells. The equipment that is required is not within the mandate

and the potential is that in filling those wells they could be permanently damaged. He stated that the feeling of the Board is that if fire departments wish to get into supplying domestic potable water to any homeowners each fire department have the proper equipment as specified by the Department of Health. That protects all fire departments and also protects the Municipality if for some reason one of the fire departments delivers water that contaminates the well. There are a number of problems associated with this. People pay a fire rate and are we in the business of delivering water to particular homes. If we truly paid the cost of water delivery he does not believe the \$45.00 per load covers the cost of the vehicle. If a fire breaks out and a truck is enroute or in the process of delivering water to a domestic homeowner and that tanker does not become available to fight the fire that in turn puts the Municipality in a very difficult position.

He stated that Councillor Bayers had suggested a waiver. He stated that the waiver has been sought. He stated that the waiver is a safety net and may not protect the county from being sued for gross negligence. He stated that the water comes from different sources and on a fire scene no one checks to see if water is potable or not. It is the position of Fire Advisory Board that if a fire department wishes to be involved in water delivery then it must meet the Department of Health standards and he would be putting a motion to this effect on the floor. This means that the fire department has to go out and buy the proper equipment. Fire Advisory Board recommends to Council that the fire departments not be involved in water delivery and the policy that has been submitted for Council be ratified.

Councillor Merrigan stated that the legal opinion seems to be saying that if you are strictly a volunteer fire department and because the County is not really involved in giving direction then the County should not be held liable.

Mr. Crooks stated what the opinion is saying is there are varying circumstances in terms of the connection between the Municipality and its fire departments and in particular with respect to the degree of control exercised by the Municipality over its fire departments. In some cases the degree of control exercised may not be sufficient to cause the Municipality to be liable for the actions of the departments. In others, where the Municipality has become more actively involved in the operation of the departments, there may well be a sufficient connection.

Councillor Merrigan stated that the concern is if the County is writing policies to say what the fire departments can or cannot do then we are starting to exercise some control over those volunteer fire departments. Is the County not becoming more liable by putting ourselves into a position of taking increased responsibility and therefore putting ourselves in position where there would be more liability.

Mr. Crooks stated that potentially, from a practical point of view, the Municipality is substantially into the fire service business now even though there are differences in the degree of control exercised over various departments and our sense at a pragmatic level is to the extent that the Municipality is exercising in various ways control over the activities of the departments. It should be concerned to ensure that the policies that are followed by those departments, especially where they are utilizing county owned equipment, should satisfy whatever standards the Municipality considers to be the appropriate ones.

There is still a question about the degree of control exercised over some departments, its not complete or full. The Municipality has the legal jurisdiction to exercise greater control than it presently does exercise. The level and degree of control has been increasing over the last number of years and its going to be difficult in many cases throughout the Municipality to put legally significant distance between itself and many if not most of the fire departments that are operating within this jurisdiction.

Councillor Merrigan that the driving time used to deliver water would help enhance the skills of the volunteers. He stated that it takes skills to operate the pumps and hoses as well as the truck. He asked why a policy could not be put in place that says that any department that has paid men that Halifax County has control over are out of it. Those volunteer departments that are involved in the water business will have to follow the Department of Health's guidelines for water haulers.

Councillor Bayers stated that letter from Mr. Dickson he understood to say that Halifax County has only a certain control over fire departments. He stated that the control over the Musquodoboit fire department would be their vehicles because they are paid for by public money. He stated that he felt that the waiver would give the County some protection. He stated that his intention in asking for this was that last summer in District 10 there were 350 homes without water. They were not asking for potable water. He stated that in rural areas there are no laundromats or companies that bring potable water and people need water to wash, flush toilets, bathe, etc. It is a necessity in the rural areas of the County. It is a necessity in District 10 to have the fire departments provide this service. These wells sometimes have to be filled up on a weekly basis and he believes that the fire department and the volunteers are mature enough and employ summer employment so they don't have every fire truck out of the station at the same time.

He stated that this is a service being provided that you cannot put a dollar value on. The people pay their area rates, they buy the fire trucks and if another truck is need then it will be bought and paid for through an area rate at no cost to the county. He stated that if the waiver is approved it will provide a dire service to the particular homes. It is a need in the rural areas for fire departments to deliver water and if the waiver can be accepted with

some degree of protection to the county then he feels that the resolution should be adopted that volunteer fire departments who want to deliver water still have that ability.

Councillor Ball stated that the trucks aren't a debatable issue. He asked Mr. Crooks that if the vehicles are in the Municipalities name are they not therefore in the Municipality's ownership. He asked if the County knowingly allow fire departments to deliver water within tanker apparatus knowing full well that the apparatus may be contaminated and therefore directly cause contamination to somebody's well, could the County be considered to be grossly negligent.

Mr. Crooks stated that the question whether the Municipality could be held liable by reason of acquiescing in its trucks being used when there is foreknowledge that the health department standards are not being met and where losses caused are foreseeable the answer would be yes there is a risk of the Municipality being held liable to account for damages suffered by third parties as a result of that. To some extent that liability would be addressed by the waiver but a waiver is subject to limitations. There is the liability either for the loss which may occur as a result of a well being made incapable of use on an ongoing basis by reason of contamination or the loss which might be occasioned by way of difficulties arising in relation to personal health of individuals who were consuming the water.

Councillor Ball stated that he wanted to point out to council that the Fire Advisory Board is made up of three councillors and three members of the Halifax County Fire Chiefs Association. He stated that the Board passed this policy unanimously and it was an agreement of the Fire Chiefs and the Fire Chiefs Association that this is the direction that the Municipality should be going in. It is not a preconceived idea of councillors or Mr. Turpin that this policy be implemented. It is a policy to a large degree that has come out of the fire service. They would like to see the policy endorsed.

Councillor Fralick stated there are a few fire departments that have been hauling water for about fifteen years. He stated that he agrees that there has to be protection and if this means that a form has to be signed then he agrees with that also. He stated that both the fire department and the County have to be protected.

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

"THAT NO FIRE DEPARTMENT IN HALIFAX COUNTY BE INVOLVED IN DOMESTIC WATER DELIVERY UNLESS THEY MEET THE DEPARTMENT OF HEALTH GUIDELINES FOR WATER HAULERS"

Councillor Adams stated that he wanted to speak on behalf of district 8 fire department and the ratepayers who have, without

question, asked for the continuation of the service that district 8 fire department does provide. For the past 19 years his department has been using a milk truck which has a stainless steel tank. He stated that last summer over 100 homes were serviced by that truck and by the department. He stated that he agrees with Councillor Bayers. He stated that as far as he can determine from his fire chief it has not been an expense. They make \$20.00 per trip and filling swimming pools or anything of that nature is not a priority. He would like to support having the homeowner signing a waiver.

Councillor Boutilier stated that he can see the necessity for water delivery and cannot see how many people could get by unless they had this service. He stated that if there is something now that works why does it have to be changed. In the smaller rural communities the service goes on and it is at non peak times when the men and equipment are available. He stated that a waiver could have stipulations that would allow the Municipality to continue without involving additional costs. He stated that he would not be supporting the motion.

Councillor Holland asked if any problems would be covered under liability insurance.

Mr. Crooks stated that it should although, the question arises whether the insurer would take the position that if the Municipality was engaging in an undertaking which to its prior knowledge was not in conformance with the standards set by relevant authority whether or not in fact it was acting beyond the scope of applicable insurance coverage. That would have to be checked with the Municipality's insurers.

Councillor Holland suggested that this information be obtained before voting on the motion.

Councillor Cooper stated that some of the residents of district 25 are outside the delivery in the urban areas and can't get any water. He is asking the fire departments that if they want to deliver to Municipal residents to show compassion and deliver to those residents in his district who are in their delivery area.

Councillor Merrigan stated that it would not be a major cost for the fire departments to follow the guidelines. He stated that every guideline should be followed, within reason to ensure that the water delivered is not contaminated.

Councillor MacDonald stated that running water in a home is important even if it is not drinkable. He stated that some areas have special trucks for delivering water and if you pass the motion then those trucks would not be able to operate. He stated that the people would want the water and he would not be supporting the motion.

Councillor Smiley stated that she is concerned about the lack of water but also the possibility of contamination.

Councillor MacDonald if Halifax County Municipality has ever been sued with regards to delivery of water by fire departments

Mr. Crooks stated that he was not aware of any such action.

Mr. Bernie Hanlon, Department of Health, stated that there has never, to his knowledge, been any deaths as a result of fire departments delivering water. From the public health point of view it is not acceptable for fire department apparatus to be delivering water to supplement domestic water supplies in rural areas. He stated that there are too many things that could go wrong however homes without water create another type of potential health hazard which is probably every bit as or more serious. The important people to protect are the people that are going to consume the water. The guidelines, as he sees them, are not that difficult to adhere to. If you can get a safe supply to start with, you can have a truck that is equipped and properly disinfected and transport the water and discharge it into the well properly you can probably get a reasonable good water supply. He stated that if fire departments are going to deliver water then the people that are receiving the water should be advised that this water should be treated as contaminated water because that is what it is.

Warden Lichter stated that the waiver, as he reads it, gives that kind of an indication.

Mr. Hanlon stated that it alludes to that but it should be taken further to very clearly advise the recipients of that water that it should be treated as contaminated water.

Warden Lichter stated that he has heard of households that draw water from natural water bodies and they have been told that natural water bodies is indeed not a potable water source without treatment.

Mr. Hanlon stated that no surface water in this province is safe without treatment. He stated that the point he wanted to make, with regards to the disclaimer, is that you advise the recipient of that water that it is contaminated and should be treated as contaminated water and that they should not drink it without first boiling it for five to ten minutes.

Councillor Adams asked if this would be an appropriate amendment to the waiver.

Mr. Hanlon stated that this could be added in the information part of the disclaimer that you are giving to the homeowner that there is a potential for you to get sick if you consume this water. There could be situations where there could be chemicals in the

water or in the transport tanker which boiling would not have any effect on.

Councillor Adams stated that there is no known source of chlorinated water that could be tapped. He stated that there is a hydrant five miles away but this is limited because there has to be a phone in to use the hydrant.

Councillor Peters asked if there was any safe way, other than these guidelines, that water could be safely delivered in the fire trucks.

Mr. Hanlon stated that there wasn't a way that he knew of. He stated that adherence to these guidelines presented would minimize the risk to the consumer.

Councillor Peters asked if there was any way to go to a surface water body, put the water into the tanks and then chlorinate it in some way.

Mr. Hanlon stated that yes there was.

Councillor Peters stated then this would mean, in actual fact, that these guidelines could be followed by chlorinating the water in the tank through some method. She also asked if this would mean that the fire services would have to be taught how to chlorinate the water that the County would have to buy the chlorine.

Mr. Hanlon stated that you could chlorinate the water but it would have to be done very carefully.

Councillor Snow stated he fully supported the motion.

Councillor Boutilier stated that with summer coming before this is changed something else should be put in place.

Mr. Hanlon stated that with regards to people having water delivered and dropped into their wells then having kids drink it. He said that kids don't know and will just turn the tap on when they are thirsty so the potential danger is there. He said the Health Act states "the owner of every house shall ensure that there is available for its occupants a sufficient supply of safe potable water". It's not the Municipality's responsibility nor is it the fire departments responsibility but the owner of the house.

Councillor Bayers stated that there is a sign up on the Grant Road "Brandy Spring" where people fill up jugs with water which has not been treated. He stated the people are not asking the fire departments to deliver potable water but to maintain the status quo that they are doing now so people can do everyday things such as wash, bathe and flush toilets. If a sentence has to be put in the waiver to make it more clearly that it is not potable water and

that it shouldn't be consumed then he would agree with this. He stated he was asking council to defeat the motion on the floor and come back to what was asked for that a waiver be produced that can be signed and maintain the status quo that the fire departments have been doing for the past 20 years.

Warden Lichter stated that Mr. Hanlon had pointed out that it is the homeowners responsibility to obtain potable water. If the homeowner chooses to use the fire department to obtain water and signs the waiver then it's done. He stated he favours that approach.

MOTION DEFEATED

12 IN FAVOUR

13 AGAINST

Warden Lichter stated that the suggestion by Mr. Hanlon was that besides the waiver there should be a notification sheet indicating quite clearly that the water is not potable.

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

"THAT THOSE FIRE DEPARTMENTS WISHING TO DELIVER WATER CONTINUE TO DO SO WITH A WAIVER SIGNED BY THE HOMEOWNER ON THE ACCEPTANCE ALONG WITH THE PROPER WORDED NOTIFICATION"

MOTION CARRIED

16 IN FAVOUR

9 AGAINST

LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from the Department of Municipal Affairs which contained an order extending the effective date of zoning By-law #24 to December 1, 1994.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

2. Mr. Kelly outlined a letter from the Honourable Ken Streach, Minister, Department of Transportation and Communication in response to County correspondence requesting paving of three streets in Upper Sackville.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

3. Mr. Kelly outlined a letter from the Honourable Ken Streach, Minister, Department of Transportation and Communications advising that the department has approved the renaming of Cooper's Corner Road to Sibley Road but cannot change the Old Glenmore Road to Maple Drive as there are presently a number of streets called Maple Drive already in Halifax County.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

4. Mr. Kelly outlined a letter from the Honourable Ken Streach, Minister, Department of Transportation and Communications in response to County correspondence requesting paving of Francie Drive, Harrietsfield.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

5. Mr. Kelly outlined a letter from the Honourable Ken Streach, Minister, Department of Transportation and Communications in response to County correspondence regarding paving of Southwood Road in Highland Park.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

6. Mr. Kelly outlined a letter from Kenneth R.B. Simpson, Executive Director, Union of Nova Scotia Municipalities, to inform County Council that the Task Force on Local Government is presently being reviewed by municipal officials and will be discussed at the Regional Meetings and following the regional meetings the UNSM Executive will meet and discuss the input from the Regional Meetings.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

7. Mr. Kelly outlined a letter from Kenneth R.B. Simpson, Executive Director, Union of Nova Scotia Municipalities to Warden Lichter extending appreciation for having Ken Meech serve as a UNSM representative on the Task Force Advisory Group.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

8. Mr. Kelly outlined a letter from Charles MacArthur, MLA for Inverness North with respect to the Task Force on Local Government advising that he would be interested in hearing from the Warden on how the Municipality would be affected should the recommendations be put into effect.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

Warden Lichter stated that he would reply to the letter after a decision has been made on the Committee's recommendation.

9. Mr. Kelly outlined a letter from David Nantes, MLA with respect to private roads in Eastern Passage.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

Councillor Deveaux stated that this issue of private roads been a long standing problem in his area as well as the Timberlea area. He stated that his intention is to find some solution to this problem. Over the past couple of years he has had the county engineer bring forth estimates as to what the cost would be to have these lanes brought up to highway requirements. Some of these lanes have been taken over on lesser requirements over the years. The cost at the present time on a per foot frontage would be just out of reach to the residents who live on these private lanes. They are entitled as taxpayers, to the same service as everyone else. The intention is to have the Councillor from Timberlea carry out the same procedure as he has; i.e. have the engineering department find out what the cost would be to the homeowners in his district and from there see what, if anything, can be done towards acquiring some funding and eventually have these roadways upgraded to specifications so that normal services can be provided to the

residents who dwell on these private lanes.

Councillor Peters asked what roads were being referred to.

Warden Lichter stated that these are small roads that are narrow and were basically allowed development without development rights because of the water and sewer services that exist on them. Those people at one time were forced to pay the frontage charge for sewer and water.

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

"THAT THE ISSUE BE DEFERRED PENDING THESE COSTS BEING ASCERTAINED FOR THE TIMBERLEA AND OTHER AREAS AS TO WHAT THE COST TO THE HOMEOWNERS WOULD BE"

MOTION CARRIED

10. Mr. Kelly outlined a letter from Mrs. Lillian Crooks expressing opposition to letters requesting funding support for the St. Margarets Arena.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

11. Mr. Kelly outlined a letter from the Honourable George Moody, Minister, Department of Health respecting the provision of a public health nursing in district 14.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Peters stated that there was more than one health nurse in the area and now there is one health nurse covering a very large which is what her concern was. She stated that she did not feel that the needs could be adequately taken because one person cannot travel in such a large area. She stated that with regards to the orientation and testing for the primary students she wanted a long term commitment which has not been addressed in this letter. She wanted a commitment from the Minister that it would not only be 1992 but an ongoing testing process for the primary students when they are coming in. She stated that her concerns were not answered by the Minister.

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

"THAT A LETTER BE SENT TO THE MINISTER OF HEALTH POINTING OUT THAT THE LONG TERM REQUEST HAS NOT BEEN ADDRESSED FOR THE EXAMINATION OF THE PRIMARY CHILDREN AS THEY ARE COMING IN THAT IT CONTINUE ON PAST 1992 AND THE FORESEEABLE FUTURE AND FURTHER COULD HE GIVE HER HIS ASSURANCES THAT THE HEALTH NURSE THAT IS PRESENTLY SERVING DISTRICT 14 CAN ADEQUATELY ADDRESS THE CONCERNS FOR A PUBLIC HEALTH NURSE IN THE COMMUNITY BECAUSE SHE IS NOT AS VISIBLE AS WHEN THERE WAS TWO"

MOTION CARRIED

11. Letter from Mr. Shalom Mandaville.

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

"THAT THE LETTER BE RECEIVED"

Councillor Cooper stated that it would be appropriate at this time to recognize the effort and dedication Mr. Mandaville puts in to educate the Council with regards to the state of the water in lakes in the Municipality.

MOTION CARRIED

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

"THAT A LETTER OF APPRECIATION BE SENT TO MR. MANDAVILLE"

MOTION CARRIED

1992 DISTRICT AREA RATES

Warden Lichter stated that if there was any item that Council did not want to approve to flag those and the rest could be dealt with.

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

"THAT THE 1992 DISTRICT AREA RATES, AS OUTLINED IN THE PACKAGE, BE APPROVED"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Storm Drainage - Caldwell Road

The Executive Committee recommend to Council, for approval, Option 1 - Upgrade natural watercourse on Indian lands - \$163,800.00 subject to Halifax County obtaining a legal agreement from the Department of Indian and Northern Affairs to access and maintain watercourse.

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

"THAT THE EXECUTIVE COMMITTEE RECOMMENDATION BE APPROVED"

Councillor Peters asked if the access to the land has been guaranteed.

Warden Lichter stated that to his knowledge the access was guaranteed at the last meeting he had with the Chief and the three representatives of Indian and Northern Affairs however this motion is subject to getting that in writing.

Councillor Cooper stated that he has great concerns about the precedent that might be established in paying for access to properties in order to install systems and then going in and paying the cost of the improvements. He stated an agreement had been reached with Shearwater to do a sewer across their property for a sum of \$295.00 per year for right of way. He stated that he is not sure that the agreement is going to be long lasting or whether the Municipality can be denied access. He stated that the basic point is that he does not feel that the Municipality should be paying money to go in and make use of a natural watercourse other than to upgrade it. He could see paying a nominal fee but to pay this type of money he does not agree with and he would be voting against the motion.

Councillor Brill asked if the amount of money in Option 1 the complete amount or are other costs such as compensation.

Warden Lichter stated that this includes the \$93,800.00 compensation to the Indian Band as well as the construction of the watercourse improvements. Total cost.

Councillor Brill asked what the recommendation of staff was.

Warden Lichter stated that staff had recommended Option 1.

Councillor Peters asked if she had received a reply from the Minister of Indian and Northern Affairs.

Warden Lichter stated that the motion was to defer the issue until today and Council would make a decision today whether an answer had been received or not.

Councillor McInroy stated that he was speaking against the motion. He feels that it is wrong for the County to be forced into the position where it is paying someone for permission to do something which is actually going to benefit the lands on which the work is being undertaken. He stated that he would suggest that if the motion does pass that the agreement to enter upon the land for maintenance purposes stipulate that it be a free and unencumbered

access.

Councillor Bates stated that he was speaking in favour of the motion. He stated that it was to be incorporated into the agreement that any at any time the County could have access for maintenance purposes.

Warden Lichter stated that staff have identified the development potential of the undeveloped lands that presently exist. They have identified that the brook, as is now, would not carry all the storm water flows that would be created by the developments taking place. It was identified in order to prevent flooding problems that have been experienced for some time in the Municipality.

Councillor Taylor stated that in effect the Indians would have a problem with their land.

Warden Lichter stated that they would have a problem and there are already people in the vicinity that already have problems. He stated that if we want the storm sewer, the road to be realigned and the paving to be done by the Provincial government then this work has to be done and the only way that it can be done is with Option 1 which is the cheaper option. He stated the letter that had been sent to the Minister of Indian and Northern Affairs had asked the Minister to assist in the negotiations with the Indian Band and to have a reply by May 19. There has been no reply. He stated unless some indication can be given to the Department of Transportation and Communications that this issue is somehow resolved they cannot guarantee that the project is going to be done.

Councillor Deveaux asked if this motion was approved this evening an agreement will be drawn up between the Indian Band and the Municipality and if so, will the agreement come to Council before any final agreement.

Warden Lichter stated that he did not have any difficulty with this although he did not see what purpose this would serve as long as it carries out whatever direction Council wants.

Councillor Richards stated that there are difficulties in trying to resolve this situation. It would have been to Council's favour if a response had been received from the Minister of Indian and Northern Affairs. Had an answer been provided a decision may have been easier. His problem with the motion is that it would commit Halifax County to the project even if the Minister responded tomorrow. He stated that he recognizes the importance of getting the Department of Transportation working on the project quite critical because Caldwell Road is in a terrible state. He stated there is a storm drainage problem in that area and to do nothing is not going to resolve the problem. He stated that he is not necessarily agreeing that Option 1 is the best solution to be

endorsed because the County could hear back from the Minister with an opportunity to cost share in the final figure.

Councillor Richards stated he would like the following amendment to the motion to say that Halifax County costs would be up to \$163,800.00 subject to the discussions with the Minister of Indian and Northern Affairs on any funding arrangements that are available through his department. He stated he felt funding arrangements between the County and Indian Affairs should be ironed out before proceeding. He stated he would like to have the motion worded so that the County is not committed to paying this sum of money if we can continue to negotiate with the Department of Indian and Northern Affairs to achieve a fair settlement. His intention is not to stop the motion but he would like to have the best financial deal that can be struck with the Department of Indian and Northern Affairs. He stated that the County did not want the Band council to sign the deal but the Department of Indian and Northern Affairs.

Councillor Bates stated that his understanding was that the Municipality was going to go with this project based on a cost of \$163,800.00 and attempt to recover some of the funds from the Department of Indian and Northern Affairs.

Mr. Crooks stated that as he understood the intention is to say, in effect, that the Municipality's financial participation is to be reduced by such amount as is agreed to be contributed by the Minister of Indian and Northern Affairs, if any, by a certain date and failing an agreement by the Minister by that date the Municipality will pay the full amount. He stated that as he understands the intention it may be unlikely that it would provide much leverage to the Municipality in terms of obtaining that result.

Councillor Peters stated that the Minister of Indian and Northern Affairs as well as the Minister of Transportation and MLA for the area in not realizing the possible ramifications to the Municipality. She stated that she would not want to make a decision on this tonight until an answer is received from the Minister of Indian and Northern Affairs. This may need another letter being sent asking for an answer on this as soon as possible and again send a copy to the Minister of Transportation saying that we want this project to proceed but we don't want to set a precedent by paying \$90,000.00 to do it.

Warden Lichter stated that what is being said now is write another letter, give another deadline. He stated that Chief Paul asked him the previous Council session to let him know what the outcome of the Council session is. He called him the next day and told him that Council had decided to write a letter to Indian Affairs asking for a reply by May 19, 1992 and that would be when Council would make a decision. Chief Paul had stated that he did not have any difficulty with this because the Minister would write to the

regional office and the regional office would write to them and they would say that it was a Council matter to do whatever negotiations that are to be done.

Councillor Peters stated that she cannot support that Council set a precedent by spending in excess of \$90,000.00.

Councillor Merrigan stated that nothing has come from the Cole Harbour/Westphal Community Committee outlining what they want. He stated that the Community Committee should have come forward to Council with some unified recommendation.

Warden Lichter stated that the last discussion he had with Mr. Meech concerning this item Mr. Meech stated that David Nantes had called him and asked him when the issue was going to be resolved because they really can't guarantee that the project is going to be done if it is delayed too long. At the time of the second last negotiating session he had with the Department of Transportation the Honourable Ken Streach said that it seems to be a problem between the Municipality and the Indian Band and for them to work out the differences and when they have done this let him know. They cannot do anything until then. He stated that he does not know how long the provincial government can wait or be there to do the job.

Deputy Warden Sutherland stated that when all the options came to the Executive Committee and were looked at Option 1 was the best way to go. He stated that if this is approved tonight it may diminish the Municipality's negotiation position as far as Indian Affairs is concerned. He stated that if it is approved tonight he does not feel that it will jeopardize the negotiations for additional funding.

Councillor McInroy stated that the state of the road is such that it will be top coated on a short term basis. If the project to install the storm sewer doesn't proceed what that means is that the forty or so acres that the Indian Band owns and some other undeveloped lands will not have storm trunk line available to it but those existing dwellings will have a storm trunk line installed in the street in front of them. He stated that it's a dilemma for him as he represents the area and the people who own those lands and who may be impacted. He stated that depending what happens with regards to the position the County takes they may proceed with installing the storm sewer from the brook South to Atholea Drive and deferring the balance. There is a flooding problem on the Reserve lands because the brook bed is almost undefinable and needs to be upgraded before the new storm trunk line goes in. He stated that he does not want the services to be lost. He stated that he did not believe that you pay out money to go in and fix up someone else's property on an existing watercourse.

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

"THAT THIS MATTER BE DEFERRED TO THE COLE HARBOUR/WESTPHAL COMMUNITY COMMITTEE FOR A RECOMMENDATION WHICH IS TO BE BROUGHT BACK TO COUNCIL AT THE COMMUNITY COMMITTEE'S DISCRETION"

MOTION DEFEATED

10 IN FAVOUR

11 AGAINST

Warden Lichter asked Councillor Richards if he still wished to make an amendment to the motion.

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

"THAT THE MOTION BE AMENDED TO ALLOW THE MUNICIPALITY THE ABILITY TO CONTINUE THE NEGOTIATIONS WITH THE DEPARTMENT OF INDIAN AND NORTHERN AFFAIRS ON A SUM OF MONEY PAYABLE TO THE INDIAN BAND COUNCIL, IF ANY"

Councillor Bayers stated that it is necessary to get on with the project and he understands Councillor Richards amendment will approve the motion and then to continue to pursue the Department of Indian and Northern Affairs on the idea of being reimbursed for the portion that is paid for the lands. He stated that he does not see any simple way around this other than to approve the project and proceed to try and get money back from the Department of Indian and Northern Affairs.

Councillor Cooper advised there have been problems all along with this. The community has a development plan that won't apply to these lands and if the Indian Band is going to be part of this community then they should live and work with the community. He does not feel that the community appreciates that the province has come along offering money. He stated that he would much rather something like this go through the Community Committee so they can have input. He stated that he feels Halifax County should not be paying the \$90,000.00 to do something that is going to help the community but prepared to upgrade that watercourse so it can help drain the Indian lands and the other undeveloped lands.

Warden Lichter stated that he agreed that the amendment did not give anyone any negotiating power because on one hand we say we are going to go ahead with the project regardless and on the other hand we say we will try to negotiate the better price.

Councillor Merrigan stated that he did not feel that the amendment was in any way affecting the motion.

Warden Lichter stated that although he feels that the amendment does not help the negotiating process he does accept the amendment. He stated that the amendment approves Option 1 with the

understanding that the \$93,800.00 should be negotiated down with the Minister of Indian Affairs.

Councillor Peters stated that she felt, after reading the minutes and motion of the April 21, 1992 council session that this be deferred until an answer was received from the Minister of Indian Affairs.

Councillor Merrigan asked for a ruling from the Solicitor on the deferral.

Warden Lichter advised the solicitor would give the ruling.

Mr. Crooks stated that a review of the Minutes would indicate that the intent of the motion was not to defer to tonight but to defer pending receipt of a response to the letter which was to go to the Minister. In terms of the procedural implications of that, the position was that the matter cannot be dealt with or disposed of tonight unless Council were to decide, by majority vote of those Councillors present, that they wished to consider the matter tonight notwithstanding the previous deferral motion and, having decided that, then it would be open to Council to proceed to deal with the substantive issue. Mr. Crooks said that the item now before Council for decision by majority vote was whether or not to let the deferral pending a response to the Minister stand or to proceed tonight to deal with the issue. He said the reason he was satisfied that Council could, by majority vote tonight, decide to deal with the issue notwithstanding the previous motion, was that the Council Agenda clearly included this item as a matter to be discussed and considered tonight and so no unfairness or lack of notice would be presented for any Councillor who might not have otherwise been aware of this.

Councillor Peters stated she had made an assumption, when she saw the item on the Agenda, that response had been received back that would refer to this deferral in this letter and she had no concern with dealing with the matter at this time; however, she said had she known when she received the Agenda that there was no correspondence back from either the Minister of Indian and Northern Affairs nor any of the MLA's involved that it was copied to, then she would have raised objections at that time. She stated, therefore, that she had concern that Council was given ample notice but perhaps she was in error for making the assumption that correspondence had been received on this and an informed decision could be made because the Minister had replied.

Warden Lichter stated he could comment only that all letters Council received up to the time of printing of the Agenda were included in the Agenda booklet and there was no letter in the Agenda booklet which should have indicated to all that certain letters had not come from any of those parties.

Councillor Peters stated she thought, therefore, it was an omission and questioned it being on the Agenda without any information on it, having heard what the solicitor had said.

Councillor Deveaux stated, as indicated by Councillor Peters, he also presumed that some information had been received, even though it might not have been in the booklet. It was quite evident that it should have been indicated to Council, especially what the text of the motion was, which would have given Council a different perspective when dealing with the issue. My understanding is that there is a motion presently on the floor which has been debated at length, and nothing can be done tonight. He said he felt the motion which was presented was the one which should stand and a decision did not need to be made tonight. Council should wait until an answer was received from the Minister. In the meantime, if anything could be done to speed up the answer, he said he hoped it would be done.

Warden Lichter stated there was nothing to ask the question on because the two previous motions - the amendment to the motion and the original motion - had no validity now in view of what the solicitor said. He said that if someone puts a motion indicating that, in spite of the deferral motion, Council was prepared to deal with the issue tonight, there was no issue to deal with.

Councillor Bates stated surely that after Council had debated this for so long, he was prepared to make a motion and not defer to another night.

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

"THAT THE MOTION AND THE AMENDMENT AS PRESENTED BY
COUNCILLOR RICHARDS BE DEALT WITH".

Councillor Merrigan stated he felt the motion was making it very difficult for him because he did not want to vote against support of the project but he would have to vote against the motion because there was no information back.

It was moved by Councillor Rankin, seconded Councillor Holland:

"TO LIMIT DEBATE TO FIVE MINUTES TOTAL".

MOTION CARRIED.

Councillor Bates stated some Councillors had already felt they needed more information from the Minister but some Councillors felt the money anyway so Council might as well get on with it. He said he put the motion on the floor so that Council could make up its mind.

Councillor Harvey stated the matter had been discussed thoroughly tonight and at Executive and he was surprised at the debate tonight because a lot of it did not come up at Executive when the recommendation was made. If the Ministers of other governments had intended to respond by May 19, they would have done so; therefore, their silence is their answer.

Councillor Deveaux stated the debate which took place tonight occurred because the full information was not brought forward. The motion that was later brought forward by Councillor Peters indicated what should have been done in the first place, i.e. not debate the issue any further and he was not willing to make a decision until the information came forward.

Councillor Taylor referred to a statement by Mr. Meech which stated that this particular capital works project, which was to provide internal servicing to the Indian lands, was already paid for by the Federal government and this was where the money came from in the first place. Mr. Meech stated that from the Federal point of view, they did provide the money through an allocation of funds to the Indian Band Council and the Minister was asked to intervene and reach a settlement so that Halifax County could get access to the watercourse without having to pay compensation. Councillor Taylor stated, therefore, that he would not be supporting the motion either.

Warden Lichter called for the question.

MOTION DEFEATED.

Warden Lichter stated the matter was deferred, as was the original motion previously. He asked if there was a new deadline or was it to be deferred without any time. He said he had to ask that question because, if the Ministers decide not to respond, then what did Council wish to be done.

Mr. Crooks stated that the motion passed at the last meeting stood and, with appropriate notice, in the absence of that correspondence being received by the time of the next meeting, it would be open to a Councillor wanting to have the matter discussed, to give notice of that and have it included in the Agenda.

Councillor Brill asked, as a recommendation, if it would be possible to have Cole Harbour/Westphal Community Committee come forward with a recommendation in the interim.

Councillor McInroy stated he could not speak for the others on the Community Committee but he was sure the Committee would take it under advisement. He stated that it had been his experience that a lot of people did not respond necessarily in writing to having received a copy of a letter so it might be worthwhile to actually send individual letters to those who were previously copied as they

may not realize Council was waiting for them to respond. He stated a follow up letter should also be sent to the Minister of Indian and Northern Affairs, rather than just wait.

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

"THAT FOLLOW-UP LETTERS BE SENT TO ALL THOSE INVOLVED PREVIOUSLY AND THAT COPIES BE SENT TO THE M.P. REPRESENTING THE AREA".

MOTION CARRIED.

PLANNING ADVISORY COMMITTEE REPORT

1. Plan Review - Eastern Passage/Cow Bay Plan Area

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

"THAT PUBLIC HEARING BE HELD ON JUNE 22, 1992, AT 7:00 P.M. IN EASTERN PASSAGE AT THE TALAHASSEE SCHOOL"

MOTION CARRIED

2. File No.'s PA-1&3-36-91 & ZAP-1&3-36-91 - Application by Courtland Properties Inc. - Amendments to the Municipal Planning Strategy and Land Use By-Law for Planning Districts 1 & 3

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

"THAT PUBLIC HEARING BE HELD ON JUNE 15, 1992, AT 7:00 P.M."

MOTION CARRIED

3. File No. ZA-PD5-02-92 - Application by the Harrietsfield-Williamswood Ratepayers Association to amend the Land Use By-law for Planning District 5

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

"THAT PUBLIC HEARING BE HELD ON JUNE 15, 1992, AT 7:00 P.M."

MOTION CARRIED

4. File No. ZA-SA-05-92 - Amendments to the Sackville Land Use By-law re: pennant flags and stringlights

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

"THAT PUBLIC HEARING BE HELD ON JUNE 15, 1992, AT 7:00

P.M."

MOTION CARRIED

5. Amendments to the Municipal Planning Strategy and Land Use By-law for Planning Districts 14 and 17

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

"THAT PUBLIC HEARING BE HELD ON JUNE 29, 1992, AT 7:00 P.M."

Councillor Peters informed the Council that staff is recommending a second public participation session with regards to the Ledwidge Lumber amendments which is different from information in main agenda.

Warden Lichter stated that this basically means that when staff is going to advertise June 29 district 14 and 17 MPS and Land Use By-law amendments they are going to leave aside Ledwidge Lumber issue if Council agrees to item #3 on the Supplementary Agenda. He informed Councillor Peters that this will have to be decided later in a separate motion.

MOTION CARRIED

MEMORANDUM RE: PLANNING DISTRICTS 14 AND 17 - AMENDMENTS RE: LEDWIDGE LUMBER

Warden Lichter stated that staff is recommending that a separate Public Participation session be set for the amendments at the earliest possible date and that the Public Hearing not be held for that on June 29, 1992.

Councillor Peters stated that this was correct. She stated that Ledwidge Lumber already has a CDD and what they were going to do was to simply zone them which would entitle them to operate a mill, for all their heirs and successors, as a mill. Staff came back and said that they were concerned that because it wasn't mentioned in the first public notice that it would not be appropriate to deal with it on the 29th. She asked if it was necessary to go through this public participation which in actual fact when we are "correcting a zoning".

Warden Lichter asked if it was just correcting a Land Use By-law or are we correcting MPS as well. Because if it is correcting any section of District 14 and 17 MPS that has relevance to the Land Use By-law that would allow to rezone as suggested by staff then you would have to have a Public Participation Session. You don't need this for just a Land Use By-law Amendment.

He stated that he would require a motion to receive the memorandum

from staff authorizing them to proceed in that manner.

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

"THAT THE MEMORANDUM BE RECEIVED"

MOTION CARRIED

- 6. Orders from the Nova Scotia Municipal Board Re: Sackville Manor Ltd.

Warden Lichter informed Council that the Municipal Board stated that it was not within their jurisdiction to deal with this appeal.

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

"THAT THE ORDERS BE RECEIVED"

MOTION CARRIED

RECOMMENDATION RE: MUNICIPAL PLANNING STRATEGY, EASTERN PASSAGE/COW BAY

Warden Lichter stated that the last Public Hearing that had been planned out in the community there was not a quorum. He stated that unless he could be assured that there would definitely be a quorum out in Eastern Passage it would be safer to hold it in Chambers. He called for a commitment from Councillors present.

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

"THAT THE PUBLIC HEARING FOR APPROVAL AND ADOPTION OF THE MUNICIPAL PLANNING STRATEGY FOR EASTERN PASSAGE/COW BAY BE HELD ON JUNE 22, 1992 IN THE TALLAHASSEE COMMUNITY SCHOOL"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Sheet Harbour Fire Department

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

"THAT PARCEL A, REMAINING LANDS OF KENNETH COADY, WHICH ABUTS THE PRESENT FIRE DEPARTMENT BE PURCHASED FOR FURTHER EXPANSION OF THE SHEET HARBOUR FIRE DEPARTMENT WITH FINANCING BEING THE RESPONSIBILITY OF THE FIRE DEPARTMENT WHO HAS RAISED THE NECESSARY FUNDS THROUGH FUND RAISING ACTIVITIES"

MOTION CARRIED

Capital Grants re Cultural and Recreational Facilities

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

"THAT THE APPLICATION FOR ONE-SIXTH FUNDING IN THE AMOUNT OF \$14,000.00 TO PROVIDE IMPROVEMENTS TO THE NEW SOCCER FIELD LOCATED IN FALL RIVER VILLAGE, FALL RIVER BE APPROVED UNDER THE COUNTY'S CAPITAL GRANT POLICY FOR CULTURAL AND RECREATIONAL FACILITIES"

MOTION CARRIED

Capital Grant Requests

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

"THAT DISTRICT CAPITAL GRANT, DISTRICT 16, IN THE AMOUNT OF \$250.00 FOR LANDSCAPING - FULTZ HOUSE PROPERTY BE APPROVED"

MOTION CARRIED

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

"THAT DISTRICT CAPITAL GRANT, DISTRICT 19, IN THE AMOUNT OF \$5,592.84 TO PAY SPRINGFIELD LAKE RECREATION ASSOCIATION FRONTAGE CHARGES"

MOTION CARRIED

RESOLUTION RE: SIDEWALK EXPROPRIATION

Mr. Kelly outlined the resolution for an expropriation of an easement of the lands of Margaret Therese Stevenson.

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

"THAT THE RESOLUTION BE APPROVED"

Deputy Warden Sutherland asked why the expropriation was necessary.

Mr. Crooks stated that his understanding was that the Department of Transportation required access over a portion of a lot for purposes of sidewalk construction and could not obtain that right of access by agreement and consequently the indicated interest, which is a temporary interest for one year, provides a right of access with an obligation of resurfacing and resloping.

MOTION CARRIED