

Credit Union. He is a former member of the Cherrybrook Heritage Society and Twin Oakes Memorial Hospital. He has served on the executive of Forest Hills Residents Association and has always been an active member of his church. He served on the first parish council of St. Genevieves Church as well as several committees of his current parish, Pope John XXIII.

Dennis has always been interested in politics. At an early age, he frequently found himself on debating teams taking a front line position on issues affecting the schools he attended. He obviously enjoys working with and for others as is evident from his professional career, as well as the many community activities in which he has been involved.

He was married in 1973 to Jenny Brennan and they have three children Jennifer, Adrian and Christopher.

I have been associated with councillor Richards over the past four years and know that he has worked diligently toward improvements in our great municipality. I am indeed pleased to move his nomination for the position of Deputy Mayor.

Councillor Smiley said that she has known councillor Richards for a number of years, even before either of them became councillors. Councillor Richards has shown exceptional leadership qualities from his first night on council. He has always listened carefully to every side of an issue and ultimately comes up with a solution that is diplomatic and fair. She personally respects him as an individual in his professional career and as a fellow councillor who serves his district in a dignified and exceptionally capable capacity. She is pleased that he has offered to serve as Deputy Mayor and is honoured to second the nomination.

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

"THAT NOMINATION CEASE"

MOTION CARRIED

Mayor Lichter congratulated Councillor Richards on his appointment as Deputy Mayor. He said that Halifax County has retired its first Deputy Mayor who served as both Deputy Warden and Deputy Mayor and he wished to welcome the first elected Deputy Mayor.

Deputy Mayor Richards said he wished to express his appreciation to all members of council for their confidence in him in electing him as Deputy Mayor. He expressed his gratitude to Councillor Bates and Councillor Smiley. He acknowledged the support of his family. He said he will do the best he can in fulfilling the office of Deputy Mayor.

RESOLUTION OF COUNCIL

Councillor Bates said that council is aware he is a member of Metropolitan Authority and they are also aware of the problems with the Metropolitan Authority in particular the refusal of the City of Halifax to pass a resolution for capital borrowing to the extent of \$8,370,000. All members of the City council who are on the board of the Metropolitan Authority, in February, unanimously supported the resolution through the Metropolitan Authority that a borrowing resolution be passed to proceed with these expenditures. He said that there is concern that the county has given the City of Halifax the opportunity to go back to their council to see if they were going to come up with something more than picking certain items. They have not done this and as Halifax County does not want to see members of transit and waste management laid off Mr. Meech and Mayor Lichter has put together the following resolution:

WHEREAS:

1. The Metropolitan Authority ("the Authority") has requested the City of Halifax, the City of Dartmouth, the town of Bedford and Halifax County Municipality to meet their obligations under the Metropolitan Authority Act by guaranteeing, in their proportionate shares, the borrowing by the Authority of Eight Million Three Hundred and Seventy Thousand Dollars(\$8,370,000.00) as requested in a September 15, 1992 memorandum to those participating municipal units.
2. All of the units except the City of Halifax, have provided the necessary guarantees. The City of Halifax, contrary to its obligations under the Metropolitan Act, is prepared only to guarantee its proportionate share of \$3.8 million rather than its share of the \$8.37 million which is required by the Authority.
3. The nature and extent of the financial obligations of the City of Halifax to the Authority is the subject of a court proceeding which will ultimately decide this issue.
4. However, in the interim, this refusal by the City of Halifax to meet its legal and moral obligations to the Authority poses the potential for serious harm to residents of Halifax County and the Metropolitan region as a whole, and to employees of the Authority and their dependents. In particular, the resulting inability of the Authority to meet its payroll will shortly force it to shut down operations, which would include a cessation of transit services and waste disposal services.
5. The continuing unavailability of funds to the Authority will also delay implementation of a waste management program for the Metropolitan region, which will in turn jeopardize the Authority's ability to meet the commitment which has been made to the people of Sackville to close the existing landfill site by June of 1994.

6. The Municipality believes that the City of Halifax is obliged at law to guarantee the requested borrowing in the full amount of its proportionate share, and that this will be affirmed by the Courts. However, the Municipality is not, in the meantime, prepared to allow the current position of the City to harm the interests of residents of the Municipality and of the Metropolitan region.
7. Accordingly, the Municipality is prepared to further guarantee the borrowings of the Authority (over and above its proportionate share which it has already guaranteed), to make up the difference between what the City is prepared to guarantee, and the full amount of the City's proportionate share of the \$8.37 million dollar borrowing.

THEREFORE BE IT RESOLVED THAT:

1. The Municipality is prepared to further guarantee the borrowings of the Authority by an amount representing the difference between the City of Halifax's proportionate share of \$3.8 million and that City's proportionate share of the full amount of \$8.37 million required by the Authority.
2. If the decision of the Court establishes that the City of Halifax is obliged to guarantee its proportionate share of the full amount of \$8.37 million, then this additional guarantee by Halifax County Municipality becomes, from the date of the decision of the Court, null and void.
3. The Minister of Municipal Affairs and the Authority be requested to prepare and forward to the Municipality the appropriate form of Resolution and related documentation, as required to accomplish these purposes, for consideration and passage by the Council.

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

"THAT THE RESOLUTION BE APPROVED"

Councillor Bates said that the concern is with the amount the City of Halifax has guaranteed. They have left out the amount of money required for the Environmental Assessment of both the new landfill and the incineration. These are the two major components of the solid waste strategy and they are suggesting that these be brought to a standstill. He said that Halifax County is not prepared to let this happen and therefore are suggesting that Halifax County go to the Minister and say we will pick up the proportionate share of the City of Halifax's guarantee until such time as this court action is resolved. This will allow Halifax County to carry on with these very important assessments that are going on with the various parts of the solid waste strategy. He said that Halifax County has no choice in the matter because it has an obligation to

make sure that the landfill is closed out on time and at the same time Halifax County does not wish to bring hardship to the many people who work for the Metropolitan Authority.

Councillor MacDonald agreed that it is important that the waste management system keeps going but he would like to know what this resolution means.

Mayor Lichter said that he had met with Mr. Meech, Mr. Gary Smith, and the solicitor in order to discuss this particular proposal. They found that in order to go on with the Environmental Assessment for both the incinerator and the landfill the entire borrowing resolution is required. However, most of this money is not going to be accessed for a long period of time. One and a half million dollars has been earmarked for the purchase of the land and the access road to the new landfill which will not be done until after the actual Environmental Assessment process has finished. The purchase of the land for the incinerator will not be required until after that Environmental process has been completed. This amount to approximately a half a million dollars. He said, in essence, the borrowing resolution is a signature on a piece of paper that states that once Metro Authority actually needs these funds to proceed with the Strategy 5 components, it will be on the desk of Municipal Affairs and the Finance Corporation so that there will be no holdup. In order to assure that no exception has to be made for anybody, Halifax County is prepared to ask council's support for this resolution so that the entire \$8.3 million will be guaranteed by the four units although not in the form that would have been the most reasonable and responsible.

Councillor Cooper said he feels it is a shame that it has come down to the Municipality of Halifax standing up for all the residents in the area to ensure the completion and continuance of a plan that was approved by all municipalities. If Halifax has wanted out of this, they should have done this back when Strategy 5 was first adopted. Their attacks on the operations and the budgets and approval is nothing more than delaying tactics. Unfortunately these tactics are affecting the residents of all four municipalities and he does not feel the Halifax County should take any action that is going to result in hardship on the residents. He said he feels that the decisions which Halifax County has made, with regard to the option, is the right one and he has faith in the decisions that have been made by Halifax County. He feels that this process should be continued and if the City of Halifax's delays result in the disruption of services then Halifax should wear it. He said that he feels confident that the decisions are right and he supports the resolution.

Mayor Lichter said that when the guarantee was signed Halifax County obligated itself to guaranteeing 27.4% of the amount. What council is doing now is the difference of 4.5 million dollars and since Halifax City was not willing to guarantee their 44.9%, it is

that amount of the 4.5 million dollars that Halifax County is undertaking to guarantee. It is approximately 2.1 million dollars. He said that 23.2% was guaranteed by Dartmouth and 4.5% was guaranteed by Bedford. Halifax County's guarantee is going to be 8.3 which was passed before plus 4.5 now. Of the 8.3 million Halifax County would actually have to pay 27.4% if this comes to pass and in the 4.5 million that is being proposed right now, Halifax County is simply guaranteeing, in place of Halifax City, their share.

Councillor Ball said what is seen in the newspapers is a negative side of things. He likes the resolution presented because Halifax County is showing some very positive leadership by saying it has concern for all of Metro and do not want to see the garbage and transit stopped. Halifax County is also saying it is confident that the Strategy that was agreed to is the right one and we are going to ensure for all of Metro that this is going to go forward and a proper waste management system will be developed. Halifax County is also guaranteeing the residents of Sackville they no longer have to tolerate the landfill site after June, 1994.

Councillor Boutilier said he would like the record to show that he is not in favour of this. He feels that this is not the scenario endorsed. It was a scenario he endorsed with four municipal units. He thinks this is reactive. He does not believe, at this point, Halifax County has all the right reasons to justify what it is doing. At this point the Sackville landfill will not close on time. He said he can agree with hardships being caused to the residents but if you look at where is Bedford and Dartmouth and why does Halifax County have to take it upon itself to come up with this to be everybody's saviour. Halifax County is suppose to be a part of the Metropolitan Authority unit and this, as far as he is concerned, is another breakdown in the unit. It would be more acceptable to him if Bedford, Dartmouth and Halifax County went as three partners and kept it going. He said the bottom line is Halifax County is guaranteeing loans for money for Metropolitan Authority, which is supposed to represent the four units. He is opposed to this and does not believe it is the proper procedure to go. He said that Strategy 5 included four municipal partners and he has a fear of what this is going to cost the municipality.

Mayor Lichter said that this particular resolution will not cost the taxpayers any money. The court case is going to begin on November 18, 1992. It is conceivable that there is going to be a decision by the Appeals Court in December and it is conceivable that there is not going to be any of this amount expended before that time. If the court decision would indicate that Halifax City has to participate in an organization that they have belonged to and in which they have made decisions, as they have voted for the 1992/93 capital budget, then the second section of the Be It Resolved portion of this resolution wipes out this borrowing resolution. If the court decides that Halifax City is exempt from

participating then he feels the court is saying that all members are exempt from belonging to that unit and from that moment on Halifax County is going to be on it's own unless it wishes to join with some other units in a waste management strategy for the future.

Mayor Lichter said that he would like to react to why Halifax County is looking at this possibility without Dartmouth and Bedford being onboard. He said that for a long time Halifax County has agonized over what can be done. This resolution emerged at eleven o'clock this morning. If this resolution is going to save the services and the hardships that could occur come November 11, 1992, when Metro Authority funds run out, then he feels that Halifax County is doing something that is responsible. However, if he decided, on council's urging, to go to Dartmouth they could not deal with it until their next regular council session which is after that date and then it would be a reaction to a situation where services have stopped and people are demanding that somebody take some action. He has not gone to Bedford because he does not feel he would get a decision from them before November 11, 1992.

Councillor Taylor said he supported the resolution. He feels that many residents will think that this is the first positive movement in a year and a half. It shows that Halifax County, not only cares about it's employees, but all the employees and their dependents through Metro.

Councillor Ball said that Halifax County is part of the problem and to be part of the problem is to be part of the solution. We are offering a positive solution. He said he was supporting the resolution because he feels it is time to get on with the garbage question.

Mayor Lichter said that tomorrow council's decision will be communicated to Municipal Affairs and they will communicate it to the Provincial Finance Corporation and to Metro Authority. If they find it acceptable, they will forward Halifax County the proper wording to the resolution and the proper documents that have to be signed. By passing this motion council is authorizing signing of the document.

Mr. Crooks said that what it contemplates is that there would be a further borrowing resolution which would be put before the council for passage.

Councillor Harvey said he has no problem with the resolution as stated but feels that something is missing. If the court decision goes the other way in December and if the Metropolitan Authority survives then under those conditions is Halifax County obligated to pick up the tab.

Mayor Lichter said that this council always has the right to

rescind the borrowing resolution if it feels that it has reason to do that. At the last Metro Authority meeting, in view of the fact that Halifax City, at that time, rejected the \$8.3 million borrowing resolution completely, he had indicated he may come back to council to urge them to rescind it's borrowing resolution as well. However, after examining all the issues and trying to find a solution, this appeared to be the most positive step that Halifax County could take.

Councillor Harvey asked if he was to assume, in the case of Halifax winning the court case, they would not be paying anything not even the \$3.8 million they agreed to.

Mayor Lichter said that Halifax City has indicated that the \$3.8 million relates to the present landfill and they have an obligation until 1994 or until the Sackville landfill closes. For twenty years, monitoring expenses will exist in getting the landfill into the kind of shape that will have to be exercised in order to make sure it will be safe. Those issues will have to be worked out clearly if it comes to separation.

Councillor Harvey said is this saying Halifax County is willing to underwrite this assuming the court case goes in the direction Halifax County wants it to but, if it doesn't, it will be reconsidered.

Mayor Lichter said that is one option but if the court decides that an organization can approve capital budgets but don't have to pay for it indicates that the organization is no longer functional. No organization can function if they can approve capital budgets but are not prepared to pay for those capital budgets.

Councillor Merrigan asked if there is the ability to rescind the motion.

Mayor Lichter said that he asked and it was indicated that indeed Halifax County can do that subject to no substantive action has been taken up to the date of the rescindment.

Mr. Crooks said that as long as the resolution remains executory in the sense that it has not been acted on it is open to rescindment but to the extent that actions are taken under the resolution or in reliance on it then rights accrued as third parties can't be altered after the fact.

Councillor MacDonald said that what council is trying to do is keep the garbage flowing and the transit buses moving until such time as a court decision is made and he feels this is the only way for this to be done. If Halifax is exempted from the responsibility of the Metro Authority then he feels everything will die and the process will have to be started over again. He said the Sackville landfill will be closed in June, 1994 and if it is not there will be

problems.

MOTION CARRIED

21 IN FAVOUR

1 AGAINST

PRESENTATION - PEAT, MARWICK, THORNE - AUDITORS

Mr. Bob Radchuck and Mr. Gerry Trites, from the firm of Peat, Marwick and Thorne gave a presentation to council. Mr. Trites said that his firm performs an audit of the financial statements of Halifax County each year and report on those. The Auditors carry out an examination of the records of the municipality and financial statements prepared by management. They reach a conclusion based on that examination. The examination consists of testing various items and using the evidence gathered in order to draw their conclusions about the accuracy of the financial statements.

He said they report on each item separately and the major report relates to the operating funds. It is a general kind of a format that is widely used. He said that in his firms opinion the financial statements present fairly, in all material respects, the financial position of the Municipality at March 31, 1992 for the 15 months ended. There is one exception which relates to the recording of fixed assets which under provincial rules require recording on the balance sheet and in the financial statements of the municipality. The report is for fifteen months because of the change in year end and this distorts some of the results because the previous year was only twelve months.

Mr. Trites said that his company has no reservations at all about the way things are run or the way the accounting is carried out other than what is stated in the report.

Councillor McInroy asked if they found the rules that apply to Nova Scotia municipalities to be acceptable.

Mr. Trites said there are some items he would not agree with but they have to be accepted in terms of conducting their audit. It is part of the law and the rules are set out in the handbook that is issued by the Department of Municipal Affairs and in fact the status of the rules is as regulations to the Act and; therefore, they are required by the legislation to accept those rules.

Councillor McInroy said that it seems to him that municipalities may be able to benefit by some outside advice.

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

"THAT THE AUDITOR'S REPORT BE ADOPTED"

MOTION CARRIED

MINOR VARIANCE APPEAL

Minor Variance Application MV-13-01-92, 81 Viewmount Drive, Allen Heights, Head of St. Margaret's Bay, Planning Districts 1&3

Mrs. Malloy made the staff presentation. She said that on August 20, 1992 Mrs. Patricia Frayn applied for a minor variance to construct a detached private garage on her lot. She requested a variance of 10 feet from the front property line instead of 20 feet and six feet from the left side property line instead of the eight feet. She said that the Land Use By-laws in most of the other areas allow for a four foot sideyard. She said that approvals have been received from the Department of Transportation for the stopping site distance and staff processed the minor variance and it was approved.

Letters were sent out to the abutters within the required 100 foot radius and because of complete documentation in the file the appeal period was felt to have expired and the permits were issued. Because of some mail problems, in notifying an applicant, an appeal was received, by fax, on October 19, 1992. After discussions with the solicitor it was felt this should be brought to council for their opinion.

Councillor Cooper what was proposed to be the size of the garage.

Mrs. Malloy said it was proposed to be approximately 600 square feet.

Councillor Meade asked if Mrs. Frayn already had her permit to construct the garage before this appeal was received.

Mrs. Malloy said that they had asked her to not start construction but she had a permit and could have started construction.

Councillor Meade said that he feels Mr. Van Der Pol's interpretation of the right of way is the edge of the pavement.

Mr. Kelly read a letter from Mr. Van Der Pol who stated that he felt the proposed garage would hinder his view when exiting from his driveway.

SPEAKERS IN FAVOUR

Mrs. Frayn said that she is the property owner. She has taken measurements and the measurements that she has show that where the garage is going is a full 36 feet from the pavement. It's 21 feet from Mr. Van Der Pol's driveway and 15 feet from his property line. The garage size has been modified from 24 x 28 to 24 x 24. She said that she had proceeded on the assumption that she had a

permit.

Mr. Kelly read a second letter from Mr. Van Der Pol requesting a two month delay.

Mayor Lichter asked if there was any indication why Mr. Van Der Pol was requesting a two month delay.

Mr. Kelly replied that the reason for this request was not indicated in the letter.

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

"THAT COUNCIL UPHOLD THE DECISION OF THE DEVELOPMENT OFFICER AND GRANT THE MINOR VARIANCE"

MOTION CARRIED

PRESENTATION - HALIFAX COUNTY REGIONAL LIBRARY

Councillor Smiley introduced Mary Gillis, the Chief Executive Officer and Bev Brucha, Assistant Executive Officer. She said that studies show that more and more people are discovering uses for the public library which show markedly in the dramatic growth of use being made in the last few years. The Board reexamined goals and objectives of the library to strategically plan services over the next three years. To be efficient or effective in developing a basic level of library services the Board determined that it's first priority is automation for the library. To this end, the Board hired a consultant, Beaumont and Associates Inc., for a needs assessment for the region. Jane Beaumont, the consultant, has done extensive consulting work with various libraries. She said the study indicated that there is a multiplication of files, a duplication of effort, the response rate is slowing, the behind the scenes work is growing and increasing labour intensive and that the quality of service to the public is decreasing because the current manual system is not sufficient or responsive for the volume of use. The Board has recently approved the three recommendations of the consultant: 1) to move forward with automation and seek appropriate capital funds; 2) to explore telecommunications networking options and 3) to initiate discussions with Dartmouth Regional Library to determine the feasibility of sharing a system.

She said that the Board is moving ahead on these recommendations and the library representatives are present to seek council's approval for it's share of the capital proposal. She said they have met with the Town of Bedford and is very pleased to report that the Town of Bedford has approved their share. She said that the province has rescheduled the Library Council meeting from

October 27th to November 25th which gives more time for council's consideration. She proceeded to turn the presentation over to Mary Gillis.

Ms. Gilliss said that the library needed to automate for efficiency reasons and for the improved quality of service. An automated system allows the public and the library to make maximum use of resources. She said that approximately 80% of the regions outlets are beyond efficiency level of a manual system. She said that the manual system has broken down and they have lost control over collections. Circulation has increased 65% in the last two years and reference questions have more than doubled. Because of the increased time needed to handle the files there is less staff time to help people find information.

She said that an automated system will save time and steps. It makes the system faster, easier and gives maximum information. She said they need Municipal council's approval of it's share of the cost before the province will consider it's share. In accordance with current legislation and current funding sharing, the province is responsible for approximately two thirds of the cost with the remaining one third from the municipalities being based on assessments. She said that Halifax County's share would be approximately \$304,400.00 over a three year period. She said it would take two years to implement the system.

Councillor Deveaux asked what the latest would be to receive a commitment from this council.

Ms. Gilliss said they would need to have a commitment by November 25th for the Library Council meeting. The Library Council looks at all the proposals for the various regional libraries and if there is not support, from the municipalities for their share of the funding, they will not recommend it to the province.

Councillor Deveaux said that he would be reluctant to recommend approval of this amount of money at this time.

Mayor Lichter suggested that this issue be referred to Mr. Meech for a staff report and report at the next council session.

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

"THAT THIS ISSUE BE REFERRED TO MR. MEECH FOR A STAFF REPORT TO BE BROUGHT BACK AT THE NOVEMBER 17, 1992 COUNCIL SESSION"

Councillor Holland asked if there would be any cost savings as a result of automation in terms of the number of staff necessary.

Ms. Gilliss said there would be on the clerical aspect. She said this would enable staff to help with more information questions,

more programming and more library tours. They do not foresee that this would mean less staff.

Councillor Holland asked if the system will be able to track usage by Bedford and Halifax County.

Ms. Gilliss said it would.

Councillor Bates asked if the provincial government had indicated that their portion of the cost is available.

Ms. Gilliss said they do not have anything in writing.

Councillor Cooper asked if automation would allow Halifax County to restore the majority of the services that are now not receiving their full attention. He also asked if the system could be applied throughout all the areas covered by the regional library.

Ms. Gilliss said that anybody that has an access to a computer or modem can have access to the system and it would be accessible from bookmobiles and books by mail. She said they are looking at an on line system that would have an equitable level of service no matter which outlet is being used.

Councillor Ball said that he has difficulty making a decision on an expenditure in isolation of the total picture. He said he cannot make a decision without seeing the whole picture.

Councillor Taylor said he feels future benefits will outweigh the costs. There will be some immediate benefits and it would mean greater access to resources. Due to the provincial governments timetable, he feels that council should make some decision as to what Halifax County intends to do.

MOTION CARRIED

IN CAMERA ITEM

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

"THAT COUNCIL MOVE IN CAMERA"

MOTION CARRIED

Council agreed to move out of camera.

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

"THAT THE REPORT AND RECOMMENDATIONS BE APPROVED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from the Honourable Ken Streach, Minister, Department of Transportation and Communications advising that the department plans to place Class A gravel on and carry out some ditching work this fall on the Sibley Road in Middle Musquodoboit.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Mr. Kelly outlined a letter from the Honourable Joel R. Matheson, Attorney General, Province of Nova Scotia, responding to council's correspondence with respect to the appointment of councillors as Commissioners of Oaths.

It was moved by councillor Peters, seconded by Deputy Mayor Richards:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Lichter said that Mr. Matheson is saying he is prepared to recommend to have legislation created to appoint all municipal councillors while they are serving as councillors. He said that he would suggest that council write back and indicate that they would like him to do this.

Councillor Peters asked when can councillors act as commissioners.

Mayor Lichter said that council can ask him to go ahead with that legislation but it may not come into being until they sit. That legislation does not presently exist.

Councillor Peters asked if there was any way this could be done with an Order In Council.

Mr. Crooks said it would only be done by Order In Council if the appointments were to be made individually. If councillors are to become ex officio justices it would have to be by legislative appointment. This is what the letter is suggesting.

Councillor Peters asked if it would not be possible to go in and ask through Order In Council to just have for that term of office. She said that she is concerned because, until the house sits, councillors are still not commissioners of oath.

Mr. Crooks said, as he reads the minister's letter, his department

have declined individual appointments, which could be done by Order In Council, and instead has suggested that the approach they would be prepared to accept would be by legislative amendment which would create ex officio councillors as justices of the peace.

Mayor Lichter said that he would suggest writing to the Minister indicating that councillors do have to sign documents and ask if there is any way he could see an expedient way of enabling the present sitting councillors to be able to sign those documents they have been in the habit of signing. If he can do it by Order In Council or some other way, so be it but lacking that ability, council should urge him to proceed as fast as he can with the legislation described.

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

"THAT COUNCIL WRITE THE ATTORNEY GENERAL ASKING HIM TO PROCEED WITH AN ORDER-IN-COUNCIL OR APPROPRIATE LEGISLATION TO ENABLE COUNCILLORS TO BE APPOINTED AS COMMISSIONERS OF OATHS"

Councillor Peters said she would also have the letter include a thank you to the Attorney General for taking these appropriate steps.

MOTION CARRIED

3. Mr. Kelly outlined a letter from the Honourable Guy J. Le Blanc, Minister, Department of Education, in response to council's correspondence and resolution supporting an addition to the Hammonds Plains Elementary School.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Kelly outlined a letter from L.L. Centa, Deputy Minister, Department of Transportation and Communications, in response to council's correspondence regarding the situation at the intersection of Five Islands Road and Woodland Crescent in the Lake of the Woods Subdivision.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Mr. Kelly outlined a letter from the Eastern Passage & Cow Bay Ratepayers and Residents Association with respect to the proposed

sewage treatment plant.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Deveaux that the ratepayers are trying to work in unison with Halifax County council regarding issues on the forthcoming construction of the proposed Harbour Treatment Plant. He said that no final decision has been made but they would like to have it on record that if there are some benefits to be gained by the local community then they would be deserving of this.

It was moved by Councillor Deveaux, seconded by Randall:

"THAT COUNCIL GO ON RECORD AS SUPPORTING THE REQUESTS OF THE RATEPAYERS"

Deputy Mayor Richards said that he feels this is an issue that may be a bit premature for Halifax County to take a position on at this point in time.

Mayor Lichter said that if it is on record that, no matter where the Treatment Plant is located, the host community should be compensated then no one can say that compensation is being asked for because the host community wants to cash in on it.

Mr. Meech said that in terms of procedure the location of the Treatment Plant is a different situation than the incinerator. He said that maybe the most logical route to take at this point in time is to refer the issue to the Executive Committee to have more thorough research to study and examine all implications.

Councillor Deveaux said he would be prepared to change his motion. He said that before the issue comes up at the Executive Committee he would like research done.

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

"THAT THE LETTER BE REFERRED TO THE EXECUTIVE COMMITTEE"

MOTION CARRIED

6. Mr. Kelly outlined a letter from L.D. Tufts, P. Eng., Act Enforcement Officer, Association of Professional Engineers of Nova Scotia requesting an opportunity to make a presentation to council.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT THE PRESENTATION BY APENS BE MADE TO THE EXECUTIVE COMMITTEE"

MOTION CARRIED

7. Mr. Kelly outlined a letter from Mayor Lichter to Mr. Brian Watkins regarding the establishment of a refuse transfer depot at Musquodoboit Harbour.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Bayers said that the ratepayers did not support a transfer station in Musquodoboit Harbour. They still support a transfer station but they don't support that station being in the Bayers Mill Road site. He said a number of people appeared at the ratepayers meeting and the ratepayers have changed their decision in that they want a transfer station but they don't want it on the Bayers Mill Road on the particular site that council had asked to have rezoned. An Ad-Hoc committee of the Ratepayers Association was formed to go around and look at alternative sites. Since the decision was made by council the property owners have decided that the property is not for sale either to the County or to Metropolitan Authority. This being the case he is asking council to rescind the resolution that was made to have that particular piece of property on Bayers Mill Road rezoned.

Councillor Bayers declared a Conflict of Interest

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

"THAT THE MOTION TO HOLD A PUBLIC HEARING TO HAVE THE PROPERTY REZONED BE RESCINDED"

Mayor Lichter asked Mr. Crooks if there was any difficulty in handling this motion at this meeting.

Mr. Crooks said that, in his view, there was no difficulty because the form of letter which was included in the agenda gives an indication that the issue and the possible necessity of changing position is before the council.

Deputy Mayor Richards asked if council had approved the purchase of

that piece of land or was it a recommendation from Metropolitan Authority.

Mayor Lichter said that council had approved the purchase but the purchase was subject to the fact that two options were to be looked at. Option 1 was selected which was not to use the authority of council to rezone without public hearings but to go through the usual procedure of rezoning. The motion to rescindment rescinds the rezoning and the option to purchase the property because it is no longer suitable for that purpose.

Mr. Crooks said that the resolution was an agreement to purchase subject to a number of conditions one of which was a condition with regards to rezoning. There is no obligation, notwithstanding whatever position the property owner might take for council or the municipality to proceed pursuant to that resolution. Given the apparent development, he feels it would be appropriate for the council to rescind the resolution whereby it had agreed to purchase the property if only on the basis that the property is no longer for sale. This would clean up the record in that regard. Also council to rescind the resolution with respect to the possible rezoning of that property. He suggested that both resolutions be rescinded on the basis that this site no longer appears to be a proposed site for the transfer station.

Councillor Holland asked who would be responsible for making the application for rezoning.

Mayor Lichter said that it would be Halifax County who would take the application for rezoning because the municipality wanted to purchase the property.

Councillor Merrigan said he wanted it on record that the motion of rescindment is as a result of the owners of the property not being prepared to sell the property to Halifax County.

Mr. Wdowiak stated that there was no formal obligation by Halifax County to purchase the property.

Mr. Crooks said that if there was a contractual obligation to sell the property the Municipality would not unilaterally be in a position to decide not to proceed with it.

MOTION CARRIED

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

"THAT THE MOTION TO PURCHASE THE PROPERTY BE RESCINDED"

MOTION CARRIED

Councillor Randall said that if other areas were being looked at he

would hope that these areas would be in district 10 only.

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from the Department of Finance advising that through the month of November they will be holding public meetings across the province as part of the governments 1993/94 budget planning process and urging council members to attend.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT HALIFAX COUNTY INVITE THE HONOURABLE CHUCK MACNEIL, MINISTER OF FINANCE AND GEORGE ARCHIBALD MLA, CHAIRMAN, MANAGEMENT BOARD TO ATTEND A MEETING TO HEAR HALIFAX COUNTY'S CONCERNS"

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Memo - Building Permit Fee Refunds

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

"THAT SUB-SECTION 8.1 (D) WHICH STATES "WHERE A BUILDING PERMIT HAS EXPIRED OR HAS BEEN CANCELLED AND NO CONSTRUCTION HAS TAKEN PLACE, A REFUND OF 75% OF THE VALUE OF THE BUILDING PERMIT FEE PAID PURSUANT TO SUB-SECTION (A), SHALL BE GRANTED" BE ADDED TO THE BUILDING BY-LAW"

Councillor Holland asked if the section on refunds had been removed.

Mr. Crooks said he would have to check the text.

Councillor Meade asked if this would be retroactive for example if someone last year took out a permit in 1991 could they receive 75% of the permit fee.

Mr. Crooks said that he would doubt that there would be any power to enact a By-law with retroactive effect.

Councillor Meade asked when this would go in effect, if it was passed.

Mr. Crooks said it would go into effect after three readings and as of the date of all necessary approvals and publication of notice of passage in the newspaper. This is now the operative date for purposes of the Charter.

Mr. Meech said that there was in the past the interpretation that there is no provision in the By-law for refunds. If there is no provision there to enable you to make the refund it means there is no ability to refund.

Mayor Lichter said that building permit fees have been refunded in full for years.

MOTION CARRIED

File No.'s PA-SA-20-91 and ZAP-SA-20-91 - Amendments to the Sackville Municipal Planning Strategy and Land Use By-law to Permit the Sackville Fire Department Site Located at the Judy Avenue - Beaver Bank Road Intersection by Development Agreement.

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

"THAT A PUBLIC HEARING BE HELD IN SACKVILLE ON TUESDAY, DECEMBER 8, 1992, AT 7:00 P.M."

MOTION CARRIED

DATE FOR MINOR VARIANCE APPEAL

It was moved by Deveaux, seconded by Councillor Taylor:

"THAT NOVEMBER 17, 1992 AT 7:00 P.M. BE SET AS THE DATE AND TIME FOR THE MINOR VARIANCE APPEAL"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Property - McNab and Clarence Streets, Eastern Passage

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

"THAT COUNCIL APPROVE THE PURCHASE, BY AUTOPORT LTD., A PORTION OF LAND AT MCNAB AND CLARENCE STREETS, EASTERN PASSAGE WITH THE UNDERSTANDING THAT AUTOPORT LTD. BE COMPLETELY RESPONSIBLE FOR ALL LEGAL AND SURVEY COSTS ASSOCIATED WITH THIS SALE"

MOTION CARRIED

Closed Business Occupancy Accounts

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

"THAT COUNCIL AUTHORIZE THE WRITE OFF OF THE UNCOLLECTIBLE CLOSED BUSINESS OCCUPANCY ACCOUNTS IN THE AMOUNT OF \$86,914.86"

MOTION CARRIED

Tender - Construction/Landscaping, Porters Lake Community Park

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

"THAT THE TENDER, CONSTRUCTION AND LANDSCAPING OF THE PORTERS LAKE COMMUNITY PARK, BE AWARDED TO ELMSDALE LANDSCAPING LIMITED IN THE AMOUNT OF \$87,770.75"

MOTION CARRIED

\$136,000. Loan Request - Musquodoboit Harbour Volunteer Fire Department

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

"THAT COUNCIL APPROVE THE \$136,000. TEN YEAR LOAN ADVANCE TO THE MUSQUODOBOIT HARBOUR VOLUNTEER FIRE DEPARTMENT FOR THE PURPOSE OF PURCHASING A FIRE PUMPER VEHICLE. FURTHER THE LOAN IS REPAYABLE WITH INTEREST AND COUNCIL RESERVING THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST REPAYMENT"

MOTION CARRIED

Capital Grant Requests

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

"THAT DISTRICT CAPITAL GRANT, DISTRICT #8, IN THE AMOUNT OF \$1,350.93 AND GENERAL PARKLAND GRANT IN THE AMOUNT OF \$1,350.00 FOR REPAIRS TO THE LAKE ECHO RECREATION CENTRE BE APPROVED"

MOTION CARRIED

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

"THAT DISTRICT CAPITAL GRANT, DISTRICT #14, IN THE AMOUNT OF \$2,715.00 AND GENERAL PARKLAND GRANT IN THE AMOUNT OF \$2,715.00 TO PROVIDE VINYL SIDING ON HALL, GRAND LAKE/OAKFIELD COMMUNITY SOCIETY BE APPROVED

FURTHER DISTRICT PARKLAND GRANT, DISTRICT #22, IN THE AMOUNT OF \$1,796.05 AND GENERAL PARKLAND GRANT IN THE AMOUNT OF \$1,796.05 FOR CONSTRUCTION AND PAVING OF MUNICIPALLY OWNED WALKWAY (STOKIL DRIVE TO OAKHILL DRIVE - ARMCREST ESTATES) BE APPROVED"

MOTION CARRIED

STATUS REPORT RE: WOODBINE

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

"THAT THE REPORT BE RECEIVED FOR INFORMATION"

MOTION CARRIED

Councillor Merrigan asked when the hook up will take place.

Mr. Meech said that the hook up will not take place until such time as all the various requirements are met in terms of the funding. He said that Halifax County has received no formal response to the funding request, from the province, outside of them indicating to Halifax County that the Department of Municipal Affairs was not prepared to give Halifax County an answer on the funding until such time as they had word from the Department of the Environment that they were satisfied that everything was proceeding acceptable to their requirements.

CLOSURE OF HIGHWAY 101 LANDFILL & REDRESS PACKAGE

Mayor Lichter said that it might be good for the Sackville Community Council to enquire of the Sackville Closeout Committee as to what is going on with regards to the redress package.

Councillor Harvey said they are concerned that the matter of the redress is going to be lost in the general concerns that are seen at the Metropolitan Authority. He said he hoped that the Halifax County members of Metropolitan Authority would carry the concerns to Metropolitan Authority that the matter has been in abeyance now for over a year and the community is very anxious to get some definite commitments.

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

"THAT A LETTER BE WRITTEN TO THE MAYOR OF HALIFAX REQUESTING HER WORSHIP, WHENEVER SHE WISHES INFORMATION

ON THE SACKVILLE LANDFILL, TO CONSULT WITH MAYOR LICHTER AND IN TURN HALIFAX COUNTY COUNCIL TO THE SACKVILLE COMMUNITY COUNCIL"

Councillor Bates said he was concerned with sending a letter to the mayor of Halifax. He said he felt it would be best if the matter was referred to the Sackville Community Council to let them make a recommendation to council as to what we should be doing. He said he felt this should be thoroughly researched.

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

"THAT THIS ISSUE BE REFERRED TO THE SACKVILLE COMMUNITY COUNCIL FOR FURTHER CONSIDERATION"

Councillor Cooper said he felt it would be ill advised to go just to the Sackville Community Council on this. This issue hinges on a whole council decision and stand in closing out the Sackville Landfill area. He said that he feels that Sackville and the Closeout Committee have to have the support of the entire council and that the issue should stay with the entire council.

Councillor Harvey said that he would like to hear from the chair of the Sub Committee to hear if a meeting did take place, who was at the meeting on both sides of the table and what the nature of the meeting was. After this it might be clear what the action of the Community Council should be and also what the action of council should be.

MOTION CARRIED

NOTICE OF MOTION TO RESCIND - COUNCILLOR PETERS

Councillor Peters said that in October council passed a motion that Option #1 be accepted with regards to the Department of Environment Assessment. She referred to a staff report which states if we accept Option 1 from the public perspective, this option could create some frustration since, except where projects are registered for an environmental assessment review, the review and analysis of projects by the Department of the Environment does not require public hearings or public consultation. She said that among the uses which various municipal planning strategies identify as having potential environmental impacts are extractive facilities, salvage yards, commercial, recreation, camp grounds, marinas, forestry activities, industrial uses, golf courses, etc.

She said that if it is left entirely in the hands of the Department of the Environment, Halifax County has no recourse on how to protect the residents of the municipality. She would like to rescind the motion for Option 1 and would like to look at possibly going back to what was Option 3, which is continuing to pursue a way to resolve this impasse so that Halifax County can protect its

residents in addressing it's environmental concerns.

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

"THAT THE MOTION TO APPROVE OPTION 1 OF THE STAFF REPORT REGARDING ENVIRONMENTAL ASSESSMENTS BE RESCINDED"

Councillor Cooper said this item had gone through PAC and a recommendation had been made to council and council had decided that option 1 would be insufficient to allow the municipality to address environmental matters that might be of concern. It had been directed back to PAC for consideration. At the PAC meeting there was a motion to remain with option 1 or allowing the province to handle this very delicate item.

MOTION TO RESCIND CARRIED

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

"THAT THIS ISSUE BE REFERRED BACK TO PAC FOR FURTHER CONSIDERATION"

MOTION CARRIED

FIRST READING - BUILDING BY-LAW

Mayor Lichter said that at a meeting of the Rural Services Committee, today's date, the following recommendation was made to council: "That clause 7.2D of the Building By-law be amended to enable districts to either opt in or out of the requirement for plumbing certification".

Councillor Peters said that she is totally against this.

Mayor Lichter said that council did not have to give first reading to this By-law tonight and go back to Rural Services committee to make sure that it is agreed on by all attending.

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

" THAT FIRST READING OF THE BUILDING BY-LAW BE DELAYED UNTIL THE NEXT SESSION OF COUNCIL"

Councillor Cooper asked if this documentation could be sent to Urban Services.

MOTION CARRIED

SECOND AND THIRD READING - AMENDMENT, MOBILE HOME PARK BY-LAW

Mr. Crooks said that the text before council should include some clerical changes which were intended to be underlined. He referred

councillors to the intended changes which are entirely consistent with the public notice which has been published with respect to what it is that council intends to do in connection with these amendments.

He said that under section 9.2A (2) the second last line should read "purpose of authorizing replacement of that Mobile Home with another Mobile Home owned by that Mobile Home owner". This is consistent with what council intended and consistent with what the public notice has indicated.

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

"THAT BY-LAW TO AMEND BY-LAW #29, MOBILE HOME PARK BY-LAW, BE GIVEN SECOND READING"

Councillor Ball said that he feels Halifax County is removing some leverage that Halifax County may have had with the Mobile Home Park owner. In the past, there was no joint certificate issued and there were no building permits allowed. He said that if this legislation is passed the owner can operate without the joint certificate illegally because Halifax County is not going to prevent the mobile home owner a building permit because the mobile park owner does not have a joint certificate.

Mayor Lichter said there are certain leeways that are going to be provided. One mobile home can be replaced with another mobile home by the same owner or the person can get a building permit to build a porch on etc. which, up to now, the way the by-law was worded prevented Halifax County from doing the kinds of things that actually did not add anything to that mobile home park.

Councillor Ball asked how many times had Halifax County gone to court over illegally owned mobile home parks.

Mr. Crooks said that there are two currently and if there was a finding of guilt on all charges relating to each day the judge would be obliged to oppose at least the minimum fine with respect to each finding or each count of guilt.

MOTION CARRIED

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

"THAT BY-LAW TO AMEND BY-LAW #29, MOBILE HOME PARK BY-LAW, BE GIVEN THIRD READING"

MOTION CARRIED

STAFF REPORT - CHARTER AND AMENDMENT APPLICATIONS

Mr. Meech said this was being tabled for information.

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

"THAT THIS REPORT BE RECEIVED"

MOTION CARRIED

APPOINTMENT/REAPPOINTMENT OF AUDITORS, 1992/93 FISCAL YEAR

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

"THAT THE FIRM OF PEAT, MARWICK AND THORNE BE APPOINTED AS AUDITORS FOR THE 1992/93 FISCAL YEAR"

MOTION CARRIED

HALIFAX INTERNATIONAL AIRPORT

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

"THAT HALIFAX COUNTY COUNCIL ENDORSE THE HALIFAX AIRPORT STUDY GROUP AS THE SOLE MUNICIPAL REPRESENTATIVE TO UNDERTAKE PRELIMINARY DISCUSSIONS WITH TRANSPORT CANADA RELATING TO THE ESTABLISHMENT OF A LOCAL AIRPORT AUTHORITY TO OPERATE THE HALIFAX INTERNATIONAL AIRPORT FACILITIES"

MOTION CARRIED

Councillor Peters asked if there were any cost implications.

Mr. Meech said there were no cost implications at this point but he is aware that Halifax County will soon be requested to provide some funding, along with the other municipalities, towards the costing of the studies which are a necessary part of this whole process. At this point to do what is being asked does not commit Halifax County to any specific dollars.

Councillor Cooper asked if there was a reporting schedule or requirement, of this group, to council or any other body.

Mayor Lichter said not that he was aware of at this time.

Mr. Meech said that Halifax County has representation on the group through Ray Roberts.

Councillor Cooper said that he felt Halifax County should have a periodic report or some method of assessment of what the group is doing and what they are going to bringing forth to Halifax County. He said he would like to have the group be required to report to

the Executive Committee on a confidential basis periodically so that the Executive Committee can be up to date on what they are doing.

Mr. Meech said what will happen is that there will be a proposal coming forward for funding and at that time it would be appropriate to have representatives come in and directly make a presentation to the Executive Committee. At that time the ongoing working relationship and reporting relationship can be discussed.

MEMORANDUM RE: MEMBERSHIP - U.N.S.M.

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

"THAT COUNCIL CONCUR WITH THE RECOMMENDATION MADE IN THE REPORT AND FURTHER THAT MR. MEECH AND THE MAYOR MEET WITH THE EXECUTIVE OF THE UNSM TO REVIEW THE EXISTING RATE STRUCTURE TO GIVE MORE WEIGHTING TO ABILITIES TO PAY AS OPPOSED TO STRICTLY POPULATION"

Councillor Rankin said he would like to have the motion amended so that there would be a request from council that a meeting be held between the Executive of the UNSM, the Mayor and CAO of Halifax County. He said that the rate structure should be taken into account since it is based on population. He said his amendment would be to that council support, by resolution, to meet with the Executive with the view of reviewing the existing rate structure to give more weight on abilities to pay as opposed to strictly population.

Councillor Bates said that he feels that there should be a separate motion.

Mayor Lichter said that what is being recommended is that continued membership in UNSM is mutually beneficial to both the union and the municipality. He said that it is also the belief that UNSM should initiate action to modify the existing dues formula to give more weighting on ability to pay as opposed to strictly population. This proposal should be discussed with the Executive, Mr. Meech and himself.

MOTION CARRIED

REPORT - CHAIRMAN, COLE HARBOUR/WESTPHAL COMMUNITY COUNCIL

Councillor Bates said that he would like to thank Nancy Dempsey-Crossman, Policy and Research officer for the municipality. He would also like to thank Sandra Shute, Recording Secretary, for her capable performance of this important function.

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

"THAT THE REPORT BE RECEIVED"

MOTION CARRIED

URGENT AGENDA ITEMS

SPCA - Councillor Deveaux

Councillor Deveaux said he has been approached regarding Halifax County's policy for dog control. He wanted to ask staff with the help of the solicitor to bring back a report with regards to a "Chase Home Policy". He would like to know what jurisdiction or leeway this gives the dog catcher as to making a decision whether to chase a dog home or not. He also said that there was concern with closing hours. He said that a dog picked up at Saturday has to remain at the SPCA until Monday before it can be retrieved by it's owners. He said there is also concern with the 5:00 p.m. closure.

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

"THAT THIS BE REFERRED TO STAFF FOR A REPORT ON THESE ISSUES"

MOTION CARRIED

School Board - Councillor Rankin

Councillor Rankin said that whereas the former Glengarry School in Timberlea is in a state of worsening disrepair including a noticeable lack of exterior painting, unacceptable graffiti on the exterior walls and being immediately adjacent to a used tot playground, and a seeming lack of security arrangements; and further noting that a number of the neighbouring residents in the affected subdivision has conveyed to their councillor their failed efforts, to date, in having these items attended to; we ask if your good office would look into this matter with a view of seeing what can be done to effect this needed repair work.

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

"THAT A LETTER BE WRITTEN TO LLOYD GILLIS, CEO, HALIFAX COUNTY BEDFORD DISTRICT SCHOOL BOARD WITH COPIES TO VICKI BROWN AND PAT SMITH, REGARDING THE SCHOOL BOARD MAINTENANCE BUILDING (FORMER GLENGARRY SCHOOL, TIMBERLEA) AND ASK THAT HE LOOK INTO THIS MATTER WITH A VIEW TO SEEING WHAT CAN BE DONE TO EFFECT THE NEEDED REPAIR WORK"

MOTION CARRIED

Policing - Councillor Ball

Councillor Ball said that there had been an incident in Sambro on Halloween. He said that one of the problems is a lack of policing. He said boulders were all over the road, windshields were smashed, etc. He said these are not pranks and could have been very threatening. He said the RCMP was there but because of their lack of presence it precipitates this type of behaviour. He asked if this should be directed to the Police Committee.

Councillor Richards said that this is an issue that should be addressed by the Police Committee. Any item of this nature should first be looked at at the Committee level. Members of the RCMP are in attendance at Committee meetings.

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

"THAT THE ISSUE BE REFERRED TO THE POLICE COMMITTEE"

MOTION CARRIED

ADDITION OF ITEMS TO THE NOVEMBER 17, 1992 COUNCIL SESSION

911 - Councillor Taylor
DOT - Councillor Taylor

Crosswalk, Ketch Harbour - Councillor Ball

Department of Natural Resources - Councillor Randall

Pits and Quarries - Councillor Peters
Conflict of Interest - Councillor Peters

IN CAMERA ITEM

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

"THAT COUNCIL MOVE IN-CAMERA"

MOTION CARRIED

Council agreed to move out of camera.

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

"THAT COUNCIL APPROVE THE RECOMMENDATION OF THE CHIEF ADMINISTRATIVE OFFICER TO PLACE THE POSITION OF DIRECTOR OF PLANNING AND DEVELOPMENT OUT TO COMPETITION"

MOTION CARRIED

COUNCIL SESSION

November 17, 1992

PRESENT WERE: Deputy Mayor Richards (chairman)
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Holland
Councillor Ball
Councillor Deveaux
Councillor Adams
Councillor Randall
Councillor Smiley
Councillor Taylor
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Snow
Councillor Giffin
Councillor MacDonald
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Councillor McInroy
Councillor Cooper

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

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

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from Councillor Sutherland
thanking council for affording him the opportunity of serving as
Deputy Warden/Mayor during the previous year.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Mr. Kelly outlined a letter from the Honourable Thomas J. McInnis, Minister, Department of Economic Development with respect to the Point Tupper Transshipment Facility.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Kelly outlined a letter from the Women's Action Coalition of Nova Scotia with respect to proclaiming December 6, 1992 as a day of reflection on violence against women.

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

"THAT THE LETTER BE RECEIVED AND THE PROCLAMATION BE DECLARED WITH THE WORD MALE OMITTED FROM THE ENTIRE PROCLAMATION"

Councillor Brill asked if this proclamation would have any financial implications for the municipality.

Mr. Crooks said the proclamation resolution indicates the municipality's support of a day of renewal regarding the community's commitment to the funding of agencies. He said he did not see anything in the language which would bind the municipality to funding, at any level, with regard to the creation of a safe environment for all women and children.

Councillor Ball said that he likes the amended motion because the proclamation in it's present form infers that the only violence against women comes from males. Any violence towards women should not be condoned.

Councillor Cooper said that the letter indicates that the coalition is looking for support in ending any violence against women.

Councillor McInroy said there is more involved in changing attitudes and creating a safe environment for women and children than just funding organizations such as education. He said he would like to have the last two lines of the proclamation changed to read "regarding this community's commitment to create a safe environment for all women and children". This way it can be done by funding or by a number of other ways and not be misleading if Halifax County, at budget time, cannot provide funding.

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

"THAT THE MOTION BE AMENDED TO READ THAT THE LETTER BE RECEIVED AND THE PROCLAMATION BE DECLARED WITH THE WORD "MALE" REMOVED AND THE LAST TWO LINES TO READ "REGARDING THIS COMMUNITY'S COMMITMENT TO CREATE A SAFE ENVIRONMENT FOR ALL WOMEN AND CHILDREN".

AMENDED MOTION CARRIED

4. Mr. Kelly outlined a letter from the Honourable Ken Streach, Minister, Department of Transportation, in response to council's correspondence with respect to illegal dumping on the access road between Fall River and Waverley, off Highway #118.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a memorandum to Mr. Meech from Ted Tam with respect to a packet of correspondence on the Woodbine Mobile Home Park.

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

"THAT THE LETTERS BE RECEIVED"

MOTION CARRIED

2. Mr. Kelly outlined a letter from Donna M. McCready, Information Officer, Department of Transportation and Communications in response to council's letter respecting information on the extension of sidewalks to Holland Road School.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Department of Housing - Millwood PUD

Councillor Ball said that the intent from Planning Advisory on this is for the province who is responsible, along with the municipality, for the PUD agreement to sit down and try to look at the developed portions within that PUD to given a proper zone

within the municipal planning strategy of Sackville as has been done in the Cole Harbour/Westphal plan. This is a recommendation that Halifax County staff along with provincial staff sit down and look at applying proper zones to the PUD agreement within the Millwood area.

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

"THAT COUNCIL SEND A LETTER TO THE DEPARTMENT OF HOUSING REQUESTING THAT A MEETING BE HELD BETWEEN REPRESENTATIVES OF PLANNING STAFF, A REPRESENTATIVE OF THE SACKVILLE COMMUNITY COUNCIL AND REPRESENTATIVES OF THE DEPARTMENT OF HOUSING, WITH A VIEW TO REVIEWING THE PUD AGREEMENT FOR MILLWOOD"

Councillor Brill said that another concern on this item is that Halifax County look at the total plan as it applies to the PUD agreement because there are three pieces of land there that are designated as other use and it may be that the housing authority may want to change that. Also, there is a proposed road that could go through that land which also should be looked at.

Councillor Ball said this is part and parcel of the motion.

MOTION CARRIED

Public Hearings Held by Municipal Council

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

"THAT A COMMITTEE OF THE WHOLE SESSION BE HELD TO DISCUSS WHERE MUNICIPAL COUNCIL PUBLIC HEARINGS SHOULD BE HELD"

MOTION CARRIED

MEMORANDUM RE: AMENDMENTS TO THE MUNICIPALITY'S LAND USE BY-LAWS - NOTIFICATION PROCEDURES

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

"THAT DECEMBER 14, 1992 BE RATIFIED AS THE DATE FOR A PUBLIC HEARING FOR THE ADOPTION OF A REVISED PLAN AND BY-LAW FOR THE LAKE MAJOR PLAN AREA AND FURTHER THAT DECEMBER 7, 1992 BE THE DATE RATIFIED TO CONSIDER AMENDMENTS TO VARIOUS BY-LAWS RELATIVE TO NOTIFICATION PROCEDURES"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Appointment of Fire Inspectors