

COMMITTEE OF THE WHOLE

February 1, 1993

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

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
Fred Crooks, Municipal Solicitor

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The meeting was called to order at 6:00 p.m.

IN CAMERA ITEM

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

"THAT COUNCIL MOVE IN CAMERA"

MOTION CARRIED

Council agreed to move out of camera.

LOCATION FOR HOLDING PUBLIC HEARINGS

Mayor Lichter said this was referred from the November 7, 1992 council session. He said the issue is basically the request that council has been getting from time to time to hold public hearings out in communities.

Councillor Deveaux said that there have been public hearings held in communities where there have been on four or five residents

attend. He said this sometimes depends on how important and issue is being discussed. He said he would not like to give the impression to the public of shutting the door on going to a community if it is determined that it is really an important issue.

Mayor Lichter said if council is going to decide on a case by case basis it may as well not try to have some kind of a decision on policy because once a policy is set then council would not be able to decide on a case by case basis. He said if this is the way council want to go then it would agree that if there is a request it will be considered on the merits and decide, by vote, whether council does or does not hold it in the community.

Councillor Sutherland said that the attendance at the public hearings held out in the districts have not been as well attended by councillors as those held in chambers. He said he feels the best way to approach this would be on a case by case basis. He said circumstances may sometimes dictate that the meeting be held elsewhere but generally speaking he said that public hearing should be held in chambers.

Mayor Lichter clarified that this was referring to municipal council public hearings. He asked for council's agreement on this.

Council agreed that this is the procedure to be followed.

PROPOSED CHANGES RE: PROCEDURE TO BE FOLLOWED AT PUBLIC HEARINGS

Mayor Lichter said the proposal was that people who wished to speak in favour be given an opportunity to speak, people who wished to speak in opposition be given an opportunity to speak and then one person can sum up an application and the final rebuttal would be by the applicant or the applicants representative. Neither of those would be longer than 10 minutes.

Mr. Crooks said what PAC is recommending can lawfully be adopted. He said it may be, from a practical point of view, difficult always to identify who is a spokesperson for what group since a variety of groups come before council in these matters. It may be that there will be a tendency for individuals, who perhaps are expressing a different view from that expressed by groups, to seek to have an opportunity to sum up at the end so that their view is known. He said there may be difficulties associated with identifying a spokesperson. He said as a matter of law, there is no difficulty about doing what PAC is recommending.

Mayor Lichter asked if there would be any difficulty, right at the beginning of the public hearing, to have a form which would indicate who would give the rebuttal pro/con. He said that name could be given to him before beginning the public hearing. He said it would be easier for the applicant to decide who is going to speak for him but the other people may have difficulty as to whom

to select after they have heard the comments. He said he feels it would be a lot easier for them to find a speaker before they hear the comments.

Councillor Bates said, notwithstanding the fact that there may not be any difficulty in law, he finds it impractical to change from the present format. He said a public hearing does not necessarily imply that the applicant is going to have people lined up to speak in favour. He said a variety of people come for different reasons and how can one person represent them all. He said the present system is fair and open and he is not in favour of changing the present system.

Councillor MacDonald said his experience with public hearings is that the people who attend are independent of each other. He asked how would you be able to get one person from these to do a summation. He said if they were from a group it would be easy, but usually they are not.

Councillor Taylor said this was a result of a previous public hearing where the proponent was unable to refute some arguments that were put forth by the speaker against the application. He said PAC though this would be a more fair way. He said speakers in favour, then speakers against and then a summation by the proponent that was in favour in order to give him an opportunity to speak, for ten minutes, provided they did not touch on any additional information.

Councillor Deveaux said that over the years there have been people attend public hearings that have made erroneous statements and the appellant has not had an opportunity to rebut. He said his intention was to allow the proponent, alone, to have the opportunity to rebut any erroneous statements. He asked Mr. Crooks if it would be possible to have to have the proponent to give a rebuttal but not the other side.

Mr. Crooks said this is an option which occurred to him when this issue came up. That is often in court the order is the applicant/proponent goes first, those opposed go next, then the applicant has an opportunity, confined as to time, after the opponents have spoken to address only those matters which have arisen during the course of the comments by the opponents. Everyone has had an opportunity to speak with the applicant having an opportunity at the end to respond but confined only to points arising out of the comments made by the opponents and maybe limited to 10 minutes.

Councillor Deveaux said this was his original intent. He said has felt that if applicants have been given the opportunity to rebut in some cases decisions could have been reversed.

Councillor Bates said the suggestion by the solicitor makes more

sense because this identifies who will speak.

Deputy Mayor Richards said this gives all parties up front indication of just what the procedure is going to be. The applicant may not wish to respond which would be his option. He said if there are no points to be questioned or clarified then can the chair say "no" to the applicant coming back.

Mr. Crooks said his suggestion would be that if the procedure is going to be adopted then it should be followed in every case where an applicant wishes to take advantage of it. He said he feels it would lead to greater difficulty to have the procedure available and then deny it than not to have the procedure available at all.

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

"THAT IT BE RECOMMENDED TO COUNCIL THAT IT BE IDENTIFIED AT THE BEGINNING OF A PUBLIC HEARING THAT THE APPLICANT, OR HIS REPRESENTATIVE, AND OTHERS WISHING TO SPEAK IN FAVOUR COME FORWARD AND PRESENT THEIR POSITION. AFTER SPEAKERS IN FAVOUR HAVE SPOKEN, SPEAKERS IN OPPOSITION COME FORWARD AND PRESENT THEIR POSITION. AFTER ALL SPEAKERS HAVE BEEN HEARD THE APPLICANT, OR HIS REPRESENTATIVE, BE GIVEN THE RIGHT TO CONCLUDE THE PUBLIC FORUM OF THE PUBLIC HEARING FOR A MAXIMUM OF FIVE (5) MINUTES"

Councillor Cooper asked if this also would apply to minor variance appeals.

Mayor Lichter said they were never considered to be true public hearings.

Councillor Cooper asked in an appeal of a granted minor variance, who becomes the proponent, the appellant or the original applicant.

Mayor Lichter suggested that minor variances be dealt with according to procedure previously followed to handle these. He said this Committee of the Whole was to deal with regular public hearings for plan amendments and rezoning etc.

Councillor Taylor said if things are handled this way council could be perceived as favouring one side more than the other.

Mr. Crooks said under the proposal the applicant makes whatever submissions and presentations that he considers necessary for purposes of the application. The opponents then do the same thing by putting before the council whatever they consider to be relevant to their opposition to the application. He said all the final response is intended to do is give the applicant an opportunity to respond to matters that were dealt with by the opponents. He said

COMMITTEE OF THE WHOLE

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he does not see the basis for any bias or unfairness.

MOTION CARRIED

COUNCIL SESSION

February 2, 1993

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Holland
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Randall
Councillor Bayers
Councillor Taylor
Councillor Peters
Councillor Merrigan
Councillor Snow
Councillor Giffin
Councillor MacDonald
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Deputy Mayor Richards
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 with the Lord's Prayer. Mr. Kelly called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE COMMITTEE OF THE WHOLE, NOVEMBER 16, 1992 BE APPROVED"

MOTION CARRIED

It was moved by Councillor Harvey, seconded by Deputy Mayor Richards:

"THAT THE MINUTES OF THE COMMITTEE OF THE WHOLE, NOVEMBER 3, 1992 BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE PUBLIC HEARING, NOVEMBER 30, 1992 BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE PUBLIC HEARING, DECEMBER 8, 1992 BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE COUNCIL SESSION, JANUARY 5, 1993 BE APPROVED"

MOTION CARRIED

Warden Lichter welcomed the 1st Brookside Pathfinders and the 2nd Brookside Girl Guides. He called on Councillor Holland to make a presentation.

Councillor Holland welcomed the groups to council and presented them with a municipal pin and county flag.

LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from J.F. Talbot, P. Eng., Department of Transportation and Communications with respect to changing Boyd Hill Road to Nelson Hill Road and advising that the road sign will be erected when conditions permit.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Mr. Kelly outlined a letter from Terence Donahoe, Department of

Natural Resources, in response to council's correspondence with respect to the former CN rail lands in the Eastern Shore area.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Kelly outlined a letter from the Honourable Terence B. Donahoe, Minister, Department of the Environment with respect to water samplings in Lake William.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Kelly outlined a resolution passed by the council of the City of Dartmouth with respect to sale of .5% alcohol beer.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Lichter said if council wished to support the motion, perhaps it should be reworded because the motion in it's present form is somewhat confusing. He said as it presently reads it could be understood to mean that nobody but those under nineteen years of age should be allowed to purchase beer with .5% alcohol content.

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

"THAT COUNCIL SUPPORT THE MOTION AND FURTHER IT BE REWORDED TO REFLECT ITS' INTENT THAT PERSONS UNDER THE AGE OF NINETEEN BE RESTRICTED FROM PURCHASE OF THE PRODUCT"

MOTION CARRIED

5. Mr. Kelly outlined a letter from Robert H. Stevens, Nova Scotia Representative, The Matane Corporation with respect to incineration issues.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

6. Mr. Kelly outlined a letter from Sylvester Atkinson, President, UNSM with respect to RCMP recoveries and Grants-In-Lieu.

It was moved by Deputy Mayor Richards, seconded by Councillor Fralick:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Deputy Mayor Richards said this is something that should be looked at seriously. He felt this should first be discussed at the Police Committee so that Halifax County can have the support of the RCMP and hear their input into this situation. He said he feels it would be wise to have them make some comment towards this particular situation.

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

"THAT THIS ARTICLE BE REFERRED TO THE POLICE COMMITTEE"

MOTION CARRIED

Mayor Lichter said the recommendation with regards to Grant In Lieu on municipal buildings is that it be discussed at council and any concerns be raised with the local MLA's and Minister of Municipal Affairs.

Deputy Mayor Richards said he feels this is an area whereby Halifax County should take a stand. He said as it has happened in the City of Halifax, it could happen in the county and he feels it is important that a message be sent to the province that Halifax County can't afford to have this continual downloading from the province to the municipality. He said he feels it would be prudent of Halifax County to support the recommendation and have letters sent to the MLA's representing Halifax County and to the Minister of Municipal Affairs suggesting that they not pursue this downloading effort by way of Grants In Lieu and the freezing of those grants.

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

"THAT A LETTER BE WRITTEN TO THE MLA'S REPRESENTING HALIFAX COUNTY AND TO THE MINISTER OF MUNICIPAL AFFAIRS SUGGESTING THAT THEY NOT PURSUE THIS DOWNLOADING EFFORT BY WAY OF GRANTS IN LIEU AND THE FREEZING OF THOSE GRANTS"

MOTION CARRIED

Mayor Lichter said the last request of the memorandum is that Mr. Kelly inform UNSM of the action taken by council.

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

"THAT MR. KELLY INFORM UNSM OF THE ACTIONS BEING TAKEN BY COUNCIL WITH RESPECT TO THE MEMORANDUM"

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Kelly outlined a letter from Donald Cameron, Premier with respect to changes in the operation and availability of video lottery terminals in Nova Scotia.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Lease of Lands From NSPC, Marshall Falls, District #11

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

"THAT HALIFAX COUNTY LEASE PROPERTY FROM THE NSPC WITH SUB LEASE TO THE MARSHALL FALLS HAUL OUT ASSOCIATION FOR THE INSTALLATION OF A COMMUNITY HAUL OUT FACILITY"

MOTION CARRIED

Software Recommendations

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

"THAT COUNCIL APPROVE THE PURCHASE OF THE GRSI SOFTWARE PACKAGE WITH FUNDING AS OUTLINED IN THE STAFF REPORT"

MOTION CARRIED

Aerotech Water/Sewer Rate

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

"THAT COUNCIL APPROVE A RATE INCREASE AS OUTLINED IN

OPTION 3 OF THE STAFF REPORT"

MOTION CARRIED

District #8 Volunteer Fire Department - Loan

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

"THAT COUNCIL RESCIND THE MOTION OF NOVEMBER 5, 1991 APPROVING A LOAN ADVANCE FOR THE CONSTRUCTION OF THE NORTH PRESTON SUB-STATION"

MOTION CARRIED

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

"THAT COUNCIL APPROVE A \$40,000.00 LOAN ADVANCE TO THE DISTRICT #8 VOLUNTEER FIRE DEPARTMENT FOR THE PURPOSE OF PURCHASING LAND IN PORTER'S LAKE AND ARCHITECTURAL DESIGN WORK FOR THREE FIRE STATIONS IN THE DISTRICT. FURTHER THE LOAN TO BE APPROVED ON THE BASIS OF A TEN YEAR REPAYMENT TERM, WITH INTEREST, AND COUNCIL RESERVING THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST REPAYMENT"

MOTION CARRIED

Recyclable Collection

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

"THAT COUNCIL APPROVE THE CALLING OF RECYCLABLE COLLECTION CONTRACTS FOR APRIL 1, 1993 TO MARCH 31, 1995 ON A ONE CONTRACT OF A ONCE A MONTH COLLECTION BASIS AS IS PRESENTLY IN PLACE"

Councillor Fralick asked if the volume of recyclables is increasing or decreasing.

Mr. Meech said the volume of recyclables, to his knowledge, has levelled off at this point.

Mayor Lichter said there is no significant change in the tonnage and even if the tonnage changes it will have no impact on the contract because the collectors have to travel the same routes and have to stop at places where the recyclables are put out.

Councillor Boutilier said people complain that once a month pick up results in a number of blue bags being stored which takes up a lot of space. He said he feels recycling should get more emphasis than it has now.

Councillor Ball asked if there was maybe some way that Halifax County could in some way coordinate with the school board for recycling of such items as milk cartons.

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

"THAT COUNCIL APPROVE THE TENDERING PROCESS WITH THE AMENDMENT THAT STAFF EXPLORE, AND REPORT BACK TO COUNCIL, THE FEASIBILITY OR NON FEASIBILITY OF COLLECTING THE RECYCLABLES AT THE SCHOOLS ON A REGULAR BASIS"

Councillor Randall said he feels there is a need for another promotion on recycling.

Mayor Lichter said the special committee that Metro Authority is setting will have, as one of it's mandates, to take a look at the education program, the advertising program and how additional materials could be added to the items that are now being collected. He said that is underway and as soon as that committee starts setting and makes recommendation to metro authority, more educational programs will be seen by the public.

Councillor MacDonald asked if the contract can be opened up to more frequent collection if it is found to be necessary.

Mayor Lichter said he could not foresee any problem with this.

Councillor Fralick said they have a trial recycling process going on at the Tantallon school to see if it is viable.

Mr. Meech said if there is a majority consensus on examining twice a month, his advice would be that this be built into the tender price at this point. He said it should be understood that if Halifax County chooses to go to twice a month collection next year, then the county would be in a position to hold them to the price contracted. He said if there is an interest the best way, in his view, is for Halifax County to call the tender on the basis of either once a month or twice a month and then have the choice of either continuing with once a month or, if it was decided to go to twice a month then there would be a predetermined price.

Councillor Holland said the schools in his district have recycling programs.

Councillor Ball asked Mr. Crooks if the tendering process could include a clause whereby council could have the option to review the contract at the end of a specified period of time with the view of looking towards an additional collection.

Mr. Crooks said he felt this could be so.

MAIN MOTION CARRIED

Capital Grant Requests

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

"THAT THE FOLLOWING CAPITAL GRANTS BE APPROVED:

- (A) DISTRICT CAPITAL GRANT, DISTRICT 12, IN THE AMOUNT OF \$1,000.00 FOR THE PURPOSE OF REDUCING THE DEBT ON THE DRILLED WELL AT THE ROYAL CANADIAN LEGION, VALLEY BRANCH #147, UPPER MUSQUODOBOIT;
- (B) DISTRICT CAPITAL GRANT, DISTRICT 22, IN THE AMOUNT OF \$935.00 FOR MAINTENANCE AND REPAIRS ON COUNTY OWNED PROPERTY"

MOTION CARRIED

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

1993 Dog License Fee

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

"THAT COUNCIL APPROVE A \$20.00 FEE WITH COMMISSION PAID REMAINING AT \$5.00 PER LICENSE"

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

"THAT THE MOTION BE AMENDED TO READ COMMISSION PAID BE RAISED TO \$6.00"

Mayor Lichter asked if both motions could be withdrawn and he would accept two separate motions, one on the fee and one for the commission paid.

Movers and seconders agreed to withdraw motions.

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

"THAT THE FEE FOR DOG LICENSES FOR 1993 BE \$20.00"

MOTION DEFEATED

8 IN FAVOUR

10 AGAINST

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

"THAT THE DOG LICENSE FEE REMAIN THE SAME AS LAST YEAR"

Councillor Bates asked if there was any way to put in a fee that escalates if it is not paid by a certain time. He said this may give some incentive to both the collectors and owners.

Mayor Lichter said that there is a discount date in both Dartmouth and Halifax. He said some of the collectors are not able to get around at certain times of the year and if it is the collectors fault that they don't get someone's home within that deadline he would be concerned to jump the cost because the individual did not get approached in time.

Councillor Bates said there doesn't seem to be any method to be able to try to do better than what is being presently done.

Deputy Mayor Richards said that at the Executive Committee the motion had recommended the fee as well as the whole process being reviewed within this year. He said because we are already into the tax year for licensing, Executive had to make a recommendation on the fee structure.

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

"THAT THE MOTION BE AMENDED TO READ THAT THE FEE BE \$25.00 AND DISCOUNTED TO \$15.00 IF PAID BY SEPTEMBER 1ST"

AMENDMENT DEFEATED
MAIN MOTION CARRIED

Mayor Lichter said the amount of commission to be paid to collectors of these fees would be addressed after the Minor Variance Appeal.

MINOR VARIANCE APPEAL

Sharon Bond gave the staff presentation. She said the request was from Mr. Thomas Hart to permit a private detached garage, presently under construction, to remain as placed encroaching approximately 10 square feet, on one corner, over the Department of Transportation right of way instead of the required 30 feet. The property is located at 1725 Portobello Road, Waverley. The zoning is R1-C. The lot is 23,000 square feet and it abuts Lake William. There is presently an existing dwelling on the lot. On November 4, 1991 building and development permit applications were received to construct a private detached garage. The sketch submitted, with the application, indicated that the garage would 16' x 26' and would be placed 30 ft. from Portobello Road right of way. The permits were issued on November 21, 1991. In October, 1992 their office received a call from the Department of Transportation stating the garage under construction appeared to be encroaching in their right of way. A site investigation confirmed this and Mr. Hart was notified to stop construction and to visit her office to discuss the matter. He did this promptly.

She said Mr. Hart stated he measured 30 ft. from the pavement area of the Portobello Road assuming this was the requirement. There was a misunderstanding of the term "right of way" and how the setback was to be measured. The garage itself could not be placed 30 ft. from the Portobello Road right of way due to the severe slope of the lot. Letters received from Mr. Hart further outline his position. The Department of Transportation was contacted to determine their position on the matter. She said they received a letter from them, dated December 8, indicating that if the Municipality was willing to accept the garage as is then they would be prepared to ask the Minister to issue a highways permit with the condition that the owner would not be compensated if the right of way for Portobello Road was required in the future. She said, based on this response, Mr. Hart provided her office with a revised sketch showing the proper location and size of the garage and applied for a Minor Variance to permit the garage to remain where it was sitting with approximately a 2 ft. encroachment.

QUESTIONS FROM COUNCIL

Councillor Sutherland asked what the measurements of the encroachment were.

Ms. Bond said it was actually 2 ft. on the left side of the building and it works out to 10 sq. ft. in total that is encroaching.

Councillor Cooper asked if the sketch submitted with the application indicate feet from the right of way or from the road line.

Ms. Bond said it indicates from the road right of way.

Councillor Cooper asked if the plan for the area defined right of way.

Ms. Bond said that it would just define public street in the land use by-law. She said the permit just says 30 ft. from the road right of way.

Councillor Cooper asked if the plan covering the district says from road right of way or from property line.

Ms. Bond said the front yard and the front yard is your property line.

Councillor Cooper asked if it indicated from property line.

Ms. Bond said yes.

Councillor Snow asked if there was a reason why these variances get to this point, when the building is up and cement is laid. He

asked if there was a monitoring system in place.

Ms. Bond said that in this situation the building inspector for that area was off sick for approximately three months and other inspectors were covering as best they could and what they were doing was just responding. They were issuing the permits, doing the mandatory inspections but she did not have anyone out driving around and spot checking.

Councillor Fralick asked if there were any letters from the abutters to this property.

Ms. Bond said there wasn't any.

SPEAKERS IN FAVOUR

Mr. Hart said that Ms. Bonds office has been helpful to him with regards to this matter. He said he is a home owner and to him right of way has one meaning and property line has another meaning. In this case, when the permit was issued and said 30 ft. from highway 318 right of way, he measured 30 ft. from the yellow line which was how he was told to measure this 30 ft. setback. He said he thought he was well within the limits. He said the measurements at the point of encroachment measure 31 ft. and he thought he was fine in that he gave himself a foot leeway. He said he had suggested that when a permit is issued to a home owner a glossary of terms be issued. He said also he was told that this varies from highway to highway. He said in his case it is 33 ft. but in some cases it can be 50 ft. He said should he be faced with any kind of alteration to this building, he is looking at a cost of approximately \$2,000.00 because he does not have the technical expertise to do this. He said he can build it but he can't alter it.

He said he would rather have spent the money on a surveyor and had the permit application demand a surveyors report as opposed to having to pay a carpenter to alter something that has already been done. He said the Department of Transportation would be willing to accept the garage as is. He said he is also aware there would be no compensation, down the road, if anything occurs with respect to sidewalks or road widening. He said he is prepared to take that at this point because the alternative would be very expensive. He said his property is triangular and this is the only point on the property that this garage could be located. The drop off ranges from 45 ft. to 6 ft. The dept at the point this garage is in and the corner that is in contention is 39 ft. from the right of way to the back property line. He said to meet standards he would have a garage 9.5 ft. deep by 16 ft. wide. He said the cribbing is made of 4 x 6 hemlock filled with gravel. The concrete was poured without making note of the sides which had a drop off with no barrier. He said as a result he extended the garage forward to accommodate taking care of a potentially hazardous situation. He

said the garage was brought forward from the original plan based on a safety consideration.

QUESTIONS FROM COUNCIL

Councillor Holland asked Mr. Hart who had told him it was 30 ft.

Mr. Hart said the development permit has a list of limitations that you are confronted with and in this case he met everything except 30 ft. from highway 318 right of way. He said he had been told that to measure this distance you measure from the yellow line in the centre of the road.

Councillor Holland said that the yellow line on the paved road is not the centre of the right of way. The pavement itself does not necessarily run down the middle of the DOT right of way.

Councillor Taylor asked Mr. Hart if he had any problem with what the DOT dictates.

Mr. Hart said he did not at this point. He said he would not like to be in this position because it creates a problem for resale etc. but he will accept it.

SPEAKERS IN OPPOSITION

Mr. Harold Dillon, member Village Service Commission, Village of Waverley. He said under the Villages Services Act one of the mandates not given to the village is control over planning and development which remains a mandate of municipal council. He said after 1986 they worked in pursuing the adoption of a municipal planning strategy and land use by-law which was adopted in April, 1989. This sets out rules and regulations governing development in the community. He said there was concern about small and precious lots fronting on the various lakes in the district. Lake William is one of those lakes and this property backs onto it. He said there is the standard 30 ft. setback for all buildings as well as regulations which permit, with certain discretion, minor variances to be granted under certain circumstances.

He said the village commission spoke in favour of the municipal planning strategy and land use by-law adoption. He said they encouraged the residents to follow and indicated to the residents that those documents would assist them in seeing that the community is carefully and properly developed and protect them against the unnecessary abuse of land, buildings and lakes, etc. He said that since that time developments have occurred which have discouraged the commission. He circulated pictures of developments in the area which had been approved under similar circumstances to this application. He said that each time one of these occurs, the residents of the community approach the village commission and ask if there is not something that can be done to improve the

development approvals process so this will stop happening. He said the village commission has to inform the residents that planning and development is not in the mandate of the village commission. He said the residents look to them as an avenue to carry forward their concerns. He said he recognizes and understands Mr. Hart's plight and how he has found himself in this circumstance. He said they were not taking a position on Mr. Hart's request but they will plead with council for support in setting up a system, particularly for the village of waverley, that will allow the village commission to be properly and timely alerted to building and development permits being issued in their jurisdiction so they can assist the municipality in ensuring that circumstances such as this do not happen in the future.

He said he would suggest that council direct staff to require legal plans of survey for any such undertakings in the future, particularly in the village of waverley.

Councillor Taylor asked Mr. Dillon on which side of Portobello Road were the developments shown in the circulated photos.

Mr. Dillon said they are on the same side as Mr. Harts property and most of them are within a quarter to a half mile of Mr. Harts garage.

Mayor Lichter informed council they had the right to grant a "0" variance but they did not have the right to do anything with regards to the DOT right of way.

DECISION OF COUNCIL

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

"THAT MR. HART BE GRANTED "0" VARIANCE TO PERMIT A PRIVATE DETACHED GARAGE, PRESENTLY UNDER CONSTRUCTION, TO REMAIN AS PLACED"

Councillor Sutherland asked if there is a system that would provide the village commission with a copy of building permits when they are applied for.

Mayor Lichter said there isn't anything worked out although his understanding is that discussions did take place and staff said something like that could be worked out. He said council can urge staff to work with the village on that one so that it could be instituted but nothing has been worked out.

Councillor Sutherland suggested a system similar to the one in which individual councillors, through courtesy, get a copy of permits applied for in their districts.

Councillor Cooper said he has difficulties with this situation not

only in the areas laid out tonight but, in what is in fact being spoken about openly in that the setback is entirely missing as required by the building permit. He said council is again caught up in a situation where a structure has been put in place and found to be almost entirely illegally placed. He said the setback shouldn't be from that 2 ft. but 30 ft. back from that again. He said that whole garage is in the wrong place as has been acknowledged and he said it would be annoying if the building permits say 30 ft. from a right of way of a road rather than 30 ft. from the front lot line. He said if the building permits say 30 ft. from the front lot line then this a very obvious intentional error. If the building permits say from the right of way then that is a mistake that has to be corrected. He said he cannot support the minor variance.

Councillor Bates said he finds it surprising that a surveyors certificate is not required. He said he thought that this was a requirement and without a certificate you are relying on people to know and many individuals do not know. He said the only way to resolve this is with a surveyors certificate.

Mayor Lichter said that council is not dealing with a survey or no survey issue but whether or not council is or is not granting the minor variance.

Councillor Peters said that when staff starts working with the councillor involved for district 17 she would also like to be involved because she has a small number of lakefront properties and could end up facing the same situation.

MOTION CARRIED

DOG LICENCE FEES

Mayor Lichter said that council has dealt with the fee but haven't dealt with the commission aspect of it.

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

"THAT THE COMMISSION PAID BE \$6.00"

MOTION DEFEATED

5 IN FAVOUR

12 AGAINST

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

"THAT THE COMMISSION PAID BE \$5.00"

MOTION CARRIED

BUILDING BY-LAW

Mayor Lichter informed council this would be the first reading of the building by-law with those minor amendments that have to be looked after. Section 3.3 - when plumbing work requires permitting.

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

"THAT THE FIRST READING OF THE BUILDING BY-LAW BE GIVEN APPROVAL"

MOTION CARRIED

DATE FOR MEETING WITH WM. HAYWARD, COMMISSIONER

Mayor Lichter said he had a lengthy meeting with the commission, Mr. Bill Hayward, who is charged with the task of implementing the task force recommendation re: amalgamation. He said Mr. Hayward requested that Mayor Lichter ask council whether or not they would be interested in having him come to explain to council the meaning of his terms of reference, etc. He said that if this was council's wish he would require a motion to do this and a tentative date of Monday, February 15, 1993 at 6:00 p.m has been set for this meeting.

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

"THAT MR. WM. HAYWARD BE REQUESTED TO COME AND SPEAK TO COUNCIL"

MOTION CARRIED

15 IN FAVOUR

3 AGAINST

TIME OF COUNCIL SESSIONS

Mayor Lichter said he had this placed on the agenda due to a persistent telephone call from a resident who feels that the time of meeting should be changed to a later time. He said he indicated to the individual that the first hour or so of a meeting deals with approval of minutes, delegations and correspondence. He said he would leave it up to council as to what they would like to do with the timing of the council sessions.

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

"THAT COUNCIL REAFFIRM IT'S 6:00 P.M. MEETING TIME"

MOTION CARRIED

RECOMMENDATION - COMMITTEE OF THE WHOLE

It was moved by Councillor MacDonald, seconded by Councillor

Deveaux:

"THAT THE FOLLOWING RECOMMENDATION OF THE COMMITTEE OF THE WHOLE BE APPROVED:

"That it be identified at the beginning of a public hearing that the applicant, or his representative, and others wishing to speak in favour come forward and present their position. After speakers in favour have spoken, speakers in opposition come forward and present their position. After all speakers have been heard the applicant, or his representative, be given the right to conclude the public forum of the public hearing for a maximum of five (5) minutes"

Mr. Crooks said that it might be appropriate to clarify that the right to respond was intended only to be a right to respond to points arising out of the submissions made by the opponents. In other words, the applicant is not intended to have another opportunity essentially to say the same thing or an opportunity to put new information or material before the council which would be unfair and not in accordance with appropriate procedures.

MOTION CARRIED

Mayor Lichter requested Mr. Kelly have the new format typed up for his information.

DATE - MINOR VARIANCE APPEAL

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

"THAT FEBRUARY 16, 1993, 7:00 P.M., BE SET AS DATE AND TIME FOR THE MINOR VARIANCE APPEAL"

MOTION CARRIED

MOTION TO ADOPT BY-LAW RE: COMMUNITY COMMITTEE, WESTERN REGION - DISTRICTS 1, 2, 3, 4, 5 & 18

Mayor Lichter said that a meeting had been called for those districts and the councillors for those districts have expressed a desire to have a community committee set up. He said they would like to have notice of motion for the next council session at which time there would be a first reading of a by-law to enable them to sit as a community committee.

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

"THAT NOTICE OF MOTION BE SERVED FOR NEXT COUNCIL SESSION, FEBRUARY 16, 1993, FOR FIRST READING OF THE WESTERN REGION COMMUNITY COMMITTEE BY-LAW FOR DISTRICTS

1, 2, 3, 4, 5, & 18"

MOTION CARRIED

TABLING - MEMORANDUM RE: WATER POLICY

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

"THAT THE REPORT BE TABLED"

MOTION CARRIED

PROPERTY ASSESSMENTS

Mayor Lichter referred to the information circulated to Councillors and stated that the first four pages indicated the residential and resource assessment for 1993 broken down to the 25 Districts and with the percentage of increase/decrease. He explained the information.

Mayor Lichter advised that Councillor McInroy had indicated that he would not be present when Council was dealing with Assessments but he would be willing, at the invitation of Council at any time, to come and speak to Council on the issue.

Deputy Mayor Richards stated he had received a number of inquiries with regard to the assessments and the wide spread of adjustments not only from his own District but from others as well. He said he had great concern because he did not know how Council would come to grips with the taxing issue in the next few months. There had been examples presented where there had been significant decreases in the assessment. He stated that some of the people who had increases would appeal but others would not. Even after his explanation of how the process would work, they were reluctant because they did not want to get involved in something they did not understand. He pointed out that many of these were seniors who had experienced significant increases, such as \$15,000-30,000 increases. He said that whatever Council might come up with, with regard to a tax rate, it would be grossly unfair to those individuals who were afraid of the appeal system and also to those who had received major decreases when, in fact, their property did not increase in real value. He said to date there have been no real answers given and maybe nothing other than a complete reassessment process needed to be initiated. He said he was not impressed that anything could be done to satisfy the concerns of property owners of Halifax County and there was nothing given in terms of real explanation. The computer program, in his opinion, had obviously fallen short of what it was intended to do and Council must press the Department of Municipal Affairs, through the Minister, to go back and do the process over again in a fair and equitable way.

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF MUNICIPAL AFFAIRS REQUESTING THAT THE ASSESSMENT PROCESS BE DONE AGAIN IN A FAIR AND EQUITABLE WAY".

Councillor Peters advised that District 14 had the third highest increase - over 15%. She outlined her concerns and stated that Council must appeal to the Minister. She said the computer system used was only as good as the information put into it.

Councillor Boutilier asked if, at one time, the Municipality itself had been involved with assessment.

He was told yes.

Councillor Boutilier stated the provincial process of assessment was not working properly and there might be something that staff could consider with regard to offering the Municipality's services. He asked if it would be of benefit to the Municipality to suggest it.

Mayor Lichter advised that under the Assessment Act the provincial government was charged with the responsibility of assessment for the entire province. Consequently, without any legislative change, it is impossible to simply request that it be given back to the municipality. He said it would require a legislative change which would be a drastic change.

Councillor Merrigan asked if there was some way that staff could look to see if there is any way Halifax County can put a ceiling on increases in taxes for those people that had major increases in assessments.

Councillor Cooper said with reference to the report provided that it should be investigated as to why there are commercial decreases. He said there seems to be no way in which the assessment department can take into effect the present and intended use of a property. He said that council has to let the Province know that they have made a major foul up and they must find some way to correct the situation because those that have to have the undeveloped properties will be paying significantly more if the tax rates stay the way they are.

Councillor Bates said that this was a result of information being fed into a computer. He said if they are going to satisfy the people of Halifax County they are going to have to scrap this and start over.

Mayor Lichter referred to the meeting on Friday. He said the message, in the end, was that this was the best and fairest

assessment Municipal Affairs had ever done. He said his difficulty in doing anything other than what the motion suggests, although the province might not listen in any event, is that there are people who would suffer drastically despite the best efforts of their Councillors because they are afraid of the appeal process. He said he had suggested to Mr. Warren that the least the Assessment Department could do was have some kind of write up in the paper and explain what they were willing to do. He said he will support the motion because if it does nothing other than send a message to the public that council is with them and are extremely upset and perturbed even though there may not be a way to do justice for them.

Councillor Fralick asked if council could consider the possibility of a Committee of the Whole.

Mayor Lichter stated he had a concern with the appeals period. By the time a Committee of the Whole was arranged, the appeals period would have expired.

Mr. Crooks stated that the Assessment Act does prescribe a 21 day appeal period and he doubted that the province could waive that without an amendment to the enabling legislation because by not relying upon it, they would be eliminating the time limit on the bringing of appeals altogether. He said he could not see any way the province could, without legislative amendment, provide for the extension of an appeal period.

MOTION CARRIED
18 IN FAVOUR
1 AGAINST

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

"THAT STAFF BE REQUESTED TO EXPLORE ANY POSSIBLE ALTERNATIVES WITHIN THE MUNICIPALITY'S LEGAL ABILITY IF THE PROVINCE ADVISES THEY ARE UNABLE TO MAKE ANY ADJUSTMENTS".

MOTION CARRIED.

Mayor Lichter requested that the letter to the Minister of Municipal Affairs be prepared by Mr. Kelly tomorrow and carried personally by Mr. Meech and Mayor Lichter immediately to the Minister of Municipal Affairs so there was no time lost.

WATER POLICY - COUNCILLOR COOPER

Councillor Cooper said this issue has been around for a long time and he feels it is time to have something done with it. He said he has asked to have certain aspects of water supply in the municipality be addressed.

Mr. Meech said he had tabled background information on this at this meeting which raises questions. He said he needs to get some feedback as to what the councillor is interested in pursuing.

Councillor Cooper said the items he had brought up were specific as to solutions for those residents suffering from arsenic and other types of contamination in the supply of water in the municipality. He said he would suggest that it is time for the municipality to start looking at having the water utility serve the whole municipality and, if necessary, join with Halifax and Dartmouth in developing a water supply for the municipality. He said that over the years water systems have been installed to alleviate health problems but does not seem to apply uniformly across the municipality. He said reports and policies have been asked for over a number of years. He said he finds the progress and the report insufficient.

Mr. Meech said that from his point of view he does not feel that the issue is a simple one to be addressed and he requires additional input and feedback as to what it is he is trying to achieve. He said he has reviewed the previous motions and he would like to have them further clarified.

Councillor Cooper suggested that the information to date be provided at the next council session to see if it clarifies what is trying to be achieved.

Councillor Bates asked if there has been any district wherein council has obtained a report from the Department of Health, which is the first step in having a residence served with water. He asked if there were any of these that hadn't been dealt with.

Mr. Meech said there are various areas throughout the municipality that he has received data on. He said that there had been some studies in district 25, by the health department, which are being pursued as it relates to a number of streets that out beyond the existing serviceable boundary. He said there are health reports on which no specific decision, at this point, to go ahead and proceed.

Councillor Deveaux said he has asked the health department, through the Board of Health, to do a study on the Cow Bay Road and the Hartlen Point area. He said the answer he received was that they do not have the manpower to carry it out.

Mayor Lichter said he feels it would be difficult to create a policy that would cover the entire municipality although he feels Councillor Cooper has a valid point. He said he would suggest that a small volunteer committee take the time, with Councillor Cooper's leadership and his assistance, to come up with a framework for a policy that the staff people then could work with. He said in this way staff would have a fair chance of getting it the way council would like it.

The following councillors volunteered to form a committee to look at the drafting of guidelines for forming a water policy:

Councillor Cooper
Councillor Giffin
Councillor Deveaux
Councillor Peters
Councillor Merrigan

COMMISSIONER OF OATHS - COUNCILLOR PETERS

Councillor Peters said the last letter council had received from the Solicitor General's department, council was advised that he would be getting back to Halifax County with a decision on this. She said this was approximately two months ago and councillors are still not able to service the residents the way they should as far as documenting for them. She said prior to the Charter being put in place, councillor could act as Justices of the Peace and that right has been taken away now that the Charter is there. She said she is requesting that a letter go back to the appropriate minister and department requesting that this be reviewed because councillors are unable to serve the residents to best of their ability.

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

"THAT A LETTER BE WRITTEN TO THE MINISTER REQUESTING THAT HE REVIEW THIS AS COUNCILLORS ARE UNABLE TO SERVE THEIR RESIDENTS TO THE BEST OF THEIR ABILITY. FURTHER SHE WOULD REQUEST THAT HE GIVE SOME FORM OF OATH TAKING TO SITTING COUNCILLORS SO THAT THEY CAN SERVE THEIR RESIDENTS"

MOTION CARRIED

TRANSPORTATION

Councillor Giffin said the recent events in dealing with transportation require a reaction on the part of the municipalities of Atlantic Canada as the municipalities are in danger of losing some transportation facilities. He said the only municipality that has reacted to date is Saint John, New Brunswick. He said there is a possible CP rail link loss in Eastern Canada. He said although transportation methods have changed, the fundamental position of transportation in Canada's political and economical wellbeing has not changed. He said the public pays more for the upkeep of the transportation systems, not the people who use them. He said railroads do maintain their own right of way's and they do operate parts of their systems even when it is not economical to do so. He said when they first started they received money from the public purse as well as land grants. He said the public has a moral claim to these road beds for the benefit of the common good. He made

reference to two transportation problems, CP rail's recent announcement that they were going to abandon everything east of Sherbrooke, Quebec and the ongoing saga between Air Canada and CP Air. He said the recent airline battle can only result in the loss of air service and a more expensive air service.

He said when rail lines are sold to short distance operators they should not sell but lease the road bed. He said this would ensure that the proposed operator intends to operate the line and not use it as a means of acquiring some inexpensive real estate. The real value of the road beds is in their inherent stability and the basis of future urban rapid transit. He said he would like to emphasize that transportation is a crucial issue to Atlantic Canadians. The loss of transportation facilities in Atlantic Canada must be accepted with the greatest reluctance and not without a fight. Transportation in Atlantic Canada is not a facility but an artery on which our economic survival depends.

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

"THAT A LETTER BE WRITTEN TO BOTH THE PROVINCIAL AND THE FEDERAL TRANSPORTATION MINISTER ON THE GRAVENESS AND THE PRESSING CONCERNS THAT WE HAVE ON THESE MATTERS"

MOTION CARRIEDREQUEST FOR GRANT - COUNCILLOR DEVEAUX

Councillor Deveaux said that approximately a year ago when the Tallahassie School was built. He said a decision was made by the community to construct a Recreation Centre as a part of the new school. He said when the tenders came out last fall, they were higher than the costs that were anticipated and the money set aside to carry out the project. He said the people in his area has committed and area rate of approximately \$1 million towards the project. He said 1/3 funding was coming from the Province and 1/6 funding was coming from Halifax County Municipality. He said the contract has not been signed between the municipality, the school board and the developer. The deadline for signing of that contract is this weekend. He said as a result of the higher bids coming in on the tender there was a shortfall of approximately \$50,000. from his community, \$105,000 from the Provincial Government and \$55,000. from the municipality. He said the municipality had agreed to pay the \$55,000 subject to the province paying the \$105,000. He said to date the province has not declared their willingness to provide those dollars. He said he would appreciate if council would consider approving the \$105,000. He said he is willing to refund this by area rate.

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

"THAT COUNCIL APPROVE A LOAN ADVANCE IN THE AMOUNT OF \$105,000. TO DISTRICT 6 FOR THE PURPOSE OF COMPLETION OF THE EASTERN PASSAGE RECREATION CENTRE"

Mayor Lichter asked the solicitor for clarification. He said he understood that in the Charter it was pointed out that any item over a certain amount must be spent after a written report is submitted by the CAO.

Mr. Crooks said there is a requirement for a report but he would have to check to see if it was for a written report.

Mr. Meech said council has authorized the project to proceed on the basis of what the final estimates were except that it was on the condition that the province would contribute one third and in that one third it was assumed that the province would increase by the \$105,000. the sum to cover the increased cost. He said as yet formal confirmation that they are prepared to increase their one third to include that \$105,000. has not been received from the province. He said he would be prepared to recommend what Councillor Deveaux is proposing to do which is to have that shortfall of \$105,000. financed by the contribution by the community.

MOTION CARRIED

REDRESS PACKAGE, LANDFILL - COUNCILLOR HARVEY

Councillor Harvey said he has discussed this redress package with other Sackville councillors. He said this is in response to inquiries he has had from residents near the landfill site about individual compensation. These are people who are named in the redress package that went through council. He said these people have not heard directly only by way of the press what their status is in terms of individual compensation claims and the possibility of application for those claims.

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

"THAT COUNCIL WRITE TO THE METROPOLITAN AUTHORITY REQUESTING THAT THEY WRITE TO THESE PROPERTY OWNERS SO NAMED IN THE REDRESS PACKAGE TO INDICATE THE STATUS OF COMPENSATION AND IN PARTICULAR INDIVIDUAL COMPENSATION. FURTHER ADDRESS WHAT THESE RESIDENTS SHOULD BE DOING, IF ANYTHING, AT THE PRESENT TIME ABOUT THIS MATTER AND WHAT STEPS THEY SHOULD TAKE IN THE FUTURE TO ASSURE THAT THEIR APPLICATION WOULD BE RECEIVED IN TIME AND IN WHAT FORM TO BE CONSIDERED"

Mayor Lichter suggested that the Sackville Community Council members meet with him to discuss what to do with the \$5 million

when Metro Authority has legislative ability. He said until after this, it is only procedure that will exist some day.

Councillor Harvey said he is pleased with the efforts that the representatives have made to have the \$5 million passed. He said his main concern is that the individuals named in the report understand exactly what that motion meant for them on their individual claims. He said he feels that some of them assumed that the \$5 million was intended mainly for individual compensation and not for community compensation.

Mayor Lichter said the \$5 million was calculated based on \$10.00 per ton between the date that motion passed and the closing date which may be more or less than \$5 million depending on the tonnage that goes in there as a compensation to the community. He said he would like to sit down with the Sackville Community Council to clarify this.

Councillor Harvey said he would like to see through this motion to have clarification and have that clarification communicated to the people named in the redress.

MOTION CARRIEDCANADA POST - COUNCILLOR PETERS

Councillor Peters said there is a gentleman in her district who lives on the corner of Howe Avenue and highway #2. She said for the past nine years he has been asking Canada Post to move the mailboxes that they have put there. There are approximately one dozen green boxes. She said people throw their flyers down and he has been picking them up. She said he has been advised that they are not going to, they might consider it in the spring. She said he has stated he will move them himself to which Canada Post advised that he could do that as long as he found a safe place to put them and advised them where they had been placed. She said she would like to ask council if there was any way a letter could be sent to Canada Post asking them to take an immediate look at this situation. She said she has written letters to Ottawa, the MP's, contacted Canada Post, spoken to the local postmistress and the PR people with no results.

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

"THAT A LETTER BE WRITTEN TO CANADA POST STRESSING THIS URGENT SITUATION FOR MR. SPURRELL, #1 HOWE AVENUE, FLETCHER'S LAKE ASKING THAT IMMEDIATE ACTION BE TAKEN TO REMOVE THOSE MAILBOXES FROM HIS PROPERTY"

MOTION CARRIEDDEPARTMENT OF TRANSPORTATION - COUNCILLOR RANKIN

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION, WITH A COPY TO JERRY LAWRENCE AND DON HOOPEY, DIVISIONAL ENGINEER, REQUESTING A FOUR WAY STOP SIGN IN THE GREENWOOD HEIGHTS SUBDIVISION AT THE CORNERS OF GREENWOOD AVENUE AND EISNER DRIVE"

MOTION CARRIED

Councillor Rankin asked if a copy of the resolution made several months ago relating to the same subdivision with respect to a second exit could be sent. He said to date there has been no response to this. He also requested that a copy go to Jerry Lawrence, MLA.

ADDITION OF ITEMS TO FEBRUARY 16, 1993 COUNCIL SESSION

Department of Education (Schools) - Councillor Giffin

Department of Transportation (Road Salting) - Councillor Peters

IN-CAMERA ITEM

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

"THAT COUNCIL MOVE IN CAMERA"

MOTION CARRIED

COUNCIL SESSION

February 16, 1993

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Holland
Councillor Deveaux
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Taylor
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Giffin
Councillor MacDonald
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Deputy Mayor Richards
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' Prayer.
Mr. Kelly called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE JANUARY 18, 1993 PUBLIC HEARING BE APPROVED"

MOTION CARRIED