

Councillor Boutilier said he does not understand why Halifax County is not suggesting boundary changes. He said it is his understanding that if it goes before the Board they can draw district boundaries where they see fit. He said if the county opts not to do anything is it prepared to accept as they see fit to draw it. He said if the Board decides that there cannot be two members elected at large can they say what the boundary lines will be and that there will be two councillors, one for each district.

Mayor Lichter confirmed that the Board could do this.

Councillor Boutilier asked why would the Redistribution Committee suggest that the county would not want to recommend any district boundary lines.

Councillor Rankin the adjusting of district 6 and 12, 13, and 14 was a piecemeal solution. He said the committee felt it was unfair to treat only those areas and leave the other ones with variances over 25%. He said as a result the committee made a resolution that the county would maintain course. He said he feels the county should not respond to a decision that was not of its making.

Councillor Boutilier said there is no doubt that a decision will be made by the Board if Halifax County does not make a decision and recommendation. He said he feels it would make better sense to be able to at least make a recommendation. He said he cannot see allowing the county charter to be amended to get our wishes. He said if Councillor Deveaux's motion was to go through he would suggest that it would read two or more so that there would not be a need to go back and have the Charter amended each time it was necessary to do this. He said he feels that Halifax County should put some input in even though we do not know what the outcome will be.

Councillor Hendsbee said he feels this motion would not be in order because it contradicts the earlier recommendations with regards to the review process.

Councillor Reid said there is a situation where the Charter says one thing and the Board wants another. He said it requires an amendment which he does not feel can be accomplished before a decision has to be made. He said if Halifax County does not draw the line in districts 12, 13 and 14 there may be some parts of that large area suffering through want of representation. He said he does not believe that is fair to the residents of the Musquodoboit Valley, Dutch Settlement or Wellington/Grand Lake. He said he feels the county has to do what is in the best interest of all the residents of Halifax County.

Councillor Cooper said he is not sure if dual representation is

the best way to go. He said the county should be trying to even up the representation per councillor. He said although he supports more effective representation for a district he does not support dual representation.

Councillor Ball said this motion is a contradiction of the position taken by council at the last session and he cannot support it.

Councillor Deveaux said he does not see where this motion contradicts the motion that went through council previously. He said he is now asking that the legislature change the Charter to allow for members to be elected at large.

Councillor McInroy said he feels the community spirit would be the same if there was more than one representative in Eastern Passage. He said he does not feel there has been anything lost in terms of community spirit in the Cole Harbour area as a result of it going from one representative to three. He said he feels that it is time council dealt with an existing situation in the most responsible way that it can.

MOTION DEFEATED

It was moved by Councillor Reid, seconded by McInroy:

"THAT STAFF BE INSTRUCTED TO DRAW A LINE IN DISTRICT 6 AND IN DISTRICTS 12, 13 AND 14 WHICH BEST REPRESENT THE DIVISION OF POPULATION AND COMMUNITY OF INTEREST THAT IS POSSIBLE IN THOSE TWO AREAS"

Councillor Sutherland asked if this would be a line for use within the municipality.

Councillor Reid said it would be drawn and submitted to the Board by April 29.

Councillor Cooper asked if it was intended that those lines would be subject to review and endorsement of council through the Redistribution Committee.

Councillor Reid said a special session of council would have to be called to deal with it. He said staff is capable of drawing those lines and doing it in a manner which is appropriate and fair.

Councillor Cooper said because of the process that has been followed in this whole procedure and that it is the responsibility of council then it would be appropriate that any recommendation would come through council and have its endorsement when it goes.

Councillor Hendsbee said growth patterns should be taken into consideration with regards to the division of district 6.

Councillor Sutherland said he feels that Halifax County should not draw the lines.

Councillor Deveaux said it is his understanding that the lines would take into consideration the different proposed development in his area. He said his only concern is that one district will be totally residential and the other heavily industrial and commercial. He said he would like to let the Board be the ones making the decision.

Councillor Reid said he would like to amend the motion.

Motion as amended:

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

"THAT STAFF RECOMMEND TO COUNCIL THE DIVISIONS THAT ARE RECOMMENDING BE IN PLACE AND THAT IT BE DONE AT THE BEGINNING OF ONE OF THE UPCOMING BUDGET SESSIONS'

Mayor Lichter said that regardless of who draws the line that line is going to be in district 13. It cannot be anywhere else. He said he has maintained that the Municipal Board has to be the one to make that decision. He said he would like to be able to tell the residents of his district that he nor council was a party to the decision to divide the district.

Councillor Bayers said he feels it should be left up to the Board to make and carry out the decision.

Councillor Peters said her residents are concerned about the decision made by the province and fearful of the fact that they could be placed in a situation where there could be a representative from Musquodoboit or Dutch Settlement representing the residents of Wellington and area. She said council has to make a decision as to whether it is going to abide by the rules of the Charter or whether to go with the directive of the Municipal Board. She said she has concern that the residents are not going to be properly represented in the way that the municipal review board handed down the decision. She said she does not feel comfortable slicing the municipality the way they are directing the county to do.

MOTION DEFEATED

MUNICIPAL PLANNING ADVISORY COMMITTEE REPORT

Reports - Affordable Housing

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

"THAT COUNCIL ENDORSE THE MOTION THAT THE GOVERNMENT OF NOVA SCOTIA ADOPT A PROVINCIAL LAND USE POLICY ON HOUSING TO IMPROVE HOUSING AFFORDABILITY FOR NOVA SCOTIANS. IT IS RECOMMENDED THAT THIS POLICY STATE THAT MUNICIPAL PLANS SHOULD INCLUDE POLICIES ON HOUSING SUPPLY AND HOUSING AFFORDABILITY AND THAT THESE POLICIES SHOULD BE CONSISTENT WITH THE PRINCIPLE THAT ADEQUATE, AFFORDABLE HOUSING SHOULD BE AVAILABLE TO ALL MEMBERS OF THE COMMUNITY"

MOTION CARRIED

Application to designate the St. James Anglican Church, Boutilier's Point, as a Municipal heritage property

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

"THAT THE DESIGNATION OF THE ST. JAMES ANGLICAN CHURCH, BOUTILIER'S POINT, AS A MUNICIPAL HERITAGE PROPERTY BE APPROVED AND FURTHER THAT A PUBLIC HEARING DATE BE SCHEDULED FOR MAY 17, 1994 AT 7:00 P.M."

MOTION CARRIED

File No. ZA-TLB-03-94-02 - Amendment to the Land Use By-law for Timberlea/Lakeside/Beechville

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

"THAT THE AMENDMENT BE APPROVED AND A PUBLIC HEARING DATE BE SET FOR MAY 16, 1994 AT 6:00 P.M."

MOTION CARRIED

Memo - File No. RA-F&S-09-93 - Amendments to the provisions of the Municipal Planning Strategy for Planning Districts 14 & 17

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

"THAT THE AMENDMENT BE APPROVED AND A PUBLIC HEARING DATE BE SET FOR MAY 16, 1994 AT 6:00 P.M."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

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

'THAT COUNCIL APPROVE THE EXCHANGE OF LANDS WITH ATLANTIC SHOPPING CENTRES RESIDENTIAL PROPERTIES LTD. SUBJECT TO ST. MARGARET'S ARENA ASSOCIATION ENTERING INTO AN AGREEMENT TO TRANSFER A PORTION OF LAND TO HALIFAX COUNTY MUNICIPALITY, AS OUTLINED IN THE STAFF REPORT WITH THE CONDITION THAT IS BE PUT ON RECORD WITH THE ST. MARGARET'S BAY ARENA BOARD, THAT IF PROBLEMS SHOULD OCCUR WITH THE ON-SITE SEWAGE DISPOSAL SYSTEM THAT LANDS BE MADE AVAILABLE TO PROVIDE FOR PROPER CORRECTIVE ACTION, IN PARTICULAR ANY LAND THAT MIGHT BE ABUTTING THEIR PROPERTY OR WITHIN THEIR HOLDINGS"

MOTION CARRIED

FIRST READING - BY-LAW NO. 29, THE MOBILE HOME PARK BY-LAW

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

"THAT FIRST READING BE GIVEN TO BY-LAW NO. 29, THE MOBILE HOME PARK BY-LAW"

MOTION CARRIED

FIRST READING - SEWER TAX BY-LAW

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

"THAT FIRST READING BE GIVEN TO THE SEWER TAX BY-LAW"

MOTION CARRIED

FIRST READING - BY-LAW NO. 58, THE CHARGE FOR WATER SERVICE BY-LAW

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

"THAT FIRST READING BE GIVEN TO BY-LAW NO. 58, THE CHARGE FOR WATER SERVICE BY-LAW"

MOTION CARRIED

SECOND AND THIRD READING - BY-LAWS 40, 41 AND 42

Mayor Lichter asked for speakers in favour and in opposition to the by-laws to come forward. No speakers in favour or in opposition came forward.

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

"THAT SECOND READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW NO. 40"

MOTION CARRIED

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

"THAT THIRD READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW NO. 40"

MOTION CARRIED

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

"THAT SECOND READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW NO. 41"

MOTION CARRIED

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

"THAT THIRD READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW NO. 41"

MOTION CARRIED

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

"THAT SECOND READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW NO. 42"

MOTION CARRIED

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

"THAT THIRD READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW NO. 42"

MOTION CARRIED

SECOND AND THIRD READING - FERRY SERVICE BY-LAW

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

"THAT SECOND READING BE GIVEN TO A BY-LAW RESPECTING THE OPERATION OF A FERRY SERVICE"

MOTION CARRIED

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

"THAT THIRD READING BE GIVEN TO A BY-LAW RESPECTING THE OPERATION OF A FERRY SERVICE"

MOTION CARRIED

SECOND AND THIRD READING - WASTE DISPOSAL CHARGES BY-LAW

Mr. Dickson said following the introduction of this by-law there were a number of changes brought to the solicitors attention by staff. He said it is the legal opinion that these changes do not adversely effect anyones interest. The by-law that was originally presented to council is still in tact. The changes do not impact on the users and the amended by-law does not include any substantive changes but simply matters of clarification or exemption. He said there is a change to the by-law to permit the overdue charges to accrue interest based on utility rates rather than the rates that would ordinarily be charges by the county tax department. There is a clarification of the manner in which the water service charge is based - on consumption. It was expressed in the earlier draft as .182 per gallon and it is now expressed as \$1.82 per one thousand gallons because of an inability of the computer to calculate on the decimal pointage used. It also provides and authority to estimate water consumption rates where the people who read the meters can't get access to the water meter on a monthly basis. Changes of this nature have been included in the revised draft and there are also some exemptions placed in the draft for commercial users who get their water from a well or other source but discharge into the system. There is a provision to facilitate amendments to the by-law for those type of users. He said overall the basic charge for the waste water disposal is still there, unchanged, and in the legal opinion the changes, because they don't adversely affect anyones interest, would allow council to proceed to consider this in a second and third reading situation notwithstanding that there are some amendments from the first reading version of the by-law.

Councillor Cooper said he would have preferred to have a written report regarding these changes.

It was moved by Councillor Cooper,

"THAT THE EXPLANATION OF THE CHANGES BE WRITTEN UP IN A REPORT AND DISTRIBUTED TO MEMBERS OF COUNCIL PRIOR TO THE FIRST READING"

Councillor Cooper said he would not agree that there are not substantive changes to the by-law and he does not understand why they are not considered substantial changes for example with

regards to AeroTech Park.

Mr. Meech said that the section after the word main on line five of section C on page would should be deleted. He said a report will be coming back recommending that the AeroTech Park should be included as part of this and all this would do is that if it is not included then the by-law won't have to be amended.

Mayor Lichter said council is dealing with second and third reading and first notice would have to be given again for first reading if that was Councillor Coopers intention.

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

"THAT NOTICE OF FIRST READING OF THIS FORM OF THE BY-LAW BE GIVEN WITH THE AMENDMENT OUTLINED BY MR. MEECH AND THE EXPLANATIONS OF CHANGES"

Mr. Meech suggested that second and third reading be deferred. He said the information could be provided and at the next council session Councillor Cooper would then, if not in agreement, have the option of giving notice of first reading of the by-law in this form.

Councillor Cooper agreed to defer the second and third reading.

Motion as amended:

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

"THAT SECOND AND THIRD READING BE DEFERRED TO THE NEXT COUNCIL SESSION PENDING REPORT EXPLAINING CHANGES"

MOTION CARRIED

SERVICING PROGRAM WOODBINE MOBILE HOME PARK

Councillor Merrigan referenced the report which stated that when capacity has been constructed at Mill Cove, phasing of services for Beaverbank can begin. He asked if this was referring to the rest of the servicing.

Mr. Meech said this is with reference to the servicing of the Beaverbank community.

Councillor Merrigan said it is his understanding that once the county has approved the expansion of Mill Cove, Woodbine would be hooked up.

Mr. Meech confirmed this.

Councillor Merrigan said it is indicated that staff has approved sewer and water services but has not approved funding for water. He said he would like to know what the difference is in what was approved when it was approved to bring the sewer services at a one third cost sharing. He said it was never indicated how the one third was going to be paid. He said payment for both has to be determined and therefore he does not understand why the water servicing is held up.

Mr. Meech said a report was brought back to the Executive Committee. He said the difference is that the sewer was agreed to on a basis of cost sharing. He said the difference with the water is there is no contribution from the Woodbine Mobile Home Park.

Councillor Merrigan said his motion was that the water would be brought up at the same time and expend the money.

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

"THAT SUBJECT TO THE INCREASED CAPACITY AT THE MILL COVE SEWAGE TREATMENT PLANT FROM 5.0 TO 9.MGD THAT AREAS 3A AND 3B DESCRIBED IN TABLE 3 OF STAFF REPORT DATED DECEMBER 15, 1992 BE CONSIDERED FOR INCLUSION WITHIN THE EXPANDED SERVICEABLE BOUNDARY FOR SACKVILLE"

Mayor Lichter said he has difficulty with the motion because when Councillor Merrigan says be considered then as long as it is understood that that consideration means that PAC will have to start its work to come to that point which culminates with a public hearing.

Councillor Merrigan said yes it is his understanding that that is what the word "consider" means.

Councillor Boutilier said it is his understanding that it was agreed that the plan amendments would include Woodbine within the Sackville serviceable boundary. He said it is his understanding that any expansion of Mill Cove does not include any other areas within Beaverbank.

Mayor Lichter said council would be giving direction to PAC to examine all the issue and part of it would be public participation in the area.

Councillor Merrigan said there had been a meeting in Sackville where staff had described where the excess capacity would go. He said that a meeting had been held in Beaverbank that indicated those areas. He said that report has never been adopted.

Councillor Boutilier said he was under the impression that

Woodbine would be included with the expanded Sackville Serviceable Boundary. He said he thought this had been specifically done and stated specifically for Woodbine. He said he did not understand that it would include other areas of Beaverbank proper.

Mr. Meech said his understanding was that with the expansion of Mill Cove there is going to be "x" more capacity and based on that the capacity would be allocated to different areas. He said that is what was on the table with the Sackville community. He said that report has not been voted on to come back with the community's indication as to whether it supports that allocation of the capacity.

Councillor Barnet said he would have difficulty in supporting the motion with the fact that it may mislead or misguide some people into thinking that this council recommends a solution as far as servicing boundaries in any district.

Councillor Harvey said the report that has been referenced is one that is intentionally left on the table by the Sackville council until a number of variables settle down. One of them was whether or not and when the Mill Cove treatment plant would be expanded because all of this capacity is based on that plant being expanded. He said there were several other variables one being the disposition of the lands around Second Lake. He said they have a closer idea of where that issue is going but may have a better idea when they receive the MPS back from the Minister. He said it was the decision of the Sackville council not to deal with this report of 1992 in a piecemeal fashion but to deal with all at once. He said they have refused, on at least one occasion, to deal with another recommendation on that basis - because they did not wish to deal with it one item at a time but to deal with the whole thing at once.

Councillor Merrigan said he can appreciate the concerns of Sackville with regards to how they want to deal with the capacity but it has held up the community of Beaverbank in trying to have their meetings and establish a serviceable boundary.

Councillor Sutherland asked Councillor Merrigan if the original concept was for it to be taken to Tucker Lake.

Councillor Merrigan said it was to deal with Green Forest, Barrett Subdivision, Mayflower Subdivision, Tucker Lake Road and some infilling on about fifty acres.

MOTION CARRIED

STAFF REPORT - WATER SERVICE DISTRICTS - COLE HARBOUR/WESTPHAL AREA

Councillor Cooper said normally these procedures have had a public participation or public hearing associated with them. He said that was the process used when the original general report was prepared regarding water service districts. At that time there was representation from the community of Westphal/Cole Harbour with regard to areas suffering from lack of water or water quality problems. He asked if it would be necessary to repeat that process for this particular report or could it be tabled for consideration and approval at next council session because of the input at that time and the opportunity for people to be involved.

Mr. Meech said if council does this there will still be public hearings because the Planning Strategies have to be amended and require that process. He said if the local councillors are of the view that it is not necessary to have a preliminary input process before proceeding to formalize the proposed changes then staff would not have any difficulty with it.

Councillor Cooper said he feels the criteria has been met. He said in the conclusion portion of the report it uses the words "subsequently the approved districts and policy criteria will be incorporated in the appropriate municipal planning strategies and Subdivision by-law." He said he can foresee a long time frame if this has to go to the City of Dartmouth for their endorsement and then subsequently come back for a public hearings etc. in preparation of changes to the municipal development plans for the area. He asked if staff is suggesting that this was the process that would have to be followed.

Mr. Meech said that is what has been suggested. He said he is aware that it could be sent to the City of Dartmouth and they may not agree to formalize within their own water utility regulations the enactment of these water service districts. He said, on that basis, the county can still proceed to amend its planning strategies to incorporate these water service districts; however, all that will do is indicate that within those districts the municipality will support central water. He said it will still be subject to approval from the City of Dartmouth that they are going to be prepared to allow an extension of the water lines. He said he would suggest that, at this point in time, the report be tabled and have it communicated to the City of Dartmouth and ask them for a response before moving to the next step.

Councillor Cooper said the difficulty with this is that they may do nothing for a while. He said the time frame for this particular report is beyond what had already been suggested would be available to council. He said he is interested in getting this completed and the changes made to the municipal development plans in the shortest time possible. He said it has already been endorsed under the infrastructure program for servicing that area. He said the areas in question are under the jurisdiction

of the municipality and he feels it would be appropriate for the municipality to amend the municipal plans to indicate that the municipality wishes to address the concerns in those areas. He said recognizing the City of Dartmouth has indicated that they don't have any objections he is willing to go a parallel course with this and continue.

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

'THAT THE REPORT BE TABLED FOR CONSIDERATION AT THE NEXT COUNCIL SESSION WITHOUT THE REQUIREMENT OF FURTHER PUBLIC INPUT WITH THE VIEW OF HAVING IT ENDORSED AND THE CHANGES MADE TO THE MUNICIPAL DEVELOPMENT PLANS"

MOTION CARRIED

WATER, MAPLEWOOD - COUNCILLOR GIFFIN

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

"WHEREAS council recently amended the Planning Strategy for districts 15, 18 and 19 to establish water service districts and;

WHEREAS the area known as Maplewood, Hammonds Plains, district 18, is an existing development experiencing both quality and quantity water problems and;

WHEREAS the Maplewood area was inadvertently missed for inclusion in the water service district boundary;

BE IT THEREFORE RESOLVED that the municipal council direct staff to prepare the necessary reports to include the Maplewood area as part of the Hammonds Plains water service district"

MOTION CARRIED

DEPARTMENT OF EDUCATION - COUNCILLOR GIFFIN

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF EDUCATION, WITH A COPY TO THE SCHOOL BOARD, APPRAISING HIM OF THE URGENT AND DIRE NEED FOR ADDITIONAL LANDS FOR THE FUTURE SCHOOL CONSTRUCTION, EITHER A GRADE 1-9 OR JUNIOR HIGH, IN THE AREA OF THE HAMMONDS PLAINS CONSOLIDATED ELEMENTARY SCHOOL"

Councillor Giffin said council is aware that there is a

tremendous piece of DND property abutting the school area. He said the land is sitting there. He said approximately 25 or thirty acres is needed.

MOTION CARRIED

DEPARTMENT OF TRANSPORTATION - COUNCILLOR BALL

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION CONCERNING THE STATUS OF PAVING, FOR 1994, OF THE FOLLOWING ROADS IN DISTRICT 5: 1) OCEAN VIEW DRIVE; 2) ACRES ROAD; 3) BIRCHWOOD; 4) HARBOURVIEW; 5) FRANCEY AND WHAT IS REFERRED TO AS SUSSEX TO IRVING AND LEBLAND PARK"

MOTION CARRIED

URGENT AGENDA ITEMS

Department of Natural Resources - Councillor Deveaux

Councillor Deveaux said it had been approved earlier in the evening that the A-23 lands be approved for the Summer Carnival. He said a lady by the name of Lillian Ritcey who carried out the sandcastle part of the carnival. He said a boardwalk has been constructed, at the beach, by the province.

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF NATURAL RESOURCES REQUESTING THAT THE BOARDWALK AT MCCORMACK'S BEACH IN EASTERN PASSAGE BE ALLOWED TO BE DEDICATED TO THE MEMORY OF MISS LILLIAN RITCEY"

MOTION CARRIED

School Board Contribution - Councillor Rankin

Mayor Lichter brought councils attention to the memo circulated by Mr. McLellan with respect to the 1994/95 operating budget update to section 49. He said last years \$0.39 mandatory contribution has remained and consequently there is approximately six hundred and sixty thousand dollar unbudgeted amount.

Councillor Rankin it is his understanding that the school board has been given certain figures. He said the budget last year represents the provincial share of 86.2%. He said it has decreased this year. He said the provincial funding share is 85.2% this year. He said council should ask the premier to

intercede. A copy of the letter should be sent to the Union and to all the municipal units.

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

'THAT A LETTER BE WRITTEN TO THE PREMIER OF NOVA SCOTIA APPRAISING HIM OF THE SITUATION AND ASKING HIM TO INTERCEDE. FURTHER A COPY OF THE LETTER BE SENT TO THE UNION AND THE OTHER MUNICIPALITIES'

Councillor Harvey asked if the thirty nine cent per one hundred was the same amount as last year.

Mayor Lichter said it is the same rate as last year. The only difference is that the mandatory contribution always refers to the previous years assessment. Whenever there was a previous year that was a reassessment year there has been a drop in the rate in order to adjust for the increase in the assessment which is not actual growth in assessment. He said it was expected that it would be at least thirty eight cents or less but it remained at thirty nine cents. He said the sheet is one that is prepared by the Department of Education based on the formula funding. It has no bearing on the actual budget of the school board so it is not the matter of the school board creating a larger budget and thus downloading on the county.

Councillor Rankin said the premier was going to move towards 90%. Last year the share with the province was 86.2. The budget for Halifax Bedford now represents 85.2 going downwards rather than the provincial share going up. He said this means the county now has to pay not 13.8% which was last year but 14.8% of the total expenditure on the school board. He said this is at variance with the premier.

MOTION CARRIED

ADDITION OF ITEMS TO THE MAY 3, 1994 COUNCIL SESSION

Councillor Fralick - Department of Transportation
Councillor Peters - Department of Transportation
Councillor Peters - School Board
Councillor Ball - Post Office, Herring Cove
Councillor Giffin - Ocean View Manor
Councillor Hendsbee - Department of Transportation (2 items)
Councillor Randall - Department of Transportation

IN-CAMERA ITEM

It was moved by Councillor Barnet, 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 Giffin:

"THAT COUNCILLOR HARVEY BE NOMINATED TO REPLACE MAYOR LICHTER AS THE COUNTY REPRESENTATIVE TO THE METRO AUTHORITY AT THE APRIL 26, 1994 MEETING"

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

'THAT NOMINATIONS CEASE"

MOTION CARRIED

ADJOURNMENT

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

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

PUBLIC HEARING

April 25, 1994

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Ball
Councillor Deveaux
Councillor Hendsbee
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Giffin
Councillor Barnet
Councillor Harvey
Councillor Cooper

ALSO PRESENT: Dale Reinhardt, Acting Municipal Clerk
Alan Dickson, Municipal Solicitor

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

Mayor Lichter outlined the procedure followed for a public
hearing.

RA-LM-21-93-08 APPLICATION TO REZONE THE LANDS OF FLORENCE
REBECCA WILLIAMS, FROM MR (MIXED RESOURCE) ZONE TO RS (RURAL
SETTLEMENT) ZONE

Kurt Pyle made the staff presentation. He said the application
was brought forward because of a subdivision application that was
applied for by Florence Rebecca Williams. He said she is the
owner of a 13 acre parcel of land situated at the southern end of
Lower Governor Street in East Preston. Ms. Williams submitted a

subdivision plan to the county in order to convey a portion of the property to her sons, Keith and Derrick Williams, who are the applicants here tonight.

The submitted plan of subdivision could not be granted under the present zoning on the property as a MR(mixed resource) zone requires a lot to have a minimum road frontage of 200 feet. He showed slides of the property to council for information.

He said under the municipal planning strategy for this area, the MR zone was applied to property with limited access to the public road system. The portion of Lower Governor Street bordering this property has not been maintained by the Department of Transportation. Since the adoption of the plan in 1993 an access road that went to the newly constructed road now extends to the maintained portion of Lower Governor Street to lots proposed in this subdivision plan shown in Figure 1 of the staff report dated March 7, 1994.

The subject property is located in the mixed use designation of which the base zone is the RS (rural settlement) zone. Extending the RS zone to the property would be consistent with the zoning applied to most properties within the designation and the zoning on the properties which have access to the maintained portion of Lower Governor Street. The reduced lot frontage in the area requirements permitted within the RS zone should not pose any concerns to the properties presently on Lower Governor Street. In addition the development division has advised planning staff that the submitted plan of subdivision could be given subdivision approval if the subject site is rezoned RS zone; therefore, staff is recommending this application be approved by council.

QUESTIONS FROM COUNCIL

Councillor Peters referenced the map provided with the staff report and clarified with Mr. Pyle the property owned by Mrs. Williams. She asked if the portion or road from the public road down would be a private road.

Mr. Pyle said the portion from Lower Governor Street to the access driveway is part of Lower Governor Street and is not maintained by the department of highways. The access road that is going in is a driveway. In the future if the applicant wishes to open it further he would have to meet the regulations to be a public road which is 66 feet wide.

SPEAKERS IN FAVOUR

Mr. Keith Williams spoke in favour of the application. He said when his mother purchased the land they thought the zoning would allow twenty thousand feet square foot lot. He said the subsequently found out that 200 feet of frontage was not required. He said there hasn't been any farmland in East Preston for years and feels the zoning should be changed.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

Councillor Hendsbee said this district is no longer farming community and is changing to a community based on residency. He said it is going through a transition requiring residential zoning.

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

"THAT THE APPLICATION TO REZONE THE LAND OF FLORENCE REBECCA WILLIAMS, ILLUSTRATED ON MAP 3 OF THE STAFF REPORT DATED MARCH 7, 1994 FROM MR (MIXED RESOURCE) ZONE TO RS (RURAL SETTLEMENT) ZONE, BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Deveaux:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

MINUTES & REPORTS
OF THE
THIRD YEAR MEETINGS
OF THE
FORTY-FOURTH COUNCIL
OF
HALIFAX COUNTY MUNICIPALITY
MAY COUNCIL SESSION
TUESDAY, MAY 3 & 17, 1994
&
PUBLIC HEARINGS
MAY 16 & 30, 1994

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COUNCIL SESSION

May 3, 1994

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Ball
Deputy Mayor Bates
Councillor Hendsbee
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Snow
Councillor Giffin
Councillor Barnet
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Councillor Turner
Councillor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
Dale Reinhardt, Acting Municipal Clerk
Fred Crooks, Municipal Solicitor

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

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE MARCH 15, 1994 COUNCIL SESSION

BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE APRIL 5, 1994 COUNCIL SESSION
BE APPROVED"

MOTION CARRIED

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

'THAT THE MINUTES OF THE APRIL 19, 1994 COUNCIL SESSION
BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE MARCH 2, 1994 COMMITTEE OF THE
WHOLE BE APPROVED"

MOTION CARRIED

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

'THAT THE MINUTES OF THE MARCH 21, 1994 COMMITTEE OF
THE WHOLE BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE APRIL 11, 1994 COMMITTEE OF
THE WHOLE BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE APRIL 14, 1994 COMMITTEE OF
THE WHOLE BE APPROVED"

MOTION CARRIED

PRESENTATION OF AWARD TO THE RIVERLAKERS

Councillor Peters and Councillor Snow came forward and presented the award to the Riverlakers.

Councillor Peters said the Riverlakers have been doing work for a number of years in districts 14 and 17. She said they are concerned about the environment in the area and have applied themselves.

Councillor Snow said the group is doing a tremendous job and saving the county thousands of dollars with their volunteer work.

LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt read the letter of resignation from Mayor Lichter.

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

"THAT THE LETTER BE RECEIVED"

Deputy Mayor Bates responded to the resignation of Mayor Lichter.

Council responded to the resignation with a standing ovation.

Mayor Lichter thanked council and staff.

MOTION CARRIED

2. Mr. Reinhardt outlined a letter from the City of Halifax with respect to the Service Exchange.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from the Department of Housing and Consumer Affairs with respect to rental fee increases for public housing.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from Bruce Holland, MLA, with respect to council's request to have the CNR lines in Beechville/Lakeside/Timberlea area tuned over to the Recreation Advisory Council.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from the Chair of the Nova Scotia Regional Tourism Marketing Initiative requesting council's consideration with respect to contributing \$1,000 towards completing the regional airport marketing initiative.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

'THAT THIS BE REFERRED FOR CONSIDERATION AT BUDGET DELIBERATIONS'

MOTION CARRIED

2. Mr. Reinhardt outlined a letter from the Halifax County Business Association requesting that there be no tax increase in this fiscal year.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from the Department of Housing and Consumer Affairs asking council to proceed as quickly as possible to pass by-laws to permit garden suites.

It was moved by Councillor Barnet, seconded by Councillor Hendsbee:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

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

"THAT THE LETTER BE REFERRED TO PLANNING ADVISORY COMMITTEE"

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from Regional Residential Services Society and the Nova Scotia Network of Integrated Residential Agencies Association with respect to the proposed reduction in Personal Use Allowance.

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

"THAT THE LETTERS BE RECEIVED"

MOTION CARRIED

5. Mr. Reinhardt outlined a letter from the residents of Anthony Lane requesting the county act on their behalf and request that the province take over and upgrade the road.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT A COPY OF THIS LETTER BE SENT TO THE MINISTER OF TRANSPORTATION IN SUPPORT OF THE LETTER WITH A COPY TO MR. WHITEHOUSE.

MOTION CARRIED

6. Mr. Reinhardt outlined a letter from the East Preston Ratepayers Association with respect to W-Five Holdings Incorporated.

It was moved by Councillor Hendsbee, seconded by Councillor Barnet:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

'THAT THE LETTER BE REFERRED TO THE EXECUTIVE COMMITTEE"

MOTION CARRIED

7. Mr. Reinhardt outlined a letter from the Mayor of The Town of Bedford requesting a meeting with the Halifax County Water Utility regarding the Eaglewood Operating Water Pressure Problems.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

Mayor Lichter said since the letter indicates that it is the understanding of the mayor that the water utility staff will be making a presentation in the near future to Bedford Town Council concerning the Bedford South Water Service District concepts he would suggest that a reply go to Mayor Kelly and indicate that in the near future, from the presentation, he will have a chance to glean an idea as to what is being proposed on that issue.

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

"THAT THE REPLY, AS OUTLINED BY THE MAYOR, BE SENT TO MAYOR KELLY"

MOTION CARRIED

8. Mr. Reinhardt outlined a letter from Stephen Boyce, Lockview Area Ratepayers Association in support of the proposed sewer tax by-law being considered.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

MUNICIPAL PLANNING ADVISORY COMMITTEE REPORT

File No. RA-TLB-03-94-02 - Application by Alex Tsimiklis to rezone the property at 1610 St. Margarets Bay Road in Timberlea

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

"THAT A PUBLIC HEARING DATE BE SCHEDULED FOR MAY 30, 1994, AT 6:00 P.M."

MOTION CARRIED

File No. DA-1&3-01-94-01 - Development Agreement to allow for tourist cabins and associated recreational activities on the lands of Lamont and Kathleen Fader in Ingramport

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

"THAT THE APPLICATION BE APPROVED AND A PUBLIC HEARING BE SCHEDULED FOR MAY 30, 1994, AT 6:00 P.M."

MOTION CARRIED

File No.'s PA-F&S-11-93 and SB-02-94 - Amendments to the Municipal Planning Strategy for Planning Districts 14 & 17 and the Municipality's Subdivision By-law to establish a Service Boundary in the Lockview-MacPherson Road area

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

'THAT THE PROPOSED AMENDMENTS BE APPROVED AND A PUBLIC HEARING BE SCHEDULED FOR MAY 30, 1994, AT 6:00 P.M."

MOTION CARRIED

File No. RA-PD5-05-94-05 - Rezoning Application by Miklos and Judith Huszar, Harrietsfield

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

"THAT THE ADVERTISING AND PROCESSING FEE FOR THIS REZONING APPLICATION BE WAIVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Grant Formula - Sackville Recreation

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

'THAT COUNCIL APPROVE, WITHOUT PREJUDICE TO FUTURE YEARS, A DIFFERENTIAL IN THE AMOUNT OF \$37,000 BEING ADDED TO THE GRANT FOR 1994/95"

MOTION CARRIED

Lease #3412 - Elderbank Recreation - District 13

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

'THAT COUNCIL APPROVE THE SUBJECT LEASE FOR A TWO ACRE SITE PLUS RIGHT OF WAY AT A COST OF \$25.00 PER YEAR"

MOTION CARRIED

Water Extension Beaverbank Road

It was moved by Councillor Barnet, seconded by Councillor Mitchell:

"THAT COUNCIL APPROVE THE RECOMMENDATION THAT THE WATER UTILITY CONTRIBUTE \$47,500. TOWARDS THE BEAVERBANK WATER EXTENSION"

Councillor Merrigan said the report indicates there would be approximately \$89,000 worth of grants that would become available for the cost of the pipe if Woodbine hooked in to that system. He asked if the pipe going up the Beaverbank Road being sized to allow for the hook up of Woodbine.

Mr. Wdowiak said it is and it would also provide services to the Beaverbank area. He said Woodbine, if they chose to, could become a customer on that line.

Councillor Merrigan said if Woodbine hooks into this then the an \$89,000 grant from the Water Utility would become available.

Mr. Wdowiak said the figure that was indicated was if Woodbine was not a customer that the Utility could consider a contribution up to \$89,000. He said Woodbine is presently a customer.

Councillor Merrigan asked when Woodbine became a customer was a grant provided for the cost to Woodbine.

Mr. Wdowiak said there was not, the total cost of the service line and the distribution line was entirely borne by Woodbine.

Councillor Merrigan said approximately nine years ago there was a water problem in Woodbine and it was decided that the only way to solve was to set up a temporary pipe through underground to hook up Woodbine. Nobody in the county or the Water Utility paid for anything. He said he feels that grants should include that \$89,000 from the Water Utility.

Mayor Lichter said in dealing with the Woodbine Mobile Home Park the county is dealing with one customer only regardless of how many mobile homes are located there. He said it was one customer at the time and it is one customer now.

Councillor Merrigan said the report said that the report indicates the grant would be available based on water usage. He said whenever water pipes were extended into areas in the past they have determined the usage of water that could flow through those pipes and the water utility would support based on that water usage. He said it is now saying that because, on a

temporary basis, a pipe is being put through which does not adequately support Woodbine, that Woodbine pay for this pipe and they are not going to get any credit to pay for that pipe. He said he does not feel this is fair for Beaverbank.

MOTION CARRIED

REPORT RE: BUILDING PERMIT DATA

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

"THAT THE FEES BE RATIFIED BY RECORDED RESOLUTION"

THE FEES ARE:	1 Year (24 reports)	\$500.00
	6 months (12 reports)	\$250.00
	3 months (6 reports)	\$125.00
	1 report (1 copy only)	\$ 25.00

MOTION CARRIED

Mayor Lichter said occasionally different business establishments or government agencies are asking for building permit application listings for a period of time. He asked if these reports were statistical or reports on individual applicants with name, address and phone number.

Mr. Butler said the phone number is not included but the name, type of permit issued, the value of that permit and the location would be included in that information.

Mayor Lichter said some people are not happy about getting phone calls from anybody who has anything to sell remotely connected to a new home.

Mr. Meech said this will include the name of the applicant and the location or address. He said statistical data is available now. He said the information is public information once the permit has been issued.

Memorandum Re: The Temperance Hall

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

"THAT COUNCIL AUTHORIZE THE PROPERTY MANAGEMENT DEPARTMENT TO ENTER INTO NEGOTIATIONS WITH THE OWNERS OF THIS PROPERTY WITH THE INTENTION TO OBTAIN TITLE TO THE PROPERTY AND CONSIDER LEASING IT BACK TO THE SACKVILLE HERITAGE SOCIETY FOR \$1.00 PER YEAR"

MOTION CARRIED

\$3,000 Loan Advance - Lakeside Lions Club

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

'THAT COUNCIL APPROVE A \$3,000 LOAN ADVANCE TO THE LAKESIDE LIONS CLUB. THE LOAN IS REPAYABLE WITH INTEREST OVER A FOUR(4) YEAR TERM WITH COUNCIL RESERVING THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF INTEREST AND/OR PRINCIPAL REPAYMENT"

MOTION CARRIED

Tanker - Triple Combination Pumper, District 9A Volunteer Fire Department

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

"THAT COUNCIL APPROVE THE BID SUBMITTED BY METALFAB LIMITED, IN THE AMOUNT OF \$181,406.00

MOTION CARRIED

Lawrencetown (District 9A) Volunteer Fire Department - Loan Request - \$161,500

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

"THAT COUNCIL APPROVE A \$161,500 LOAN ADVANCE TO THE LAWRENCETOWN (DISTRICT 9A) VOLUNTEER FIRE DEPARTMENT FOR THE PURPOSE OF ACQUIRING A PUMPER FIRE VEHICLE. THE LOAN IS REPAYABLE OVER A TEN (10) YEAR TERM WITH INTEREST. COUNCIL RESERVES THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST REPAYMENT"

MOTION CARRIED

June 7, 1994 council session

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

"THAT THE JUNE 7, 1994 SESSION OF COUNCIL BE CANCELLED"

MOTION CARRIED

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

"THAT THE REPORT RE: WATER EXTENSION BEAVERBANK ROAD" BE REFERRED BACK TO THE EXECUTIVE COMMITTEE AND FURTHER THAT THE COUNCILLOR FOR THE AREA BE INFORMED OF MEETING

DATE AND TIME WHEN IT WILL BE DISCUSSED"

MOTION CARRIED

WATER SERVICE DISTRICTS - COLE HARBOUR/WESTPHAL AREA

Councillor Hendsbee said it would be easier, in his opinion, if they extended the water service district to the shore line of Lake Major and Little Salmon River.

Councillor Cooper said the process had been started as the result of identification of problem areas in the municipality with regards to quality and quantity of water. He said there is a difference in this report and the one prepared for the Halifax County Water Utility area under the financial plan. He said the previous report it indicated the Municipality and/or private developers would be responsible for the cost of the major infrastructure. He said the plan being considered tonight has the word Municipality dropped from the section addressing financial plan. He asked why that particular difference is there.

Mayor Lichter said it is because ultimately it is the Dartmouth Water Utility that is responsible for the capital financing. He said how they raise those funds would be up to them.

Mr. Meech said it is for capital expenditures, for existing development for example, from the Dartmouth Water Utility's perspective it would be the municipality's responsibility to construct and find a means to finance.

Councillor Cooper said the report being considered tonight would not preclude or not be interpreted as saying the municipality would not be involved in the normal capital construction costs and cost sharing with regard to the Eastern side.

Councillor Cooper said he would be making two motions, one dealing with the report that was received tonight and the other dealing with the proposed amendments to ensure that there is public participation and future input.

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

"WHEREAS THE MUNICIPALITY HAS ESTABLISHED CRITERIA FOR CONSIDERING WATER SERVICE DISTRICTS IN THE MUNICIPALITY AND SUCH WATER SERVICE DISTRICTS ARE BEFORE COUNCIL IN THE REPORT THIS EVENING BE IT THEREFORE RESOLVED THAT THIS REPORT BE RECEIVED AND ENDORSED BY HALIFAX COUNTY COUNCIL AND FORWARDED TO DARTMOUTH WATER UTILITY FOR THEIR CONSIDERATION AND ACTION"

Councillor Hendsbee said he would hope that all the land to the

Little Salmon River would be included. He said he feels the point should be made that these lands be included.

Mayor Lichter said the motion could be dealt with as it or have it deferred to have the Engineering department make adjustments and then bring it back for approval.

Deputy Mayor Bates said there is one section that goes across the Little Salmon River into district 8 that for which council has already submitted a request to the province. He said that is in the third phase of the Cherrybrook extension of water that was going to be done along with Broom Road. He said the county wouldn't now go to the City of Dartmouth and not include that into the water district. He said there will have to be an amendment made for that. He said he feels it will have to be referred back to the Engineering department.

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

"THAT THIS BE REFERRED BACK TO THE ENGINEERING DEPARTMENT FOR ADJUSTMENTS TO BE LOOKED AT AND BROUGHT BACK TO NEXT COUNCIL SESSION"

MOTION CARRIED

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

"THAT THE REPORT DATED MAY 2, 1994 BE DEFERRED TO THE NEXT SESSION OF COUNCIL"

MOTION CARRIED

SECOND AND THIRD READING - MOBILE HOME PARK BY-LAW

Mayor Lichter called for speakers in favour of or opposition to the by-law. No speakers.

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

"THAT THE MOBILE HOME PARK BY-LAW BE GIVEN SECOND READING"

MOTION CARRIED

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

"THAT THE MOBILE HOME PARK BY-LAW BE GIVEN THIRD READING"

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW RESPECTING SEWER TAXES

Mayor Lichter noted that a letter had been received from the Lockview Ratepayers Association in agreement with the by-law.

Mayor Lichter asked for speakers in favour of or opposition to the by-law. No speakers.

Councillor Snow said he had a concern with the boundary of this by-law with respect to the Lockview Road. He said he notes that the Stewart property has been deleted and Sobey property is included but the property getting to the Sobey property is not within the serviceable boundary.

Mr. Wdowiak said the line to the Sobey property was made under special agreement where funds were made available by Sobey and the line to the Sobey's property is considered a private line.

Mr. Meech said if there is an area that maybe has not been included and needs to be reconsidered then maybe the by-law can be dealt with, as is, and have a separate motion to have those specific cases examined which would come back as an amendment to the by-law if appropriate.

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

"THAT A BY-LAW RESPECTING SEWER TAXES BE GIVEN SECOND READING"

MOTION CARRIED

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

"THAT A BY-LAW RESPECTING SEWER TAXES BE GIVEN THIRD READING"

MOTION CARRIED

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

"THAT THE STEWART PROPERTY AND THE BRIDGE BE REFERRED TO THE ENGINEERING DEPARTMENT TO BE EXAMINED"

MOTION CARRIED

SECOND AND THIRD READING - BY-LAW #58

Mayor Lichter called for speakers in favour of or opposition to the by-law. No speakers.

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

'THAT BY-LAW #58 BE GIVEN SECOND READING'

MOTION CARRIED

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

"THAT BY-LAW #58 BE GIVEN THIRD READING"

MOTION CARRIED

SECOND AND THIRD READING - WASTE DISPOSAL CHARGES BY-LAW

Mr. Crooks said this was an item that had been referred from last session of council to be included for tonight's session. He said it includes a memorandum from the Engineering staff which documents some proposed changes to the draft that was advertised.

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

"THAT SERVICE CLUBS, CHURCHES AND OTHER LIKE GROUPS
OTHERWISE EXEMPT FROM THE WATER SERVICE CHARGE CONTINUE
TO REMAIN EXEMPT"

Mr. Meech said these service clubs and churches are now paying the water fees. He said to his knowledge there is no exemption for water service.

Councillor Boutilier said what the community council was trying to accomplish with the motion was to make sure that anybody like a church or service club, that are currently not paying, did not have to be paying as a result of this change. He said he has a problem with the term "other like groups" and what it means.

Councillor Merrigan asked if presently churches were paying the environmental rate.

Mr. Meech said they are exempt from taxation.

Councillor Merrigan said if churches and other groups are presently exempt from the environmental rate they should be exempt from the new water surcharge rate.

Mr. Meech said staff would have to look at what the legal authority is to exempt them from that particular charge. He said there is now the ability, under legislation, to exempt them from property taxes or reduce it from the commercial to the residential. He said he is not certain that the municipality has the legal authority to exempt them from the payment of water charges.